

## Minutes of the Independence City Commission's May 23, 2019 Meeting

The Independence City Commission met for a regular meeting on May 23, 2019 at 5:30 P.M. in the Veterans Room at the Memorial Hall. Mayor Louis Ysusi, and Commissioner Leonhard Caflisch were present. Commissioner Gary Hogsett was present via telephone. Others present included:

### City Staff

Craig Whitehead, City Manager  
Jeff Chubb, City Attorney  
Kelly Passauer, Assistant City Manager/Zoning Administrator  
David Schwenker, City Clerk/City Treasurer  
David Cowan, Director of Safety/ADA Coordinator  
Shawn Wallis, Fire/EMS Chief  
Lacey Lies, Finance Director  
Mike Passauer, Public Works Director  
Barb Beurskens, Park and Zoo Director  
Brian McHugh, Memorial Hall Supervisor  
Jerry Harrison, Chief of Police  
Don Cushing, Building Inspector  
Richard Sherley, Police Officer

### Visitors

Ellie Davis  
Larry McHugh  
Jerry Bright  
Octavin Castorena  
Erin Trimble  
Connor Harbit  
Sean Clapp  
Lisa Richard  
Dean Hayse  
Jim Kelly  
Tony Royse  
Christy Campbell  
Jim Bennett  
Kathy Bennett  
Lisa Wilson  
Paul Horvath  
Cher Parker

## I. REGULAR SESSION

### A. Call to Order

Mayor Ysusi called the meeting to order at 5:30 P.M.

### B. Pledge of Allegiance to the United States of America

## Minutes of the Independence City Commission's May 23, 2019 Meeting

### C. Adoption of Agenda

#### **Motion:**

**On the motion of Mayor Ysusi, seconded by Commissioner Caflisch the Commission adopted the agenda with the modification that item "C" and "D" be removed from the consent agenda and moved to items for Commission action.**

**Aye: Ysusi, Caflisch, Hogsett**

**Nay: None**

## II. PRESENTATION

### A. Swearing in new IPD Officer Richard Sherley.

Police Chief Harrison introduced Officer Richard Sherley. City Clerk David Schwenker swore in new patrol officer Richard Sherley.

## III. COMMON CONSENT AGENDA

(*Consent* is that class of Commission action that requires no further discussion or which is routine in nature. All items on the Consent Agenda are adopted by a single motion unless removed from the Consent Agenda.)

### A. Appropriations

1. A-1839
2. P-1810

### B. Consider approving the minutes of the April 11, 2019 City Commission Meeting.

### C. Consider proclaiming the City of Independence a Census 2020 Partner.

*This item was removed from the consent agenda and moved to items for Commission action.*

### D. Consider adopting an ordinance regulating open burning, recreational fires, and other portable cooking devices.

*This item was removed from the consent agenda and moved to items for Commission action.*

### E. Consider approving the Miss Able's Summer Blast Off Monkey Run, Kids Obstacle Course, and Moon Walk Bounce House to be held on June 1, 2019 at Riverside Park and Ralph Mitchell Zoo.

### F. Consider adopting the 2019 Pay Plan Resolution as budgeted.

### G. Consider authorizing the purchase of a 2019' Ford F250, 4x4, Crew Cab from Quality Motors of Independence, Kansas for the price of \$35,075.80 for the Fire/EMS Chief.

## Minutes of the Independence City Commission's May 23, 2019 Meeting

H. Consider proclaiming May 28th through June 1st, 2019 as Miss Able's Summer Blastoff Days.

### IV. PUBLIC HEARINGS

A. Public Hearing to consider condemnation of 208 N. 17th Street.

Building Inspector Cushing informed the Commission that this structure was damaged by fire and boarded up and he recommends proceeding with condemnation.

Mayor Ysusi opened the public hearing.

The owner of the property, Christy Campbell reported that renovations are underway.

Commissioner Caflisch asked about a schedule.

The owner said she had someone working on the property currently.

Inspector Cushing would like to do an initial inspection to determine the extent of the damage and inform the owner of the repairs that need to be done in order to have the structure meet the standards.

Mayor Ysusi informed the owner that she needed to get a timeline to Inspector Cushing and the names of her contractors so that he could monitor the progress of the repairs.

Mayor Ysusi closed the public hearing.

Inspector Cushing noted that the condemnation process allows him to monitor and control the repairs to ensure work is being done on the property.

Commissioner Caflisch noted that once the house is condemned it can't be used to borrow against it to make the necessary repairs.

City Attorney Chubb noted that without condemnation the Building Inspector has no authority and the process shouldn't be based on whether someone can get a loan on the property.

Commissioner Caflisch said he could see the City Attorney's point and noted that the Commission has no current pictures of the damage, only from the night of the fire. Commissioner Caflisch is in favor of tabling the condemnation for 30 days.

Mayor Ysusi agreed with Commissioner Caflisch and informed the owner to talk with the Building Inspector to set up a timeframe for the repairs and to keep in touch with him so he could see how the work is progressing.

**Motion:**

**On the motion of Commissioner Cafilich, seconded by Mayor Ysusi the Commission adjourned the hearing to June 27<sup>th</sup> and within that time period the owner prepare a schedule for construction and submit it to the Building Inspector.**

**Aye: Ysusi, Cafilich, Hogsett**

**Nay: None**

- B. Public hearing to consider vacating an east/west alley connecting to Earl Street between Cedar Street and Coffeyville Avenue (a utility easement would remain for the vacated alley).

Erin Trimble and Octavia Castorena asked the Commission to close the alley so they could build a garage.

Mayor Ysusi opened the public hearing.

No comments were made by the public.

Mayor Ysusi closed the public hearing.

**Motion:**

**On the motion of Mayor Ysusi, seconded by Commissioner Cafilich the Commission adopted the ordinance vacating an east/west alley connecting to Earl Street between Cedar Street and Coffeyville Avenue, with a utility easement for the vacated alley.**

**Aye: Ysusi, Cafilich, Hogsett**

**Nay: None**

V. ITEMS FOR COMMISSION ACTION

- A. Consider proclaiming the City of Independence a Census 2020 Partner.

*This item was removed from the consent agenda and moved to items for Commission action.*

Commissioner Cafilich asked what the purpose of this proclamation was.

City Manager Whitehead explained that the people he met with were representatives of the federal government. They recommended that the City form a Complete Count Committee made up of representatives of the community to serve as "trusted voices" to reach out to citizens to emphasize the importance of participating in the 2020 Census. They are assigned different areas around the

## Minutes of the Independence City Commission's May 23, 2019 Meeting

country.

Commissioner Caflich felt that this should not have been a consent agenda item and by having this discussion about the item it is publicizing the need to correctly count the number of people in the city for representation and financial purposes.

**Motion:**

**On the motion of Mayor Ysusi, seconded by Commissioner Caflich the Commission proclaimed the City of Independence a Census 2020 Partner.**

**Aye: Ysusi, Caflich, Hogsett**

**Nay: None**

- B. Consider adopting an ordinance regulating open burning, recreational fires, and other portable cooking devices.

*This item was removed from the consent agenda and moved to items for Commission action.*

The Commissioners were confused as to which City Code this Ordinance would affect. After discussion with the City Attorney it was decided that City Code Section 90-40 is the item that is being replaced.

**Motion:**

**On the motion of Mayor Ysusi, seconded by Commissioner Caflich the Commission amended City Code Section 90-40 as submitted for approval.**

**Aye: Ysusi, Caflich**

**Nay: Hogsett**

- C. Consider an agreement with Rainbow Fireworks, Inc. for the 2019 4th of July Firework Show.

Jim Kelly gave a presentation on the 4<sup>th</sup> of July Firework show.

Mayor Ysusi thanked Jim for his many years of service for raising the funds to put the show on.

**Motion:**

**On the motion of Mayor Ysusi, seconded by Commissioner Caflich the Commission authorized the Mayor to sign an agreement with Rainbow Fireworks, Inc. for the 4<sup>th</sup> of July Fireworks show in the amount of \$15,650.**

**Aye: Ysusi, Caflich**

**Nay: Hogsett**

## Minutes of the Independence City Commission's May 23, 2019 Meeting

- D. Consider authorizing the Mayor to sign a contract with Heckert Construction to overlay residential street locations as recommended by staff.

Director Passauer reviewed the 1 bid received out of 13 invitations sent out. Total project cost is estimated to be \$276,292.

Commissioner Caflich asked if these were the same rates that are being charged to the County and who would be doing the inspections.

Director Passauer replied that the rates are different than the ones being charged to the County and that City staff would be performing the inspections.

**Motion:**

**On the motion of Mayor Ysusi, seconded by Commissioner Caflich the Commission authorized the Mayor to sign a contract with Heckert Construction to overlay the locations as recommended by City staff.**

**Aye: Ysusi, Caflich, Hogsett**

**Nay: None**

- E. Consider approving and agreement between the City of Independence and TranSystems for the 2019 mill and overlay ADA sidewalk and ramps.

Director Cowan presented the contract for ADA design work on the streets that will be milled and overlaid.

Commissioner Caflich asked to see the extent of the work that is required before accepting the contract.

Director Cowan said he could put together the list of ramps and more detail.

No action taken.

- F. Consider proceeding with demolition of 606 Fountain.

Building Inspector Cushing presented a timeline of the activity concerning this property.

Commissioner Caflich indicated that he would like to hear from the owner of the property.

Paul Horvath appeared and said he is trying to get contractors to work on the property in exchange for other properties he has.

Mayor Ysusi asked if he had a timeline for the repairs.

## Minutes of the Independence City Commission's May 23, 2019 Meeting

Inspector Cushing noted that a timeline had been set previously and not met.

Commissioner Caflisch asked what would happen if he couldn't get a contractor to accept a trade.

Mr. Horvath stated that he would use the proceeds from his sales of other properties.

Inspector Cushing noted that a 60-day extension had been granted in the past and nothing has been done to the property since that time.

Mayor Ysusi stated that he was inclined to proceed with the demolition and asked Inspector Cushing what the timeline would be to remove it.

Inspector Cushing replied that the bid has already been awarded and City staff would need to schedule with the contractor who was awarded the bid.

Mr. Horvath asked for a 30-day extension.

Mayor Ysusi asked the owner if he was granted a 30-day extension what improvements would be made during that time.

Mr. Horvath said he would replace the roof and trim the tree.

Mayor Ysusi said that if there had been some effort to start rehabbing the house, he might think differently about it.

**Motion:**

**On the motion of Mayor Ysusi, seconded by Commissioner Caflisch the Commission moved to proceed with demolition of 606 Fountain Street.**

**Aye: Ysusi, Hogsett**

**Nay: Caflisch**

G. Consider authorizing the removal of 106-108 East Chestnut Street.

Lisa Richards gave a brief history of the building and asked the Commissioners to delay the removal of the building to give the community more time to digest this.

Mayor Ysusi said that when he asked for a list of City owned properties it was to determine what properties the City has no use for. He is not in favor of the City being landowners.

Commissioner Caflisch noted that the original intent was to secure property on the block to look at development beyond a parking lot. He would like to reevaluate the initial thought and if that is not the direction the City wants to go then to look at

## Minutes of the Independence City Commission's May 23, 2019 Meeting

selling the property.

Commissioner Hogsett agreed with the Mayor that if the City needs the space then to bring it down and if not then put it on the market.

Mayor Ysusi would like to do an evaluation as well.

The Commission decided to table the discussion and review it later.

### VI. REPORTS

#### A. City Board Minutes

1. March 20, 2019 Library Board of Trustees Minutes
2. April 2, 2019 Planning Commission/Board of Zoning Appeals Minutes

### VII. CITY MANAGER'S COMMENTS

City manager Whitehead told the Commission that the Peter Pan Extension project has gone out for bids and that the letting date is June 21<sup>st</sup>. He also commended City staff for their work during the last weather event.

Mayor Ysusi also thanked City staff.

### VIII. COMMISSIONERS' COMMENTS

Commissioner Cafilisch asked for monthly Treasurers Reports and explanations for deficit accounts. He also asked if there is anything to report on the Historical Tax Credit Application.

City Manager Whitehead replied that the City has not heard back from the State, but the application had been submitted and received by them.

Commissioner Cafilisch asked about the construction contract for the 1916 City Hall building.

City Manager Whitehead said that they had received the contract and the contractor is in the building.

Commissioner Cafilisch asked if any marketing companies had been contacted about the sale of the temporary City Hall building.

City Manager Whitehead replied that staff has not pursued that yet.

Mayor Ysusi noted that Martin Realty in Wichita might be a viable company to check into for this purpose.

Mayor Ysusi asked for an update on the water plant.

**Minutes of the Independence City Commission's May 23, 2019 Meeting**

City Manager Whitehead replied that Sarah Unruh from PEC would be submitting a report tomorrow.

IX. PUBLIC CONCERNS

X. ADJOURNMENT

**Motion:**

**Mayor Ysusi moved to adjourn. Commissioner Caflisch seconded.**

**Aye: Ysusi, Caflisch, Hogsett**

**Nay: None**

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Louis Ysusi, Mayor

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Leonhard Caflisch, Commissioner

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Gary Hogsett, Commissioner

Attest:

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City Clerk/Treasurer

I do understand the City would like a specific plan for each house that I have recently bought there as to when and how they will be either repaired or demolished. I wish to supply this and can do so as I have more information.

I know the City is actively trying to clear up blighted properties. I also know that these properties in question have been issues for the City for years now. The improvement is a great goal that I am agreement with and wish to be a part of the solution, that will occur in months now, therefore making the City better. My approach may be a bit unconventional here but my hope is that as we work together it will ultimately result in investment dollars flowing into the City yielding better housing stock and a more desirable place to live and work.

My plan is varied. 1) I am negotiating now with various Contractors to have them do work on the properties in exchange for service to them. (see attachments) 2) I have taken steps to insure the properties exteriors are properly maintained 3) I am in the process of selling some of the properties to Investors who understand they need to be taking action to improve the properties 4) I am in active negotiation with some of the neighbors of these properties that wish to attach property to their existing owned properties.

5) I have already invested thousands of dollars into these properties much of which does not yet show much, but the investment is there. 6) I have negotiated work with a marketing specialist who will begin Jun 3rd to help me to plan and promote the best use of these properties. 7) I have been and will continue to spend regular consistent time in the City overseeing work and working on the properties myself. 8) I will continue to work with the government staff there in an open communicative way! 9) Most importantly I will continue to pray for guidance and wisdom for me to be able to be a blessing to the City. I understand the principle that "unless the Lord builds the house, they labor in vain who build it and unless the Lord guards the City, the watchman keeps awake in vain." Psalm 127: 1 I pray for the City also including you the watchmen!

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Ben, me 9

Inbox Re: Home in exchange for work - you can work wit

📧 House Values c...

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Inbox Re: Mow Your Way to a Home - of available homes

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Bryan Cognetti

Handy? Own your own Home in exchange for work - Fixin

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Inbox Re: Mower - Pray and work and pay in. Independen

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Inbox Handy? Own your own Home in exchange for work

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Inbox Handy? Own your own Home in exchange for work

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Inbox Blessings - there. > Has the Hotel been mowed? Y

**Nex-Tech Classifieds**

Inbox **Here are some popular Nex-Tech Classifieds listi**

me, Tammy 11

Inbox Rain/rain - with > mowing. Between myself and th

lynn, me 2

Inbox Mow your way to a home - position of mowing. WI

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Inbox Re: Mowing Inquiry - would require mowing equipr

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Inbox Independence— mower links - good push mower I

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Inbox 5/15 - >> mowed 12 of the yards yesterday and wi

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Inbox 📌 Popular picks in Toyota Tacoma and Hustler Ri

Sarah, me 3

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Inbox Mow your way to a home - Subject: Mow your way

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Inbox Mow your way to a home - Subject: Mow your way

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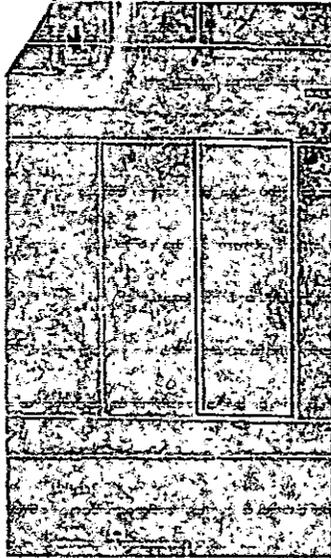
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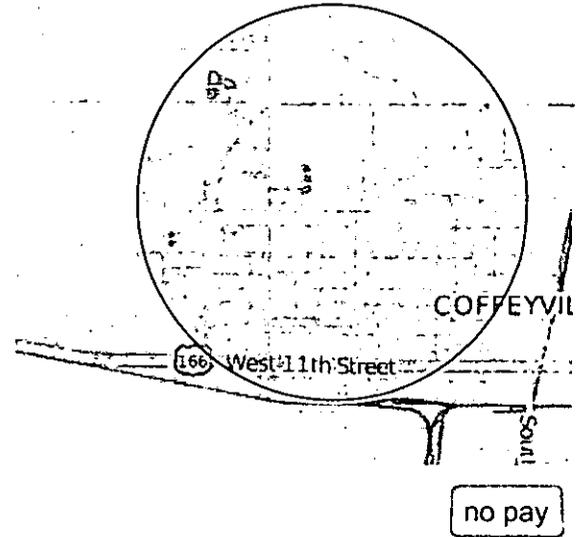
Contact Information:

## Mow Your Way to a Home (Coffeyville and Independence KS)

image 1 of 4

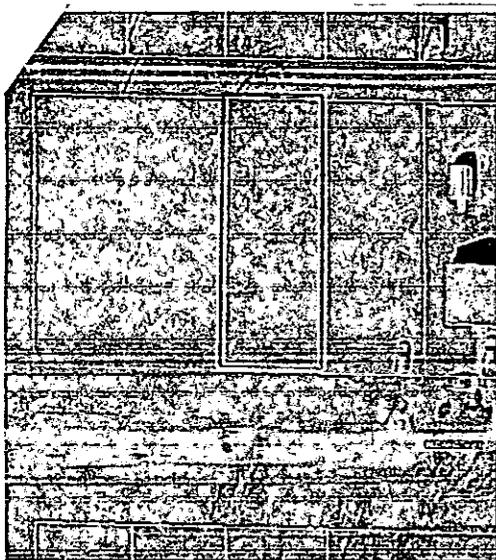


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Mow for us in exchange for a home. We have about 60 properties we want mowed this season. Wanting to exchange a fixer upper home for you keeping our lots mowed in Coffeyville and/or Independence. . For more information contact us. We have about 10 different homes you can choose from. They each need work but have potential. Need to start soon. Thanks, Paul or Jessica!

QR Code Link to This Post



R 19746 815 W Dakota St., Coffeyville, Mo  
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