

Minutes of the Independence City Commission's June 27, 2019 Meeting

The Independence City Commission met for a regular meeting on June 27, 2019 at 5:30 P.M. in the Veterans Room at the Memorial Hall. Mayor Louis Ysusi, Commissioner Leonhard Cafilisch, and Commissioner Gary Hogsett were present. 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
Jerry Harrison, Police Chief
Lacey Lies, Finance Director
Terry Lybarger, Director of Utilities
Mike Passauer, Public Works Director
Brian McHugh, Memorial Hall Supervisor
Don Cushing, Building Inspector
Dustin Stafford, School Resource Officer

Visitors

Ellie Davis
Larry McHugh
Kathy Shepard
Connor Harbit
Thomas Black
Margaret Black
Dean Hayse
Jon Risner

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
- C. Adoption of Agenda

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Cafilisch the Commission adopted the agenda with the addition of two executive sessions.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

II. COMMON CONSENT AGENDA

(Consent is that class of Commission action that requires no further discussion or

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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-1841
2. D-1905-A
3. P-1812

B. Consider approving the minutes of the May 9, 2019 City Commission Meetings.

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Caflisch the Commission adopted the consent agenda.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

III. PUBLIC HEARINGS

A. Public Hearing to consider condemnation of 513 W. Cottonwood Street.

Inspector Cushing noted that the owner is cleaning the property and getting it in order, and he recommends adjourning the hearing for 60 days.

Mayor Ysusi opened the hearing and with no one there to represent the property, closed the hearing.

Motion:

On the motion of Commissioner Caflisch, seconded by Commissioner Hogsett the Commission adjourned the public hearing to August 22, 2019 at 5:30 P.M.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

B. Public Hearing to consider condemnation of 301 N. 11th Street.

Inspector Cushing noted that initially the owners installed a new roof on the structure in 2018. Since that time no additional construction or activity has happened with the property. Inspector Cushing noted that since that time he has received several complaints from the neighbors, and they want it condemned and removed.

Mayor Ysusi opened the hearing and with no one there to represent the property,

closed the hearing.

Mayor Ysusi asked if the house was secured.

Inspector Cushing replied that the house is not secure.

Mayor Ysusi asked what the other issues were concerning the house.

Inspector Cushing replied that there were issues with ceilings, floors, walls and fire and smoke damage throughout the house as well as some electrical issues.

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Hogsett the Commission condemned 301 N. 11th as dangerous and unsafe.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

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

Inspector Cushing noted that the owner was instructed by the Commission to submit a timeline. Since that time, he has had no contact with owner.

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Caflisch the Commission condemned 208 N. 17th as dangerous and unsafe.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

IV. ITEMS FOR COMMISSION ACTION

A. Consider partnering with SEK Senior Safety and Wellness Coalition for the Health on Purpose Health Fair at the Civic Center on September 20, 2019.

Kathy Shephard appeared and asked if the Commission would waive the fee for use of the Civic Center.

Mayor Ysusi asked if the health fair was open to everyone.

Mrs. Shephard replied that it was.

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Commissioner Caflisch asked what the money was used for that the Coalition charges to vendors.

Mrs. Shephard replied that the funds are used to reduce the cost of lab fees and it helps pay for a quarterly luncheon that the Coalition puts on and pay for speakers about senior issues.

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Hogsett the Commission agreed to partner with SEK Senior Safety and Wellness Coalition for the Health on Purpose Health Fair to held at the Civic Center on September 20, 2019.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

- B. Consider approving bids for a new tractor and brush hog for use in the Street Department.

Director Passauer noted that seven bids were received on June 20, 2019 to replace a 1977 tractor and brush hog. He reviewed the bids, looked at specs, looked at the budget and looked at parts and service availability and the distance for service. He noted that three bids did not meet specs. The LS tractor located in Crestview, FL, made in South Korea, has dealerships in Tulsa, Oklahoma and Moundridge, Kansas. He is recommending the John Deere tractor and brush hog because the dealership is just outside of town and there would be significantly less down time for any repairs that would need to be done.

Commissioner Caflisch inquired about the difference in brush hogs.

Director Passauer replied that one is medium duty and the other is heavy duty and he recommends purchasing the heavy duty for what the department uses it for.

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Caflisch the Commission approved the bid from Prairieland Partners in the amount of \$43,732.82 for a new John Deere 5065W Tractor and HX7 Brush Hog.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

V. DISCUSSION

A. Consider items requested by Commissioner Caflisch:

1. Review of the Code Enforcement Department relating to code and construction review.
2. Review City ADA direction regarding
 - a. The City Transition Plan and the elimination of the attachments.
 - b. The identification of City non-compliant ADA issues.
 - c. Selection of a consultant for guidance regarding ADA compliance.
3. Creation of an Economic Development Advisory Board per Division 2, Section 2-66 through Section 2-70.

Commissioner Caflisch noted that there were changes made to the plans regarding the fire sprinkler system at 223 W. Main and his concern is that the Building inspector does not have the expertise for complicated plan and code review. He recommends that the City use an independent firm that specializes in code review or contract out with another city that does have a plan and code review department. It would be a great asset and relive some of our liability in the plan review process.

City Manager Whitehead noted that staff doesn't disagree with the use of outside firms, but he noted that staff would like to go through the process they are currently using to make sure everything gets covered.

Director Cowan presented a power point of the process for application review, zoning review, historical district review, utility review, street review, fire review, ADA requirements, and if needed floodplain and alcohol review.

Commissioner Caflisch noted that no one on staff can do a code review.

Director Cowan noted that the City is looking at outside firms and we are getting assistance.

Commissioner Caflisch inquired about the direction the City should take for ADA requirements. He noted that the one cent city sales tax is coming to an end. He noted that the City would continue with the transition plan but questioned how those funds would be addressed. The Commissioner would like to consider using an outside source that could help the City effectively use the funds that are available.

Commissioner Caflisch looked to develop an Economic Development Board. The board would be appointed by the Mayor and be made up of 7 members, and then have the Chamber and MCAC as ex officio non-voting members.

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Discussion ensued about the pros and cons between the City Manager, City Attorney and Commissioners.

Commissioner Caflich suggested contacting members of the business community to see if there is an interest in people serving on this Board.

VI. REPORTS

A. City Board Minutes

1. April 22, 2019 IHPRC Minutes

VII. CITY MANAGER'S COMMENTS

City Manager Whitehead stated that he felt that the marketing of temporary City Hall is too soon and presented a timeline of the recent activity for the 1916 City Hall project which is attached.

VIII. COMMISSIONERS' COMMENTS

None.

IX. PUBLIC CONCERNS

None

X. EXECUTIVE SESSION

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Hogsett the Commission moved to recess for an executive session for discussion of an employee's performance pursuant to the non-elected personnel exception (K.S.A. 75-4319(b)(1)). In attendance will be the Commission, Police Chief Harrison, SRO Stafford, City Manager and City Attorney. The open meeting will resume at 7:20 P.M.

Aye: Ysusi, Caflich, Hogsett

Nay: None

Back in session at 7:21.

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Hogsett the Commission moved to recess for an executive session for discussion of an employee's performance pursuant to the non-elected personnel exception (K.S.A. 75-4319(b)(1)). In attendance will be the Commission. The open meeting will resume at 7:42 P.M.

Aye: Ysusi, Caflich, Hogsett

Nay: None

The meeting resumed at 7:42 PM.

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Caflich the Commission moved to recess for an executive session for discussion of an employee's performance pursuant to the non-elected personnel exception (K.S.A. 75-4319(b)(1)). In attendance will be the Commission, City Manager and City Attorney. The open meeting will resume at 8:02 P.M.

Aye: Ysusi, Caflich, Hogsett

Nay: None

The meeting resumed at 8:02 PM.

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Caflich the Commission moved to recess for an executive session for discussion of an employee's performance pursuant to the non-elected personnel exception (K.S.A. 75-4319(b)(1)). In attendance will be the Commission, City Manager and City Attorney. The open meeting will resume at 8:17 P.M.

Aye: Ysusi, Caflich, Hogsett

Nay: None

The meeting resumed at 8:17 PM.

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Caflich the Commission moved to recess for an executive session for discussion of an employee's performance pursuant to the non-elected personnel exception (K.S.A. 75-4319(b)(1)). In attendance will be the Commission, City Manager and City Attorney. The open meeting will resume at 8:22 P.M.

Aye: Ysusi, Caflisch, Hogsett
Nay: None

The meeting resumed at 8:25 PM.

Motion:

On the motion of Mayor Ysusi, seconded by Commissioner Hogsett the Commission moved to recess for an executive session for discussion of an employee's performance pursuant to the non-elected personnel exception (K.S.A. 75-4319(b)(1)). In attendance will be the Commission, City Manager and City Attorney. The open meeting will resume at 8:35 P.M.

Aye: Ysusi, Caflisch, Hogsett
Nay: None

The meeting resumed at 8:35 PM.

XI. ADJOURNMENT

Motion:

Mayor Ysusi moved to adjourn. Commissioner Hogsett seconded.

Aye: Ysusi, Caflisch, Hogsett
Nay: None

Louis Ysusi, Mayor

Leonhard Caflisch, Commissioner

Gary Hogsett, Commissioner

Attest:

City Clerk/Treasurer

CITY HALL,
INDEPENDENCE, KANS.

1916 City Hall Rehabilitation

Status Update



March 26, 2019 – Submitted Part 2 Tax Credit application to the State Historical Society

June 11, 2019 – Notice to Proceed for Preconstruction e-mailed to contractor, as noted at the June 13, 2019 City Commission meeting

June 17, 2019 – Received notification that Part 2 of the Historic Tax Credit Application was approved by the State Historical Society; e-mail copy to TreanorHL on June 19, 2019 (The tax credit process will be finalized by the submission of the Part 3 application after construction is complete)

June 27, 2019 – Notice to Proceed for Construction sent to contractor (start date July 29; see next slide)

July 15, 2019 – Preconstruction meeting, with both GC and Abatement contractor present

July 15, 2019 – Abatement is scheduled to start, and finish on July 29, 2019 (11 days) PSI believes that the abatement contractor will have no trouble meeting the 11 day schedule for abatement.

July 29, 2019 – General contractor start construction; finish on September 28, 2020 (427 days) The architects have discussed the project timeline with Hofer & Hofer for the construction work, and there are ways they believe it may be possible to shorten their project duration, depending on the availability of their subcontractors and window manufacturer lead times, which we will discuss again at the preconstruction meeting

Next Step – August 8, 2019 or August 15 — Special Commission Meeting; TreanorHL meet with Commission to discuss programming of public safety and administration offices (10:00 a.m.)