

Minutes of the Independence City Commission's February 11, 2021 Meeting

The Independence City Commission met for a regular meeting on February 11, 2021 at 5:30 P.M. at the Memorial Hall. Mayor Louis Ysusi, Commissioner Leonhard Cafilisch and Commissioner Dean Hayse were present. Others present included:

City Staff

Jeff Chubb, City Attorney
David Cowan, Assistant City Manager
Kelly Passauer, City Manager/Zoning Administrator
David Schwenker, City Clerk/City Treasurer
Shawn Wallis, Fire/EMS Chief
Terry Lybarger, Director of Utilities
Mike Passauer, Public Works Director
John Garris, City Engineer/Director of Public Works and Utilities
Kenny Farmer, Chief Wastewater Plant Operator
Brian McHugh, Memorial Hall Supervisor
Dustin Stafford, Police Officer
Lydia Collins, Administrative Aide
Lacey Lies, Director of Finance

Visitors

Larry McHugh
Michael Conway
Nick McCollum
Lisa Wilson

I. REGULAR SESSION

A. Call to Order

Mayor Ysusi called the meeting to order.

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

Motion:

On the motion of Commissioner Cafilisch, seconded by Commissioner Hayse the Commission adopted the agenda.

Aye: Ysusi, Cafilisch, Hayse

Nay: None

Minutes of the Independence City Commission's February 11, 2021 Meeting

II. PRESENTATION

- A. Recognition of Director of Utilities Terry Lybarger who is retiring after over 40 years of service to the City of Independence.

III. 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-1882
 - 2. P-1854
 - 3. P-1855
- B. Consider approving the minutes of the November 19 and December 10, 2020 City Commission meetings.
- C. Consider adopting resolutions rescinding condemnation action for the following properties:
 - 1. 200 S. 9th Street
 - 2. 321 S. 19th Street
- D. Consider setting the date of April 22, 2021 for a public hearing to consider condemnation of 418 S. Wald Avenue.
- E. Consider authorizing the installation of an audio control processor and wall screen controls for the Memorial Hall audio/visual system.
- F. Consider a lease/purchase agreement from Community National Bank for financing of a new street sweeper.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Cafilisch the Commission adopted the consent agenda.

Aye: Ysusi, Cafilisch, Hayse

Nay: None

IV. ITEMS FOR COMMISSION ACTION

- A. Consider awarding demolition bids for 414 S. Wald Avenue and 416 S. 18th Street.

The City of Independence received a combined bid from one contractor for the

Minutes of the Independence City Commission's February 11, 2021 Meeting

removal of two structures that were condemned on November 19, 2020. These two structures will complete the 2020 condemnation list of structures previously identified for removal. The balance of the demolition account will be \$123,055.38 if this combined bid is awarded in the amount of \$7,650.00.

Motion:

On the motion of Commissioner Caflisch, seconded by Commissioner Hayse the Commission awarded the removal of 414 S. Wald Avenue and 416 S. 18th Street to JRB Industries in the amount of \$7,650.00 for both properties.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- B. Consider authorizing the City Manager to sign an engagement letter with Tanner LLC to create and analyze the results of a citizen satisfaction survey.

Recently, Tanner LLC facilitated a planning retreat with the Commission and City staff. At the retreat one of the Intention Statements that was identified was "Communication" which included a citizen survey as a measure of success. In addition, we are now at a midpoint after adoption of the strategic plan. As you may recall, a citizen satisfaction survey was part of the initial strategic plan process. We are now at the midpoint of the five-year strategic plan and it is time to conduct another citizen satisfaction survey. The fees for Tanner LLC to create and analyze the survey are \$7,250. There will also be additional printing and mailing costs associated with distributing the survey.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Caflisch the Commission authorized the City Manager to sign an engagement letter with Tanner LLC to create and analyze the results of a citizen satisfaction survey.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- C. Consider authorizing TranSystems to prepare and submit KDOT City Connecting Link Improvement Program (CCLIP) grant applications for two projects: 1) Pavement Restoration – Penn Avenue (US 75) from Morningside Drive to North City Limits and 2) Surface Preservation – Chestnut Avenue (US 75) from near Penn Avenue to 9th Street.

Kansas Department of Transportation (KDOT) City Connecting Link Improvement

Minutes of the Independence City Commission’s February 11, 2021 Meeting

Program (CCLIP) applications for state fiscal year 2023/2024 are due on March 12, 2021. Last year the Commission authorized submitting the following applications which were not funded:

1. CCLIP Application, Pavement Restoration – Penn Avenue (US 75) from Morningside Drive to North City Limits
 - a. 3” mill, construct 2’ widening with 6” gravel and 4’ asphalt base, then 4” overlay cross section.

Estimated Cost	Estimated City Match – (10%)	Non-Participating Costs	Total City Cost
\$716,554.00	\$59,692.10	\$119,633.00	\$179,325.10

2. CCLIP Application, Surface Preservation – Chestnut Street (US 75) from near Penn Avenue to 9th Street.
 - a. 2” mill & overlay; replace non-compliant curb ramps that abut new asphalt.

Estimated Cost	Estimated City Match – (10%)	Non-Participating Costs	Total City Cost
\$268,552.00	\$20,001.20	\$68,540.00	\$88,541.20

Staff believes we should resubmit these applications for state fiscal year 2023, (July 1, 2022 – June 30, 2023).

Motion:

On the motion of Commissioner Caflich, seconded by Commissioner Hayse the Commission authorized TranSystems to prepare an application for KDOT’s CCLIP Pavement Restoration Program for Penn Avenue (US 75) from Morningside Drive to North City Limits and for Staff to submit the application to KDOT.

Aye: Ysusi, Caflich, Hayse

Nay: None

Motion:

On the motion of Commissioner Caflich, seconded by Commissioner Hayse the Commission authorized TranSystems to prepare an application for KDOT’s CCLIP Surface Preservation Program for Chestnut Avenue (US 75) from near Penn Avenue to 9th Street. and for Staff to submit the application to KDOT.

Minutes of the Independence City Commission's February 11, 2021 Meeting

Aye: Ysusi, Caflisch, Hayse

Nay: None

- D. Consider setting a Special Commission meeting on February 17, 2021 at 9 AM to discuss City facilities.

In a previous meeting Commissioner Hayse brought up possible alternatives to utilize Memorial Hall for administrative City offices and to relocate all of Fire/EMS into 1916 City Hall with the Police Department.

In addition, the marketing of Building D has also been discussed and City staff has started drafting an RFP which we would like to review with the Commission.

City staff suggests utilizing the previously scheduled third Wednesday at 9 AM Special Commission meeting to discuss the above topics.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Caflisch the Commission set a Special Commission meeting on February 17, 2021 at 9 AM to discuss City facilities.

Aye: Ysusi, Caflisch, Hayse

Nay: None

V. DISCUSSION

- A. Discussion relating to Use of Public Property and Right-of-Way Policy, including consumption of alcohol.

The City Commission directed City Staff to develop an application form for citizens to utilize when requesting permission to use City Property or Right-of-Way for an event. The attached document is designed for any activity outside of Riverside Park in which the public or organizations wish to use public property, street, or right-of-way. An issue that is often not considered when the City approves R.O.W. or City property use is insurance coverage. Discussions with E.M.C. recommend the City require a "special event" policy for \$1,000,000 that names the City of Independence as an additional insured. City insurance does offer some coverage, but our insurance excludes several things. It is also critical that when approving events, the City identifies who is actually "hosting" the event to understand who is responsible for the special event insurance policy. The application form will clearly identify who is holding the event.

In addition, while reviewing this agenda item the question came up regarding

Minutes of the Independence City Commission's February 11, 2021 Meeting

whether or not alcohol would be allowed on City rights-of-way during an event or through a temporary use agreement. The City Attorney suggested we discuss this issue before preparing a draft resolution or ordinance.

VI. REPORTS

A. Financial Reports

1. 4th Quarter Treasurer's Report
2. January Sales Tax Report

B. Airport 5 Year CIP

City Engineer Garris gave an update on various airport improvement projects.

Assistant City Manager Cowan and City Engineer Garris gave an update on the de-icing of the runways at the airport.

C. City Board Minutes

1. December 16, 2020 Library Board
2. January 5, 2021 Planning Commission/Board of Zoning Appeals
3. January 20, 2021 Recreation Commission

VII. CITY MANAGER'S COMMENTS

Assistant City Manager Cowan gave an update on the City's preparations for the upcoming cold temperatures and snowstorm.

City Manager Passauer announced that the City was awarded a CDBG grant of \$700,000.00 for the 1.4-million-dollar sewer improvement project.

VIII. COMMISSIONERS' COMMENTS

IX. PUBLIC CONCERNS

Nick McCullum would like to see the City draft regulations for the use of "utility vehicles" on city streets.

X. ADJOURNMENT

Motion:

Commissioner Hayse moved to adjourn. Commissioner Cafilisch seconded.

Minutes of the Independence City Commission's February 11, 2021 Meeting

Aye: Ysusi, Caflisch, Hayse

Nay: None

Louis Ysusi, Mayor

Leonhard Caflisch, Commissioner

Dean Hayse, Commissioner

Attest:

City Clerk/Treasurer