

## Minutes of the Independence City Commission's September 23, 2021 Meeting

The Independence City Commission met for a regular meeting on September 23, 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  
John Garris, City Engineer/Director of Public Works and Utilities  
Shawn Wallis, Fire/EMS Chief  
Lacey Lies, Director of Finance  
Brian McHugh, Memorial Hall Supervisor  
Dustin Stafford, Police Officer

### Visitors

Larry McHugh  
Leslie Fox  
Krystal Sumner  
Hailey Stover

#### 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**

#### II. APPOINTMENTS

##### A. Economic Development Advisory Board – One Resignation for a term ending January 1, 2024 – Five (5) Applications Received

#### **Motion:**

**On the motion of Mayor Ysusi, seconded by Commissioner Hayse the Commission appointed**

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**J. D. Cox to the Economic Development Advisory Board for an unexpired term ending January 1, 2024.**

**Aye: Ysusi, Cafilisch, Hayse**

**Nay: None**

### 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.)

**Motion:**

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

**Aye: Ysusi, Cafilisch, Hayse**

**Nay: None**

#### A. Appropriations

1. A-1897
2. P-1871

B. Consider ordinances adopting the Standard Traffic Ordinance (STO) for Kansas Cities, 48th Edition, 2021 and Uniform Public Offense Code (UPOC) for Kansas Cities 37th Edition, 2021.

C. Consider waiving the City curfew the evening of Tuesday, October 26, 2021 for the Neewollah Coronation Dance.

D. Consider authorizing the First Presbyterian Church to utilize the park oval on Saturday, October 9, 2021 for the annual free drive through flu shots.

### IV. ITEMS FOR COMMISSION ACTION

A. Consider a recommendation from the Planning Commission to approve a conditional use permit for "Storage and warehousing of nonhazardous products" in a C-2 commercial services district in the South 40' of Lots 1-5, Block 52, Original City of Independence, Montgomery County, KS (commonly known as 105 S. 4th, Independence, KS).

On September 7, 2021, the Planning Commission held a public hearing and recommended to approve the conditional use permit on a 7 – 1 vote.

**Motion:**

**On the motion of Commissioner Hayse, seconded by Commissioner Cafilisch the Commission accepted the recommendations from the Planning Commission and adopted a resolution**

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**approving a conditional use permit for "Storage and warehousing of nonhazardous products" in a C-2 commercial services district in the South 40' of Lots 1-5, Block 52, Original City of Independence, Montgomery County, KS (commonly known as 105 S. 4th, Independence, KS).**

**Aye: Ysusi, Caflisch, Hayse**

**Nay: None**

- B. Consider confirming changes to the final design and construction documents for bidding 1916 City Hall and Fire/EMS.

At the September 15, 2021 the following motion was approved:

APPROVED MOTION: Commissioner Caflisch moved to authorize TreanorHL to prepare construction drawings for the bidding of City Hall and Fire/EMS with the change of the HVAC System to the alternate system as discussed today. The existing elevator will remain providing access to the floor elevations as it currently does and install a dumbwaiter between 2nd and 3rd floor and review and modify the site plan to be more ADA friendly. The Fire/EMS to consider eliminating items under alternates 2, 3, 4, 6 and 7. Mayor Louis Ysusi seconded. Motion carried 2-1 with Commissioner Dean Hayse voting nay.

After the Special Commission meeting administration received requests from both Vance Kelley with TreanorHL and Jake Oberlechner with McCown Gordon requesting confirmation of changes discussed at the Special Commission meeting as follows:

- Vance Kelley with Treanor HL
  - Shorten sloping walk or utilize ADA ramp
  - Add an additional accessible parking stall on south (one for public and possibly one for staff)
  - Eliminate proposed utility bill pay stall on south
  - Leave existing utility bill pay drive-through drop box on north
  - Eliminate proposed 7 law enforcement parking stalls where existing utility bill pay drive is located
  - 4 law enforcement parking stalls located on north apron drive to remain, all other law enforcement parking to be located in City lot north of Myrtle St. Any work needed in this lot is not in this contract due to budget constraints.
  - In addition to this, we need confirmation:
    - EVERGY and Gas Company agree with the location for the pad mounted transformer and gas meter as shown on the Design Development site plan
      - NOTE: City Staff has visited with Evergy and Atmos Gas and received the following information:
        - Evergy - City will be responsible for the cost of new service cable for the County and extending it to the pad mount transformer.
        - Atmos estimated a cost of \$10,000. This will remove the current meters and Mg. County is moving their meter to the

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current ADA parking slot on the West side of their building. Atmos will relocate the City meter to the South side of our building by the basement I.T. room entrance. They will also place a 2" line for the generator, if natural gas, at that same time. They would coordinate during site work to install the piping.

- Jake Oberlechner with McCown Gordon
  - **Fire/EMS Construction Total = \$2,621,398**
    - Base: \$2,961,185
    - Cost Opt #2: \$(67,425) – Removes new overhead doors and additional glazing requirements in the existing overhead doors. Removes concrete paving at the North Exit.
    - Cost Opt #3: \$(185,796) – Potential savings for going to a furnace / condenser split system
    - Cost Opt #4: \$(23,017) – Remove ceiling baffles in dayroom
    - Cost Opt #6: \$(24,301) – Remove canopy structures at the South elevation
    - Cost Opt #7: \$(39,248) – Remove parapet walls at the living quarters
  - **City Hall Construction Total = \$4,905,338**
    - Includes dumbwaiter from 2<sup>nd</sup>/3<sup>rd</sup> floor
    - HVAC System - Change from VRF System to BCU/RTU/Boiler Option
  - **Existing EMS Building Construction Total = \$128,778**
  - **Combined Construction Total = \$7,655,514**

Alan Youngers with McCown Gordon asked how the City was accounting for furniture, fixtures and equipment (FF&E), tower costs, moving expenses and hard surfacing (alley and parking lot) which is not included in the Combined Construction Total. He asked if these additional costs will be reviewed by the Commission as well.

**No changes were made to the original motion.**

- C. Consider awarding proposal for geotechnical services for 1916 City Hall and Fire/EMS.

TreanorHL is requesting Geotechnical Engineering services for the City Hall and Fire/EMS station. At the 1916 City Hall facility, borings would be used to obtain soil conditions and monitor the building for water infiltration. The borings at the Fire/EMS station would be for the additional construction of the Fire/EMS station for soil conditions.

The City also requested an addendum to the Geotechnical RFP for the Central Park Sports Complex.

The City received two proposals for Geotechnical services from Anderson Engineering and GSI Engineering. The City is recommending awarding the work to GSI Engineering.

**Motion:**

**On the motion of Commissioner Hayse, seconded by Commissioner Cafilisch the Commission**

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**approved an agreement with GSI Engineering, pending City Attorney approval of the agreement for \$13,155.00 for 1916 City Hall and Fire/EMS locations.**

**Aye: Ysusi, Caflisch, Hayse**

**Nay: None**

**Motion:**

**On the motion of Commissioner Hayse, seconded by Commissioner Caflisch the Commission approved an agreement with GSI Engineering, pending City Attorney approval of the agreement for \$6,650.00 for the Central Park Sports Complex.**

**Aye: Ysusi, Caflisch, Hayse**

**Nay: None**

- D. Consider authorizing installation of ADA ramps at the intersection of 6<sup>th</sup> Street and Cottonwood Street.

A resident contacted the City ADA Coordinator who resides at 120 E. Cottonwood Street requesting curb ramps at the intersection of 6<sup>th</sup> Street and Cottonwood Street. The resident's son is disabled and wheelchair confined. They have difficulty getting him over the curb to load him in their vehicle or the school bus.

A review of the area found ADA curb access at 700 N. Penn Avenue or Penn Avenue and Cottonwood Street, and 5<sup>th</sup> Street and Cottonwood Street. By completing the two crosswalks at 6<sup>th</sup> Street and Cottonwood Street, the sidewalk would become accessible from Penn Ave to 5<sup>th</sup> Street and Cottonwood Street or the end of the sidewalk.

TranSystems has reviewed the area and has an estimate of \$4,094.00 from Graham Construction to add this to their current project and install the two ramps.

**Motion:**

**On the motion of Commissioner Caflisch, seconded by Commissioner Hayse the Commission authorized installation of two ADA curb ramps at 6<sup>th</sup> and Cottonwood for \$4,094.00 by Graham Construction.**

**Aye: Ysusi, Caflisch, Hayse**

**Nay: None**

V. DISCUSSION

- A. Discuss Downtown Building Inspections.
- B. Discuss scheduling a Joint Meeting with School Board and Recreation Commission regarding Central Park Sports Complex.

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This item was tabled.

### VI. REPORTS

#### A. Public Works Update

City Engineer Garris reviewed the report.

#### B. City Board Minutes

1. July 12, 2021 Electrical Board Minutes
2. August 3, 2021 Economic Development Advisory Board
3. August 3, 2021 Planning Commission/Board of Zoning Appeals

### VII. CITY MANAGER'S COMMENTS

None

### VIII. COMMISSIONERS' COMMENTS

None

### IX. PUBLIC CONCERNS

None

### X. EXECUTIVE SESSION

#### A. Personnel matters of non-elected personnel.

**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 found at (K.S.A. 75-4319(b)(1). The open meeting will resume at 7:00 P.M.**

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

The meeting resumed at 7:00 P.M. with no action taken.

### XI. ADJOURNMENT

**Motion:**

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

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**Aye: Ysusi, Caflisch, Hayse**

**Nay: None**

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Louis Ysusi, Mayor

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Leonhard Caflisch, Commissioner

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Dean Hayse, Commissioner

Attest:

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City Clerk/Treasurer