

## Minutes of the Independence City Commission's January 23, 2020 Meeting

The Independence City Commission met for a special meeting on January 23, 2020 at 5:00 P.M. at the Memorial Hall. Mayor Leonhard Cafilisch and Commissioner Dean Hayse were present. Commissioner Louis Ysusi was present by phone. Others present included:

### City Staff

Jeff Chubb, City Attorney  
Kelly Passauer, Assistant City Manager/Zoning Administrator  
David Schwenker, City Clerk/City Treasurer  
Brian McHugh, Memorial Hall Supervisor  
Shawn Wallis, Fire/EMS Chief  
Mike Passauer, Public Works Director  
David Cowan, Director of Safety/ADA Coordinator  
Lacey Lies, Director of Finance  
Jerry Harrison, Police Chief  
Terry Lybarger, Director of Utilities  
Paula Hayes, Records Clerk  
Justin Ward, Police Officer

### Visitors

Larry McHugh  
Taina Copeland  
Brent Julian  
Christy Mavers  
Ron Goins  
Tony Holmes  
Joe Cooley  
Shawn O'Kane  
Jerry Bright  
Steve Hale  
Doug Harlin  
Jon Risner  
Darrin Axthelm  
Amry Leaman  
Tabatha Snodgrass  
Jeri Hopkins  
Wayne Blaes  
Todd Fienen  
Doug Cox  
Kelly Cox  
Brian Beecham  
Dorcas Sutton  
Ned Stichman

### I. REGULAR SESSION

#### A. Call to Order

Mayor Cafilisch called the meeting to order.

- B. Pledge of Allegiance to the United States of America
- C. Adoption of Agenda DH/LY Motion carried

**Motion:**

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

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

II. PRESENTATION

- A. Presentation on the 2020 Census.
  - 1. Appoint Complete Count Committee.

**Motion:**

**On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission appointed a complete count committee for the 2020 census.**

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

III. APPOINTMENTS

- A. Planning Commission/Board of Zoning Appeals -- One Resignation and one additional term expiring.

**Motion:**

**On the motion of Mayor Caflich, seconded by Commissioner Ysusi the Commission appointed Kendall Neill to the unexpired term that is being vacated with the resignation of Philipp Umlauf.**

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

- B. Tree Board – Three terms expired. – Leslie Fox, Michelle Anderson and Bob Brewster. LY seconded. Motion carried.

**Motion:**

**On the motion of Mayor Caflich, seconded by Commissioner Ysusi the Commission appointed Leslie Fox, Michelle Anderson and Bob Brewster to the Tree Board.**

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

IV. INTRODUCTIONS AND SWEARING IN

A. Police Chief Jerry Harrison will introduce new employees in the Police Department:

1. Dispatcher Angela Lewis.
2. Records Clerk Paula Hayes.
3. Police Officer Justin Ward who will be sworn in by the City Clerk.

V. 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-1855
2. P-1825A
3. P-1827

B. Consider authorizing the abatement of nuisance taxes for 1001 W. Laurel Street.

**Motion:**

**On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission adopted the Consent Agenda.**

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

VI. PUBLIC HEARINGS

A. Public hearing to consider condemnation of 301 Cement Street as dangerous and unsafe.

The City of Independence staff has been reviewing 54 properties identified by Montgomery County as unsound. The City of Independence has contacted the owner of record to determine their intention with this property and received a notice to proceed with clearing the property.

**Motion:**

**On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission 301 Cement Street as dangerous and unsafe.**

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

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- B. Public Hearing to consider adopting the Southeast, Southwest and Central Neighborhood Revitalization Plans, and establishing the Southeast, Southwest and Central Neighborhood Revitalization areas.

The purpose of this program is to promote the revitalization of specific identified areas through rehabilitation, conservation or redevelopment by providing tax incentives in the form of a property tax rebate based on a percentage of the increased value of the improved property as shown below:

<b>Type of Construction</b>	<b>Years 1-5</b>	<b>Years 6-10</b>
New Structure	up to 100%	up to 50%
Rehabilitation, alteration or addition	up to 100%	up to 50%
Rehabilitation of structure on Kansas Historical Register	up to 100%	up to 100%

Depending on the type of improvement, after a five or ten year period, a portion or all of the increased value generates additional revenue to the taxing entities.

**Motion:**

**On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission adopted an Ordinance adopting the Southeast, Southwest and Central Revitalization Plans and establishing the Southeast, Southwest and Central Revitalization areas as presented and authorized the Mayor to sign the Neighborhood Revitalization Plan Interlocal Agreement.**

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

VII. ITEMS FOR COMMISSION ACTION

- A. Consider setting the date of March 26, 2020 for a public hearing to consider condemnation of 312 S. 15<sup>th</sup> Street as dangerous and unsafe.

On January 13, 2020, this structure was involved in a fire that did significant damage to a first-floor bedroom, bathroom and kitchen. The rest of the house has significant heat and smoke damage.

**Motion:**

**On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission agreed to set the date of March 26, 2020, at 5:30 p.m. for a public hearing to consider condemnation of the fire-damaged structure at 312 S. 15<sup>th</sup> Street.**

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

B. Consider a Downtown Bike Rack Policy.

City staff is seeking direction from the Commission on the installation of downtown bike racks and drafting an ordinance.

No action was taken

C. Consider participation in the Community Rating System (CRS) so that residents will qualify for discounted flood insurance premiums.

The City of Independence was contacted by Steve Samuelson, Kansas Department of Agriculture, Division of Water Resources/Floodplain Management that the City is now eligible to join the CRS program. The City of Independence floodplain program was audited by the State of Kansas this past summer 2019. The audit results found that we had one property that was not in compliance. City Staff worked with the property owner and was able to resolve the violation and issue a permit for the property on January 03, 2020, that was approved by the State of Kansas. Since the City of Independence is now in compliance with our floodplain ordinance, we are now eligible for the CRS program that will provide discounts to flood insurance for 64 households in Independence. In discussions with the State of Kansas and reviewing our floodplain management program, the State feels like we have enough points to make our citizens eligible for a 10% discount and possibly higher as we administrate the CRS program. The CRS program has different activities that the City will be required to participate in and make us eligible for points towards the discount levels.

**Motion:**

**On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission approved the Mayor to sign a letter of intent to participate in the CRS program.**

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

D. Consider the recommendation of the Planning Commission to grant a conditional use permit for an Indoor firing range in the C-3, Central Business District at 212 North Pennsylvania Avenue with conditions.

On January 7, 2020, the Planning Commission held a public hearing for a conditional use permit for an Indoor firing range in the C-3, Central Business District at 212 North Pennsylvania Avenue with conditions.

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**Motion:**

**On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission accepted the recommendations from the Planning Commission and adopt a resolution approving a conditional use permit for an Indoor firing range in the C-3, Central Business District at 212 North Pennsylvania Avenue with conditions.**

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

- E. Consider amending the qualification for electrician licensure.

The City of Independence Electrical Board has been reviewing qualifications for licensure for an electrician in the City of Independence. The Electrical Board voted to require electricians to submit 6 hours of Kansas approved (CEU) starting in 2021 in order to obtain a City license. The request was submitted to City Attorney Jeff Chubb who researched the request and provided the attached ordinance that was approved by the Electrical Board at their January 6, 2020, meeting. The Electrical Board will be hosting a CEU event for local electricians to obtain their CEU hours and the City of Independence will be providing a space for the training to occur. Participants in the training will cover the cost of the training and instructor for the class.

**Motion:**

**On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission approved the amendment to the Licensure of Electricians starting in 2021.**

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

- F. Consider updating the Sewer Cost Share Program (tabled from January 9, 2020 meeting).

The City started a reimbursement program in 2004 to help property owners offset the cost of replacing sewer service lines and removing sources of inflow to the sewer system, the reimbursable amounts in the program have not been updated since 2004.

**Motion:**

**On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission approved the updated Sewer Cost Share Program Resolution as presented.**

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

VIII. REPORTS

- A. 223 W. Main Street Update. David -- Nothing to report. LC – You said you were going to send a letter and there has been no response? David – Correct.
- B. City Board Minutes
  - 1. Library Board of Trustees August 21, October 16, and November 6, 2019 Minutes.
  - 2. Economic Development Advisory Board December 3, 2019 Minutes
  - 3. Electrical Board November 11, 2019 Minutes.
  - 4. Planning Commission/Board of Zoning Appeals December 3, 2019 Minutes.

IX. CITY MANAGER'S COMMENTS

Assistant City Manager Passauer gave an update on the Peter Pan Road construction.

X. COMMISSIONERS' COMMENTS

Commissioner Hayse would like to have a worksession to discuss developing a policy waving building permit fees for non-profits building new homes inside the City limits.

XI. PUBLIC CONCERNS

XII. EXECUTIVE SESSION

- A. For the purpose of reviewing and considering City Manager applications.

**Motion:**

**On the motion of Mayor Caflich, seconded by Commissioner Hayse the Commission moved to recess for an executive session for review and discussion of City Manager applications pursuant to the non-elected personnel exception (K.S.A. 75-4319(b)(1). The open meeting will resume at 7:50 P.M.**

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

The meeting resumed at 7:50 P.M. with no action taken.


XIII. ADJOURNMENT

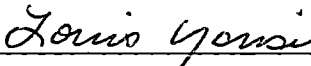
**Motion:**

**Commissioner Hayse moved to adjourn. Commissioner Ysusi seconded.**

**Aye: Ysusi, Caflisch, Hayse**

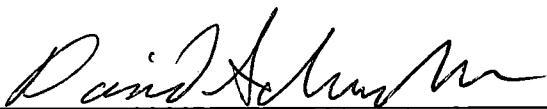
**Nay: None**

  
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Leonhard Caflisch, Mayor

  
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Louis Ysusi, Commissioner

  
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Dean Hayse, Commissioner

Attest:

  
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City Clerk/Treasurer