

## Minutes of the Independence City Commission's February 6, 2020 Meeting

The Independence City Commission met for a regular meeting on February 6, 2020 at 5:30 P.M. at the Memorial Hall. Mayor Leonhard Cafilisch, Commissioner Louis Ysusi and Commissioner Dean Hayse were present. Others present included:

### City Staff

Jeff Chubb, City Attorney  
Kelly Passauer, Assistant City Manager/Zoning Administrator  
David Schwenker, City Clerk/City Treasurer  
Mike Passauer, Public Works Director  
Shawn Wallis, Fire/EMS Chief  
Terry Lybarger, Director of Utilities  
David Cowan, Director of Safety/ADA Coordinator  
Brian McHugh, Memorial Hall Supervisor  
Lacey Lies, Director of Finance  
Jerry Harrison, Police Chief  
Barb Beurskens, Park and Zoo Director  
Devin Mendoza, Police Officer  
Maryssa Peck, Dispatcher  
Shaycee Bowman, Firefighter/EMT  
John Gates, Firefighter/EMT  
Brian Bennett, Firefighter/EMT  
David Rolland, Firefighter/EMT

### Visitors

Larry McHugh  
Taina Copeland  
Jerry Bright  
Tony Duloherly  
Daniel Roth  
Tammy Roth  
Jon Risner  
Brian Beecham  
Daniel Peck  
Angela Lewis  
Carrie Agosto  
Lisa Wilson

#### 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

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### **Motion:**

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

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

## II. APPOINTMENTS

- A. Planning Commission/Board of Zoning Appeals -- One expired term – Applications Due February 21, 2020.

## III. PRESENTATIONS

- A. Present lifesaving awards to Maryssa Peck, Shawn Wallis, Shaycee Bowman, John Gates, Brian Bennett and David Rolland.

The Commission presented Lifesaving Awards to Maryssa Peck, John Gates, Shaycee Bowman, Shawn Wallis, Brian Bennett and David Rolland.

## IV. 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-1856
  - 2. D-1912
  - 3. P-1828
- B. Consider adopting the 2020 Pay Plan Resolution as budgeted.
- C. Consider approving a Cereal Malt Beverage license for Dollar General #3686 at 1210 East Main Street.
- D. Consider awarding low bid meeting specifications for tractor and brush hog for airport.
- E. Consider a request to advertise the sale of two tractors with brush hogs on Purple Wave.

### **Motion:**

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

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

## V. ITEMS FOR COMMISSION ACTION

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- A. Consider authorizing the Mayor to sign an option to purchase real estate with Lee's Cooling & Heating for a tract of land in the West Laurel Industrial Park.

The City of Independence has received an offer from Lee's Cooling & Heating Co. Inc., to acquire an option to purchase Lot 10 of the West Laurel Street Industrial Park.

**Motion:**

**On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission moved to authorize the Mayor to sign an option to purchase real estate with Lee's Cooling & Heating for a tract of land in the West Laurel Industrial Park.**

**Aye: Ysusi, Cafilisch, Hayse**

**Nay: None**

- B. Consider adopting an ordinance amending the qualification for licensure of Plumbers.

The City of Independence Plumbing Board has been reviewing qualifications for licensure for a master, journeyman, and apprentice plumber in the City of Independence. The Plumbing Board voted to require plumbers 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 Plumbing Board at their January 20, 2020, meeting.

**Motion:**

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

**Aye: Ysusi, Cafilisch, Hayse**

**Nay: None**

- C. Consider adopting an ordinance amending the 2012 Edition of the Uniform Plumbing Code.

The City of Independence Plumbing Board has been reviewing concerns about copper piping used for natural gas piping in residential and commercial property. Copper pipe can fail over time as a result of corrosion, flaking on the inside of the pipe and weakening. Atmos Energy is also supportive of the removal of copper piping for a natural gas line.

**Motion:**

**On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission moved to approve the amendment to the plumbing code and not allow copper pipe to be used for natural gas piping in residential or commercial properties.**

**Aye: Ysusi, Cafilisch, Hayse**

**Nay: None**

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- D. Consider the following traffic control proposals in the area surrounded by Pennsylvania Avenue, Oak Street, Park Boulevard, and Parkhurst:
1. Place no parking signs within 30 feet of the approach of all stop signs.
  2. Place signs restricting parking to one side of the street on 2nd, 4th, 5th, and 6th from Parkhurst to Oak
  3. Place a no parking sign on Oak east of Park Boulevard to restrict parking near the alley intersecting Oak.
  4. Place appropriately detailed low clearance signs near Oak and 6th on Oak; and near Park Boulevard and Myrtle on Park Boulevard.
  5. Place stop signs at the following intersections to stop east/west traffic:
    - a. Beech & 2nd
    - b. Beech & 4th
    - c. Beech & 5th
    - d. Beech & 6th
    - e. Pecan & 5th
    - f. Pecan & 6<sup>th</sup>
  6. Place stop signs at the following intersections to stop southbound traffic:
    - a. Parkhurst & 4th
    - b. Parkhurst & 5th
    - c. Parkhurst & 6<sup>th</sup>

### **No Parking Signs**

Riverside Park hosts several events throughout the year that draw large crowds. About eight times a year the park streets are closed for running events. Anytime these runs or large events occur the neighbors report extensive parking issues that jeopardize the safety of motorists because driver views are obstructed by parked cars near alleys and intersections. Even when there are not major events some residents park in a manner that obstructs drivers' views at intersections. Because of this resident in the neighborhood requested curbs be painted yellow and/or no parking signs be added to increase visibility at intersections and one alleyway.

This neighborhood currently has very few controlled intersections located only on the main thoroughfares, not on the side streets in the neighborhood. KSA 8-1571 prohibits parking within 30' of a stop sign, once stop signs are placed in the uncontrolled intersections officers will have the authority to enforce parking restrictions. If stop signs are not placed then "NO PARKING" signs can be posted upon commission authorization allowing officers to enforce parking restrictions (KSA 8-1571).

"NO PARKING" signs will be required at two intersections on Oak because there is no curb or the curb is level with the roadway. A "NO PARKING" sign will be required at the intersection of Oak and the alley east of Park Blvd. because this is not intended to be a controlled intersection. This project will require the posting of about 21 "NO PARKING HERE TO CORNER" signs, one "NO PARKING" sign, and at least 18 "NO PARKING THIS SIDE OF STREET" signs.

If stop signs are authorized by the commission KSA 8-1571 does not require yellow paint or no parking signs. IPD staff recommend investing in some form of visual indicators of parking

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restrictions. Clear communication is key to ensuring positive relationships between drivers and police.

Residents also requested that parking be restricted to one side of the street due to street width. As measured on Pictometry 2<sup>nd</sup> Street is 22 feet wide and 4<sup>th</sup>, 5<sup>th</sup>, & 6<sup>th</sup> Streets are all 25.8 to 26 feet wide. Oak from Park Blvd. to 2<sup>nd</sup> is 25.9 feet wide. City Ordinance Section 102-116 gives commissioners authority to restrict parking to one side of the street on streets 26 feet or less in width.

NACTO reports that 10-foot travel lanes for each direction are generally safe while discouraging speeding. NACTO also recommends a seven-foot minimum for parking lanes. Based on NACTO recommendations most of these streets are eight to 12 feet too narrow to accommodate parking on both sides and one to five feet too narrow for parking on one side. IPD staff believe that with the limited amount of traffic and the limited amount of parking for residents parking on one side is a reasonable compromise.

### Low Clearance Signs

The railroad underpass located at Park Boulevard and Parkhurst has a clearance of 12 feet six inches. The underpass has a history of significant impacts as evidenced by severe damage to the concrete. In the summer of 2019, the underpass suffered two impacts. Currently the warning sign for southbound traffic is near Beech on Park Boulevard only 711 feet prior to the underpass. Once a truck has traveled far enough to see the warning sign the underpass is visible. A resident reported that there is nowhere for trucks to safely turn around. The resident reported that tractor-trailers usually back up Park onto Oak then go back to Pennsylvania Avenue (US 75). IPD staff concur with the resident's observation.

The warning sign for northbound traffic is located just south of Cottonwood on Park Boulevard, approximately 1,351 feet prior to the underpass. Once a truck has traveled far enough to see a warning sign the underpass is visible. There are several parking lots that truckers probably use to turn around just south of the underpass.

IPD staff recommend leaving the current warning signs in place and placing some type of warning sign that is visible from Main (US 160) for northbound traffic and Pennsylvania Avenue (US 75) for southbound traffic. Staff believe that more advance notice may prevent truck traffic from venturing off federal routes and those that continue will have more opportunity to turn around.

To prevent southbound trucks from exiting US 75 staff recommend placing a warning sign that communicates "no trucks, low clearance 12' 6", .4 miles ahead" on Oak between Pennsylvania Avenue and 6<sup>th</sup> Street, positioned to be seen by eastbound traffic.

To prevent northbound trucks from exiting US 160 staff recommend placing a warning sign that communicates "no trucks, low clearance 12' 6", .7 miles ahead" on Park Boulevard between Main and Myrtle, positioned to be seen by northbound traffic.

### Stop Signs

There are currently eleven uncontrolled intersections, including three intersections at Parkhurst Street. Some of those intersections are blind due to geographical features in the area.

We are not requesting stop signs be placed at 2<sup>nd</sup> and Oak or Parkhurst and Oak because they are "L" intersections that do not pose the same traffic conflicts as "T" and four-way intersections. This request affects nine intersections and involves the placement of 13 stop signs and posts.

The following intersections in the area are uncontrolled:

- Beech & 2<sup>nd</sup>
- Beech & 4<sup>th</sup>

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- Beech & 5<sup>th</sup>
- Beech & 6<sup>th</sup>
  - Obstructed View Southbound
- Pecan & 5<sup>th</sup>
  - Obstructed View
    - Northbound
    - Eastbound
- Pecan & 6<sup>th</sup>
- 2nd & Oak
- Parkhurst & 2<sup>nd</sup>
- Parkhurst & 4<sup>th</sup>
- Parkhurst & 5<sup>th</sup>
  - Obstructed View Southbound
- Parkhurst & 6<sup>th</sup>
  - Obstructed View Southbound

### **Motion:**

**On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission authorized city staff be to do the following in the area surrounded by Pennsylvania Avenue, Oak Street, Park Boulevard, and Parkhurst:**

1. Place no parking signs within 30 feet of the approach of all stop signs in the area
2. Place signs restricting parking to one side of the street on 2<sup>nd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> from Parkhurst to Oak
3. Place a no parking sign on Oak east of Park Boulevard to restrict parking near the alley intersecting Oak at that location.

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

### **Motion:**

**On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission authorized city staff to place appropriately detailed low clearance signs near Oak and 6<sup>th</sup> on Oak and near Park Boulevard and Myrtle on Park Boulevard.**

**Aye: Ysusi, Caflich, Hayse**

**Nay: None**

### **Motion:**

**On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission authorized that stop signs be placed at the following intersections to stop east/west traffic:**

- Beech & 2<sup>nd</sup>
- Beech & 4<sup>th</sup>
- Beech & 5<sup>th</sup>

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- Beech & 6<sup>th</sup>
- Pecan & 5<sup>th</sup>
- Pecan & 6<sup>th</sup>

And that stop signs be placed at the following intersections to stop southbound traffic:

- Parkhurst & 4<sup>th</sup>
- Parkhurst & 5<sup>th</sup>
- Parkhurst & 6<sup>th</sup>

**Aye: Ysusi, Cafilisch, Hayse**

**Nay: None**

### VI. DISCUSSION

- A. Discuss allowing the sale of alcoholic beverages on Sundays.

There was discussion between the Commissioners and the City Attorney about allowing the sale of alcoholic beverages on Sundays. It was decided to allow businesses to be the driving force behind this on whether to pursue further action.

### VII. REPORTS

- A. 223 West Main Street Update.

Director Cowan provided an update on this item.

- B. KDOT Grant Updates.

Assistant City Manager Passauer provided the updates.

- C. January 2020 Sales Tax Report.

Director Lies reviewed the report.

- D. 4<sup>th</sup> Quarterly Financial Statement for Quarter Ending December 31, 2019.

Director Lies reviewed the report.

- E. 2020 Census Update

1. Complete Count Committee Training February 7, 2020 at 9:30 AM.
2. First Friday Presentation March 6, 2020 at 7:30 AM.

- F. Demonstration of Beta Dashboard for the Community Based Strategic Plan.

- G. City Board Minutes

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1. December 16, 2019 Plumbing Board.
2. December 18, 2019 Library Board of Trustees
3. January 15, 2020 Recreation Commission Minutes

### VIII. CITY MANAGER'S COMMENTS

#### A. Update on Steam line repair

Director Passauer and Director Cowan provided an update on this item

#### B. Update on flood damage repair for Building D

Director Cowan provided an update on this item.

#### C. Update on Wayfinding signage -- upcoming subcommittee meeting and Crowdspring contest

Assistant City Manager Passauer provided the update.

#### D. Lot split on parcel west of sanitation.

#### E. Advised Commission that if they wanted to pursue studying 911 Consolidation that it is suggested that they send a letter to the other governing bodies to determine if they are willing to meet.

### IX. COMMISSIONERS' COMMENTS

Commissioner Caflisch would like for Shawn Turner to review options for the half block not funded on West Main between 9<sup>th</sup> and 10<sup>th</sup> at the February 27, 2020 meeting.

Commissioner Caflisch would like staff to review phased alley improvements in the alley south of Cypress (behind Dairy Queen) to Catalpa (behind Mikie's).

### X. PUBLIC CONCERNS

### XI. EXECUTIVE SESSION

#### A. Personnel matters of non-elected personnel. With City Attorney and Assistant City Manager.

##### **Motion:**

**On the motion of Mayor Caflisch, seconded by Commissioner Ysusi the Commission moved to recess for an executive session for personnel matters of non-elected personnel pursuant to the non-elected personnel exception (K.S.A. 75-4319(b)(1)). The open meeting will resume at 7:05 P.M.**

**Aye: Ysusi, Caflisch, Hayse**

**Nay: None**



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The meeting resumed at 7:05 P.M. with no action taken.

B. For the purpose of reviewing and considering City Manager applications.

**Motion:**

**On the motion of Mayor Caflisch, seconded by Commissioner Ysusi 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 7:30 P.M.**

**Aye: Ysusi, Caflisch, Hayse**

**Nay: None**

The meeting resumed at 7:30 P.M. with no action taken.

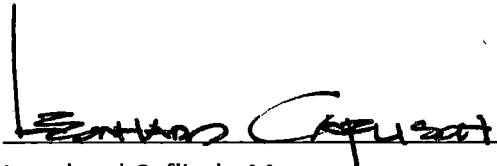
**XII. ADJOURNMENT**

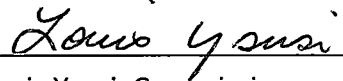
**Motion:**

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

**Aye: Ysusi, Caflisch, Hayse**

**Nay: None**

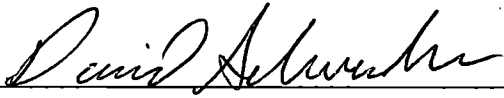
  
\_\_\_\_\_  
Leonhard Caflisch, Mayor

  
\_\_\_\_\_  
Louis Ysusi, Commissioner

  
\_\_\_\_\_  
Dean Hayse, Commissioner

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Attest:

A handwritten signature in cursive script, appearing to read "David A. Weaver", is written above a horizontal line.

City Clerk/Treasurer