

Minutes of the City Commission's February 9, 2023 Meeting

I. REGULAR SESSION

Commissioners Present: Mayor Louis Ysusi, Vice-Mayor Dean Hayse, Commissioner Tim Emert

City Staff Present: Kelly Passauer, City Manager; David Cowan, Assistant City Manager; Jeff Chubb, City Attorney; David Schwenker, City Clerk/City Treasurer; Shawn Wallis, Fire/EMS Chief; Keith Copithke, Captain/EMTA; Marcus Hamilton, Captain/EMTA; Sandra Alspaugh, Firefighter/Paramedic; Brian McHugh, Memorial Hall Supervisor; April Nutt, Director of Housing Authority and Jerry Harrison, Chief of Police

Visitors Present: Larry McHugh, Brea Sanford and Susan Galemore

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 Tim Emert, seconded by Dean Hayse, the Commission adopted the agenda.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

II. APPOINTMENTS

A. Planning Commission -- One Resignation

Kendall Neill's term expired on January 1, 2023. Kendall Neill would not like to be reappointed. Applications were received for Kendall Neill's open position through noon on Friday, February 3, 2023. Only one application was received by the deadline, which is attached.

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PLANNING & ZONING COMMISSION (3 year terms – 9 members)			
Members	Term	Expires	Appointed/ Eligible to be Reappointed
Mary Jo (Dancer) Meier	2nd term*	January 1, 2025	
Kendall Neill	1st term	January 1, 2023	January 23, 2020 Resigned 01/03/2023
Brent Littleton**	2nd term	January 1, 2025	January 25, 2019
Tony Royse Secretary	2nd term	January 1, 2025	March 28, 2019
Andy McLennon**	2nd term*	January 1, 2024	October 26, 2016 January 8, 2018
Michelle Avery	1st term*	January 1, 2024	June 28, 2018
Tim Haynes Chair	Unexpired	January 1, 2024	February 24, 2022
Lisa Richard	2nd term*	January 1, 2026	August 8, 2019 December 19, 2019
Rachel Lyon Vice Chair	2nd term	January 1, 2026	May 14, 2020
*Served an unexpired term.			
**Outside City Appointment. Not on Board of Zoning Appeals.			
Meeting Place: Veterans Room, Memorial Hall			
Meeting Date: First Tuesday			
Meeting Time: 5:30 p.m.			

Motion:

On the motion of Louis Ysusi, seconded by Dean Hayse, the Commission appointed Scott Smith to a first term on the Planning Commission/Board of Zoning Appeals expiring on January 1, 2026.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

III. CONSENT AGENDA

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission adopted the consent agenda.

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Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- A. Consider approving City Commission minutes from January 12 and 26, 2023.**

Suggested Motion:

I move to approve the City Commission minutes from January 12th and 26th, 2023.

- B. Consider setting the date to receive bids for the demolition of seven condemned structures.**

City Staff is requesting permission to receive bids to remove seven structures that have been condemned as dangerous and unsafe. Staff recommends setting the date of March 2, 2023 at 2:00 p.m. to receive bids for the removal of the following structures:

- 1016 W. Myrtle**
- 1105 W. Myrtle**
- 1109 W. Myrtle**
- 108 S. Wald (garage only in rear)**
- 414 S. 14th**
- 515 S. 10th Street**
- 1117 W. Laurel St.**

Suggested Motion:

I move to set the date of March 2, 2023 at 2:00 p.m. to receive demolition bids.

- C. Consider a request to allow food trucks at the Riverside Park Shelterhouse on June 30, 2023.**

Vanessa Bunyard has requested permission to have food trucks set up on the north side of Stich Shelterhouse on June 30, 2023 for a family reunion. The food trucks will also be open to serve the public during this time.

Suggested Motion:

I move to approve the request to allow food trucks to operate at the Riverside Park Shelterhouse on June 30th, 2023 contingent on having a current City of Independence Food Truck License for each food truck.

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D. Consider canceling the February 15, 2023 Special Commission meeting.

Previously, the City Commission approved the 2023 City Commission schedule, which generally included the 2nd and 4th Thursdays, and the third Wednesdays. The third Wednesday in February is the 15th. However, unless the Commission objects, we do not have any special items to discuss this month.

Suggested Motion:

I move to cancel the February 15, 2023 Special Commission meeting.

IV. PUBLIC HEARING

A. Public hearing to consider adopting Resolution 2023-004 for the Small Cities Community Development Block Grant Program.

Trident Partners LLC requests the City of Independence approve the submission of a Commercial Rehabilitation Community Development Block Grant for 106/108 North 8th Street. The purpose of Commercial Rehabilitation grants is to help cities improve the quality of their downtown commercial districts by assisting private property owners in the rehabilitation of blighted buildings. It is hoped that strategic investment of grant funds will help prevent the spread of blighted conditions to other nearby structures. The grant will be submitted for the maximum grant allowed of \$250,000 with a 25% required match. The City of Independence would serve as a pass-through entity, with the building owner being responsible for meeting the grant guidelines and will be held responsible if they are not met.

A public hearing for the submission of this grant was held on December 8, 2022. The Kansas Department of Commerce amended the program guidelines after the December 8, 2022 date and are requiring another public hearing be held.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission adopted Resolution 2023-004 for the Small Cities Community Development Block Grant Program.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

V. ITEMS FOR COMMISSION ACTION

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- A. Consider adopting Resolution 2023-005 responding to the Request for Proposals for Kansas Moderate Income Housing funds and/or Kansas Housing Investor Tax Credit funds to be submitted to the Kansas Housing Resources Corporation.

Trident Partnership LLC applied to Kansas Housing Resources Corporation for a Moderate Income Housing Grant and Housing Investor Tax Credit funds during their first round and did not receive an award. Trident is requesting support for the next round of applications due February 17, 2023. The project scope has not changed, nor has the grant request changed from the previous submission.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission adopted Resolution 2023-005, submitting a Moderate-Income Housing Grant and Housing Investor Tax Credit request for funds from Kansas Housing Resources Corporation for Trident Partnerships LLC.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- B. Consider Change Orders for and Fire-EMS building and Phase II 1916 City Hall Remodel.

The following change orders have been submitted for approval.

The first two change orders were part of the Fire-EMS project, and the change orders from the contractors were delayed. Access control was the electrician placing chases at seven doors in the Fire-EMS building for \$2,190.17 and adding a floor sink in the apparatus bay for \$1,214.97.

Due to a back order on the generator switch gear, currently estimated to arrive in November of 2023, a \$16,269.83 double throw switch is necessary to allow City Staff to run the generator during a power outage until the switch gear arrives and is installed. After the generator switch gear is installed, the double throw switch will serve as a backup if the switch gear fails. Infill for (2) holes in the second-floor police area that previously accommodated the fire poles for \$2,885.38. Roof decking of the East roof of City Hall. This roof was scheduled to be repaired during Phase II with the 911 addition roof. The decking was rusted through and unusable at the south end, and the cost is \$10,060.43 for additional repairs. Gateway wireless is installing (2) network drops to the Courtroom AV cabinet for \$280.00; (3) card readers in the sally port and booking area to secure access in and out for \$900.00, and Access control to allow dispatch to open and close the sally port garage door in the

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amount of \$2,160.00.

A coordination meeting on Monday, 2/6 removed a wall and door in the I.T. server room and eliminated a card reader that was previously quoted.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse the Commission approved change orders to Fire-EMS and City Hall for \$32,620.78 to McCown Gordon and \$3,340.00 to Gateway wireless.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

VI. REPORTS

A. City Board Minutes

B. 2022 Independence Library District Activity and Financial Report

C. 2022 Land Bank Year End Report

VII. CITY MANAGER'S COMMENTS

City Manager Passauer wished Kenny Farmer a happy retirement and thanked everyone who showed up at the Fire/EMS open house and gave an update on the comprehensive plan.

VIII. COMMISSIONERS' COMMENTS

None

IX. PUBLIC CONCERNS

None

X. EXECUTIVE SESSION

A. Consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship.

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Motion:

On the motion of Louis Ysusi, seconded by Tim Emert, the Commission recessed for an executive session for consultation with an attorney representing the City regarding a legal issue pursuant to the attorney/client privilege exception, KSA 75-4319(b)(2). The open meeting will resume at 6:05 p.m. in the Civic Center of Memorial Hall.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

The open meeting resumed at 6:05 p.m. with no action taken.

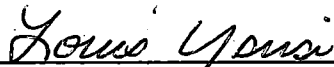
XI. ADJOURNMENT

Motion:

On the motion of Louis Ysusi, seconded by Tim Emert, the Commission adjourned the meeting.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None



Louis Ysusi, Mayor

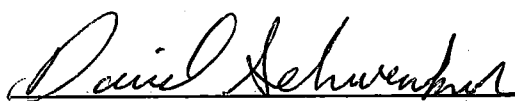


Dean A. Hayse, Commissioner



Tim Emert, Commissioner

Attest:



City Clerk/Treasurer