

Minutes of the City Commission's July 27, 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; John Garris, City Engineer/Director of Public Works and Utilities; Shawn Wallis, Fire/EMS Chief; Lacey Lies, Director of Finance; Jerry Harrison, Chief of Police and Brian McHugh, Memorial Hall Supervisor

Visitors Present: Larry McHugh, Brea Sanford, Ann-Marie Price, Doug Boomis, Michael Younger, Mar'anne Gofourth and Charlet Pemberton

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 Dean Hayse, seconded by Tim Emert, the Commission adopted the agenda with the removal of Item B from the Consent Agenda and moved to Items for Commission Action.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

II. APPOINTMENTS

A. Park Board -- Two Terms Expired

The City is receiving applications for two expired positions on the Park Board:

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PARK BOARD (3 year terms -- 9 members)			
Members	Term	Expires	Appointed/Reappointed
Anita Chappule	2nd term	July 1, 2024	7/26/2018 / 06/24/2021
Alex Moore (Outside City)	2nd term*	July 1, 2024	2/9/2017 / 06/24/2021
Mardie Long (Outside City)	2nd term*	July 1, 2024	2/22/2018 / 06/24/2021
Steve McBride	1st term*	July 1, 2025	12/9/2021
Edward Epp	1st term	July 1, 2025	6/23/2022
Jim Hogan (Outside City)	2nd term*	July 1, 2025	6/8/2017
Mark Coder	2nd term	July 1, 2023	7/13/2017
Todd Young	2nd term*	July 1, 2023	6/11/2015
Jill Warford	1st term*	July 1, 2026	8/25/2022
Cody Dixon	FORPAZ	Ex-officio	
	City Rec	Ex-officio	
* Previously served unexpired term			
Meeting Place: Garden Club House			
Meeting Date: First Monday			
Meeting Time: 5:30 p.m.			

Applicants must reside inside the City limits. We have not received a sufficient number of applications for the vacancies that exist, so the deadline has been extended. Applications are now due by noon on July 21, 2023. To learn more about the Park Board, visit this link: [Park Board](#)

[Click Here to Apply](#)

B. Housing Authority -- One Resignation

One of the members has resigned from the Housing Authority:

HOUSING AUTHORITY (4 year terms -- 5 members)			
Members	Term	Expires	Appointed/ Eligible to be Reappointed
Darnell Lawrie	Unexpired	April 11, 2023	9/10/2020
Eddie Rodgers	2nd term	April 11, 2026	4/26/2018 Moved
Rita Ortolani	1st term*	April 11, 2026	4/25/2019
Charles Doerr	1st term	April 11, 2027	
Cindy White	1st term	April 11, 2027	
Meeting Place: Penn Terrace			
Meeting Date: Third Tuesday			
Meeting Time: 12 p.m.			

Applications for the Housing Authority Board are being accepted online or in the City Manager's Office until noon on August 4, 2023. Applicants must reside within the City limits. For more information about this board, contact Housing Authority Director April Nutt at 620-332-2536.

[Housing Authority Board Application](#)

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C. Tree Board -- Two Expired Terms

Two terms have expired on the Tree Board:

TREE BOARD (2 year terms -- 7 members)			
Members	Term	Expires	Appointed/Eligible
Twila Hawthorne	3rd term	6/1/2024	1/24/2019
Krystal Sumner	1st term	6/1/2024	6/9/2022
Michelle Avery	4th term	6/1/2023	6/8/2017
Amy Hilyard	1st term*	6/1/2025	Appointed 10/13/2022
Leslie Fox	4th term	6/1/2023	6/8/2017
England Porter	3rd term	1/1/2025	3/28/2019
Leslie Woods	1st term	1/1/2025	3/9/2023
			Replaced William MacRae
Meeting Place: Veterans Room, Memorial Hall Meeting Date: By appointment Meeting Time: By appointment			

The purpose of the Tree Board is to honor the City's rich history of enjoying and preserving local natural resources and to promote and protect public health, safety, and general welfare by providing for the development of a community forestry plan to address the planting, maintenance and removal of trees located on public property, or which encroach upon public property, and to enhance the natural beauty of the community. For more information, contact Scott Patton at ScottS@IndependenceKs.gov or 620-332-2512; or visit this link: [Tree Board City Code](#)

We have not received any applications for these positions. It is recommended to reappoint Michelle Avery and Leslie Fox.

Motion:

On the motion of Louis Ysusi, seconded by Dean Hayse, the Commission reappointed Michelle Avery and Leslie Fox to the Tree Board for a 5th term expiring June 1, 2025.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

III. CONSENT AGENDA

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission adopted the consent agenda with the removal of Item B from the Consent

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Agenda to Items for Commission Action.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

- A. Consider a request from Home Made Easy to waive the Building Permit Fee.

On November 14, 2019, Home Ownership Made Easy requested the City Commission to waive fees for constructing a new home for a needy family. Home Made Easy works with people who do not qualify for traditional home loans and assists them in home ownership. Due to COVID and other unforeseen issues, the project was started with the laying of a slab, but since has been significantly delayed. They are now ready to restart the project with the same family. The building permit 2019-053 was issued on 10/21/2019 and expired on 04/20/2020. The amount of the building permit fee waived was \$645.00. The City will issue a new building permit for the start of this project.

Suggested Motion:

I move to waive the building permit fees for Home Ownership Made Easy, Inc and the construction of a new home at 305 N. 5th

- B. Consider authorizing the use of barricades for the annual Yona Julian Fun Run

This item was removed from the Consent Agenda and moved to items for Commission Action.

The Yona Julian Fun Run is an annual event that has been held at Riverside Park for fifteen years. This event takes place early in the morning, so it doesn't cause any traffic or access issues. The event is usually well attended, and creates good community involvement.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission authorized the use of barricades to restrict traffic to Riverside Park on September 9th from 7:00 AM to 11:00 AM for the Annual Yona Julian Fun Run.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

- C. Consider extending the contract with ReeceNichols for listing Building D.

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The 30 day listing extension approved on June 22, 2023 has expired with ReeceNichols for Building D. They have submitted the attached documentation to extend it for an additional 30 days.

We did post RFP's for marketing Building D and received one response. However, since that occurred, ReeceNichols has brought a prospective client to tour Building D that has an interest in the building. Until it is determined whether or not this client wishes to pursue the acquisition of the building, it is recommended to extend the listing another 30 days.

The firm that responded to the RFP proposal has been advised that we are not recommending awarding the proposals at this time due to an active client's interest in the building.

Suggested Motion:

I move to extend the listing contract with ReeceNichols for 30 days for Building D.

- D. Consider awarding a change order to J. Graham Construction Co., Inc. for construction of an ADA ramp at the Independence Municipal Airport.

The existing ramp at the airport was identified on a safety audit for replacement to ensure that all ADA regulations are met. J. Graham has quoted the construction required for building a concrete ramp.

J. Graham has provided a unit price quote for the work at \$10,580.

Suggested Motion:

I move to approve change order with J. Graham Construction Co., Inc. in the unit price amount of \$10,580 for construction of an ADA compliant ramp at the airport and the execution of any necessary documents.

IV. PUBLIC HEARING

- A. Public Hearing to consider the condemnation of 512 N. 16th as dangerous and unsafe.

On May 03, 2023, a fire at 512 N. 16th did smoke and structural damage to 512 N. 16th Street. Firefighters also discovered a house that had a hoarding situation with debris and trash waist-deep in the house. Neighbors have also reported mounds of trash on the house's exterior and the house was being

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occupied by multiple people that come and go at all hours. The building dept. was contacted on 07/11/23 by the homeowner's family. They have begun working on cleaning up the outside and resolving the hoarding situation. The owner is in a rehab hospital and will be released by August 2023. The family requests the City adjourn the meeting until November 09, 2023, allowing them time to fix the house and meet HQS standards.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission adjourned the Public Hearing until November 09, 2023, at 5:30 PM.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

B. Public Hearing to consider condemnation of 512 S. 12th as dangerous and unsafe.

On May 11, 2023, the structure at 512 S. 12th was involved in a fire that extensively damaged the structure's interior and attic. The City of Independence has heard from an insurance adjuster but not from the structure's owner. The City Staff is recommending condemnation of the structure as dangerous and unsafe.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission adopted a resolution condemning 512 S. 12th as dangerous and unsafe.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

V. ITEMS FOR COMMISSION ACTION

A. Consider amending the engineering contract with Evans, Bierly, Hutchison & Associates, P.A. (EBH) for the water line to serve Bartlett.

As the water pipeline to Bartlett has been developed through the preliminary stages, the project has been sufficiently defined to create and issue a contract for the engineering services required for the final design and construction of the project. An amendment for those services is attached. It is a time and materials not to exceed amendment and is consistent with typical engineering costs for this type of project.

EBH has performed well during the preliminary engineering phase.

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This amendment has an incremental value of \$1,055,500, which would bring the total commitment to \$1,154,050.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission amended the contract with Evans, Bierly, Hutchison & Associates, P.A. and the execution of any necessary documents for the amendment.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

VI. REPORTS

A. City Board Minutes

1. July 12, 2023 Independence Recreation Commission

B. Monthly Public Works and Project Report

Engineer Garris presented the report.

VII. CITY MANAGER'S COMMENTS

Assistant City Manager Cowan gave an update on the progress of construction at City Hall.

VIII. COMMISSIONERS' COMMENTS

Commissioner Emert asked about the status of Peter Pan road construction being performed by the County.

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 6:40 p.m. in the Civic Center of Memorial Hall.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

The open meeting resumed at 6:40 pm with no action taken.

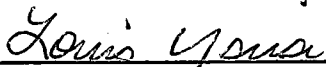
XI. ADJOURNMENT

Motion:

On the motion of Louis Ysusi, seconded by Dean Hayse, the Commission adjourned the meeting.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None



Louis Ysusi, Mayor



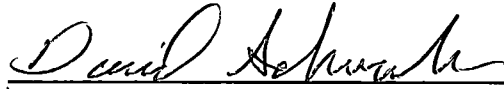
Dean A. Hayse, Commissioner



Tim Emert, Commissioner

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Attest:

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

City Clerk/Treasurer