

Minutes of the City Commission's August 24, 2023 Meeting

I. REGULAR SESSION

Commissioners Present: Mayor Louis Ysusi, Vice-Mayor Dean Hayse and 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; Jerry Harrison, Chief of Police and Brian McHugh, Memorial Hall Supervisor

Visitors Present: Larry McHugh, Brea Sanford, Machele Korhn, Robert Pumphrey, Lisa Wilson, Jon Elmore, Paul Gordon, Elizabeth Kippenberger, Ayushree Patel, Bobby Hise, Charlet Pemberton, and Jackson 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.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

II. CONSENT AGENDA

Motion:

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

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

A. Consider a request to block traffic to the Park Oval for a drive-thru flu shot event on October 7, 2023.

On Saturday, October 7, 2023, the First Presbyterian church would like to

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sponsor free flu shots for drivers and passengers at the Park Oval. Participants can receive their flu shot without leaving their car. They usually have 300 doses to administer. In years past, this event has been well attended. This is an excellent community service to Independence residents and allows a convenient option for elderly and disabled citizens. The event requires that traffic be restricted to the Park Oval from 7:00 AM to 12:00 PM.

Suggested Motion:

I move to approve the request for the First Presbyterian Church to block traffic to the Park Oval on Saturday, October 7, 2023 from 7:00 AM to 12:00 PM for the free drive-thru flu shot event.

B. Renewal of the Independence Tennis Association Lease.

The City of Independence's 10-year lease with the Independence Tennis Association (ITA) expires in September 2023, and the City Attorney has prepared a new lease agreement for Commission approval. The lease will renew for one year and then automatically for 10 years and expire on July 26, 2034. The lease allows the Tennis Association possession and use of the building as an office, meeting area, and clubhouse for ITA activities. ITA shall cooperate with USD 446, ICC, and the Independence Recreation Commission to use the building and schedule their events. The City shall be permitted to schedule the use of the building for other public uses and coordinate with ITA based on the availability of the space. ITA cannot sublease the building for compensation without obtaining City consent. ITA must not discriminate in determining who can and cannot use the building.

Suggested Motion:

I move to approve the lease with ITA.

C. Consider purchase of a replacement leafer.

The Street department uses a large vacuum device to pick up leaves in autumn and early winter, known as a leafer. The existing leafer was initially built in the early 1990s, and is experiencing mechanical difficulties at an increasing rate, sometimes being out of service for weeks at a time. A new leafer was budgeted for 2023. An advertisement for bids was issued, and a single bid was received from Key Equipment & Supply Co. for \$125,000. While this is more than the budgeted amount, a review of market alternatives shows this to be within 10% of comparable prices.

Suggested Motion:

I move to purchase a replacement leafer from Key Equipment & Supply Co.

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for the amount of \$125,000 and for the execution of any necessary documents.

- D. Consider waiving the city curfew the evening of Friday, October 20, 2023 for the Neewollah Barbecue Competition.

This year, the Neewollah committee has decided to hold a barbecue competition in place of the annual Neewollah Chili Cookoff. The event will be held at the Oval in Riverside Park. Because the contestants will need to smoke the meat overnight, it will require that they be onsite overnight the evening of Friday, October 20, 2023.

Suggested Motion:

I move to waive the curfew for the evening of Friday, October 20, 2023 to allow contestants to participate in the Neewollah Barbecue Competition.

- E. The Independence Housing Authority requests authorization to submit the annual Tenant Based Rental Assistance (TBRA) Grant application to Kansas Housing Resources Corporation.

The Independence Housing Authority (IHA) has administered a Tenant Based Rental Assistance Grant since 1998. Since that time, almost \$2.9 million has been received to assist some of our most vulnerable community members. IHA is currently assisting 27 families, and with this grant, if fully funded, IHA should be able to assist 42 families over a 12-month period.

Suggested Motion:

I move to authorize the Independence Housing Authority to submit the 2023 Tenant Based Rental Assistance Grant application to Kasnas Housing Resources Corporation.

- F. Consider selecting H.W. Lochner, Inc. as engineering consultant for Independence Municipal Airport.

Periodically the FAA requires FAA funded organizations like Independence Municipal Airport to review consultants and make a consultant selection. On 7/7/23 the City sent out a Notice to Airport Consultants requesting qualification statements to be returned to the City by 8/3/23. One consultant, H.W. Lochner, Inc. (Lochner) returned a set of qualifications.

The qualification statement was reviewed and Lochner was found to be acceptable based on past performance, familiarity with FAA and KDOT

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regulations procedures and programs, recent experience at Independence and elsewhere, and understanding of the current business climate in Independence. H.W. Lochner, Inc., has been the engineering consultant for the City in relation to airport matters for a significant time, dating at least back to the 1980s.

Suggested Motion:

I move to approve the selection of H.W. Lochner, Inc. as consultant and the execution of any necessary documents.

- G. Consider leasing property at the Independence Municipal Airport to Thorenson Enterprises, LLC.

We are working with a company to develop a new business that is conducive to the industrial zone. The company wishes to lease five acres to construct a new structure for this purpose.

Suggested Motion:

I move to authorize a lease with Thorenson Enterprises, LLC for five acres at the Independence Municipal Airport subject to the City Attorney and FAA's approval.

- H. Consider a request from Four County to waive the fees for the Health On Purpose Health Fair on September 29, 2023 at the Independence Memorial Hall Civic Center.

Four County Mental Health is sponsoring the Health On Purpose Health Fair on September 29, 2023 at the Independence Memorial Hall. The Health on Purpose initiative moves around yearly in the three county areas and provides access to health fair screening at discounted rates. The fair is supported by multiple agencies and services that provide their services at discounted or no fee to the participants. They've requested the City to waive the fees, and the City has waived these fees for past events at Memorial Hall. They will be setting up on September 28, 2023 and also ask that the Commission meeting that evening be moved to the Veterans Room.

Suggested Motion:

I move to waive the rental fees at Memorial Hall for the HOP Health Fair on September 28 and 29, 2023, and move the Commission meeting on September 28, 2023 to the Veterans Room, Memorial Hall.

III. ITEMS FOR COMMISSION ACTION

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- A. Consider proclaiming the week of September 17, 2023 through September 23, 2023 as Constitution Week.

The City received a request from the Esther Lowrey Chapter of the National Society Daughters of the American Revolution to proclaim September 17 - 23, 2023 as Constitution Week.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission proclaimed the week of September 17 - 23, 2023 as Constitution Week.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

- B. Consider awarding a Downtown Independence Building Grant for improvements to 107 E. Main Street.

Jason Elmore, owner of the property at 107 E. Main, has made an application for a Downtown Building Grant. Jason is renovating 107 E. Main and installing the High Roads Coffee shop. Jason requests a grant to assist with the new plumbing, electrical, windows, doors, and front facade. The estimated cost of the improvements is \$89,608.00 and the grant fund request is \$22,402.00. The Downtown Grant Committee met on August 15, 2023, and voted to approve the application. Jason Elmore will be present to answer any questions the Commission may have regarding this grant request. The committee would also request that if additional materials are needed while doing this work, the City has permission to authorize the additional grant funding up to the \$25,000 maximum, if funds are available.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission approved the Downtown Building Grant application for 107 E. Main, not to exceed \$25,000.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

- C. Consider authorizing TranSystems to prepare and submit a KDOT Cost Share Program grant application for: Sycamore, 10th to 21st.

Kansas Department of Transportation (KDOT) Cost Share applications for fall

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2023 round are due on September 2023.

The suggested project is the same one we have submitted in the last three rounds; a 4" mill, 2" overlay, new sidewalk ramps, addition of a 10'x5' box culvert on Sycamore.

**Total Estimated Cost: \$1,101,000
City Match and Non-Participating: \$ 300,000**

Total City Cost: \$ 300,000

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission authorized TranSystems to prepare an application for KDOT's Cost Share Program for Sycamore Street from 10th Street to 21st Street and to submit the application to KDOT.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

- D. Consider awarding a contract for a Community Development/Comprehensive Plan.**

The City received proposals to update the 1982 Comprehensive Plan and prepare a new Community Development Plan. Three proposals were received. Two firms were selected for interviews, which occurred on August 17, 2023 by representatives of City staff, the Planning Commission, the Housing Authority Director, and the Chair of the Economic Development Advisory Board. City staff will review the committee's recommendation at the Commission meeting.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission awarded a contract to Confluence, Inc. for a Community Development/Comprehensive Plan pending approval of the contract by the City Attorney and any required grant approvals.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

- E. Consider approving the Notice of Hearing to Exceed the Revenue Neutral Rate and Budget Hearing Notice publication**

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The City notified taxpayers of the intent to exceed the Revenue Neutral Rate and established a maximum rate of 56.515 mills. The City must publish a notice of the Revenue Neutral Rate Hearing and Budget Hearing, which is scheduled for September 14, 2023 at 5:30 pm at the Memorial Hall Civic Center.

The City's final proposed rate is 54.515 mills, or no increase to the mill rate.

Motion:

On the motion of Dean Hayse, seconded by Tim Emert, the Commission approved publication of the Notice of Hearing to Exceed Revenue Neutral Rate and Budget Hearing at 54.515 Mills.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

- F. Consider scheduling a Special Commission meeting to review the 2023 Citizen Satisfaction Survey.**

In speaking with our consultant, it is estimated the review of the survey could take 60 to 90 minutes. In order not to rush the review of the survey results and to allow time for Commission questions, it is recommended the Commission schedule a Special Commission meeting for this purpose.

Motion:

On the motion of Tim Emert, seconded by Dean Hayse, the Commission scheduled a Special Commission meeting on August 28, 2023 at 9 AM to review the 2023 Citizen Satisfaction Survey.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

IV. REPORTS

A. City Board Minutes

1. July 19, 2023 Library Board of Trustees

B. August Project and Public Works Report

Engineer Garris presented the report.

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V. CITY MANAGER'S COMMENTS

City Manager Passauer reported that City Hall will be closed on September 4th for Labor Day and sanitation services will be shifted back a day. City Hall will also be closed on September 6th and 7th to allow time for staff to move back to the old building and reopen on September 11. The Finance Department will be closed September 14 & 15 for an upgrade to the financial software. There will be a housewarming tentatively scheduled for October 20 with tours beginning at 1:00 pm and a ribboncutting ceremony at 5:30 pm.

VI. COMMISSIONERS' COMMENTS

Mayor Ysusi noted that the tree dump is open on Thursdays and Fridays from 8 am to noon and the high school will be conducting a football scrimmage on Friday and a food drive.

VII. PUBLIC CONCERNS

Robert Pumphrey spoke on his KORA request.

VIII. EXECUTIVE SESSION

A. Data relating to financial affairs or trade secrets of second parties.

Motion:

On the motion of Louis Ysusi, seconded by Tim Emert, the Commission recessed for an executive session concerning confidential data relating to financial affairs and/or trade secrets of a company pursuant to the exception found at KSA 75-4319(b)(4). The open meeting will resume at 6:22 p.m. in the Civic Center of Memorial Hall. In the executive session will be the Commission, City Manager, City Attorney, and Assistant City Manager.

Aye: Dean Hayse, Tim Emert, Louis Ysusi

Nay: None

IX. ADJOURNMENT

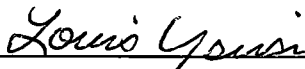
Motion:

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

Aye: Dean Hayse, Tim Emert, Louis Ysusi

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Nay: None



Louis Ysusi, Mayor

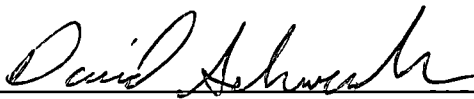


Dean A. Hayse, Commissioner



Tim Emert, Commissioner

Attest:



City Clerk/Treasurer