

Minutes of the Independence City Commission's March 7, 2017 Meeting.

The Independence City Commission met on March 7, 2017 at 5:30pm in the Veterans Room at Memorial Hall. Commissioner Gary Hogsett, Commissioner Leonhard Caflisch, and Commissioner Fred Meier were present. Others present included:

City Staff

Kelly Passauer, Assistant City Manager
Michael Borovetz, Director of Finance/City Clerk
Dave Cowan, Public Safety Director
Jeff Chubb, City Attorney
Terry Lybarger, Director of Utilities
Barbara Beurskens, Park/Zoo/Cemetery Director
Jerry Harrison, Police Chief

Visitors

Jerry Bright	Charlotte Caflisch
Jon Risner	Ned Stichman
Ryan Goad	Chuck Schmidt
Anita Chappuie	Barb Sharp
Jason Wright	Rod Zinn
Debbie Miller	Tabitha Snodgrass
Melissa McDaniel	Robert McDaniel
Taryn Meeds	Louis Ysusi
Kathy Shepard	Lilly Deronen
Jeff Weimer	Georgiana Epps
Larry Weimer	Chris Mitchell
Zach Jolly	Amanda Williams
Bob Wesley	Steve McBride
Michael Ysusi	Shawn Turner
Dorcas Sutton	

Call to Order

Pledge of Allegiance to the United States of America

City Licenses

Simplex Grinnell LP – Lenexa, KS – Robert Maxie, Vice President
Libby's Boutique – 325 N. Penn, Suite 104 – Libby Boldra, Owner

Appointments

Consider the appointment for two open positions on the Planning Commission/Board of Zoning Appeals (Inside City) – Two (2) Resignations

Motion:

On the motion of Mayor Meier, seconded by Commissioner Hogsett, the commission approved the appointment of Barb Emert and Brent Littleton for two open positions on the Planning Commission/Board of Zoning Appeals.

Aye: Caflisch, Meier, Hogsett

Nay: None

Adoption of the Consent Agenda

a. Appropriations

1. A-1786

Motion:

On the motion of Commissioner Hogsett, seconded by Mayor Meier, the commission approved A-1786 for \$660,116.17.

Aye: Caflisch, Meier, Hogsett

Nay: None

2. P-1751

Motion:

On the motion of Commissioner Hogsett, seconded by Mayor Meier, the commission approved P-1751 for \$125,755.80.

Aye: Caflisch, Meier, Hogsett

Nay: None

b. Consider minutes of the February 22 and 23, 2017 City Commission meetings [CITIZENS].

City staff recommends approving the attached minutes.

Motion:

On the motion of Commissioner Hogsett, seconded by Mayor Meier, the commission approved the minutes of the February 22 and 23, 2017 City Commission meetings.

Aye: Caflisch, Meier, Hogsett

Nay: None

- c. **Consider an ordinance amending previous boundary ordinances and establishing the legal boundaries for the City of Independence [CITIZENS].**

Attached is an ordinance amending the previous boundary ordinance and establishing the legal boundaries for the City. The ordinance was prepared by the City Attorney and the legal description was prepared by TranSystems. City staff recommends approval.

This item was moved to Items for Commission Action.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflisch, the commission adopted an ordinance amending previous boundary ordinances and establishing the legal boundaries for the City of Independence.

Aye: Caflisch, Meier, Hogsett

Nay: None

- d. **Consider an agreement with Rainbow Fireworks, Inc. for the 2017 4th of July Firework Show [CITIZENS].**

Attached is a Fireworks agreement negotiated by Jim Kelly with Rainbow Firework, Inc. in the amount of \$14,000 for the annual 4th of July show in Independence. The City normally contracts for the show and funds are raised to reimburse the City for this expense. City staff recommends authorizing the Mayor to sign the attached agreement.

Motion:

On the motion of Commissioner Hogsett, seconded by Mayor Meier, the commission approved an agreement with Rainbow Fireworks, Inc. for the 2017 4th of July Firework Show.

Aye: Caflisch, Meier, Hogsett

Nay: None

- e. **Consider side agreements relating to work on property adjoining construction of the Peter Pan/West Main intersection improvement project [CITIZENS].**

Attached are side agreements relating to work adjoining construction of the Peter Pan/West Main intersection improvement project. The first agreement is with Steven and Toni Debo in the amount of \$2,600; and the second agreement is with M. Ali., Inc. in the amount of \$6,000. City staff recommends authorizing the Mayor to sign both documents.

Motion:

On the motion of Commissioner Hogsett, seconded by Mayor Meier, the commission approved side agreements relating to work on property adjoining construction of the Peter Pan/West Main intersection improvement project.

Aye: Caflisch, Meier, Hogsett

Nay: None

Items for Commission Action

- f. Consider resolutions providing for authorizing and providing for improvements included in the multi-year capital improvement plan; and providing for the payment of the costs thereof; and substitute improvements to be financed with proceeds of the General Obligation Bonds, Series 2015-A; and any other related documents [CITIZENS].**

Attached are documents related to utilizing remaining bond proceeds to pay for the Peter Pan/West Main intersection improvement as previously directed by the City Commission. City staff recommends authorizing the Mayor to sign the resolutions and any other related documents as prepared by bond counsel.

Motion:

On the motion of Mayor Meier, seconded by Commissioner Caflisch, the commission adopted resolutions providing for authorizing and providing for improvements included in the multi-year capital improvement plan; and providing for the payment of the costs thereof; and substitute improvements to be financed with proceeds of the General Obligation Bonds, Series 2015-A; and any other related documents.

Aye: Caflisch, Meier, Hogsett

Nay: None

- g. Consider a proclamation declaring April 4, 2017 as Mayor and County Recognition Day for National Service [CITIZENS].**

RSVP has requested that the Mayor sign the attached proclamation declaring April 4, 2017 as Mayor and County Recognition Day for National Service. City staff recommends approval.

Kathy Shepard addressed the commission and provided additional background on RSVP.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflisch, the commission approved a proclamation declaring April 4, 2017 as Mayor and County Recognition Day for National Service.

Aye: Caflisch, Meier, Hogsett

Nay: None

h. Consider a request from R-Turn to start work on the Dog Park [CITIZENS].

R-Turn would like to make a presentation to the Commission regarding the status of the Independence Dog Park and request permission to start work on the project.

Ryan Goad, Michael Ysusi, and Taryn Meeds addressed the commission regarding the construction phases and anticipated opening for the Dog Park.

Motion:

On the motion of Commissioner Caflisch, seconded by Commissioner Hogsett, the commission approved a request from R-Turn to start work on the Dog Park.

Aye: Caflisch, Meier, Hogsett

Nay: None

i. Consider bids received for the cemetery mower [CITIZENS/CITY EMPLOYEES].

Attached are bids received for a mower at the cemetery. The 2017 budget includes \$20,000 for mowers and other equipment throughout the year. The Park and Zoo Director recommends awarding the bid to Sandbagger Golf & Turf in the amount of \$10,165.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflisch, the commission approved awarding the cemetery mower bid to Sandbagger Golf & Turf in the amount of \$10,165.00.

Aye: Caflisch, Meier, Hogsett

Nay: None

- j. **Consider authorizing the purchase of servers and an electronic storage device for the police department videos [CITIZENS/CITY EMPLOYEES].**

Attached is a memo and recommendation from David Cowan, Public Safety Director to approve awarding the low quote from of \$29,994.49 for two servers and one SAN (Storage Area Network) device.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflisch, the commission approved awarding the low quote of \$29,994.49 for two servers and one SAN device to CDW-G.

Aye: Caflisch, Meier, Hogsett

Nay: None

- k. **Consider prioritizing projects for the application(s) for the 2019 and 2020 City Connecting Link Improvement Program (CCLIP), formerly known as the KLINK Resurfacing and Geometric Improvement (GI) programs [CITIZENS/QUALITY OF LIFE SYSTEM].**

At your February 9, 2017 City Commission meeting the Commission approved submitting three applications to KDOT for their new City Connecting Link Improvement Program (CCLIP), which is replacing the KLINK and GI programs utilized in the past. TranSystems has visited with KDOT and they are wanting the City to prioritize the projects being submitted which include:

- West Main from 9th to 10th – Estimated Project Cost -- \$933,860.78 + \$314,668.63 = \$1,248,529.41 Total
- West Main from 300' West of Peter Pan west to the City limits – Estimated Project Cost -- \$195,626.48 KDOT + \$38,736.28 City = \$234,362.76 Total
- Chestnut from Penn to 9th – Estimated Project Cost -- \$282,069.84 + \$79,937.59 = \$362,007.43 Total

The Commission will need to provide direction regarding the priority order of the projects being submitted so that the applications can be completed by the March 17, 2017 deadline.

Motion:

On the motion of Mayor Meier, seconded by Commissioner Hogsett, the commission approved the priority rankings of applications for CCLIP in the order of West Main from 300' West of Peter Pan west to the City limits; West Main from 9th to 10th; and Chestnut from Penn to 9th.

Aye: Caflisch, Meier, Hogsett

Nay: None

Reports

l. Report on City Projects and other updates [CITIZENS/CITY EMPLOYEES].

1. Sales Tax Report

The latest sales tax report is attached.

2. ISO Report

The City of Independence received a dose of good news from the Insurance Services Office (ISO) who issued an improved safety rating for the city's structural fire protection system.

According to Public Safety Director David Cowan, the City was given a rating of "2," improved from a "4" rating issued by ISO in 2013. The rating scale runs 1 through 10, with 1 being the best possible classification. Attached is a copy of the press release and the ISO report.

3. Hometown Showdown

The League of Municipalities had 80 entries for 64 slots for the Hometown Showdown contest this year. The City of Independence made it through the Wildcard round and came out in the top four of twenty cities! The City is now in the contest with 63 other cities and is currently battling Louisburg in Round 1 which will end March 5, 2017. If Independence has more "likes" on their fountain photo, then Independence will proceed to the next round starts March 7th. To vote for Independence, go to this link and find the album for the current round, and "like" the picture of Logan Fountain:

<https://www.facebook.com/pg/LeagueofKansasMunicipalities/photos/?tab=albums>

m. City Board Minutes.

Attached are the February 15, 2017 minutes of the Independence Recreation Commission.

Commissioner Comments

- **Commissioner Hogsett discussed renting dumpsters to downtown businesses rather than the businesses owning the dumpsters.**
- **Commissioner Hogsett noted that Main Street might help fund the sign plan and would like this included in a future agenda.**
- **Mayor Meier provided an update on the City Manager search. It was noted that Nikki Harrison with the League of Kansas Municipalities had received 49 applications for the City Manager by the March 3,**

2017, deadline and he wanted to set a time in the next week or two to discuss the candidates with the commissioners.

Public Concerns:

Debbie Miller addressed the Commission on the reason why she made the open records request for Micky Webb's blank evaluation form and why her request was not related to information obtained from Executive Session. She stated the three following reasons to respond to the City's inference that she received information from Executive Session:

- 1. As an employee, she had received evaluations and was aware that city employees were being evaluated and therefore made a logical assumption that Micky Webb would be evaluated as a City employee.**
- 2. During her career, she supervised and evaluated employees in the private and public sector and she developed evaluative tools based on research and subject expectations.**
- 3. Much of her Master's Thesis literature and research pertained to evaluations and evaluative tools.**

She noted that in the March 24, 2016 Commission meeting, it was reported that the City would need to spend \$3 million to update the water facilities because Micky Webb failed to maintain city assets. As a result, she decided to make a request to ascertain if the Commissioners were evaluating him, or if the tools they used to evaluate him were not effective, or if they didn't place the same values on items as she did. Based on this, she does not understand why the city made unsubstantiated inferences, mislead the public and violated her civil rights but she hopes it will change.

Executive Session:

Motion:

On the motion of Mayor Meier, seconded by Commissioner Hogsett, the commission called a 10 minute executive session according to Kansas Statute 75-4319 (b) (2) for the purpose of consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship, to end at 7:09. The executive session included Mayor Meier, Commissioner Hogsett, Commissioner Caflisch, Kelly Passauer and Jeff Chubb.

Aye: Caflisch, Meier, Hogsett

Nay: None

Mayor Meier called the meeting back to order at 7:09.

Motion:

On the motion of Mayor Meier, seconded by Commissioner Hogsett, the commission called a 5 minute executive session according to Kansas Statute 75-4319 (b) (1) for the purpose of personnel matters of nonelected personnel, to end at 7:14. The executive session included Mayor Meier, Commissioner Hogsett, and Commissioner Caflisch.

Aye: Caflisch, Meier, Hogsett

Nay: None

Mayor Meier called the meeting back to order at 7:16.

Adjournment

Motion:

On the motion of Mayor Meier, seconded by Commissioner Hogsett, the commission adjourned the meeting.

Aye: Caflisch, Meier, Hogsett

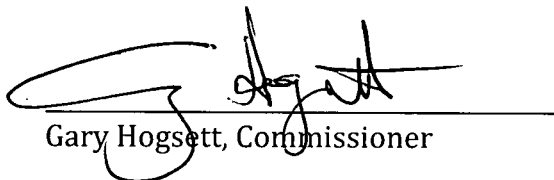
Nay: None



Fred Meier, Mayor

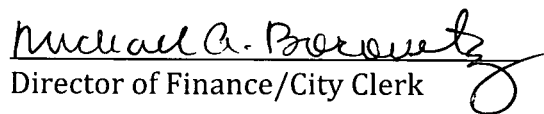


Leonhard Caflisch, Commissioner



Gary Hogsett, Commissioner

Attest:



Director of Finance/City Clerk