

Minutes of the Independence City Commission's November 9, 2017 Meeting

The Independence City Commission met on November 9, 2017 at 5:30pm in the Veterans Room at Memorial Hall. Commissioner Leonhard Caflisch, Commissioner Fred Meier and Commissioner Gary Hogsett were present. Others present included:

City Staff

Craig Whitehead, City Manager
Kelly Passauer, Assistant City Manager
Michael Borovetz, Director of Finance/City Clerk
David Cowan, Public Safety Director
Jeff Chubb, City Attorney
Shawn Wallis, Fire Chief
April Nutt, Housing Authority Director
Don Cushing, Building Inspector
Jerry Harrison, Police Chief
Barb Beurskens, Director of Parks & Zoo
Barry Beurskens, Fire Captain
Katie Southworth, Zoo Supervisor
David Jay, Patrol Officer

Visitors

Larry McHugh	Lisa Wilson
Amanda Williams	Harold Baden
Charlotte Caflisch	Dorcus Sutton
Lisa Richard	David Banks
Angela Whittet	Denton Brown
Shawn Ponder	David Jay
Pauline Gomez	Louis Ysusi
Jerry Bright	Gamela Smith
Jim Duke	Trisha Purdon
Becky Duke	Cole Cunningham
Debbie Miller	Dean Hayse
Robert Meadows	Bryan Raimey
Mat Connelly	Judy Ysusi
Chuck Goad	Abby Ewing
Cortlan Cox	Ned Stichman
Phil Whitehead	Dominic Eck

Call to Order

Mayor Meier called the meeting order at 5:30 p.m.

Pledge of Allegiance to the United States of America

Minutes of the Independence City Commission's November 9, 2017 Meeting

Executive Session

Motion:

On the motion of Mayor Meier, seconded by Commissioner Hogsett, the commission moved to recess executive session for discussion of possible acquisition of real estate for economic development purposes pursuant to the preliminary discussion on acquisition of real estate exception, KSA75-4319(b)(6). The open meeting will resume at 5:46 p.m. in the Veteran's Room of the Memorial Hall. The executive session included Mayor Meier, Commissioner Hogsett, Commissioner Caflisch, Craig Whitehead, Kelly Passauer; and Chuck Goad and Trisha Purdon with the Montgomery County Action Council.

Aye: Caflisch, Meier, Hogsett

Nay: None

Mayor Meier called the meeting back to order at 6:46.

Adoption of the Consent Agenda

- A. Appropriations
 - 1. A-1802
 - 2. P-1769
- B. Consider minutes of the July 27, 2017; August 10, 2017; August 14, 2017; August 24, 2017; and September 14, 2017 City Commission meetings.
- C. Consider 1st Quarter Treasurer's Report.

This item was moved to Items for Commission Action.

Motion:

On the motion of Commissioner Caflisch, seconded by Commissioner Hogsett, the commission approved the 1st Quarter Treasurer's Report.

Aye: Caflisch, Meier, Hogsett

Nay: None

- D. Consider naming the property at the northwest corner of Penn/Chestnut "Celebration Park".

This item was moved to Items for Commission Action.

Minutes of the Independence City Commission's November 9, 2017 Meeting

Lisa Wilson of the Independence Chamber of Commerce addressed the Commission, discussing the naming of the property.

Motion:

On the motion of Commissioner Caflisch, seconded by Mayor Meier, the commission authorized naming the vacant lot at 401 N. Penn Avenue "Celebration Park", pending approval of the Park Board.

Aye: Caflisch, Meier, Hogsett

Nay: None

- E. Consider authorizing the Main Street/Optimist Holiday Parade on November 19, 2017.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflisch, the Commission approved the Consent Agenda except Items C and D.

Aye: Caflisch, Meier, Hogsett

Nay: None

Presentations

- A. Congratulate Jim Duke on his retirement from the Park & Zoo.

Barb Beursken, Director of Parks & Zoo, along with the Commissioners presented a Certificate of Appreciation for his service with the City of Independence.

- B. Swear in David Jay as a Patrol Officer.

Jerry Harrison, Police Chief, introduced new Patrol Officer David Jay to the Commission along with his professional background. Following the introduction, Mike Borovetz, City Clerk, swore in Officer Jay.

Public Hearings

- A. Consider condemnation of the following structures as dangerous and unsafe:
1. 223 W. Main Street

The Mayor opened the Public Hearing. The Building Inspector discussed that a local realtor was working with an active buyer for the property however he advised the Commission that there were areas of concern that needed to be

Minutes of the Independence City Commission's November 9, 2017 Meeting

addressed with the owner for public safety. He recommended adjourning the public hearing. After no comments from the public, the Mayor closed the Public Hearing.

Motion:

On the motion of Mayor Meier, seconded by Commissioner Caflisch, the commission adjourned the public hearing for 223 W Main to resume on the December 14th meeting.

Aye: Caflisch, Meier, Hogsett

Nay: None

2. 725 N. Penn Avenue

The Mayor opened the Public Hearing. The Building Inspector stated that the new owners were continuing to make progress on repairs to the structure and recommended adjourning the public hearing. After no further comments from the public, the Mayor closed the Public Hearing.

Motion:

On the motion of Commissioner Caflisch, seconded by Commissioner Hogsett, the commission adjourned the public hearing for 725 N Penn to resume on the December 28th meeting.

Aye: Caflisch, Meier, Hogsett

Nay: None

3. 1228 N. 6th Street

The Mayor opened the Public Hearing. The Building Inspector told the Commission that significant progress had been made to the property and repairs should be complete soon. He recommended adjourning the public hearing. After no further comments from the public, the Mayor closed the Public Hearing.

Motion:

On the motion of Commissioner Caflisch, seconded by Commissioner Hogsett, the commission adjourned the public hearing for 1228 N 6th to resume on the January 25th meeting.

Aye: Caflisch, Meier, Hogsett

Nay: None

Minutes of the Independence City Commission's November 9, 2017 Meeting

Items for Commission Action

A. Consider a negotiated contract for the North Peter Pan Project.

Shawn Turner, Transystems, discussed the contract with the Commission. He stated after visiting with KDOT, the extension project could not be added to the existing Geometric project with a change order but KDOT would allow for a negotiated contract with the contractor to extend the current work to include the south entrance of Labette Health.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflisch, the Commission authorized the Mayor to sign a negotiated contract to extend the Peter Pan Project that is currently under construction to Labette Health's south drive in the amount of \$108,140.24, subject to approval by KDOT, Labette Health and Montgomery County.

Aye: Caflisch, Meier, Hogsett

Nay: None

B. Consider adopting an ordinance authorizing the issuance of the City's Taxable Industrial Revenue Bonds, Series 2017 (Textron Aviation Inc.), authorizing certain documents and actions in connection with the issuance of the Series 2017 Bonds, and approving the payment of the Series 2007 Bonds and Textron Aviation's exercise of its option to purchase the Series 2007 improvements.

Dominic Eck, Gilmore & Bell, addressed the Commission and gave a brief description of the IRB. He said the issuance was for the purchase of equipment and would provide a 10-year personal property tax exemption on the purchased equipment.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflisch, the Commission approved an ordinance authorizing the issuance of the City's Taxable Industrial Revenue Bonds, Series 2017 (Textron Aviation Inc.), authorizing certain documents and actions in connection with the issuance of the Series 2017 Bonds, and approving the payment of the Series 2007 Bonds and Textron Aviation's exercise of its option to purchase the Series 2007 improvements.

Aye: Caflisch, Meier, Hogsett

Nay: None

Minutes of the Independence City Commission's November 9, 2017 Meeting

- C. Consider rescinding condemnation action for property located 914 N. 6th Street.**

Angela Whittet, property owner, addressed the Commission and requested they move forward with rescinding the property. Don Cushing, Building Inspector, stated he missed an area on the roof that still needed to be repaired when he performed his inspection. He recommended tabling until the roof repairs could be completed and inspected.

This item was tabled to the November 21st meeting.

- D. Consider authorizing the Mayor to sign a natural gas sales agreement with N THERM, LLC and any related documentation.**

This item was presented ahead of Item A in Items for Commission Action

David Banks, consultant to Green Bush Energy Group, discussed the proposed agreement with the Commission. He noted that the agreement is a one-year contract with two, one-year options. He also stated that the contract is transferrable to a non-profit company.

Mayor Meier recused himself on the vote for the agreement due to his relationship with Green Bush.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflisch, the Commission authorized the Mayor to sign a natural gas sales agreement with N THERM, LLC and any related documentation.

Aye: Caflisch, Hogsett

Nay: None

Abstain: Meier

Reports

- A. City Board Minutes**
1. October 18, 2017 Recreation Commission

Minutes of the Independence City Commission's November 9, 2017 Meeting

Extra Item

- A. Consider an agreement with Montgomery County regarding maintenance of a portion of North Peter Pan Road.**

Motion:

On the motion of Mayor Meier, seconded by Commissioner Hogsett, the commission approved an agreement with Montgomery County regarding maintenance of a portion of North Peter Pan Road.

Aye: Caflisch, Meier, Hogsett

Nay: None

Motion:

On the motion of Mayor Meier, seconded by Commissioner Hogsett, the commission approved the amended agenda as presented.

Aye: Caflisch, Meier, Hogsett

Nay: None

Commissioner Comments

Commission Hogsett asked about the status of the downtown trees. He said that he thought some of the trees were under warranty. Kelly Passauer said that she would check with Barb Beurskens and get back with him on it.

Commission Hogsett also asked about the demolition bids on five structures that were approved on June 22nd and they hadn't been removed yet. Mike Borovetz stated that contracts had been sent out to the contractors and the City had been waiting on asbestos samples to come back and they were just received. Work should begin on demolitions in the next few weeks.

Mayor Meier asked staff where the City was at in looking at making upgrades to the electrical at temporary City Hall make it more efficient. Craig Whitehead said the City put out an RFP that was due today and staff would be looking at the cost benefit of electrical upgrade. Borovetz said that there was a mandatory meeting last week and only one contractor showed up and that only one quote was received today. Borovetz said that the RFP for the project was broke down into two phases with the first phase being considerably cheaper. The first phase would not get all of the potential savings but it is economical and the City could get a pretty good payback. He stated the next step would be doing an analysis of the quotes and bring that back to the Commission.

Minutes of the Independence City Commission's November 9, 2017 Meeting

Public Concerns

There were no Public Concerns for this meeting

Adjournment

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflisch, the Commission adjourned the meeting.

Aye: Caflisch, Meier, Hogsett

Nay: None



Fred Meier, Mayor

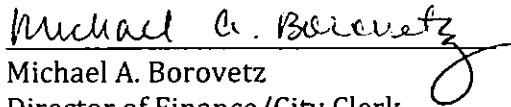


Leonhard Caflisch, Commissioner



Gary Hogsett, Commissioner

Attest:



Michael A. Borovetz
Director of Finance/City Clerk