

Minutes of the Independence City Commission's November 21, 2017 Meeting

The Independence City Commission met on November 21, 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
Tim Emert, City Attorney
Shawn Wallis, Fire Chief
Mike Passauer, Director of Public Works
April Nutt, Housing Authority Director
Don Cushing, Building Inspector
Jerry Harrison, Police Chief

Visitors

Larry McHugh	Olivia Merrick
Amanda Williams	Terra Daniels
Jerry Bright	Hannah Burnett
Angela Whittet	Dorcas Sutton
Julie Bruington	Jeb Stafford
Debbie Miller	Gabe Eades
Luke Wallace	Carl Bloomfield
Doug Wallace	Ned Stichman
Robert Meadows	Whitney Rutland
Louis Ysusi	Kelsa Lane
Judy Ysusi	Emily Fairbank
Lisa Richard	Erin Williams
Claire Cook	Dean Hayse

Call to Order

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

Pledge of Allegiance to the United States of America

Adoption of the Consent Agenda

- A. Appropriations
 - 1. A-1803
 - 2. P-1770

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- B. Consider minutes of the September 28, October 12 and 25, 2017 City Commission meetings.**
- C. Consider acknowledgement of a land lease renewal with Precision Aviation dba Aviation Controls at the Airport retroactive to April 1, 2017.**
- D. Consider an agreement for engineering design and construction services and fee proposal for Runway 4/22 and Taxiway C sealcoat and remarking project.**
- E. Consider accepting Tenant Based Rental Assistance (TBRA) grant and authorize the Mayor to sign any related documentation.**

Motion:

On the motion of Commissioner Caflisch, seconded by Commissioner Hogsett, the Commission approved the Consent Agenda as presented.

Aye: Caflisch, Meier, Hogsett

Nay: None

Public Hearings

- A. Consider condemnation of the structure located at 424 S. 18th as dangerous and unsafe:**

The Mayor opened the Public Hearing. The Building Inspector discussed the condition of the property and that it is currently vacant. He has been in contact with the owners and they intend to make repairs to the property. He recommended condemnation of the property. After no comments from the public, the Mayor closed the Public Hearing.

Motion:

On the motion of Commissioner Hogsett, seconded by Mayor Meier, the Commission approved to condemn the property located at 424 S. 18th Street as dangerous and unsafe and provide 30 days to commence repair or removal.

Aye: Caflisch, Meier, Hogsett

Nay: None

Items for Commission Action

- A. Consider setting the date of January 25, 2017 at 5:30 PM for public hearings to consider condemnation of the following properties as dangerous and unsafe:**

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1. 606 Fountain Street

Motion:

On the motion of Mayor Meier, seconded by Commissioner Hogsett, the Commission approved to set the date of January 25, 2018 for a public hearing to consider condemnation for the structures at 606 Fountain Street as dangerous and unsafe.

Aye: Caflisch, Meier, Hogsett

Nay: None

2. 812 S. 5th Street

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflisch, the Commission approved to set the date of January 25, 2018 for a public hearing to consider condemnation for the structures at 812 S 5th Street as dangerous and unsafe.

Aye: Caflisch, Meier, Hogsett

Nay: None

3. 1320 W. Locust Street

Motion:

On the motion of Commissioner Caflisch, seconded by Commissioner Hogsett, the Commission approved to set the date of January 25, 2018 for a public hearing to consider condemnation for the structures at 1320 W Locust Street as dangerous and unsafe.

Aye: Caflisch, Meier, Hogsett

Nay: None

- B. Consider recommendation from the Planning Commission to approve a conditional use permit for a pre-primary school (preschool) in an O&P district at 1201 N. 10th Street and 515 W. Oak Street.**

Motion:

On the motion of Commissioner Caflisch, seconded by Commissioner Hogsett, the Commission approved a conditional use permit for a preschool at 1201 N. 10th Street and 515 W. Oak Street and authorized the Mayor to sign a

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resolution for conditional use permit for a preschool at 1201 N. 10th Street and 515 W. Oak Street.

Aye: Caflisch, Meier, Hogsett

Nay: None

- C. Consider recommendation from the Planning Commission to rezone a tract of land from R-4, medium density multifamily dwelling district to O&P, office and professional district located at 2207 N. 10th Street.**

Lisa Richard, resident, addressed the Commission with concern that this action is inconsistent with the Comprehensive Plan and that this would be spot zoning. She said the Comprehensive Plan is intended to provide guidance for zoning and if the zoning is going to be changed for the area, then maybe the plan should be updated.

Commissioner Hogsett said that he would rather the property occupied rather than setting vacant and Richard replied that the owner could change the plans and use it for something different and they couldn't be stopped because the property has already been rezoned.

Commissioner Caflisch noted that Comprehensive Plan was developed in 1982 and things have changed since that time and maybe it is time to look at the plan and consider revising it.

Motion #1:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflisch, the Commission accepted the recommendation from the Planning Commission and approve rezoning a tract of land from R-4, medium density multifamily dwelling district to O&P, office and professional district located.

Aye: Caflisch, Meier, Hogsett

Nay: None

Motion #2:

On the motion of Mayor Meier, seconded by Commissioner Hogsett, the Commission approved an ordinance for the rezoning of a certain tract of land in the City of Independence, Kansas, from R-4, Medium Density Multi-family Dwelling District to O&P, Office and Professional District, s hereinafter set forth and amending the official zoning district map incorporated by reference by Section 303.0 of the Zoning Ordinance of the City of Independence.

Aye: Caflisch, Meier, Hogsett

Nay: None

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D. Consider rescinding condemnation action for properties located at:

1. 508 S. 10th Street

Motion:

On the motion of Mayor Meier, seconded by Commissioner Hogsett, the Commission rescinded condemnation action for the property located 508 S. 10th Street.

Aye: Caflisch, Meier, Hogsett

Nay: None

2. 605 N. 16th Street

Motion:

On the motion of Commissioner Caflisch, seconded by Commissioner Hogsett, the Commission rescinded condemnation action for the property located 605 N. 16th Street.

Aye: Caflisch, Meier, Hogsett

Nay: None

3. 914 N. 6th Street

Motion:

On the motion of Mayor Meier, seconded by Commissioner Caflisch, the Commission rescinded condemnation action for the property located 914 N. 6th Street.

Aye: Caflisch, Meier, Hogsett

Nay: None

4. 1201 W. Laurel Street

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflisch, the Commission rescinded condemnation action for the property located 1201 W. Laurel Street.

Aye: Caflisch, Meier, Hogsett

Nay: None

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- E. Consider authorizing the Mayor to sign a lease purchase agreement with IAP for acquisition of property for economic development purposes.

Craig Whitehead, City Manager, discussed the acquisition with the Commission and noted that IAP purchased the land 12 years ago because the City didn't have the funds at the time but would purchase it from IAP at a later date for the original price paid by IAP. That had not happened until now and IAP is in need of funding to support other commercial growth projects in Independence. He noted that this land adjoins the Independence Industrial Park and it is important for future development.

Lisa Richard, resident, addressed the Commission and said that the City Manager's statement answered her question with regard to the purchase price but she thinks that the land should be reviewed to make sure that the fair market value of the property is worth \$250,000.00.

Motion:

On the motion of Commissioner Caflisch, seconded by Commissioner Hogsett, the Commission authorized the Mayor to sign a lease purchase agreement with IAP for acquisition of approximately 39 acres on North Peter Pan Road adjacent to the West Laurel Industrial Park for economic development purposes.

Aye: Caflisch, Meier, Hogsett

Nay: None

Reports

- A. 2nd Quarter Treasurer Report.
- B. City Board Minutes
 - 1. September 5, 2017 Planning Commission/Board of Zoning Appeals

Commissioner Comments

There were no Commissioner Comments for this meeting

Public Concerns

There were no Public Concerns for this meeting

Executive Sessions

There were no Executive Sessions for this meeting

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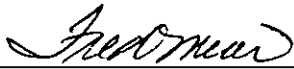
Adjournment

Motion:

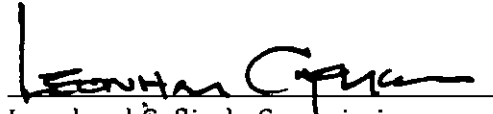
On the motion of Commissioner Hogsett, seconded by Commissioner Caflisch, the Commission adjourned the meeting.

Aye: Caflisch, Meier, Hogsett

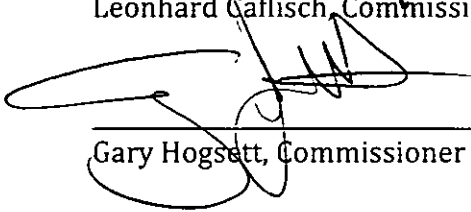
Nay: None



Fred Meier, Mayor

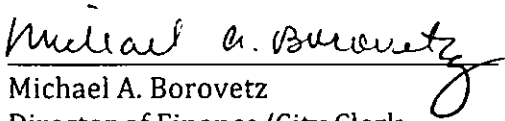


Leonhard Caflisch, Commissioner



Gary Hogsett, Commissioner

Attest:



Michael A. Borovetz
Director of Finance/City Clerk