

Minutes of the Independence City Commission's October 24, 2018 Meeting

The Independence City Commission met for a regular meeting on October 24, 2018 at 5:30 P.M. in the Veterans Room at the Memorial Hall. Mayor Leonhard Caflisch, Commissioner Louis Ysusi and Commissioner Gary Hogsett were present. Others present included:

City Staff

Craig Whitehead, City Manager
Jeff Chubb, City Attorney
Kelly Passauer, Assistant City Manager/Zoning Administrator
David Schwenker, City Clerk/City Treasurer
David Cowan, Director of Safety/ADA Coordinator
Michael Borovetz, Finance Director
Jerry Harrison, Police Chief
Brian McHugh, Memorial Hall Supervisor
Don Cushing, Building Inspector

Visitors

Ellie Davis
Judy Ysusi
Jeri Hopkins
Brandee Mimitzraiem
Larry McHugh
Ashley Dixon
England Porter

I. REGULAR SESSION

A. Call to Order

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

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Ysusi the Commission adopted the agenda.

Aye: Caflisch, Ysusi, Hogsett

Nay: None

D. Presentation to Pastor Brandee Mimitzraiem, founding member of the Police Chief Advisory Committee.

Police Chief Jerry Harrison thanked Brandee Mimitzraiem for her service as a founding member of the Police Chief Advisory Committee. She was presented a plaque by Chief Harrison and also thanked by the Commission.

II. COMMON CONSENT AGENDA

A. Appropriations

1. A-1824A
2. A-1825
3. D-1809
4. P-1795

B. Consider approving minutes of the September 17, 2018 City Commission meeting.

SUGGESTED MOTION -- I move to approve the September 17, 2018 City Commission Minutes as presented.

C. Consider adopting an ordinance naming Riverside Park and Ralph Mitchell Zoo Streets.

SUGGESTED MOTION -- I move to adopt an ordinance establishing names of streets on City Owned Property located at Riverside Park and Ralph Mitchell Zoo.

D. Consider a request to block streets for Chamber of Commerce Trunk or Treat event.

SUGGESTED MOTION -- I move to authorize the Chamber of Commerce to block Pennsylvania Avenue from the Community National Bank drive through, North to Pennsylvania Avenue and Chestnut, as well as the 100 block of West Laurel from Pennsylvania Avenue West to the alleyway for the purpose of hosting the Chamber of Commerce Trunk or Treat event from 4:30 pm to 8:00 pm on October 31, 2018.

E. Consider a request from Edward Jones Investments to operate a golf cart on a City street on November 8, 2018 from 3 PM to 6 PM.

SUGGESTED MOTION -- I move that we authorize Jason Rutledge to operate a golf cart on the 200 and 300 block of Pennsylvania Avenue from 3:00 pm to 6:00 pm on November 8, 2018 in support of the Edward Jones Customer Appreciation Event being hosted at 308 and 221 North Pennsylvania Avenue.

F. Consider authorizing the Mayor to sign a letter of support to the Kansas State Historical Society for a restoration grant for the William Inge Home located at 514 N. 4th Street.

SUGGESTED MOTION -- I move to authorize the Mayor to sign a letter of support to the Kansas State Historical Society for a restoration grant for the William Inge Home located at 514 N. 4th Street.

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- G. Consider authorizing a Day of Honor 5K Color Run/Walk at Riverside Park on November 10, 2018 from 8:30 AM to 10:30 AM.

SUGGESTED MOTION -- I move to approve the request for the Day of Honor 5K Color Run/Walk at Riverside Park on November 10, 2018.

Motion:

On the motion of Commission Ysusi, seconded by Commissioner Hogsett, the Commission adopted the consent agenda.

Aye: Caflisch, Ysusi, Hogsett

Nay: None

I. PUBLIC HEARINGS

- A. Public hearing to consider condemnation of 905 W. Sycamore Street as dangerous and unsafe.

The public hearing was opened. Building Inspector Don Cushing stated that one of the owners advised him that her husband would be here mid-November and would meet with him to go through the property. It is the owners' intent to repair the property and they have been cooperative. No one from the public wished to speak. The public hearing was closed.

Motion:

On the motion of Commission Hogsett, seconded by Commissioner Ysusi, the Commission adjourned the Public Hearing for 905 W. Sycamore Street to January 24, 2019 at 5:30 p.m.

Aye: Caflisch, Ysusi, Hogsett

Nay: None

- B. Public hearing to consider condemnation of 1701 N. 10th Street, Building #4 as dangerous and unsafe.

The public hearing was opened. Building Inspector Don Cushing stated that he talked the owner's representative who advised him that they had worked out the insurance and were in the process of receiving bids and anticipated work to start within the next three weeks. No one from the public wished to speak. The public hearing was closed.

Motion:

On the motion of Commission Hogsett, seconded by Commissioner Ysusi, the Commission adjourned the Public Hearing for 1701 N. 10th Street, Building #4 to January 24, 2019 at 5:30 p.m.

Aye: Caflisch, Ysusi, Hogsett

Nay: None

II. ITEMS FOR COMMISSION ACTION

- A. Consider a request from the Chamber's Diversity Taskforce for the City to co-sponsor a community potluck on November 18th from 1 PM – 2:30 PM at Memorial Hall.

Independence Public Library Director Jeri Hopkins represented the Diversity Taskforce regarding this request. She stated that this event would be held right before the holiday parade and Main Street has agreed to co-sponsor. Jeri Hopkins said they would like more involvement from the City if they would like to be, but they believe they have enough volunteers. The Mayor asked if there were any more details to be worked out. The Mayor said he was in support of the event but didn't like the term, and he valued diversity.

Motion:

On the motion of Commission Hogsett, seconded by Commissioner Ysusi, the Commission agreed to co-sponsor the Diversity Taskforce Community Potluck on Sunday, November 18, 2018, from 1:00 PM to 2:30 PM at the Memorial Hall Civic Center.

Aye: Caflisch, Ysusi, Hogsett

Nay: None

- B. Consider setting the date of December 27, 2018 at 5:30 PM for a public hearing to consider condemnation of the structure located at 301 N. 11th Street as dangerous and unsafe.

Building Inspector Don Cushing stated that there was a fire at this property and that the homeowner was present. Don Cushing stated that he thought when December 27th comes it may be able to be rescinded from condemnation action.

Homeowner Michael Morris stated he talked to a contractor, but he doesn't have enough money to fix it and it falls through he needs to know who he needs to contact to solve the matter. The Mayor told him to stay in touch with the Building Inspector.

Motion:

On the motion of Commission Ysusi, seconded by Commissioner Hogsett, the Commission set the date of December 27, 2018, for a public hearing to consider condemnation of the fire damaged structure located at 301 N. 11th Street.

Aye: Caflisch, Ysusi, Hogsett

Nay: None

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- C. Consider setting the date of December 27, 2018 at 5:30 PM for a public hearing to consider condemnation of the structure located at 609 W. Myrtle Street as dangerous and unsafe.

Building Inspector Don Cushing reviewed the fire damaged structure and stated that he wanted to make sure it gets repaired after the fire. The owner was not present. Don Cushing stated that he previously visited with one of the owners and they do not know at this time what they are going to do.

Motion:

On the motion of Commission Hogsett, seconded by Commissioner Ysusi, the Commission set the date of December 27, 2018, for a public hearing to consider condemnation of the fire damaged structure located at 609 W. Myrtle Street.

Aye: Caflisch, Ysusi, Hogsett

Nay: None

- D. Consider authorizing receipt of bids for removal of condemned structures located at 500 S. Wald Avenue and 606 Fountain Street.

Don said both properties no work has occurred and they would like to see them removed. The owners are not present. Very troubling structures and would like to see them taken out. Mayor asked if the contractors are leaving the lots mowable. Don said that the last contractor hired a sub and communication issue, went to each of the lots yesterday and told them what needed to be done. Mayor said 14th and Magnolia there are holes. Don said he had already discussed that with them. Mayor said on south 6th was rough, and Don said he was aware of it. Gary said these are dragging down the neighborhood. Jeff said if the contractor does not follow through, if he bids again and staff can say he is not qualified and reject his bid. Mayor asked about putting up money and Mike B said there is a bond. Mayor said we have the bond and the language to get it done correctly. Both the contractor and sub could be restricted from bidding. Makes you work twice as hard. Don said this has been a long process. He told us he worked for a lot of municipalities before, hopefully, he is understanding what we want. Moved to set bids for both by Louis, seconded by Gary.

Motion:

On the motion of Commission Ysusi, seconded by Commissioner Hogsett, the Commission authorized receipt of bids for removal of condemned structures located at 500 S. Wald Avenue and 606 Fountain Street.

Aye: Caflisch, Ysusi, Hogsett

Nay: None

- E. Consider rescheduling the November 20, 2018 City Commission meeting.

Commission Hogsett stated that he was unavailable on November 20th and asked if the Commission would consider rescheduling the meeting.

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Motion:

On the motion of Commission Ysusi, seconded by Commissioner Hogsett, the Commission rescheduled the November 20th Commission meeting to November 29th, 2018.

Aye: Caflisch, Ysusi, Hogsett

Nay: None

- F. Consider final assessed valuation and final mill levy for 2019 budget.

Craig went through his recommendation. Discussion ensued between the Commissioners. The Mayor indicated holding with the amount budget unless we want to knock money out of the budget, but it won't accomplish anything. Louis said the original intent was what we agreed upon.

Gary said keep spending the same. Ysusi moved to accept the final mill rate as provided by Montgomery County, Gary seconded.

Motion carried.

Motion:

On the motion of Commission Ysusi, seconded by Commissioner Hogsett, the Commission accepted the final mill rate as provided by Montgomery County.

Aye: Caflisch, Ysusi, Hogsett

Nay: None

III. CITY MANAGER'S COMMENTS

City Manager Craig Whitehead stated his only comment was "Happy Neewollah".

IV. COMMISSIONERS' COMMENTS

Commissioner Ysusi stated that the street lights at the northeast and northwest corners are out at the intersection of Penn and Chestnut and Westar advised him that they were the City's responsibility. City staff advised they would check into it.

V. PUBLIC CONCERNS

There were no public concerns.

VI. EXECUTIVE SESSION

- A. Personnel matters of non-elected personnel.

Motion:

On the motion of the Mayor the Commission recessed for an executive session for discussion of an employee's performance pursuant to the non-elected personnel exception, (KSA75-4319(b)(1)). The open meeting will resume at 6:30 pm. (20 minutes) in the Veteran's Room of Memorial Hall.

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**Those in attendance include City Commissioners and City Manager.
Commissioner Ysusi seconded the motion.**

Aye: Caflisch, Ysusi, Hogsett

Nay: None

The Commission meeting reconvened at 6:31 p.m.

Motion:

**On the motion of the Mayor the Commission extended the executive session.
The open meeting will resume at 6:46 pm. (15 minutes) in the Veteran's
Room of Memorial Hall. Those in attendance include City Commissioners
and City Manager. Commissioner Hogsett seconded the motion.**

Aye: Caflisch, Ysusi, Hogsett

Nay: None

The Commission meeting reconvened at 6:47 p.m. with no action taken.

VII. ADJOURNMENT

Motion:

**Commissioner Hogsett moved to adjourn. Commissioner Ysusi seconded the
motion.**

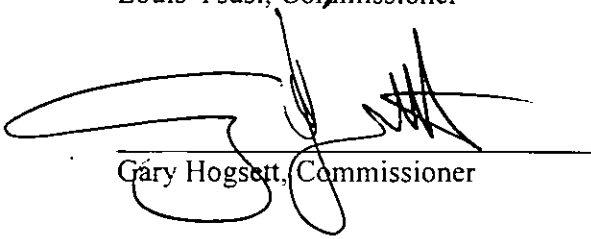
Aye: Caflisch, Ysusi, Hogsett

Nay: None

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Leonhard Caflisch, Mayor


Louis Ysusi, Commissioner


Gary Hogsett, Commissioner

Attest:


Kelly C. Passauer
Assistant City Manager