

Minutes of the Independence City Commission's September 16, 2020 Special Meeting

The Independence City Commission met for a special meeting on September 16, 2020 at 9:00 A.M. at the Memorial Hall. Mayor Leonhard Caflisch, Commissioner Louis Ysusi and Commissioner Dean Hayse were present. Others present included:

City Staff

Jeff Chubb, City Attorney
Kelly Passauer, Assistant City Manager/Zoning Administrator
David Schwenker, City Clerk/City Treasurer
Brian McHugh, Memorial Hall Supervisor
Shawn Wallis, Fire/EMS Chief
Mike Passauer, Public Works Director
David Cowan, Director of Safety/ADA Coordinator
Lacey Lies, Director of Finance
Jerry Harrison, Police Chief
Terry Lybarger, Director of Utilities
April Nutt, Director of Housing Authority
Judy Nelson, Municipal Court Clerk
Barb Beurskens, Park and Zoo Director
Barry Beurskens, Memorial Hall Maintenance
Dustin Stafford, Police Officer
Byron Corish, Police Officer
Joslyn Kusiak, Municipal Court Judge

Visitors

Larry McHugh
Taina Copeland
Tony Royse
Tabatha Snodgrass
Trisha Purdon

I. SPECIAL SESSION

A. Call to Order

Mayor Caflisch called the meeting to order.

II. EXECUTIVE SESSION

A. For the purpose of reviewing and considering City Manager applications.

This item was moved from the end of the agenda.

Motion:

On the motion of Mayor Caflisch, seconded by Commissioner Ysusi the Commission moved to

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recess for an executive session for review and discussion of City Manager applications pursuant to the non-elected personnel exception (K.S.A. 75-4319(b)(1)). The open meeting will resume at 9:25 A.M.

Aye: Ysusi, Caflisch, Hayse

Nay: None

The meeting resumed at 9:25 A.M. and Mayor Caflisch announced Kelly Passauer as the new City Manager.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission moved to authorize the Mayor to sign an employment contract for the position of City Manager with Kelly Passauer.

Aye: Ysusi, Caflisch, Hayse

Nay: None

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission moved to authorize the Mayor to sign a personnel action and payroll change for the period July 15, 2019 through September 16, 2020 for the Acting City Manager.

Aye: Ysusi, Caflisch, Hayse

Nay: None

III. ITEMS FOR COMMISSION ACTION

- A. Consider a recommendation from the Economic Development Advisory Board regarding a business incentive.

The Economic Development Advisory Board has reviewed pertinent documents, past Commission discussions, and other information regarding previous incentives offered to Labette Health by the City of Independence. As a part of that review, the Economic Development Advisory Board has utilized a cost-benefit analysis to determine the appropriate investment in the proposed project, as it relates to the City of Independence.

After said review of the relevant information provided, the Economic Development Advisory Board recommends approval of the incentive request in the form of a \$250,000 forgivable loan to be disbursed over a five-year period as follows:

1. Labette Health Independence Healthcare Center will show proof of five new full-time equivalent employees in Independence during 2022, over a base employment established at the end of 2021. Labette Health Independence Healthcare Center must maintain those five

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full time equivalents' over the subsequent years to receive a maximum of \$50,000 per year. Should less than five full time equivalents be maintained during a reporting period, the annual incentive payment for that period will be discounted on a pro-rata basis.

2. The first payment will be made on March 1, 2023, and each March 1 of the four subsequent years (2024-2027).
3. This incentive will be paid out of the proposed Special Use Sales Tax renewal of which 5% is to be designated for Economic Development. The incentive is contingent upon the passing of the SUST renewal.

The Economic Development Advisory Board recommends the City Attorney draft an agreement and that the City Commission approves this proposed incentive to Labette Health for the expansion of the Labette Health Independence Healthcare Center on Peter Pan Road.

This item was tabled for a later date.

- B. Consider a request from Main Street to utilize the City parking lot located at the southeast corner of Chestnut and 8th Streets on Thursdays from 2 – 7 PM from September 17, 2020 through October 29, 2020 for a Fall Farmers Market.

City staff received a request from Independence Main Street to utilize the City parking lot located behind Ane Mae's at the southeast corner of Chestnut and 8th Streets on Thursdays from 2 – 7 PM from September 17, 2020 through October 29, 2020 for a Fall Farmers Market.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission moved to authorize a request from Main Street to utilize the City parking lot located at the southeast corner of Chestnut and 8th Streets on Thursdays from 2 – 7 PM from September 17, 2020 through October 29, 2020 for a Fall Farmers Market.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- C. Consider adopting the following resolutions and authorizing the signing of the following forms relating to the CDBG grant application:
 1. A resolution assuring the Kansas Department of Commerce that funds will be continually provided for the operation and maintenance of improvements to the sewer system to be financed with Community Development Block Grant funds;
 2. A resolution certifying legal authority to apply for the 2021 Kansas Cities Community Development Block Grant Program from the Kansas Department of Commerce and authorizing the Mayor/Commissioner to sign and submit such an application;
 3. Determination of level of review;

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4. Residential Anti-displacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as Amended;
5. Statement of assurances and certifications; and
6. Applicant/Recipient Disclosure/Update Report.

On August 27, 2020 the City Commission held a public hearing regarding the submittal of a CDBG application for sanitary sewer improvements. Susan Galemore of Southeast Kansas Regional Planning Commission has advised that the above mentioned documents need to be adopted and/or signed to proceed with the application process. The scope of work included in the grant proposal includes sanitary sewer improvements in Basin 5 and replacement of Lakeview Lift Station. The grant application is due September 25, 2020.

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission adopted a resolution assuring the Kansas Department of Commerce that funds will be continually provided for the operation and maintenance of improvements to the sewer system to be financed with Community Development Block Grant funds.

Aye: Ysusi, Caflisch, Hayse

Nay: None

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission moved to adopt a resolution certifying legal authority to apply for the 2021 Kansas Cities Community Development Block Grant Program from the Kansas Department of Commerce and authorizing the Mayor to sign and submit such an application.

Aye: Ysusi, Caflisch, Hayse

Nay: None

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission moved to authorize the Mayor to sign a determination of level of review.

Aye: Ysusi, Caflisch, Hayse

Nay: None

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission moved to authorize the Mayor to sign a Residential Anti-displacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as Amended.

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Aye: Ysusi, Caflisch, Hayse

Nay: None

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission moved to authorize the Mayor to sign a statement of assurances and certifications.

Aye: Ysusi, Caflisch, Hayse

Nay: None

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission moved to authorize the Mayor to sign an Applicant/Recipient Disclosure/Update Report.

Aye: Ysusi, Caflisch, Hayse

Nay: None

IV. EXECUTIVE SESSION

- A. For the purpose of matters relating to the security of a public body or agency, public building or facility, or the information system of a public body or agency.

Motion:

On the motion of Mayor Caflisch, seconded by Commissioner Hayse the Commission moved to recess for an executive session pursuant to the security exception (K.S.A. 75-4319(b)(13) for matters relating to security. The open meeting will resume at 12:30 P.M.

Aye: Ysusi, Caflisch, Hayse

Nay: None

The meeting resumed at 12:30 P.M. with no action taken.

- B. For the purpose of reviewing and considering City Manager applications.

This item was moved to before Items for Commission Action.

- C. For the purpose of discussion of non-elected personnel.

This item was added.

Motion:

On the motion of Mayor Caflisch, seconded by Commissioner Ysusi the Commission moved to recess for an executive session for discussion for non-elected personnel exception (K.S.A. 75-4319(b)(1). The open meeting will resume at 12:40 P.M.

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Aye: Ysusi, Caflisch, Hogsett

Nay: None

The meeting resumed at 12:40 P.M. with no action taken.

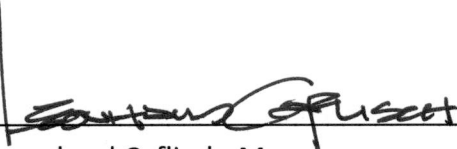
V. ADJOURNMENT

Motion:

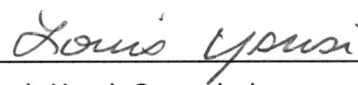
Mayor Caflisch moved to adjourn. Commissioner Ysusi seconded.

Aye: Ysusi, Caflisch, Hayse

Nay: None



Leonhard Caflisch, Mayor



Louis Ysusi, Commissioner



Dean Hayse, Commissioner

Attest:



City Clerk/Treasurer