

Minutes of the Independence City Commission's October 8, 2020 Meeting

The Independence City Commission met for a regular meeting on October 8, 2020 at 5:30 P.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
David Cowan, Assistant City Manager
Kelly Passauer, City Manager/Zoning Administrator
David Schwenker, City Clerk/City Treasurer
Brian McHugh, Memorial Hall Supervisor
Shawn Wallis, Fire/EMS Chief
Lacey Lies, Director of Finance
Jerry Harrison, Police Chief

Visitors

Larry McHugh
Taina Copeland
Miranda Bruening
Brian Williams
Ned Stichman

I. SPECIAL SESSION

A. Call to Order

Mayor Caflisch called the meeting to order.

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

Motion:

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

Aye: Ysusi, Caflisch, Hayse

Nay: None

II. APPOINTMENTS

A. Economic Development Advisory Board – One resignation – Unexpired term ends January 1, 2022

III. CONSENT AGENDA

Minutes of the Independence City Commission's October 8, 2020 Meeting

(*Consent* is that class of Commission action that requires no further discussion or which is routine in nature. All items on the Consent Agenda are adopted by a single motion unless removed from the Consent Agenda.)

A. Appropriations

1. A-1846
2. P-1846

B. Consider minutes of the June 11, June 23 and June 25, 2020 meetings.

C. Consider authorizing the sale of 1901 Bradley Court.

D. Consider authorizing the abatement of nuisance taxes for 1020 W. Maple Street and 1124 W. Maple Street.

E. Consider authorizing the temporary closure of the alley in the 600 block between West Main and West Maple Streets.

Motion:

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

Aye: Ysusi, Caflisch, Hayse

Nay: None

IV. EXECUTIVE SESSION

A. For the purpose of discussing data relating to financial affairs or trade secrets of second parties.

Motion:

On the motion of Mayor Caflisch, seconded by Commissioner Ysusi the Commission moved to recess for an executive session pursuant to confidential data relating to financial affairs or trade secrets of second parties exception (K.S.A. 75-4319(b)(4) for discussion of the financial matters relating to a second party. The open meeting will resume at 5:50 P.M.

Aye: Ysusi, Caflisch, Hayse

Nay: None

The meeting resumed at 5:50 P.M. with no action taken

V. ITEMS FOR COMMISSION ACTION

A. Consider a request to partner with Labette Health to expand the Independence Health Care Center.

The Economic Development Advisory Board has reviewed pertinent documents, past Commission

Minutes of the Independence City Commission's October 8, 2020 Meeting

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 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 authorizing approving CDBG-CV grant funding received from the Kansas Department of Commerce for 17 qualifying local businesses.

These funds were made available through the Coronavirus Aid, Relief and Economic Securities Act (CARES Act) for grants to prevent, prepare for, and respond to coronavirus. To be eligible to receive a CDBG-CV Economic Development grant, the recipient business must be an existing business and retain jobs for low-to-moderate-income people. To be eligible for the grant, at least 51% of all employees must be from Low-to-Moderate income family households, based on their Adjusted Gross Income of the total household. The City, in conjunction with MCAC, released applications on June 24, 2020. Twenty-nine applications were received, of which 17 businesses met all State of Kansas requirements for eligibility. A subcommittee of the Economic Development Advisory Board met to discuss an appropriate allocation of the \$132,000 received and decided distribute the grant monies equally between businesses based off of the number of retained employees (meaning employees noted as at risk of

Minutes of the Independence City Commission's October 8, 2020 Meeting

losing their job). This is the same methodology the County used with divvying up their funds as well.

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission authorized distribution of CDBG-CV Funds to the listed qualified businesses and for the Mayor to sign all related documents required from the State of Kansas.

Aye: Ysusi, Caflisch, Hayse

Nay: None

C. Consider bids for demolition of five condemned structures.

City of Independence is seeking bids for the removal of the following five condemned structures:

1. 601 N. 8th Street
2. 1117 W. Main Street
3. 909 W. Chestnut Street
4. 912 W. Laurel Street
5. 816 E. Magnolia Street

The bid received from JRB Industries, Inc. totals \$27,500.00, and the bid received from G & G Dozier totals \$32,715.00.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission award a demolition contract for five previously condemned structures in the amount of \$27,500.00 to JRB Industries, Inc.

Aye: Ysusi, Caflisch, Hayse

Nay: None

D. Consider authorizing staff to negotiate a contract for engineering services with PEC for advanced metering and water line replacement.

The City of Independence prepared an RFQ seeking an engineering firm to design and provide bidding and construction administration for installation of an advanced metering infrastructure system (AMI) and water line replacement. The City received eight responses and ranked the top four as follows:

1. Professional Engineering Consultants PA
2. Allgeier, Martin and Associates, Inc.
3. Olsson
4. BG Consultants

Minutes of the Independence City Commission's October 8, 2020 Meeting

This RFQ includes approximately 4,400 water meters and 6,000 feet of 2", 4", and 6" water line. The City of Independence received eight responses to the RFQ and staff ranked PEC as the top firm.

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission authorized City Staff to negotiate a contract with PEC for Commission approval.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- E. Consider a request to vacate 27th Street from Main Street to the alley south of Myrtle Street.

The City of Independence was contacted by Quality Motors requesting that the City vacate North 27th Street from Main to the alley. Quality Motors is planning to do some remodeling of their building and improve employee and citizen safety between the buildings. The City does have utilities that are located in the street and alley and needs to maintain an easement for those utilities.

Quality Motors is working to resolve the issues with ownership on the north end between Myrtle and the alley and we will update the commission at the meeting. If they are able to resolve those issues, they would then request vacating 27th street from Main to Myrtle.

Motion:

On the motion of Commissioner Hayse, seconded by Commissioner Ysusi the Commission approved vacating 27th street from Main Street to the alley south of West Myrtle Street while retaining easement rights for utilities located in this area.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- F. Consider awarding installation services for the City's Wireless Fixed Broadband System Project.

The City of Independence solicited for proposals/bids on the installation of fixed broadband equipment for the City's Wireless infrastructure project. This project is focused on expanding our network to better provide City departments with access to the City network services, including internet, and offer additional services to our departments, employees in the field, and customers throughout the City of Independence. Additionally, this infrastructure will provide the community with reliable access to the internet in public spaces, such as Riverside Park and Ralph Mitchell Zoo, Shulthis Stadium, Memorial Hall, Downtown rights-of-way, and S. 10th Street Park. As part of the SPARK requirements, this project must be completed by December 30th, 2020. Two proposals

Minutes of the Independence City Commission's October 8, 2020 Meeting

were received, as follows:

Company	Location	Phase I	Phase II	Total
Zinser Electric, LLC	Cherryvale, KS	\$ 8,250	\$ 9,000	\$ 17,250
TelXP Communications	Tulsa, OK	\$ 24,857	\$ 31,475	\$ 56,332

Motion:

On the motion of Commissioner Ysusi, seconded by Commissioner Hayse the Commission authorized City Staff to award the project to Zinser Electric LLC in the amount of \$17,250.

Aye: Ysusi, Caflisch, Hayse

Nay: None

VI. REPORTS

A. 2020 Census Update

City Manager Passauer gave an update.

B. City Board Minutes

1. August 19, 2020 Library Board
2. September 16, 2020 Recreation Commission

VII. CITY MANAGER'S COMMENTS

City Manager Passauer provided an update on the overlay project, a park plan update, an update on building d information that Commissioner Hayse requested and a reminder of a special meeting on October 15.

VIII. COMMISSIONERS' COMMENTS

Commissioner Ysusi reported about a caravan to get out the vote on October 15 at 5:00 P.M.

Mayor Caflisch encouraged the citizens to wear masks during this pandemic.

IX. PUBLIC CONCERNS

There were no public concerns.

Minutes of the Independence City Commission's October 8, 2020 Meeting

X. EXECUTIVE SESSION

A. For the purpose of personnel matters of non-elected personnel.

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 7:05 P.M.

Aye: Ysusi, Caflisch, Hogsett

Nay: None

The meeting resumed at 7:05 P.M. with no action taken.

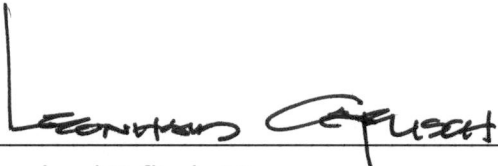
XI. ADJOURNMENT

Motion:

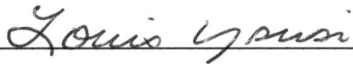
Mayor Caflisch moved to adjourn. Commissioner Ysusi seconded.

Aye: Ysusi, Caflisch, Hayse

Nay: None



Leonhard Caflisch, Mayor



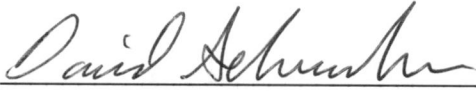
Louis Ysusi, Commissioner



Dean Hayse, Commissioner

Minutes of the Independence City Commission's October 8, 2020 Meeting

Attest:

A handwritten signature in cursive script, appearing to read "David Schumacher", is written above a horizontal line.

City Clerk/Treasurer