

Minutes of the Independence City Commission's November 12, 2020 Meeting

The Independence City Commission met for a regular meeting on October 22, 2020 at 5:30 P.M. at the Memorial Hall. Mayor Leonhard Caflisch, Commissioner Louis Ysusi were present and Commissioner Dean Hayse was present by phone. 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
Terry Lybarger, Director of Utilities
Brian McHugh, Memorial Hall Supervisor
Lacey Lies, Director of Finance by phone

Visitors

Larry McHugh
Ryan Glessner by phone
Nicole Franken by phone

I. REGULAR 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

Mayor Caflisch proposed amending the agenda to add an Executive Session immediately following the adoption of the agenda and to remove item "E" from the Consent Agenda and move it to Items for Commission Action.

Motion:

On the motion of Commissioner Ysusi, seconded by Mayor Caflisch the Commission adopted the modified agenda.

Aye: Ysusi, Caflisch, Hayse

Nay: None

II. EXECUTIVE SESSION

A. Consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship.

Motion:

On the motion of Mayor Caflisch, seconded by Commissioner Ysusi the Commission moved to recess for an executive session for consultation with the City's attorney regarding possible litigation pursuant to the attorney client privilege exception (K.S.A. 75-4319(b)(2)). The open meeting will resume at 5:47 P.M.

Aye: Ysusi, Caflisch, Hayse

Nay: None

The meeting resumed at 5:47 P.M.

Motion:

On the motion of Mayor Caflisch, seconded by Commissioner Ysusi the Commission moved to recess for an executive session for consultation with the City's attorney regarding possible litigation pursuant to the attorney client privilege exception (K.S.A. 75-4319(b)(2)). The open meeting will resume at 6:02 P.M.

Aye: Ysusi, Caflisch, Hayse

Nay: None

The meeting resumed at 6:02 P.M. with no action taken.

III. APPOINTMENTS

- A. Economic Development Advisory Board – One resignation – Unexpired term ends January 1, 2022 – Application were due by 5 PM on November 5, 2020.

Motion:

On the motion of Mayor Caflisch, seconded by Commissioner Ysusi the Commission moved to appoint Brian Hight to the Economic Development Advisory Board.

Aye: Ysusi, Caflisch, Hayse

Nay: None

IV. CONSENT AGENDA

(*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-1874

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2. P-1848
3. P-1848-A
- B. Consider minutes of the June 26, July 14, 15, 23, and August 10, 25, and 27, 2020 meetings.
- C. Consider a request to allow Indy Brew Works to use the public right-of-way on the west side of the building on November 14 and December 12, 2020 and January 16 and February 13, 2021.
- D. Consider reimbursement request from the Central Business District Commercial Building Grant.
- E. Consider authorizing an agreement with Heartland AV for the not to exceed amount of \$75,000 from Spark Grant Funding for the Memorial Hall AV Equipment.

This item was removed from the consent agenda and moved to items for Commission action.

- F. Consider authorizing an agreement with Sign Designs for \$35,535.00 for a Next ONYX LED sign.
- G. Consider an agreement with the City of Cherryvale regarding sharing Fire/EMS equipment.

Motion:

On the motion of Commissioner Ysusi, seconded by Mayor Caflich the Commission adopted the modified consent agenda.

Aye: Ysusi, Caflich, Hayse

Nay: None

V. ITEMS FOR COMMISSION ACTION

- E. Consider authorizing an agreement with Heartland AV for the not to exceed amount of \$75,000 from Spark Grant Funding for the Memorial Hall AV Equipment.

This item was removed from the consent agenda and moved to items for Commission action.

The City of Independence has received Spark funding for improved AV equipment to improve communications with our citizens through social media. The City received only one bid for this project due to the December 25, 2020 deadline for installation and contractors already obligated to other Sparks funding projects. The proposal from Heartland AV was for \$86,066,36. It would provide Motorized Pan, tilt and Zoom HD cameras, streamer and recorder, unified Core system processor for sound, all wiring and jacks, and Apple iPad tablets for control.

This system would modernize our current AV equipment and provide the ability to live stream and record events in the Veteran's Room and the Civic Center. City equipment currently is unable to live stream or record events or training at Memorial Hall.

Spark funding for this project is \$75,000.00, and City has visited with Heartland AV and will eliminate two cameras but will have the wiring to add those cameras later if determined they are needed.

Motion:

On the motion of Commissioner Ysusi, seconded by Mayor Caflisch the Commission authorized the agreement with Heartland AV for the amount not to exceed \$75,000.00 of Spark funding.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- A. Consider authorizing an agreement with PEC for Advanced Metering Infrastructure and Water Line Replacement.

The City of Independence has received an agreement for professional services to prepare a Preliminary Engineering Report, assist in KDHE SRLF loan application, designing, bidding, construction administration, and commissioning services for installation of an advanced metering infrastructure system (AMI) and water line replacement. The project will include replacement of 4400 water meters with advanced remote functions, water line replacement of 2", 4" and 6" water line with new 6" water line, reconnection of water meters to new main, new fire hydrants and all fittings as required.

Motion:

On the motion of Commissioner Ysusi, seconded by Mayor Caflisch the Commission authorized the Mayor to sign an agreement with PEC for Advanced Metering Infrastructure and Water Line Replacement.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- B. Consider authorizing a supplemental agreement with PEC for a Water Supply and Treatment Master Plan.

The City of Independence has received a supplemental agreement for the Water Treatment Plant to prepare a Water Supply and Treatment Master Plan. The evaluation of the plant recently revealed that the infrastructure condition is very poor and end of life expectancy is within 10-years with repairs. City Staff has

requested PEC prepare a Master Plan for the Commission and Staff to evaluate how to proceed with the plant improvements and repairs.

Motion:

On the motion of Commissioner Ysusi, seconded by Mayor Caflisch the Commission authorized the Mayor to sign a supplemental agreement with PEC for Water Supply and Treatment Master Plan not to exceed \$39,000 in cost and that includes considering an automated system at the water plant.

Aye: Ysusi, Caflisch, Hayse

Nay: None

- C. Consider adopting an ordinance relating to appealing decisions of the Building Inspector.

On June 30, 2020 the City Commission adopted ordinance 4330 repealing City Code Sections 18-35 and 1837 and replacing them with new provisions regarding the appointment, duties and qualifications of the Building Inspector. In Section 6 of this ordinance it referred to appeals going to the Board of Zoning Appeals. While decision of the Zoning Administrator go to the Board of Zoning Appeals, decisions of the Building Inspector should not.

City staff and the City Attorney reviewed this issue, and there are two alternatives for appeals to go to:

- City Commission, or
- District Court

An issue that could occur if appealed decisions of the Building Inspector go to the City Commission is that not all of the Commissioners will be familiar with the building code laws and regulations.

Motion:

On the motion of Commissioner Ysusi, seconded by Mayor Caflisch the Commission authorized the Mayor to sign an ordinance amending Ordinance No. 4330 having to do with appeals from decisions of the building inspector with such appeals to go to the City Commission.

Aye: Ysusi, Caflisch, Hayse

Nay: None

VI. REPORTS

A. City Board Minutes

1. October 6, 2020 Planning Commission/Board of Zoning Appeals

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2. October 6, 2020 Economic Development Advisory Board
3. October 21, 2020 Recreation Commission

B. Holiday Parade on Sunday, November 22, 2020 at 5:30 PM.

VII. CITY MANAGER'S COMMENTS

Assistant City Manager Cowan gave an update on the Corona virus pandemic and that the City has been approved for the CRS program through FEMA and the citizens can get a 15% reduction in their flood insurance premiums.

City Manager Passauer gave an update on staff changes.

VIII. COMMISSIONERS' COMMENTS

Commissioner Ysusi and Mayor Caflisch pleaded with people to wear their masks to stop the spread of COVID-19.

IX. PUBLIC CONCERNS

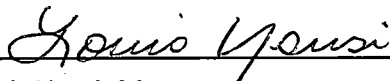
X. ADJOURNMENT

Motion:

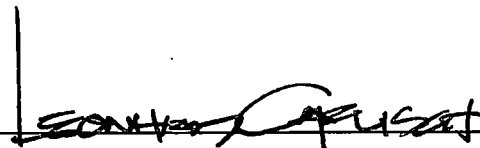
Mayor Caflisch moved to adjourn. Commissioner Ysusi seconded.

Aye: Ysusi, Caflisch, Hayse

Nay: None



Louis Ysusi, Mayor

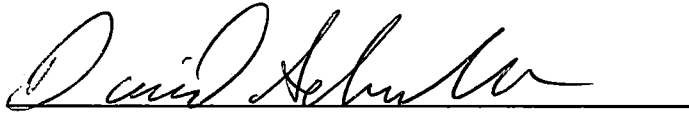


Leonhard Caflisch, Commissioner



Dean Hayse, Commissioner

Attest:

A handwritten signature in black ink, appearing to read "David Schubert", is written over a solid horizontal line.

City Clerk/Treasurer