

Minutes of the City Commission's March 10, 2022 Meeting

I. REGULAR SESSION

Commissioners Present: Mayor Dean Hayse, Vice-Mayor Tim Emert, Commissioner Louis Ysusi

City Staff Present: Jeff Chubb, City Attorney; David Cowan, Assistant City Manager; David Schwenker, City Clerk/City Treasurer; Shawn Wallis, Fire/EMS Chief; Brian McHugh, Memorial Hall Supervisor; John Garris, City Engineer/Director of Public Works and Utilities; Lacey Lies, Director of Finance and Jerry Harrison, Chief of Police

Visitors Present: Larry McHugh and Tabatha Snodgrass

A. Call to Order

Mayor Hayse called the meeting to order.

B. Pledge of Allegiance to the United States of America

C. Adoption of Agenda

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission approved the agenda.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

II. PRESENTATIONS

A. Presentation Of Lifesaving Awards To The Following Employees:

1. Chris Furr (Fire/EMS)
2. Tristan Roegner (Fire/EMS)
3. Dee Standridge (Fire/EMS)
4. Paul Terry (Fire/EMS)

III. CONSENT AGENDA

Motion:

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On the motion of Louis Ysusi, seconded by Tim Emert the Commission approved the consent agenda.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- A. Consider Approving An Agreement With Community Mission For Approved Housing.**

The City of Independence offers a grant program for homeowners called the Neighborhood Exterior Grant program. Through this offering, homeowners may submit eligible exterior home improvement projects for consideration. Eligible expenses will be reimbursed, 50% up to \$5,000 per home. To qualify, a home must have a partnering application in close proximity and the project must be at least \$1,000. Community Mission for Improved Housing's mission is to serve the Independence area by helping the poor, people with disabilities and the elderly repair their homes, building relationships among neighbors and bringing hope and spiritual renewal to our community. CMIH has approached the city in hopes to help partner with the city in removing barriers to participation in this grant opportunity. Since there is a minimum private investment of \$500 per home, this agreement would represent an agreement between CMIH and the homeowner stating that CMIH would provide the matching funds for the program and that the City would reimburse CMIH, not the homeowner, for all eligible expenditures. This agreement provides that the City of Independence, Kansas agrees to honor Homeowner's assignment of its right to receive reimbursement to funds reimbursed to Homeowner pursuant to the Independence Neighborhood Exterior Grant Program and agrees to make payment directly to CMIH pursuant to Homeowner's assignment set forth in the agreement.

- B. Consider An Ordinance Amending Previous Boundary Ordinances And Establishing The Legal Boundaries For The City Of Independence.**

On November 19, 2020, the City Commission adopted Ordinance 4340 amending the previous boundary ordinances and establishing the legal boundaries. Since that time corrections have been made to the legal description. The ordinance language was reviewed by the City Attorney and the legal description was prepared and certified by TranSystems.

- C. Consider Adopting An Ordinance Authorizing The Mayor To Remove Members Of Boards Or Commissions For Non-Attendance.**

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Section 2-99 of the City Code provides criteria for removing members from the Planning Commission for non-attendance. Since attendance is important in conducting business, it is recommended that this section on non-attendance be applied equally to all City appointees of Boards or Commissions. It should be noted that the wording is "may" remove any persons for non-attendance as extenuating circumstances should be taken into consideration before the removal of any member.

- D. Consider Cancelling The March 16, 2022 Special Commission Meeting.**

There are no items scheduled for the March 16, 2022 (third Wednesday) meeting. it is suggested that this meeting be cancelled.

IV. ITEMS FOR COMMISSION ACTION

- A. Consider Proclaiming April 29, 2022 As Arbor Day.**

On February 25th, 2016 The City Commission approved Ordinance # 4214 creating a Tree Board to honor the city's rich history of enjoying and preserving local natural resources, and to promote and protect the public health, safety and general welfare by providing for the development of a Community Forestry Plan to address the planting, maintenance and removal of trees located on public property, or which encroach upon public property, and to enhance the natural beauty of the community.

This year the Tree Board plans on celebrating Arbor Day on Friday, April 29th, 2022. This is the first step in renewing our recertification for Tree City USA.

Motion:

On the motion of Louis Ysusi, seconded by Tim Emert the Commission authorized the Mayor to sign the Arbor Day Proclamation for April 29, 2022 .

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- B. Consider Setting The Date Of May 26, 2022 At 5:30 P.M. For A Public Hearing To Consider Condemnation Of 317 S. 2nd As Dangerous And Unsafe.**

The structure was involved in a fire on October 14, 2021 that extended into

the attic space and did substantial damage to the structure.

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission adopted a resolution setting the date of May 26, 2022 at 5:30 p.m. for a public hearing to consider condemnation of 317 S 2nd as dangerous and unsafe .

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- C. Consider Approval Of Change Order With Bryant And Bryant For The Main Street From 8th To 10th Project.

The 8th and Main reconstruction project requires the removal of the street, sidewalks, and gutters to reconstruct the road. Substantial savings were achieved by mobilization at the start of the project to do all the demolition at one time. However, this would leave gravel paths to several businesses and impact their business for four months. City Staff met with Bryant and Bryant and Transystems and determined that they could saw cut the Southside of Main Street sidewalk between 8th and 9th. The Contractor would leave approximately 4' of sidewalk against the building to allow for pedestrian access along with ADA accessibility. On the north side of Main, the Contractor would leave approximately 4' of sidewalk from 8th and Main to Gold and Silver. The 4' of sidewalk against the building as described above will eventually be replaced near the end of the construction period, which is anticipated to take a few weeks. This revised scheduling will greatly reduce the period that pedestrians are accessing businesses on gravel, and greatly reduce the impact on the businesses. To separate the active pedestrian corridor from the construction area, an orange construction fence will be installed to parallel the pedestrian corridor.

The Contractor will also leave an exit lane for Scooter's on Main Street. Per KDOT standards, a snow fence must be placed along the sidewalk to keep citizens out of the construction zone.

City Staff, with the assistance of Joanne Smith, are also making directional signage to place around the construction site to provide citizens with directions to parking and building access.

City staff would also request permission to place some temporary reserved parking signs for the business to allow customers access to the businesses. We would place these signs on 8th and 9th street.

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On 3/8/2022 the City received an additional change order request for traffic that is attempting to make a left turn at 10th and Main when exiting Scooter's. This change order will allow for the proper signage and restrict cars to a right turn only during construction. KDOT has approved the request.

Sawcut	\$2,100
Fence	\$4,387.61
Right turn	\$2,160.00
Total	\$8,647.61

Motion:

On the motion of Louis Ysusi, seconded by Tim Emert the Commission approved allowing the mayor to sign a change order for Bryant and Bryant in the amount of \$8,647.61 and allowing the City Staff to install additional temporary signage and parking for the businesses during construction.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- D. Consider Authorizing TranSystems To Prepare And Submit A KDOT Cost Share Program Grant Application For: Sycamore, 10th To 21st.

Kansas Department of Transportation (KDOT) Cost Share applications for state fiscal year 2022/2023 are due on March 17, 2022.

4" mill, 2" overlay, new sidewalk ramps, addition of a 10'x5' box culvert at Sycamore.

Estimated Cost	Estimated City Match – (15%)	Non-Participating Costs	Total City Cost
\$972,983	\$119,247	\$178,000	\$297,247

Staff believes we should resubmit this application for state fiscal year 2024, (July 1, 2023 – June 30, 2024).

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission authorized TranSystems to prepare an application for KDOT's Cost Share Program for Sycamore from 10th Street to 21st Street and to submit the

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application to KDOT .

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- E. Consider Authorizing Change Order Number 1 With J. Graham Construction On The Enterprise Drive Project.**

As part of the work associated with the Precision Rail project, the City committed to move the existing 8" line along the south side of the Precision Rail property. This work has been quoted as a part of the utility work for the Enterprise Drive project at a cost of \$18,700. This will remove cap the existing 8" line and increase the line size of the new line heading south along the boundary of the new property being developed to maintain water flow redundancy to users in the Labette Health area.

Motion:

On the motion of Louis Ysusi, seconded by Tim Emert the Commission authorized Change Order Number 1 with J. Graham Construction in the amount of \$18,700 and the execution of any required documentation.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

- F. Consider temporarily waiving the application process and fee for ROW access on Main between 8th and 10th only during construction.**

City Staff is working with Main Street on the Patio 210 Food Trucks that visit Independence. The Brewery is working with Main Street and will be providing electric hook-up and ROW parking for a food truck during the construction period of Main Street. They asked if the City could waive the application and fee during the construction and closure of Main Street.

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission approved to waive the application process for ROW access on Main between 8th and 10th only during the construction .

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

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- G. Consider extending the City Hall bid date to March 15, 2022.

City staff was contacted by McCown Gordon regarding the bid date of March 11, 2022, and requesting the commission extend the date to March 15, 2022 at 5:00 p.m. The trade partners have asked many questions about the drawings, and Treanor is providing good information back. To get the best value for the City of Independence, we request the bid date be extended to March 15, 2022, at 11:00 a.m. This will allow the Trade Partners more time to digest the response to their questions and reduce or eliminate any assumptions they make on their bid.

With the extended bid date, McCown Gordon will still present to the commission on March 24, 2022, meeting date.

Motion:

On the motion of Tim Emert, seconded by Louis Ysusi the Commission extended the City Hall bid date to March 15, 2022 at 11:00 a.m..

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

V. REPORTS

- A. Economic Development Advisory Board Summary Recommendation

- B. City Board Minutes

1. February 1, 2022 Economic Development Advisory Board
2. February 1, 2022 Planning Commission/Board of Zoning Appeals
3. February 16, 2022 City Recreation Commission

VI. CITY MANAGER'S COMMENTS

Assistant City Manager Cowan reported that Downtown Building Inspections would commence soon for those property owners who missed the last inspection period.

VII. COMMISSIONERS' COMMENTS

None

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VIII. PUBLIC CONCERNS

None

IX. ADJOURNMENT

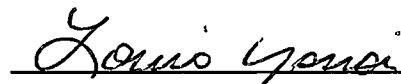
Motion:

On the motion of Dean Hayse, seconded by Tim Emert the Commission adjourned the meeting.

Aye: Tim Emert, Dean Hayse, Louis Ysusi

Nay: None

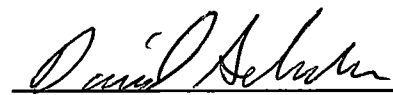


Dean A. Hayse, Mayor

Louis Ysusi, Commissioner

Tim Emert, Commissioner

Attest:



City Clerk/Treasurer