

## Minutes of the Independence City Commission's May 1, 2020 Special Meeting

The Independence City Commission met for a special meeting on May 1, 2020 at 5:30 P.M. at the Civic Center of 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

David Cowan, Director of Safety/ADA Coordinator

Brian McHugh, Memorial Hall Supervisor

### Visitors

Larry McHugh

Rick Whitson

State Representative Jim Kelly

Lisa Wilson

### I. SPECIAL SESSION

Mayor Caflisch called the meeting to order.

### II. DISCUSSION

A. Discuss the Governor's Reopening of Kansas Plan.

Mayor Caflisch read the Governor's Reopening of Kansas Plan.

State Representative Jim Kelly discussed the enforcement of the phases and the Governor's Executive Orders.

Montgomery County Emergency Management Director Rick Whitson reported on the testing capabilities in Montgomery County and reviewed any restrictions the County has imposed that is different from the Governor's plan.

Acting City Manager Passauer reviewed steps that City staff has implemented at City Hall and other City owned property.

### III. ADJOURNMENT

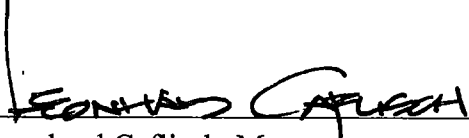
#### **Motion:**

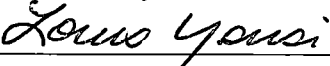
**On the motion of Mayor Caflisch, seconded by Commissioner Ysusi the Commission adjourned the meeting.**

**Aye: Ysusi, Caflisch, Hayse**

**Nay: None**


Minutes of the Independence City Commission's May 1, 2020 Special Meeting

  
\_\_\_\_\_  
Leonhard Caflisch, Mayor

  
\_\_\_\_\_  
Louis Ysusi, Commissioner

  
\_\_\_\_\_  
Dean Hayse, Commissioner

Attest:

  
\_\_\_\_\_  
City Clerk/Treasurer

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## **Coronavirus (COVID-19) Phase 1**

On May 4, 2020, Governor Laura Kelly will lift the statewide “Safer at Home” order and allow Kansas communities to begin phased reopening by issuing a statewide executive order (EO) to begin Phase One of the “Ad Astra: A Plan to Reopen Kansas”.

The State will set the regulatory baseline in each phase of this framework, with Kansas local governments retaining authority to impose additional restrictions that are in the best interest of the health of their respective residents, consistent with the de-centralized public health system outlined in Kansas law. For example, if a county decides to impose a local “Safer at Home” order beyond May 4th or impose additional restrictions not outlined in the EO, they are permitted to do so under certain conditions. Local governments do not have to apply or submit requests to the state to institute any equal or more restrictive standards. Local governments that choose not to impose any additional restrictions are required to operate within the regulatory baseline of the Governor’s EO for each phase.

The Governor will evaluate the state’s disease spread, testing rates, death rates, hospitalizations, ability of state and local public health authorities to contain outbreaks and conduct contact tracing, and availability of personal protective equipment when determining if the state should move to the next “Phase.” Regardless of phase, the State Health Officer retains the authority to impose additional public health interventions in any area that contains an emergent and significant public health risk as determined by the Officer. Specific business and activity restrictions in each phase were determined by assessing the contact intensity of the service provided, the number of contacts generally possible, and the ability to modify the risk of activities and services.

Throughout all these phases, Kansans should maintain social distancing, practice good hygiene, remain home when sick, follow isolation and quarantine orders issued by state or local health officers, use cloth face masks when leaving their homes, and continue to clean and disinfect surfaces. These are basic public health guidelines that will slow the spread of this disease as we slowly re-open Kansas. Individuals are strongly encouraged to resume seeking medical services while following safety guidelines issued by each respective medical facility.

Mass gathering limits for each phase were determined by considering the growing capacity of our public health infrastructure and a measured, gradual approach for loosening restrictions. The

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Governor reserves the right to loosen or strengthen these restrictions in subsequent phases based on the state's health progress.

## RESPONSIBILITIES OF THE STATE OF KANSAS AND LOCAL GOVERNMENTS

As stated previously, the State will set the regulatory baseline for Kansas local governments in each phase of this framework, allowing local governments to retain the ability to impose additional restrictions that are in the best interest of the health of their residents. Any specific guidelines not outlined in this document are the jurisdiction of each local government. The State will not force communities to reopen. However, the Kansas Department of Health and Environment recommends that local governments monitor the following health criteria when determining if they should continue respective "stay-at-home" mandates or impose any additional restrictions:

DISEASE SPREAD	HOSPITALS	DEATHS
Stable or declining over a 14-day period. Rate of COVID-19 cases per 100,000 population.	Decreasing number of new COVID-19 admissions. Stable (flat) or a downward trajectory of the COVID-19 in-patient counts within a 14-day period.	Decreasing number of deaths. Downward trajectory of COVID-19 deaths within a 14-day period.

KDHE will publish routine data on these metrics by county.

## THE KANSAS ESSENTIAL FUNCTIONS FRAMEWORK (KEFF)

While local governments may implement more restrictive orders regarding businesses, mass gatherings, or stay-home requirements, throughout each reopening phase local governments must continue to allow the performance of essential functions identified in the Kansas Essential Functions Framework (see Executive Order 20-16). However, such local orders may affect or regulate essential functions so long as they do not significantly disrupt performance of the essential function. Local governments may decide whether an individual or organization performs an essential function under the Kansas Essential Function Framework (KEFF), but any individual or business with confirmation of its KEFF status from the State is to remain deemed essential.

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# PHASE ONE

BEGINS MAY 4, 2020 AS DIRECTED BY EXECUTIVE ORDER 20-29

<p><b>GATHERINGS</b></p> <ul style="list-style-type: none"><li>• Mass gatherings of no more than <b>10</b> individuals allowed.</li></ul>	<p><b>INDIVIDUALS</b></p> <ul style="list-style-type: none"><li>• Masks are strongly encouraged in public settings.</li><li>• Maintain 6 foot social distance.</li></ul>	<p><b>EMPLOYERS</b></p> <ul style="list-style-type: none"><li>• Telework is strongly encouraged when possible.</li><li>• Any employee exhibiting symptoms should be required to stay home.</li></ul>	<p><b>TRAVEL</b></p> <ul style="list-style-type: none"><li>• Minimize or avoid nonessential travel.</li><li>• Follow KDHE travel and quarantine guidelines for travel to high-risk areas.</li></ul>
<p><b>X ACTIVITIES NOT ALLOWED TO OPEN</b></p> <ul style="list-style-type: none"><li>• Community centers</li><li>• Large entertainment venues with capacity of 2,000 +</li><li>• Fairs, festivals, parades, &amp; graduations</li><li>• Public swimming pools</li><li>• Organized sports facilities</li><li>• Summer camps</li></ul>	<p><b>X ESTABLISHMENTS NOT ALLOWED TO OPEN</b></p> <ul style="list-style-type: none"><li>• Bars and nightclubs excluding already operating curbside and carryout services</li><li>• Casinos (non-Tribal)</li><li>• Indoor leisure spaces</li><li>• Fitness centers and gyms</li><li>• Personal service businesses where close contact cannot be avoided</li></ul>	<p><b>✓ EDUCATION, ACTIVITIES, &amp; VENUES ALLOWED TO OPERATE</b></p> <ul style="list-style-type: none"><li>• Childcare facilities</li><li>• Libraries</li></ul>	

## GENERAL PROVISIONS

The previous statewide Stay-at-Home and mass gatherings orders are lifted and mass gatherings of more than 10 individuals are prohibited. Mass gatherings are defined as instances in which individuals are in one location and are unable to maintain 6 feet of distance between individuals (not including individuals who reside together) with only infrequent or incidental moments of closer proximity.

Industries or functions that are already in operation pursuant to KEFF may continue to function while, if possible, avoiding gatherings of more than 10 individuals where social distancing measures are difficult to maintain.

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Any local government that decides to impose equal or more stringent restrictions during this phase is permitted to do so, except with regards to essential functions in KEFF.

Any federal restrictions imposed and still in effect must be followed.

## **GUIDANCE FOR INDIVIDUALS**

**Masks:** Individuals are strongly encouraged to wear cloth masks in public settings as appropriate.

**Outdoor Activities:** When in public (e.g., parks, outdoor recreation areas, shopping areas), individuals and family units should consistently maintain 6 feet of distance from others with only infrequent or incidental moments of closer proximity.

**Social Gatherings:** Avoid socializing in person with groups of 10 or more individuals in both indoor and outdoor settings, especially in circumstances that do not allow for a physical distance of 6 feet or more between individuals or groups with only infrequent or incidental moments of closer proximity. (e.g., receptions, trade shows).

**High-Risk Individuals\*:** High-risk individuals are advised to continue to stay home except when conducting essential functions.

**Travel:** Minimize or eliminate nonessential travel and follow KDHE travel and quarantine guidelines for travel to high-risk areas. Essential travel includes travel for urgent family, medical, and business-related needs as determined by the individual or business.

*\*High-risk individuals include those with underlying medical conditions, including, chronic lung disease, asthma, heart conditions, severe obesity, chronic kidney disease, liver disease, or otherwise immunocompromised.*

## **GUIDANCE FOR EMPLOYERS**

**Telework:** Strongly encouraged for all employees when possible.

**On-site Operations:** Avoid large gatherings of employees of 10 or more where social distancing protocols cannot be maintained except for infrequent or incidental moments of closer proximity

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and phase in employees on-site as possible while maintaining 6 feet of distance between employee workstations.

**Potentially Sick Employees:** Any employees exhibiting symptoms should be required to stay at home and asked to call their health care provider.

**Business Travel:** Minimize or eliminate nonessential travel and follow KDHE travel and quarantine guidelines for travel to high-risk areas. Essential travel includes travel for urgent and necessary family, medical, and business-related needs as determined by the individual or business.

**Visits to Long-term Care Facilities or Correctional Facilities:** In-person visits to these facilities should be prohibited. Those who must interact with residents must adhere to strict protocols regarding hygiene and screening.

## **BUSINESS RESTRICTIONS**

All businesses not prohibited to the right **MAY OPEN IF:**

- ✓ They can maintain at least 6 feet of distance between consumers (individuals or groups). Restaurants or dining establishments may meet this requirement by using physical barriers sufficient to prevent virus spread between seated customers or groups of seated customers.
- ✓ AND fundamental cleaning and public health practices are followed. Businesses should follow industry-specific guidelines as provided on [covid.ks.gov](https://www.covid.ks.gov). Any additional best practices guidance from each business sector is strongly encouraged.
- ✓ AND businesses must avoid any instances in which groups of more than 10 individuals are in one location and are unable to consistently maintain 6 feet of distance with only infrequent or incidental moments of closer proximity. This does not limit the total occupancy of a business, but requires that businesses limit areas and instances in which consistent physical distancing cannot be maintained, such as tables, entrances, lobbies, break rooms, check-out areas, etc.

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The following businesses **DO NOT OPEN** open in this phase:

- x Bars and night clubs, excluding already operating curbside and carryout services.
- x Casinos (non-tribal)
- x Theaters, museums, and other indoor leisure spaces (trampoline parks, arcades, etc.)
- x Fitness centers and gyms
- x Nail salons, barber shops, hair salons, tanning salons, tattoo parlors and other personal service businesses where close contact cannot be avoided.

Local governments retain authority to impose equal or more stringent restrictions on businesses during this phase, except as to essential functions in KEFF.

## **EDUCATIONAL FACILITIES**

K-12 facilities remain subject to the provisions of EO 20-07 regarding school closures, including the requirement that fewer than 10 students, instructors, or staff be present for normal operations. K-12 facilities should continue to follow the guidelines of the Continuous Learning Plan developed by the Kansas State Department of Education. Districts with facilities in more than one county or city should follow any applicable directives issued by the county and city in which their district office is located.

Higher education facilities that are closed before May 4th should remain closed for in person learning or events involving groups of more than 10 individuals present at a time.

Licensed childcare facilities may continue operations pursuant to state and local regulations.

## **ACTIVITIES AND VENUES**

All activities and venues not prohibited to the right **MAY OPEN IF**:

- ✓ They can maintain at least 6 feet of distance between individuals or groups.
- ✓ AND fundamental cleaning and public health practices are followed. Follow industry specific guidelines as provided on covid.ks.gov.



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✓ AND avoid any instances in which more than 10 individuals are in one location and are unable to maintain 6 feet of distance with only infrequent or incidental moments of closer proximity. This does not limit the total occupancy of a facility, but requires that facilities limit mass gatherings in areas and instances in which physical distancing cannot be maintained such as in entrances, lobbies, locker rooms, etc.

The following activities and venues **DO NOT OPEN** in this phase:

- x Community centers
- x Outdoor and indoor large entertainment venues with capacity of 2,000 or more
- x Fairs, festivals, carnivals, parades, and graduations x Swimming pools (other than backyard pools)
- x Organized sports facilities and tournaments
- x Summer camps

Local governments retain authority to impose any equal or additional restrictions on educational facilities, activities, and venues, except as to essential functions in KEFF.

## **Montgomery County Guidelines for Phase 1**

**Mass Gatherings** – Limited to ten people or less.

### **Essential Businesses**

- Screen employees for fever and any symptoms for COVID-19 with a questionnaire at workplace entrance.
- All employees must wear masks unless prohibited by other safety equipment.
- Move workspaces six feet apart.
- Stagger work shifts and keep work cohorts consistent.
- Common areas, such as breakrooms and lobbies, should be closed.
- Telecommuting or Working from home should be maximized.

### **Restaurants**

- All employees must wear masks and wash hands frequently.
- All customers must maintain six feet of social distancing.

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- Groups of ten may sit together if their table is separated by six feet of social distancing.
- Booths must have plexi-glass separating them.
- Restaurants that are also bars must close when food ceases to be served.
- No self-serve drinks.
- No buffets.

### **Retail Businesses**

- Maintain social distancing of six feet.
- Provide shopping cart sanitation supplies.
- Employees must wear masks at all times.
- Plexi-glass or glass barriers are encouraged to be installed at checkout lanes.
- Enhanced cleaning should be done throughout the workday.

### **Long-Term Care Facilities**

- Maintain social distancing as much as possible.
- Adjust layout of common areas including dining facilities to maintain six feet between residents.
- Perform enhanced cleanings daily.
- Screen workers for fevers and any symptoms of COVID-19.
- Staff are required to wear masks at all times.
- No outside visitors allowed.

### **Childcare**

- Childcare facilities must adhere to KDHE guidelines.
- Outdoor activities are encouraged; use of commonly touched items such as playground equipment, toys, and sports equipment are discouraged.
- Perform enhanced cleanings daily.
- Children should be cared for in rooms of ten or less with the same caregiver each day, placed in cohorts so that the same children are in the same room each day.
- Parents and caregivers should not enter facility.

### **Personal Services (Salons, Barber Shops, Nail Salons, Tanning Salons, and Tattoo Parlors)**

- Not allowed per state guidelines.

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## **Religious Services**

Under the Governor's Executive Order 20-16, churches may continue services if they comply with the following provisions -

- Churches should use online, radio, and other telecommunications tools wherever possible to conduct services or other church operations without congregating in-person.
- If a church is unable to use online, radio, or other telecommunications tools, a church conducting in-person services or operations must comply with the following requirements, which by this guidance are hereby determined not to significantly disrupt church services:
  - Maintain a six-foot distance between individuals
  - Disinfect all doorknobs and other commonly touched surfaces both before and service begins and again before the service ends; and
  - Refrain from passing offering plates, communion trays, or other implements that may be repeatedly touched.
- Additionally, churches must comply with any local "mass gathering" prohibition that is more restrictive than Executive Order 20-14.
  - Executive Order 20-14 supersedes less restrictive local "mass gathering" executive orders but does not supersede more restrictive local "mass gathering" orders. The provisions of any local orders that impose more restrictive "mass gathering" prohibitions are still in effect and must be followed by churches unless the local order exempts churches from its prohibitions. Such more restrictive orders include any local "mass gathering" order or provision that prohibits gatherings of more than 10 individuals and does not exempt churches.
  - Additionally, Executive Order 20-14 itself requires individuals attending religious services to "engage in appropriate social distancing." The phrase "appropriate social distancing" includes following local "mass gathering" or other public health orders that are not superseded by a state executive order.
- Parking lot services should follow established guidelines. Attendees may not leave their vehicles. Members of the same household should stay within the same vehicle.

## **Recreation Commission Activates**

- Not allowed per state guidelines.

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### **Parks, Public Spaces, and Playground Equipment**

- Parks and public spaces are open, but use of playground equipment and picnic tables is prohibited.

### **Gyms & Fitness Centers**

- Not allowed per state guidelines.

### **Public Swimming Pools**

- Not allowed per state guidelines.

### **Real Estate**

- Individual showings are allowed.
- No open houses.
- All persons should wear a mask in public.
- Maintain six foot social distancing from others at all times.

### **Cruising**

- Organized community cruising events are allowed if all occupants of the vehicle reside in the same residence and vehicles do not stop and congregate.

### **Community Events**

- Events must adhere to mass gathering and social distancing guidelines.
- The entity organizing the event is responsible for ensuring that all guidelines are being followed.
- Hand sanitizer should be readily available throughout the premises for the duration of the event.

### **Education**

- Per KSDE and School District.

### **Medical Procedures**

- Per Hospital / Clinic.

### **Dental and Eye Clinics**

- Face Shields, N95 masks, and gloves are required.

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Adopted by Montgomery County Board of Commissioners

Date May 1, 2020

Larry McManus  
Montgomery County Commissioner

Fred Brown  
Montgomery County Commissioner

Robert Bever  
Montgomery County Commissioner

Charlotte Scott Schmidt  
Montgomery County Clerk