

## Minutes of the Independence City Commission's August 23, 2018 Meeting

The Independence City Commission met for a regular meeting on August 23, 2018 at 5:30 P.M. in the Veterans Room at the Memorial Hall. Mayor Leonhard Caflisch, Commissioner Louis Ysusi, and Commissioner Gary Hogsett were present. Others present included:

### City Staff

Craig Whitehead, City Manager  
Jeff Chubb, City Attorney  
Kelly Passauer, Assistant City Manager/Zoning Administrator  
David Schwenker, City Clerk/City Treasurer  
David Cowan, Director of Safety/ADA Coordinator  
Shawn Wallis, Fire Chief  
Michael Borovetz, Finance Director  
Jerry Harrison, Police Chief  
Terry Lybarger, Utilities Director  
Mike Passauer, Public Works Director  
Cody Shamblin, Airport Supervisor  
Barbara Beurskens, Park and Zoo Director

### Visitors

April Nutt, Housing Authority Director  
Bobbie and Sherry Hartin  
Collin Wright  
Jessie Gay  
Charlie Gibson  
Bruce Youtsey  
Becky Mitchell  
Ann Bertie  
Sarah Bryant  
Tom Schwarz  
Rod Zinn  
Neil Schaper  
Ned Stichman  
Jack Hatzenbuehler  
Jerry Bright  
Larry McHugh  
Robert Meadows  
Debbie Miller  
Judy Ysusi  
Mike Conway  
Mark Leaman  
Leland and Sherrie Lewis  
Mike Maxwell  
Duane Koszalka  
Jean Barnett  
Ellie Davis  
Dorcus Sutton

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I. REGULAR SESSION

- A. Call to Order  
Mayor Caflisch called the meeting order at 5:30 p.m.
- B. Pledge of Allegiance to the United States of America
- C. Adoption of Agenda

**Motion:**

**Commissioner Hogsett moved to adopt the agenda with the modification of removing item II.F. "Consider adopting an ordinance authorizing the City to tow abandoned, non-registered, junked, wrecked or incapable of moving vehicles" and II.G. "Consider supplemental agreement with PEC for surveying services" from the consent agenda, which was seconded by Commissioner Ysusi.**

**Aye: Caflisch, Ysusi, Hogsett**

**Nay: None**

II. COMMON CONSENT AGENDA

- A. Appropriations
  - 1. A-1821
  - 2. P-1790
- B. Consider approving minutes of the July 17, 24 and 26, 2018 City Commission meeting.  
*SUGGESTED MOTION -- I move to approve the July 17, 24 and 26 2018 City Commission Minutes as presented.*
- C. Consider a request to authorize installation of two flood lights at South 10<sup>th</sup> Street Park.  
*SUGGESTED MOTION -- I move to authorize Westar to install two flood lights at the South 10<sup>th</sup> Street Park on light poles located in the alley.*
- D. Consider a request from Matcor to block streets for the ALS 5K.  
*SUGGESTED MOTION -- I move to authorize Matcor to block Riverside Oval Drive, Shelter House Place, Depot Drive, Mickey Mantle Way from Depot Drive to Miss Able Avenue, Miss Able Avenue south to the pool parking lot, the pool parking lot, the pool parking lot west to 5<sup>th</sup>, and 5<sup>th</sup> from the pool parking lot north to Morningside Place from 7 AM to 10 AM on September 15 2018 for the purpose of hosting the ALS Association Mid-America Chapter 5K Run.*

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- E. Consider placement of signage along the roadway directing the public to the Independence Labette Emergency Room.

*SUGGESTED MOTION -- I move to install hospital directional signage along the State highway corridor pending KDOT approval of the sign locations.*

- F. Consider adopting an ordinance authorizing the City to tow abandoned, non-registered, junked wrecked or incapable of moving vehicles.

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

- G. Consider supplemental agreement with PEC for surveying services.

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

**Motion:**

**On the motion of Commissioner Ysusi, seconded by Commissioner Hogsett, the Commission adopted the consent agenda with the exception of II.F. "Consider adopting an ordinance authorizing the City to tow abandoned, non-registered, junked, wrecked or incapable of moving vehicles" and II.G. "Consider supplemental agreement with PEC for surveying services".**

**Aye: Caflich, Ysusi, Hogsett**

**Nay: None**

**III. PUBLIC HEARINGS**

- A. Public Hearing to consider condemnation of 905 W. Sycamore Street.

The public hearing was opened. The property owner was not present. Building Inspector Don Cushing stated that the property owners are in Wyoming and will be back at the end of September to work on the structure. He recommended adjourning the hearing for 60 days. He further stated they had not provided a schedule of work at this time. No one from the public wished to address the Commission. The public hearing was closed.

**Motion:**

**On the motion of Commissioner Ysusi, seconded by Commissioner Hogsett, the Commission adjourned the public hearing for 905 W. Sycamore Street to October 24, 2018 at 5:30 PM.**

**Aye: Caflich, Ysusi, Hogsett**

**Nay: None**

- B. Public Hearing to consider condemnation of 221 S. 15<sup>th</sup> Street.

The public hearing was opened. The property owner was not present. Building Inspector Don Cushing stated that the property owner had previously advised him that they would work on the house over the 4<sup>th</sup> of

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July holiday weekend, however, no work occurred. He further advised he had spoken to the property owner who stated the City could do whatever they wanted with the property. The Building Inspector further stated that his recommendation was to proceed with condemnation. No one from the public wished to address the Commission. The public hearing was closed.

### **Motion:**

**On the motion of Commissioner Ysusi, seconded by Commissioner Hogsett, the Commission adopted a resolution condemning 221 S. 15<sup>th</sup> Street as dangerous and unsafe.**

**Aye: Cafilisch, Ysusi, Hogsett**

**Nay: None**

## IV. ITEMS FOR COMMISSION ACTION

- A. Consider setting the date for a public hearing to consider condemnation of an apartment complex at 1701 N. 10<sup>th</sup> Street on October 24, 2018 at 5:30 PM.

The Mayor asked the Building Inspector if the condemnation included the entire building, which Building Inspector Don Cushing indicated it did. The Building Inspector stated that the property owner planned on rebuilding and repairing the structure. He further stated that the owner's representative that he is speaking with is in agreement that this should occur prior to anyone moving back into the building. The Mayor asked for the identifying unit number of the building, which the Building Inspector identified as Building #4. Commissioner Hogsett asked if there was any way to hurry up the process, and the Building Inspector indicated that this was the normal process. Commissioner Hogsett stated that the building was dangerous in its current state. The Mayor asked if it was going to be razed and the Building Inspector stated that they are waiting on the engineer's report. The Mayor stated that they could go ahead and consider this date and based on the structural report it could be moved up if it is declared an emergency. The Mayor stated that he thought they would want to start razing this portion and determine what would be salvageable. The Building Inspector stated that he thought there was enough structural integrity to repair. The Mayor made a comment about how they plan to reroute the electric, as the fire was limited to one side. The Building Inspector stated that there was water damage to the other side, and that the wall was an interior wall. The Mayor stated that there was probably not much damage on the other side. The Mayor asked Commissioner Hogsett if he wanted a report sooner, to which Commissioner Hogsett replied he was okay with the proposed action. The Building Inspector stated that they have insurance on it and their intent is to get people back in there.

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**Motion:**

**On the motion of Commissioner Hogsett, seconded by Commissioner Ysusi, the Commission adopted a resolution setting the date of October 24, 2018 at 5:30 PM for a public hearing to consider condemning 1701 N. 10<sup>th</sup> Street, Building #4 as dangerous and unsafe.**

**Aye: Cafilisch, Ysusi, Hogsett**

**Nay: None**

- B. Consider approving the 2018 ADA final design and permission to have TranSystems bid the project.

David Cowan stated that they could go back through the presentation that was previously presented and the Commission stated no, they would just ask questions. The Mayor asked about cost estimates, except for the park along 5<sup>th</sup> Street. He further stated he did not see a modification in price. Shawn Turner with TranSystems stated that there was contingency money and he felt it would cover it. The Mayor asked if it could be an alternate. The Mayor asked with the sidewalk replacement, how that was tied into the concrete parking, such as a standing curb with concrete poured up against it. Shawn said yes, it is now, and they have looked at options where they do not do near as much replacement and just add a couple of ramps and modify parking instead of a total replacement. The Mayor asked what they were accomplishing by taking out the whole sidewalk. Shawn Turner said it would be more economical not to replace it. The Mayor said there was no sidewalk on the west side and it would be redundant to put a ramp there. Shawn Turner said they could remove the sidewalk and build it level with the parking area and not have a ramp crossing 5th Street. Shawn Turner further stated that they could certainly do that and have a couple of options bid as alternates. The Mayor said if he would like to keep the work to a minimum and spend money elsewhere. Shawn Turner said they would look at that. The Mayor said item #7 had no cost estimate. David Cowan said since the other estimates are high, we are hoping to have enough money to cover them. Shawn Turner said every one of those is a simple ramp. David Cowan said the 5th Street complaint might be \$50,000 to \$75,000. The Mayor asked if they are looking for an accessible route. David Cowan said he talked to complainant and he wants to go up to Myrtle Street where his work is. Shawn Turner said it is a steep area and there will need to be several driveway replacements. David Cowan said they could stay on the east side and go to Westminster and some of the ramps on the south are in place, but there are still a few obstacles, such as a tree that has buckled the sidewalk. The Mayor said we must address the whole route. Shawn Turner said that is an expensive complaint to address but it is necessary as that pathway is being used. The Mayor said that will put us up over \$600,000. David Cowan again stated that they are hoping the project will stay close to the total previous estimate. Shawn Turner said that could be

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an add alternate. The Mayor said that one needs to be included. Shawn Turner said that he can package it up with a reasonable base bid with alternates. The Mayor said be sure to look at the whole route, not just doing ramps and then miss humps and settled sidewalk. The Mayor asked whether Chestnut beside Ane Mae's was an accessible route, David Cowan said Tom Schwarz had a good point and after visiting with the City Manager it is on the City to take care of that. The Mayor stated DOJ said our parking lots would be accessible. David Cowan said there was a complaint from Neewollah that brought this about. The Mayor asked about the little strip in the middle and if it was grass. Shawn Turner said it was and the reason they put grass in was the sidewalk adjacent to the curb is lower than by the building, and they were trying to avoid including a handrail, further stating; "I'm not saying that is not a better way to do it, that is why we chose it because it is less expensive." The Mayor asked if an 18" high wall would serve as an adequate barrier, and Shawn Turner said no, and he thought it would require a handrail on top of that. Shawn Turner said the ramp was close to two feet (2') and as you head each direction it gets less, further stating; "We did visit with the property owners about paving all the way, but it is an additional cost." The Mayor stated; "How about scraps from the ICC practice field turf, and picking them up at night?" The audience chuckled. The Mayor said with the strip that narrow and a two-foot (2') grade change it is steep and would require additional mowing, and "It would be great to pave it for skateboarders." The Mayor further stated that he was concerned with crews having more mowing. Tom Schwarz said he does not want Skateboarders. The Mayor said when we originally discussed the parking lot we talked about crack sealing and a poured surface. David Cowan said he can check on that and run it by him. David Cowan said he sent it all to Dana at DOJ and he said it was good. The Mayor said crack sealing and coating is maintenance, not ADA. David Cowan said he will check with Dana at DOJ and let the Commission know if that is covered. The Mayor said the striping he could see, but not maintenance "as accountability of our funds we shouldn't use ADA funds". David Cowan agreed and said he will verify that. The Mayor said to make sure the Commission gets the breakdown. David Cowan agreed. Commissioner Ysusi asked if the bid package was around \$582,000, so the additional projects we will try to stay within that dollar amount and pick and choose. Shawn Turner said yes, that all the add-ons will be under that, except for the most recent complaint.

### **Motion:**

**On the motion of Commissioner Hogsett, seconded by Commissioner Ysusi, the Commission approved the 2018 ADA designed projects as listed and for TranSystems to bid the project and return with bids for project awards.**

**Aye: Cafilisch, Ysusi, Hogsett**

**Nay: None**

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The City Attorney reminded the Commission about the contract with the Church of God that needed Commission approval.

**Motion:**

**On the motion of Commissioner Ysusi, seconded by Commissioner Hogsett, the Commission approved the contract with the Church of God for ADA improvements to the sidewalk at 1400 Irving.**

**Aye: Cafilisch, Ysusi, Hogsett**

**Nay: None**

- C. Consider authorizing a Branded Aviation Dealer Agreement with Phillips for Aviation Fuel Sales and acceptance of a grant for upgrading the Fuel Farm.

Public Works Director Mike Passauer introduced Bruce Youtsey representing Phillips who could answer any questions they may have. Bruce thanked the City for the 30-year partnership that they have had. Bruce advised that they also educate the City on quality control, and most recently they identified that it was time to replace the low lead tank. He further stated that they would like to offer an \$80,000 grant to assist with the replacement of that tank as Phillips values your business. Mayor asked how many tanks we have. Mr. Youtsey stated two, one Jet A and one Av Gas. Commissioner Hogsett asked if it was a single wall, to which Mr. Youtsey replied it was. Mr. Youtsey further stated the replacement tank will be a double walled steel 12,000-gallon horizontal tank with stainless steel piping and a new pump with the most current filtration to ensure clean dry fuel. Mr. Youtsey stated that "Thirty (30) years from now if it is maintained right, which it will be, you will have the state of art system for some time to come and this is a good time to do that with the [additional] KDOT grant offer." The Mayor asked what the Jet A tank was. Mr. Youtsey indicated that the Jet A tank has a good filtration system on it. He further stated; "Ideally, if you have the money do both, but that is costly." He further stated that more Av Gas is sold than Jet A and that the Jet A was okay. Mr. Youtsey further stated with renewal of the dealer agreement coming up it was perfect timing for Phillips to offer the additional grant. The Mayor said the word branding has been mentioned. Mr. Youtsey stated that for thirty (30) years they have been branded with City of Independence which carries a lot of programs. Mr. Youtsey further stated that they produce the fuel and it is best to have a direct relationship with the refiner. The Mayor asked if the part in the agreement regarding the wall sign it is already there. Mr. Youtsey stated that it was, and that Phillips was just going to help the City with the tank. The Mayor asked if the credit card system was already intact, which Mr. Youtsey stated that it was and that "...you have a good system out there for credit cards". The Mayor asked if the proposal was accepted, who writes the specifications. Mr. Youtsey stated that Hoidale has done that

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and they are the engineering firm that has worked on many airport projects. The Mayor asked if they do car fuel also, and Mr. Youtsey stated that they did. The Mayor asked if the project was going out for bids. Mike Conway said that we have gone out for bids initially for the Jet fuel. The Mayor asked if that was completed? Mike Conway said no, because the Av gas tank replacement project was identified after we had already gotten a proposal from Hoidale for the card reader. Mike Conway further stated that he went back to them and this was their second proposal to the City. The Mayor asked about previous discussions regarding an obsolete card reader. Mike Conway stated that he was glad that we backed up on that project as the company (Air Methods) that imitated this project did not locate at the airport. He further stated that very few companies require [Jet A] self-fuel, they usually bring their own system and tanks and the grant was already put in and approved. Commissioner Hogsett asked about the requested supplemental funding. City Manager Craig Whitehead said that since we have this grant already, the supplemental one was we thought we could add to that grant and we made application and the State who advised us to fill out a new form. He further stated that they are willing to entertain that and hopefully we will get that grant as well. Mike Conway said he will put the application in tomorrow or the first of next week. Mike Conway said there were a few things that could hold it up such as the eight (8) week lead time on the tank and that you cannot put Cessna out of fuel at the end of the year. The Mayor asked if you have to have a containment pond, in case of a spill. Mr. Youtsey said with a double wall tank there is no containment required and the horizontal tank sits on footers in a saddle. He further stated that you have rock containment for aesthetics basically, so you don't have to mow under the tanks. Commissioner Hogsett suggested artificial turf. The timeline for the project was briefly discussed and it was noted by Cody Shamblin, Airport Supervisor that the majority of their sales are at the end of the year. It was further discussed that they wanted the project to occur at a slow time of the year. Cody Shamblin discussed the capacity of the fuel trucks to provide fueling during the project. The conversation then turned to funding. The City Manager stated that we budgeted this year and next year \$20,000 for lime and we won't use it this year and possibly next year. He further stated that even if they don't get the supplemental (KDOT) grant that it could still be funded. Commissioner Hogsett stated that he liked that Phillips is funding half the cost. The Mayor asked if the project can be completed before we get word on the grant. Mike Conway said he thinks it will go through. The Mayor said that he did not want to postpone the project. Mike Conway agreed.

### **Motion:**

**On the motion of Commissioner Ysusi, seconded by Commissioner Hogsett, the Commission authorized the Mayor to sign an aviation dealer agreement with Phillips for ten years which includes acceptance of a grant in the**

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**amount of \$80,000 to help fund fuel farm upgrades, pending City Attorney approval.**

**Aye: Caflisch, Ysusi, Hogsett**

**Nay: None**

- D. Consider adopting a resolution to place a question on the ballot to increase the number of commissioners to be elected "at large" or "by district".

The Mayor said when we started talking about this he thought we would have public forums to allow input from citizens, and that he understood that we were short on time to get it on the ballot as we have to get it to County Clerk by September 10<sup>th</sup>. The Mayor further stated that he was not comfortable moving forward at this time and had received comments from citizens both ways. He further stated that; "We should have public forums for citizens to come to us and not us three make a decision without having the citizens having the opportunity to speak to us. We have had eight (8) months and to just rush and get it in I am not comfortable with a motion either way." Commissioner Ysusi said he agreed with what the Mayor said, and added "We have operated this way for a number of years, have open sessions, pros and cons, and an important step to take and need input from public at large on how they feel about this to consider and vent it properly before we even begin to entertain a motion to proceed with this." The Mayor suggested including articles in the City newsletter on the process and what it would take to change. The Mayor said it would be nice to say; "Hey Gary, I saw this, or Louis, but I think we need to let the people speak to us." Commissioner Hogsett said he was good with that and felt it was rushed and they had had little time to discuss it. The Mayor brought up the public forums again and suggested locating them at different venues. Commissioner Hogsett stated that he would like to move forward with that process and not let it sit for another year. The Mayor asked everyone to look at their calendars for a date for a public forum, which they agreed. Commissioner Ysusi said he was willing to meet any time the Commission wanted to have a work session to share our ideas. He further stated. The Mayor said to look at possible times possibly in September and visit with people "to see if they want us to go to them somewhere". Further stating; "I heard at the league that a community that was doing a survey, instead of scheduling at the normal place they went to where the people were and got a better response and if we are in agreement we will table this and bring back next meeting some locations and times."

- E. Consider adopting an ordinance authorizing the City to tow abandoned, non-registered, junked, wrecked or incapable of moving vehicles.

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

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David Cowan stated it was not staff's intent to take vehicles, however, "we recently had a vehicle on a property with an out of state owner and there was no way to move the vehicle". He further stated; "On environmentalals we attempt to serve a long form, however, we are unable to serve. Most people respond and are very good, but there are a few. We ran into a recent issue and Jerry does not feel our code is adequate when a car is parked on the street and Jerry is not here tonight. This will allow him to mark it and then 72 hours after they mark it then they could move it.... It is not our intent to tow vehicles unless we have to." Commissioner Ysusi said he was concerned how aggressive we would enforce this policy. David Cowan stated that we get complaints constantly, most people we can work with, and others there is nothing happening. The Mayor asked about the photo of the illegally parked vehicles and if the ordinance addresses the boat. The City Attorney said it does not address the boat. It was further stated that the State only allows vehicles to sit on the right-of-way for 48 hours. The Mayor asked if somebody was experiencing car trouble and notified the Police Department and within 30 days they got it repaired would that be a towing issue. David Cowan stated that they wanted to give people plenty of chances before they tow a vehicle. David Cowan further stated; "And you call these people and they may not want it there but they don't want to move it and it just sits." Commissioner Ysusi asked about vehicles contained in a building on the premise or a carport. The City Attorney stated that; "We have a section that says this does not apply to vehicles that are screened from view of the public." The Mayor added; "That is more for an untagged vehicle. If it is registered and tagged, then it is no issue." Commissioner Hogsett asked about vehicles blocking sidewalks and it was answered that we already have a code in place to deal with that if staff is provided with the location we can deal with those.

### **Motion:**

**On the motion of Commissioner Ysusi, seconded by Commissioner Hogsett, the Commission adopted Ordinances 4276 and 4277 authorizing the City to tow and impound vehicles and charge fees.**

**Aye: Caflich, Ysusi, Hogsett**

**Nay: None**

- F. Consider supplemental agreement with PEC for surveying services.

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

The Mayor asked why we need a topo survey for an electrical project. Director of Utilities Terry Lybarger stated it was for the next phase of the project as "we do need to do ADA accessibility into the building for ingress and egress to determine what we can do to address ADA issues." The Mayor asked why we would separate the survey from the contract to

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design ADA issues as they are doing preliminary to do the working drawing. He further stated that their fee for doing a survey is extremely high. Terry Lybarger indicated that he did not disagree with that. The Mayor said we have a local surveying company and we should ask them to provide that as they already have boundary information tied to that area; further stating "The survey as related to the electrical should have been in their original proposal". Terry Lybarger stated it does not relate to electrical. Further stating; "We are trying to get ahead of the curve on that. I thought it was high myself." The Mayor stated that this was reviewed in June and it has been a year and "the electrical does not take that long to design and if they take a year for something this simple I hesitate giving them the contract for ADA and even if we continue with them or not if Cornerstone can provide the services I would like to see them do the survey and use it for any consultant." Terry Lybarger asked if they wanted him to get a quote from Cornerstone to do that work adding "I don't know if it is necessary at this point but at some point, we are going to have to". The Mayor asked the Commissioners what their opinion was. Commissioner Hogsett said it made sense to him, while Commissioner Ysusi said to look at it when they were ready to do it. The Mayor said stated; "We can get a quote but not do it right now." He further asked about previous discussions of placing some of the chemicals in a separate building. Terry Lybarger stated that they had looked at that and "the preliminary cost estimates were very pricey". The Mayor stated that when the survey is done all the information needs to be in one topo that includes that building instead of coming back. Terry Lybarger said that the other issue with locating a separate building was access for semi-trucks as they cannot determine where to put it. The Mayor stated; "That is why I said are you going to look at the chlorine building further west, easier drive down East Oak, you will need topo when you do that building, so include enough area so we only do one survey." Terry Lybarger said he thought the survey would include the whole area, and the basin and to the north, but it is pretty minimal. The Mayor said; "For that amount of money, I would have thought that too, plus the oval and bandshell. For this we will . . . Jeff is it better to formally take a vote and reject it?" City Attorney Jeff Chubb stated that "If you take no action that is a negative vote in essence." The Mayor stated if the Commission is in agreement we will take no action. Commissioners Ysusi and Hogsett said that they were in agreement.

### V. DISCUSSION

#### A. Discussion regarding direction on City Hall and Public Safety Facilities.

The Mayor said "We all know where we are with Phase I, looking at enclosing and waterproofing of existing city hall, next phase would be interior renovation, separate from the public safety building. One of the things in the feasibility study and master plan, was the square footage of one of the options of building where the apparatus was it looked like their square footage was off". Commissioner Ysusi said when they projected

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the cost they projected it at new construction, 28,036 square feet and they didn't take into consideration the existing apparatus bay that is on site, so it made that option \$2,000,000 higher. That was something, I sit on that steering committee, and it slipped by and then I found the discrepancy, so that was not taking the temporary apparatus bay onsite as they included that as new construction if it was built on that site where the apparatus bay was." Commissioner Hogsett Stated that he heard a report on the demolition and asked, "Is the demolition plan completed?" City Manager Whitehead said that they are still waiting on the structural engineer's proposal, and "we'll look at it as soon as we get it". The Mayor said that they are looking on construction drawings for the tuck pointing and that is well established, or on the way to be prepared for bidding. Further stating the documents would be ready in September. City Manager Whitehead said he would have to look that up as he did not remember any dates given as they were waiting on the structural proposal. The Mayor said it might have been when we were looking at something else. Commissioner Hogsett said it is amazing how long everything takes. The Mayor agreed, further stating "And for their schedule they have been moving ahead pretty good once they got going, they stayed pretty good on schedule, so the thing we would look at is that there are two options going ahead with renovation of City Hall, existing original City Hall and then the public safety building. We are working out of Building D, so space is not that critical." He further mentioned marketing Building D and looking at some sort of agreement if it did sell while looking at the public safety option. He then mentioned looking at the program again, providing an example of the meeting room space for City Commission not being necessary if they are meeting at Memorial Hall. The Mayor further commented on the thorough job TreanorHL had done and that their information and reports were verifiable. He further suggested that they provide services for Phase II, as there could be cost savings with an amendment. He further stated that they needed to look at real numbers as their original estimate of "\$16 million is out of question and Coffeyville's public safety building was a little over \$5 million and that is way more reasonable than what we have been talking about." City Manager Whitehead said Phase II would be hiring an architect for City Hall and another one for the public safety building. He further stated; "I think the next phase would be to redesign the building and finish the project, put that proposal out for other architectural firms to get a proposal on." The Mayor said with TreanorHL there is knowledge and "the other firms would have to come up to speed from where he already has that." The City Manager stated that is why you put specs out for, I would recommend an RFQ and if there are other firms there are other firms. I can see the way you are going as well, but I have had conversations with other firms who want a shot at it." The Mayor said "We had others that looked at original City Hall and Building D and the information they gave us was totally wrong and the information TreanorHL has given us the documentation is there and believable and so it is always a gamble, but we can . . . do you think we need to look at the

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next phase, whether requests for qualifications and then we can review the firms, or we can always come back to TreanorHL?". City Manager Whitehead said, "I'm sure they would give us a proposal, but I think it would be good going the next step to do that process." The Mayor said one of the worst ways to select a consultant is cost because the dollar amount doesn't dictate the quality, "You have to look at the performance and some consultants cost us a lot of money with errors." Commissioner Hogsett stated "I don't have any complaints about TreanorHL. When we first interviewed them, it was to guide them to do the committee and we didn't look at their qualifications as architects and I would be strongly in favor of opening it up as an RFQ as I feel that we are giving them a blank check." The Mayor said; "I have seen their work on state projects in other capacities and I am comfortable with what you are saying. If the Commission wishes to solicit RFQ's and then let them submit what they have already done to review." Commissioner Ysusi said that he thought that was a good way to proceed. He furthered commented about his experience serving on the committee and the information they were given and how the chosen option was narrowed down in favor of Option A, rather than Option B. The Mayor said Andy Pitts was looking at the Wyandotte County building and it would be good to see others that they have done. He further stated that they had done projects at Pitt State that he was aware of. The Mayor state that if the Commission wants to go that direction that we can solicit Requests for Qualifications. Commissioner Hogsett stated that would be his vote, at which time the Mayor agreed that would be a good direction for them. The Mayor directed the City Manager to prepare the RFQ and submit copies to the Commission to look at.

### VI. REPORTS

#### A. City Board Minutes

1. July 2, 2018 Planning Commission/Board of Zoning Appeals Minutes

### VII. CITY MANAGER'S COMMENTS

City Manager Whitehead said he noticed Heckert is paving part of Charlotte and 2nd Street. The Mayor said that they did 5th Street yesterday. The City Manager said he looked forward to them getting that done.

### VIII. COMMISSIONERS' COMMENTS

Commissioner Hogsett asked what the plans for 108 E. Chestnut are. The Mayor said; "When it came up available we looked at the space on the block and trying to secure the property to go with Memorial Hall. At one time there was consideration of a developer wanting to do some work and tie it to Memorial Hall and it was purchased with that in mind." Commissioner Hogsett asked what time frame and if the Mayor was on the Commission. The Mayor said yes, "Darrell was on the Commission in 2013 or 2014." The City Attorney said he thought

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Paul Sasse was City Manager. The Mayor said; "Looking at the access into the stage and having additional space for parking of vehicles." Commissioner Hogsett asked if the plan was to bring it down and if there was any further discussion about demolishing that building. The Mayor said no. Commissioner Hogsett asked if it still made sense to own it. The Mayor said yes. Assistant City Manager Kelly Passauer stated one of the tenants was vacating the building the end of the month and that staff would be bringing the building back to the Commission to consider what you would like to do with the building. It was noted that the estimates to take care of the ADA sidewalk, parking and exterior access were approximately \$50,000 plus, and that is before any interior ADA work is performed.

Commissioner Hogsett asked about the City's delinquent property taxes printed in the paper. The City Manager stated that there were two major parcels printed by the County that are tax exempt, "Hugo's and Building D". He further stated; "We are tracking down the other property that is listed and Jeff and Mike [Borovetz] are going to meet with the accessor, as there are communication issues as what one [County] department lists as exempt". The City Manager said one of the newspapers is delving into it and sharing information, "We want to get to the bottom of it, we are confident we owe taxes on two properties at the airport and possibly 108 E Chestnut. They may not be listed because there may be a process we need to go through to get them exempt by the County Assessor and we are doing what we need to do to get it all straightened out." The City Attorney said he sent it to the title company, but he hadn't done anything on it. He further stated that he didn't know "how you get a tax bill for something that shows up as exempt". Commissioner Ysusi asked about property that is rented out, stating that the City purchased a church and historic brick house. He stated; "The house is being rented out, is that through the Housing Authority?" Independence Housing Authority (IHA) Director April Nutt stated that the City owns the property and IHA manages it, "We do income qualify those tenants, so it meets that requirement". The Mayor said it is listed as exempt. April Nutt said, "As it should be." The City Attorney said the City was approached by a church for future parking, "I don't know if the plan is to tear down the house. It is one of those, it is close to Memorial Hall and knew we had a parking issue and said sure we will take it." Commissioner Hogsett thanked April for her comments.

Commissioner Ysusi stated that he wants to pass on that in the southeast part of town the City aggressively hit the grass lots. He further stated that he knew the guys have been "chasing their tail trying to get caught up and the people in the neighborhood were appreciative that the lots were mowed and cleaned" and he wished to pass that along to the street department. The City Manager said he would pass that along and added "We still have lots of grass with this rain."

The Mayor said he didn't have any comments.

### IX. PUBLIC CONCERNS

None.

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X. EXECUTIVE SESSION

A. Personnel matters of non-elected personnel.

**Motion:**

**The Mayor moved to go into executive session for twenty minutes for discussion of employee performance pursuant to the non-elected personnel exception (KSA 75-4319(b)(1)) with the open meeting resuming at 7:35 PM. Commissioner Ysusi seconded.**

**Aye: Cafilisch, Ysusi, Hogsett**

**Nay: None**

The Commission came back into session at approximately 7:35 PM.

**The Mayor moved to extend the executive session for twenty more minutes with the open meeting resuming at 7:55 PM. Commissioner Hogsett seconded.**

**Aye: Cafilisch, Ysusi, Hogsett**

**Nay: None**

The Commission came back into session at approximately 7:56 PM.

**The Mayor moved to extend the executive session for ten more minutes with the open meeting resuming at 8:06 PM. Commissioner Ysusi seconded.**

**Aye: Cafilisch, Ysusi, Hogsett**

**Nay: None**

The Commission came back into session at approximately 8:07 PM with no action being taken.

XI. ADJOURNMENT

**Motion:**

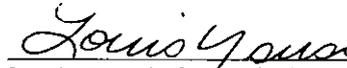
**Commissioner Ysusi moved to adjourn. Commissioner Hogsett seconded.**

**Aye: Cafilisch, Ysusi, Hogsett**

**Nay: None**

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

  
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Louis Ysusi, Commissioner

  
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Gary Hogsett, Commissioner

Attest:

  
\_\_\_\_\_  
Kelly C. Passauer  
Assistant City Manager