

Minutes of the Independence City Commission's February 14, 2019 Meeting

The Independence City Commission met for a regular meeting on February 14, 2019 at 5:30 P.M. in the Veterans Room at the Memorial Hall. Mayor Louis Ysusi, Commissioner Leonhard Cafilisch, 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/EMS Chief
Terry Lybarger, Director of Utilities
Mike Passauer, Public Works Director
Brian McHugh, Memorial Hall Supervisor
April Nutt, Director of Housing Authority
Jerry Harrison, Police Chief
Cody Shamblin, Airport Supervisor

Visitors

Jerry Bright
Vance Kelley
Dean Hayse
Judy Ysusi
Dorcus Sutton
Brian Williams
Lisa Wilson
Ryan Fisher
Ellie Davis
Larry McHugh
Ryan Fisher

I. REGULAR SESSION

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

Motion:

On the motion of Commissioner Cafilisch, seconded by Commissioner Hogsett the Commission adopted the agenda with the modification that item "C" be removed from the consent agenda and moved to items for Commission action.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

II. COMMON 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.) LC/GH

- A. Appropriations
 - 1. A-1832
 - 2. P-1802
 - 3. P-1803
- B. Consider approving minutes of the January 15, 2019 City Commission Meeting.
- C. Consider accepting the donation agreement with Labette Health for three IV Pumps.

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

- D. Consider authorizing the Mayor to sign the AWOL contract for 2019.

Motion:

On the motion of Commissioner Caflich, seconded by Commissioner Hogsett the Commission adopted the consent agenda with the exception of item "C" which was moved to items for Commission action.

Aye: Ysusi, Caflich, Hogsett

Nay: None

III. ITEMS FOR COMMISSION ACTION

- A. Consider accepting the donation agreement with Labette Health for three IV Pumps.

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

Commissioner Caflich requested this item to be removed because of inconsistencies in the paperwork received which listed 4 pumps for donation. David Cowan explained to the Commission that the first pump listed went to Cherryvale EMS and 2, 3 and 4 went to Independence EMS. Commissioner Caflich stated that the number 1 pump should be scratched from the exhibit.

Motion:

On the motion of Commissioner Caflich, seconded by Commissioner Hogsett the Commission authorized the Mayor to sign the agreement for 3 IV pumps.

Aye: Ysusi, Caflich, Hogsett

Nay: None

- B. Consider a request to approve an agreement with Shift Sector to hold an event at the Independence Airport on May 25 through May 26, 2019.

Mike Passauer, Public Works Director reviewed the item and introduced Cody Shamblin, Airport Supervisor and Ryan Fischer, Event Promoter. Mr. Fischer explained that his company holds drag race festivals at different airports around the country and they would like to do a similar event here in Independence that he hopes would become an annual event. Mayor Ysusi asked how many people they anticipate will attend the event. Mr. Fischer stated that based on past events at similar sized airports they expect that the first year approximately 1,000 people will attend each day of the event. Mayor Ysusi asked if he could take a lap. Mr. Fischer stated that they do allow ride a-longs to passengers who are over 18. They must sign a waiver and the speed is limited to 180 MPH. Commissioner Cafilisch asked about the different classes and if anyone could sign up to race their own car for fun. Mr. Fischer explained that anyone can sign up and drive for fun if they meet the safety requirements. He then explained about the different classes of competition. Commissioner Hogsett asked how they chose the Independence airport over all the other airports in the country. Mr. Fischer explained that there are only so many airports around the country that meet their criteria and Independence was one of them. Commissioner Cafilisch inquired if they would be using the runway or the taxiways as their track. Mr. Fischer explained that the main runway would be the track and everything from the FBO south would be the event area. He explained that security would be there to keep spectators out of the hanger area and other airplane trafficways. He also stated that the secondary runway would still be open to airplane traffic and that the event is halted whenever a plane is on approach or takeoff. City Manager Craig Whitehead stated that he had met with Textron and they were enthusiastic about the event. He also stated that the Experimental Aircraft Association contacted him and pledged their support for the event. Commissioner Hogsett asked who came up with the \$4,000 fee. Mr. Fischer replied that is the starting point and if the event becomes successful and grows the fee could be revisited.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Cafilisch the Commission moved to allow Shift Sector to hold their racing event on May 25th and May 26th.

Aye: Ysusi, Cafilisch, Hogsett

Nay: None

- C. Consider authorizing the Mayor to sign an assignment of agreement from the Recreation Committee to USD 446 to extend water services; and an addendum to agreement to extend water services for the new bus facility.

City Manager Craig Whitehead stated that the assignment and addendum is to extend the sewer system and the Director of Utilities Terry Lybarger came up with the cost of that connection to \$15,000. Commissioner Cafilisch asked if the 8" water line is a private line. Terry Lybarger stated that it was a city line along with a 2" water line for irrigation. Commissioner Cafilisch asked if the new sewer line would be a public or

private line. Mr. Lybarger said that it had not been discussed but, he foresaw that as their system to maintain since they are paying for it. Commissioner Caflich asked if the cost to bore under the road is included. My Lybarger said it was. Commissioner Caflich inquired about right of way purchases and was assured by the City Attorney Jeff Chubb that was not the City's responsibility. Mayor Ysusi wanted to be clear if the School District would maintain the sewer line. My Lybarger stated that it was his intention.

Motion:

On the motion of Commissioner Hogsett, seconded by Commissioner Caflich the Commission moved to authorize the Mayor to sign an assignment of agreement to extend water services; and an addendum to agreement to extend water services.

Aye: Ysusi, Caflich, Hogsett

Nay: None

- D. Consider authorizing the Mayor to sign an agreement with TreanorHL for preparing State Historic Tax Credit Application Services for City Hall Renovation Phase I.

Vance Kelley stated that the application for the tax credits needed to be filled out before work on Phase I of City Hall could commence. Part I shows the State Historic Preservation Office that the building contributes to the historic district. Part II shows the extent of the work that will meet the Secretary of the Interior's standards. Part III is completed after the construction work is done to show that the plan in Part II was followed. Finally, a third application is applied with the Kansas Department of Revenue to receive the tax credit certificate. Commissioner Caflich asked if this is for the project that has been bid right now. Mr. Kelley stated that is correct and suggested submitting the Part III's after both phases are completed and the City would have a larger market to sell the tax credits. Commissioner Caflich asked about the approval process. Mr. Kelley replied that the State Preservation Office usually has completed the process within 30 days and that the City would want to have that certificate before giving the notice to proceed to the contractor. Commissioner Caflich asked about separate notices to proceed. Mr. Kelley stated that they could allow for preconstruction work and then after the work is approved by the State Preservation Office have the contractors begin work onsite.

Motion:

On the motion of Commissioner Caflich, seconded by Commissioner Hogsett the Commission approved the proposed consulting agreement with TreanorHL for State Historic Tax Credits Part 1, 2, and 3 for City Hall Renovation Phase I.

Aye: Ysusi, Caflich, Hogsett

Nay: None

IV. Reports

- A. Labette Health – Economic Development Compliance Testing Report as of 12.31.2018.

Brian Williams presented a report which is attached.

- B. Peter Pan Road Project Update.

City Manager Craig Whitehead informed the Commission that the letting date for this project is still set for March 2019.

- C. 4th Quarter Treasurer's Report.

Commissioner Caflich asked some questions about certain funds and wanted to discuss them at the upcoming special meeting.

- D. Library Board of Trustees Year End Report and 10 Year Facility Plan.

- E. City Board Minutes

1. January 4, 2019 Library Board of Trustees
2. January 16, 2019 City Recreation Commission

V. CITY MANAGER'S COMMENTS

City Manager Craig Whitehead informed the Commission the Special Commission Meeting on the 20th of February 2019 may have to be moved from 9:00 a.m. to 5:30 p.m. because all of the rooms at Memorial Hall have been reserved by the school for testing. The Commission had no problem with moving the meeting time.

VI. COMMISSIONERS' COMMENTS

Commissioner Hogsett was happy to see the sales tax report that showed January receipts were the highest they had been in a decade. He also mentioned increasing the Commission size to 5 members and asked to have that on the agenda for the next regularly scheduled meeting.

VII. PUBLIC CONCERNS

None

VIII. EXECUTIVE SESSION

- A. Personnel matters of non-elected personnel.

Motion:

The Mayor moved to go into executive session for 15 minutes for discussion of employee performance pursuant to the non-elected personnel exception (KSA 75-4319(b)(1)) with the open meeting resuming at 6:45 PM. Commissioner Caflich seconded.

Aye: Ysusi, Caflich, Hogsett

Nay: None

The Commission came back into session at approximately 6:45 PM.

The Mayor moved to extend the executive session for ten more minutes with the open meeting resuming at 6:55 PM. Commissioner Caflich seconded.

Aye: Ysusi, Caflich, Hogsett

Nay: None

The Commission came back into session at approximately 6:55 PM.

The Mayor moved to extend the executive session for twenty more minutes with the open meeting resuming at 7:15 PM and asked City Manager Craig Whitehead and City Attorney Jeff Chubb to join them. Commissioner Caflich seconded.

Aye: Ysusi, Caflich, Hogsett

Nay: None

The Commission came back into session at approximately 7:15 PM.

The Mayor moved to extend the executive session for twenty more minutes with the open meeting resuming at 7:35 PM. Commissioner Caflich seconded.

Aye: Ysusi, Caflich, Hogsett

Nay: None

The Commission came back into session at approximately 7:35 PM with no action being taken.

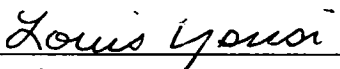
IX. ADJOURNMENT

Motion:

Commissioner Caflich moved to adjourn. Commissioner Hogsett seconded.

Aye: Ysusi, Caflich, Hogsett


Nay: None



Louis Ysusi, Mayor




Leonhard Caflisch, Commissioner



Gary Hogsett, Commissioner

Attest:



City Clerk/Treasurer

2017 Significant Accomplishments

- Earned US News and World Report Best Hospital for Knee Replacement placing Labette Health in the **Top 3% of Hospitals in the Nation**
- Earned CareChex **Top 10% in the Nation** for Overall Medical Excellence in Surgical Care
- Earned CareChex **Top 10% in the Nation** for Patient Safety in Joint Replacement and Major Orthopedic Surgery
- Earned CareChex **Top 10% in the State** for Patient Safety in Medical Care and Pulmonary Care
- Earned Centers for Medicare and Medicaid Services highest quality rating with **Five Star Hospital Compare Rating** placing Labette Health in the **Top 7% of Hospitals in the Nation**
- Opened a state-of-the-art Off-Campus Emergency Room capable of taking care of **All Medical Emergencies** with the primary exception of Multi-system Trauma
- Opened a Rural Health Clinic and Cancer Infusion Center in Independence, KS
- Opened a Rural Health Clinic in Erie, KS
- Opened a Rural Health Clinic in Altamont, KS

2017 Significant Statistics

Acute Inpatient Admission	1973
Outpatient Observation Admissions	510
Inpatient Rehabilitation Unit Discharges	134
Infant Deliveries	200
EMS Runs	3,369
ER and Express Care Visits	18,141
Surgeries	3,691
Home Health	7,936
Outpatient Registrations	82,765
Total Clinic Visits	59,847

Independence

ER Visits	3,005	*Budget	1,387
Outpatient Observation Admissions	65	*Budget	91
X-Ray, CT, and MRI	2,852	*Budget	2,691
Total Clinic Visits	7,863	*Budget	5,810

****7 Months of Budgeted Operations comparing to 6 Months Actual Operations***

**LABETTE HEALTH
POLICY AND PROCEDURE**

SUBJECT: SCOPE OF SERVICE
APPROVED BY: MEC
EFFECTIVE: MAY/17

REFERENCE: ER
PAGE: 1 OF 3
REVISED: AUG/17
REVIEWED:

TITLE: SCOPE OF SERVICE FOR EMERGENCY CARE: INDEPENDENCE (Off-Campus Site)

SCOPE OF SERVICE:

Emergency Services:

Emergency health care services shall be available 24 hours a day, 365 days per year to all patients regardless of age, gender, disability, race, color, ancestry, citizenship, religion, pregnancy, sexual orientation, gender identity or expression, national origin, medical condition, marital status, veteran status, payment source or ability, or any other basis prohibited by federal, state or local law. The department is responsible for immediate treatment of any medical emergency, for initiating lifesaving procedures in all types of emergency situations, and for providing emergency care for other conditions including chronic and minor illnesses or injury in accordance with the Emergency Medical Treatment and Labor Act ("EMTALA") and Labette Health's policies and procedures governing emergency services.

Registered nurses are assigned to the emergency department 24 hours a day 365 days per year including holidays. ED Techs are available 12 hours per day. Medical provider coverage is provided by an emergency care physician or designated practitioner (APRN's or PA's) with Emergency Services privileges who are credentialed by Labette Health's medical staff ("ED Providers"). An ED Provider shall be assigned to provide emergency and other medical services in the ED at all times the ED is open and operational. Unless specified by a patient's attending provider, the ED Provider shall see all patients who present to the ED and, as necessary, provide a medical screening examination (MSE) in accordance with EMTALA and Labette Health's policies and procedures governing emergency services.

The Labette Health medical staff provides a rotating call roster comprised of primary care and hospitalist providers who are active medical staff members and who will assume responsibility for any patients who are unassigned and require an inpatient admission or follow-up medical care after discharge from the ED. This call roster is provided 24 hours per day, 365 days per year. The Labette Health medical staff also provides specialty on-call coverage for the ED. On-call coverage for the following specialties: Surgery, Internal Medicine, Orthopedics, Pediatrics and Obstetrics are provided 24 hours per day, 365 days per year. Any patient requiring these specialty services, or in need of an inpatient admission to the hospital may be transferred to Labette Health's main hospital campus in Parsons Kansas. Such relocation would be via an appropriate transport vehicle as designated by the ED Provider with appropriate equipment and personnel as determined by the ED Provider.

REVISED: AUG/17
REVIEWED:

Common conditions for which treatment is provided in the ED include, but are not limited to, common illnesses, chest pain, abdominal pain, trauma, fractures, dyspnea, seizures, headaches, sprains, and strains, lacerations, urinary tract infections, upper respiratory infections, outpatient infusions, and outpatient injections. Patients with certain medical conditions may need to be transferred to another acute care facility after initial evaluation and treatment; such conditions include, but are not limited to: acute psychiatric episodes; severe burns; severe head injuries; pediatric patients requiring specialized care; severe cardiac conditions; trauma; and/or severe renal impairment.

Any obstetrical patient presenting to the Emergency Department (ED) for treatment will be triaged to determine the most appropriate plan of care. OB patients will be screened and treated in accordance with the Federal Emergency Medical Treatment and Active Labor Law (EMTALA).

In summary, the Independence ED is capable of providing diagnostic and/or therapeutic services to all patients with the exception of those patients with the following illness, disability, or injury:

- Multi-system trauma (unless airway stabilization is needed)
- Active Labor (excluding a precipitous delivery)
- Urgent Dialysis (i.e. the patient was on dialysis when EMS was called)

Clinical Decision Unit (CDU):

The Clinical Decision Unit ("CDU") is a designated unit located within the ED that provides an alternative to inpatient hospital admission or discharge for a patient who may benefit from an extended observation period. It shall be staffed appropriately by Providers and nursing and shall have appropriate diagnostic/treatment capabilities such that patients who need additional monitoring for their presenting clinical complaint can be observed in an efficient, safe, effective and comfortable environment. Observation care is a well-defined set of specific, clinically appropriate services which include ongoing short-term patient treatment, assessment, and reassessment. Observation care is based on the patient's medical needs and can be used to assist providers in deciding whether a patient requires further treatment as a hospital inpatient or if a patient is able to be safely discharged from the facility.

Any patient presenting to the off-campus ED in Independence may be observed in the CDU until a decision can be made regarding the patient's disposition. CDU admissions are limited to those patients specifically deemed appropriate for short-term evaluation and therapy and whose care can be better managed in the CDU. In the majority of cases, the decision whether to discharge a patient from the hospital following resolution of the reason for the observation care or to admit the patient as an inpatient can be made in less than 48 hours, usually in less than 24 hours. Medical care and treatment for these CDU patients may be provided by the ED Provider, other appropriate providers credentialed by Labette Health's medical staff and the ED nursing staff.

The severity of patient's illness must not preclude the expectation that the patient will be discharged from the CDU within established time limits. If a patient is admitted to the CDU, it is probable that he/she will be discharged from the CDU within a 12 to 48 hour observation period. Patients should not be admitted to observation status if the provider cannot identify a patient care

goal that can reasonably be expected to be met within this time frame. The CDU should not be used as a holding area for patients awaiting disposition to inpatient care or transfer to another facility. Patients that have been admitted to the CDU as observation patients that need to be changed to full admission patients will be transported to the Main Campus for full admission.

Some of the more common observation conditions include, but are not limited to:

- Chest pain or similar symptoms suggestive but not diagnostic of an acute MI
- Acute asthmatic attack
- Acute exacerbation of chronic lung disease
- Uncontrolled hypertension (asymptomatic)
- Drug reactions
- Allergic reactions
- Dehydration requiring intravenous repletion (e.g., secondary to vomiting, diarrhea, anorexia, etc.)
- Short term therapy such as seizure disorder requiring anticonvulsant loading
- Psychosocial need, i.e. alcohol intoxication, depression, social disposition problems, minor drug ingestion/overdose (asymptomatic).
- Abdominal pain suggesting an acute abdominal process, but not readily defined
- Infections, requiring short-term parenteral antibiotic therapy (e.g., pneumonia, cellulites, urinary tract infection)

Reference:

Medicare Outpatient Observation Services (20.6) (Rev. 215, Issued 12-18-15)

Labette Health-Independence Healthcare Center
Human Resources-Employee by Home Address
1/25/18

Employee Home Address	County-State	per requirements FT= >30hrs; PT= >20hrs				Total Payroll			Hours per Week						
		Employees	FT	PT	#FTEs	Employees	# of FTE's	Annual Projected Salary*	16 hrs	24 hrs	30 hrs	32 hrs	36 hrs	40 hrs	PRN hrs
CANEY	MONTGOMERY-KS	1	1	0	1	1	1	25,168.00						1	
CHERRYVALE	MONTGOMERY-KS	1	1	0	0.9	2	1	64,704.64					1		1
COFFEYVILLE	MONTGOMERY-KS	4	3	1	3.5	8	3.6	444,747.68		1			1	2	4
ELK CITY	MONTGOMERY-KS	1	1	0	1	1	1	25,022.40						1	
INDEPENDENCE	MONTGOMERY-KS	28	26	2	26.4	37	28.4	1,930,100.62	3	2			8	18	6
		35	32	3	32.8	49	35.0	2,489,743.34	3	3	0	0	10	22	11
JOPLIN	NEWTON/JASPER-MO	1	1	0	1	1	1	124,800.00						1	
OVERLAND PARK	JOHNSON-KS	0	0	0	0	1	0	135,200.00							1
ALTAMONT	LABETTE-KS	2	2	0	2	2	2	122,143.84						2	
MOUND VALLEY	LABETTE-KS	0	0	0	0	1	0	64,521.60							1
PARSONS	LABETTE-KS	2	2	0	1.9	3	2	156,039.52					1	1	1
S. COFFEYVILLE	NOWATA-OK	1	1	0	1	1	1	45,780.80						1	
BARTLESVILLE	WASHINGTON/OSAGE-OK	1	1	0	0.8	1	1	125,000.01				1			
COPAN	WASHINGTON-OK	1	1	0	0.75	1	0.8	37,471.20			1				
WAKEENEY	TREGO-KS	1	1	0	0.9	1	1	47,286.72					1		
FREDONIA	WILSON-KS	0	0	0	0	1	0	61,256.00							1
NEODESHA	WILSON-KS	1	1	0	0.9	1	1	39,686.40					1		
		10	10	0	9.25	14	9.8	959,186.09	0	0	1	1	3	5	4
TOTAL		45	42	3	42.05	63	44.8	3,448,929.43	3	3	1	1	13	27	15
Montgomery-KS		77.8%	76.2%	100.0%		78%		72%							
All Other		22.2%	23.8%	0.0%		22%		28%							

*PRN Salaries are set at \$0

Montgomery County: **WHEREAS:** A motion was made by Commissioner McManus to authorize an economic development payment to Labette Health, for the purpose of assisting with the construction of the Independence Healthcare Facility to be located on Peter Pan Road, subject to the terms to be set forth in a memorandum of agreement to be executed by the County and Labette Health, to include the following: (1) That Labette Health create at least 26 full-time positions and 11 part-time positions by December 31, 2017; (2) That at least 50% of these positions be filled by residents of Montgomery County, to include the clinics established in Independence in June of 2015; (3) That Labette Health provide supporting payroll information to validate compliance with this agreement by January 31, 2018, January 31, 2019, and January 31, 2020; and (4) That in the event that Labette Health fails to meet either the total number of full and part-time positions created, or the 50% residency requirement, then Labette Health shall refund \$3,423.08 per full-time position and \$1,000 per part-time position to the County. The payment in the amount of \$100,000.00 will be debited from Montgomery County General Operating Fund.

City of Independence:

- Labette Health shall create at least 26 full-time positions, and 11 part-time positions, or an equivalent combination of full and part-time positions to satisfy total hours described in section 5 below, to work at the Facility, by no later than December 31, 2017.
- At least 50% of the respective full-time and part-time positions shall be filled by residents of Montgomery County, Kansas, which may include employees employed by Labette Health at its clinics established in Independence, Kansas beginning in June of 2015.
- For purposes of this Agreement:
 - "Full-time positions" shall mean individuals who are employed full time by Labette Health to work at the Facility a minimum of thirty (30) hours per week, inclusive of any paid holiday, vacation, and sick leave. The full-time personnel shall be employed for an average of not less than 48 weeks during each reporting period.
 - "Part-time positions" shall mean individuals who are employed part time by Labette Health to work at the Facility a minimum of twenty (20) hours per week, inclusive of any paid holiday, vacation, and sick leave. The part-time personnel shall be employed for an average of not less than 48 weeks during each reporting period.