

REGULAR MEETING  
September 18, 2023

The Independence City Council met for a Regular Meeting, September 18, 2023, at 6:01 p.m., in the Council Chambers, 111 E. Maple.

Steve Ballantyne, Assistant Pastor Mount Zion Restoration Branch provided the invocation followed by the Pledge of Allegiance.

Mayor Rory Rowland, Presiding Officer of the City Council, called the meeting to order. Upon roll call, the following members of the City Council were present: Jared Fears, John Perkins, Brice Stewart, Bridget McCandless, Mike Steinmeyer and Mayor Rory Rowland. Absent – None.

### **CITIZENS REQUEST TO SPEAK**

Councilmembers McCandless and Fears moved to suspend the Rules of Procedure to allow non-residents to speak.

Upon a voice vote, there were no “nays.” The Mayor declared the change approved.

David Sifuentes spoke to the Council regarding making a change to the current noise ordinance and special event permits.

Tony Sommer, member of the Sustainability Commission, spoke regarding beautification award historic bike tour.

Lucy Young spoke regarding her disappointment of the Council actions at the September 11, 2023 Study Session.

Kenneth Williams of Sydney, Australia greeted the Council spoke about his enjoyable stay in Independence and give Mayor Rowlands an official membership to an Order in Australia.

Mayor Rowland read his personal apology regarding statements he made regarding the Health Department and an analogy he used during a meeting.

### **PROCLAMATIONS**

Constitution Week – September 17, 2023.

Robert Grover, Sons of the American Revolution – Harry S. Truman Chapter, Patricia Stewart, Daughters of the American Revolution - Independence Chapter, Steven Sullins and Ron Paris - Sons of the American Revolution – Independence Patriots Chapter and Christine Anne Hughes, Daughters of the American Revolution – Ft. Osage Chapter accepted on behalf of their Chapter.

### **PRESENTATIONS**

2023 Susan P. Block Distinguished Public Service Award was presented by Kelly Freeland, past president, to Officer Travis Gilliland.

REGULAR MEETING  
September 18, 2023

**CONSENT AGENDA**

Councilmembers Hobart and McCandless moved to approve the CONSENT AGENDA.

Councilmember Perkins requested Item No. 8 be pulled for separate consideration.

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:**

1. Approval of minutes for the Regular Meetings on August 7, 2023 and August 21, 2023.
2. Council action is requested to allow The City of Independence in partnership with the Independence Sustainability Commission to award individuals and businesses in our community that are taking sustainable measures that create a safe and beautiful community we can take pride in.
3. Council action is requested to issue a purchase order to Shawnee Mission Ford for \$51,026.00, for a 2024 Transit T-250 van, for the Water Division of the Municipal Services Department.
4. Council action is requested to issue a purchase order to Open Systems International, Inc. (OSI) and Dell Technologies for \$218,400.00 (OSI) and \$116,389.60 (Dell), for a Supervisory Control and Data Acquisition/Energy Management System (SCADA/EMS) control systems upgrade and servers for the Power & Light Department. The total fiscal impact is \$334,789.60.
5. Council action is requested to issue purchase orders up to \$129,600.00 with Gulf States Distributors for ammunition for the Police Department.
6. Council action is requested to authorize the City Manager to issue a purchase order to the Mid-America Regional Council (MARC) in the amount of \$175,000 as part of a commitment to the Little Blue River Watershed Feasibility Study - Phase 2 Project (No. 132301).
7. Council action is requested to authorize the City Manager to issue a purchase order to Advanced Rehabilitation Technology for an amount not to exceed \$146,536, authorizing future minor changes not to exceed \$7,326.80 for the installation of manhole lining as part of the Trenchless Technology Project (No. 9757).
9. Council action is requested to expend \$2,500,000 with Symmetry for natural gas and supply management services for the Power & Light Department for fiscal year 2024.
10. Council action is requested to expend \$1,060,000 with Tenaska for Energy Services and Energy Data Management services for the Power & Light Department for fiscal year 2024.

**Resolutions**

Bill No. 23-778, entitled, [Res. #6958]

“A RESOLUTION APPROVING A PRELIMINARY PLAT OF TYBROOK ESTATES IN INDEPENDENCE, MISSOURI.”

Bill No. 23-779, entitled, [Res. #6959]

“A RESOLUTION APPOINTING MARA BRADFORD AS A MEMBER OF THE HUMAN RELATIONS COMMISSION OF THE CITY OF INDEPENDENCE, MO.”

REGULAR MEETING  
September 18, 2023

Upon roll call, the vote to approve the AMENDED CONSENT AGENDA was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the motion carried, and the AMENDED CONSENT AGENDA was approved.

**CONSENT AGENDA - SEPARATE CONSIDERATIONS:**

8. Council action is requested to authorize the City Manager to approve a design contract with, and issue a purchase order to, Kimley-Horn and Associates, Inc. for an amount not to exceed \$299,865, authorizing future minor change orders for an amount not exceed \$29,865.50 as part of the Winner Road Complete Streets Project (No. 112403).

Councilmember Perkins made a Motion approval of Item No. 8, Councilmember Hobart seconded. Councilmember Perkins asked the City Manager, Zack Walker, for some explanation on this item and how it ties in with the Truman Connected program. Mr. Walker responded by thanking the staff for the submission of the grant application. Mr. Walker went on to explain that as a result of this grant there will be improvements along Winner Road beginning at 24 Highway and stretching past Van Horn High School to approximately Hedges, which is the outskirts of the Englewood Arts District. Mr. Walker explained the various improvements.

Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the item approved.

**PUBLIC HEARINGS:**

Mayor Rowland opened a public hearing for the application by Michael Freed requesting a rezoning from R-6, Single-family residential, to R-12, Two-family residential, for the property located at 704 N. Pearl Street. New Information Only.

Rick Arroyo, Assistant Community Development Director, stated the Planning Commission voted in favor of this rezoning on August 8 of this year.

With no further discussion.

Bill No. 23-083, entitled [Ord. #19483]

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) TO DISTRICT R-12 (TWO-FAMILY RESIDENTIAL) FOR THE PROPERTY AT 704 N. PEARL STREET IN INDEPENDENCE, MISSOURI.” (2<sup>nd</sup> and final hearing)

Mr. Perkins shared the property drove up and spoke with the Planning Commission to show his interest in this rezoning. He also shared the property maintenance person who will be looking over this property lives in Independence.

Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the item approved.

REGULAR MEETING  
September 18, 2023

**ORDINANCES  
SECOND READING(S)**

Bill 23-081, entitled, [Ord. #19484].

“AN ORDINANCE LEVYING A TAX ON ALL REAL PROPERTY SUBJECT TO TAXATION ON JANUARY 1, 2023, WITHIN THE CORPORATE LIMITS OF THE CITY OF INDEPENDENCE, MISSOURI, FOR GENERAL REVENUE AND PUBLIC HEALTH AND RECREATION PURPOSES, AND FOR THE INDEPENDENCE SQUARE SPECIAL BENEFIT DISTRICT; SAID LEVIES AND ASSESSMENTS BEING SEPARATE AND DISTINCT, ALL FOR THE FISCAL YEAR COMMENCING ON THE 1ST DAY OF JULY, 2023, AND ENDING ON THE 30TH DAY OF JUNE, 2024.”

Councilmember McCandless inquired of the City Manager the requirements the City has to meet in order to set its Levy. Mr. Walker shared the levy has to be adopted and submitted to the County by October 1. Mr. Walker stated they were provided with revised figures by the County, which were submitted to Council. He went on to explain the reasoning for rolling back the levy to account for the increase valuation in the community. Mr. Walker stated that the Council is asked to set that levy at an amount less than has been previously in accordance with state law. Councilmember Fears asked if there needed to be an amendment on the original ordinance because of the revised numbers. Councilmember Fears made a Motion for the amendment and Councilmember Hobart seconded. Mr. Walker gave an update on what the amendment looks like. Between September 5, 2023 when was the first reading and September 18, 2023, the County has continued to process appeals so the amount of the assessed valuation has changed. There has been a slight decrease in the amount so the levy and ordinance being adopted needs a slight increase to meet the Hancock Amendment threshold.

Mayor Rowland asked for a vote on the Amendment to Bill 23-081.

Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared Amendment to Bill 23-081 approved.

Mayor Rowland asked for further discussion on the main bill. There was no further discussion.

was given its second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the bill approved.

Bill 23-082 entitled, [Ord. #19485].

“AN ORDINANCE AMENDING CHAPTER 20 "PUBLIC WORKS MANUAL" OF THE INDEPENDENCE CITY CODE AND ALL REFERENCES TO THIS CHAPTER.”

Councilmember Stewart requested the City Manager to give an overview of what this bill would accomplish. Mr. Walker stated this bill would help with the City’s ability to work with the Development community. He stated this move from the Independence City Code the Public Works Manual Chapter into a separate stand-alone document to make it easier to find and also conforms with the modern-day standards with peers in the Kansas City American Public Works Association. Councilmember Hobart made known his appreciation with the City staff. There being no more discussion.

REGULAR MEETING  
September 18, 2023

was given its second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the bill approved.

Bill 23-084 entitled, [Ord. #19486].

“AN ORDINANCE TERMINATING REDEVELOPMENT PROJECT I OF THE NORTH INDEPENDENCE TAX INCREMENT FINANCING PLAN; DISSOLVING THE SPECIAL ALLOCATION FUND ACCOUNT FOR REDEVELOPMENT PROJECT I OF THE NORTH INDEPENDENCE REDEVELOPMENT AREA; AND AUTHORIZING AND DIRECTING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THESE AFOREMENTIONED ACTION.”

Councilmember McCandless requested the City Manager to give a summary of the progress made retiring TIF's for the City. Mr. Walker stated that the City had in excess of 25 active TIF projects not very long ago. He stated that after this TIF, and one more to be retired before the end of the year, will bring the count to 11 active TIF's. Councilmember Hobart shared that he remembered about 2 or 3 years ago there were 25 or 26 active TIF's. Mr. Walker agreed with Councilmember Hobart. Mr. Walker corrected himself and stated that instead of 11, there will actually be 10 active TIF's once the two previously mentioned TIF's are retired. Councilmember Hobart expressed his appreciation to the City staff. Mayor Rowland concurred with Councilmember Hobart. There being no more discussion.

was given its second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the bill approved.

Bill No. 23-085, entitled, [Ord. #19488]

“AN ORDINANCE AMENDING SECTION 12.01.003 (A) "ASSAULT" OF THE INDEPENDENCE CITY CODE.”

Councilmember McCandless inquired that this was not eliminating assault in the City Code, it is bringing the City in compliance with State statute. City Counselor, Jeremy Cover, agreed with Councilmember McCandless. There being no more discussion.

was given its second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the bill as approved.

Bill No. 23-086, entitled, [Ord. #19487]

“AN ORDINANCE AUTHORIZING THE CITY CLERK TO DO ALL THINGS NECESSARY FOR THE HOLDING OF A PRIMARY AND GENERAL CITY ELECTION WITHIN THE CITY OF INDEPENDENCE, MISSOURI, IN COMPLIANCE WITH THE CHARTER ADOPTED BY SAID CITY, AS AMENDED, AND ALL STATE LAWS IN REFERENCE THERETO, AND TO CERTIFY TO THE JACKSON COUNTY BOARD OF ELECTION COMMISSIONERS ALL NAMES OF CANDIDATES PROPERLY PRESENTED BY PETITIONS UNDER THE CHARTER AND FOR THE HOLDING OF A PRIMARY ELECTION ON FEBRUARY 6, 2024, AND A GENERAL ELECTION ON APRIL 2, 2024.”

REGULAR MEETING  
September 18, 2023

Mayor Rowland asked City Counselor if the packets were to be ready tomorrow and asked when the closing date for packets to be sealed. Mr. Cover agreed that it is open tomorrow and then it was stated that October 31 was the closing date. Councilmember Fears stated that the packets could be picked up tomorrow, first day of filing is October 10 and last day of filing October 31. There being no more discussion.

was given its second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, McCandless, Hobart and Mayor Rowland. Noes – Stewart and Steinmeyer. Absent – None. The Mayor declared the bill approved.

**FIRST READINGS:**

“23-087 1R An ordinance approving a completion timing agreement with respect to the Cargo Largo project.”

was given its first reading by title.

“23-088 1R. An ordinance approving a rezoning from District O-1 (Office-Residential) to District C-1 (Neighborhood Commercial) for the property located at 625 W. 23rd Street in Independence, Missouri.”

was given its first reading by title.

“23-089 1R. An ordinance approving a rezoning from District C-2 (General Commercial) to District C-2/PUD (General Commercial/Planned Unit Development) and approving a Preliminary Development Plan for the properties at 15621 E. US 24 Highway, in Independence, Missouri.”

was given its first reading by title.

**INFORMATION ONLY**

1. Purchase orders 24000395 and 24000396 for \$136,825.74 and \$70,456.88 were issued to Cogent Inc and Cullum and Brown of Kansas City Inc. for an Emergency Repair of High Service Pump # 5 Pump and an Emergency Repair of High Service Pump # 5 Motor for the Courtney Bend Water Plant for the Water Division of the Municipal Services Department.
2. Municipal Division Monthly Case Report August 2023.

**COUNCILMEMBER COMMENTS**

Councilmember Stewart thanked Mayor Rowland for his apology and wanted to speak about the meeting last week that the speaker earlier brought up and went on to discuss his and asked that if anyone took offense with him then he apologizes and hopes everyone can do better and move forward. He then spoke about giving back to the community with passes to Adventure Oasis and was told it would be a resolution and at a study session in the future.

Councilmember Perkins had no comments tonight.

Councilmember Fears shared that he attended Independent Square Association quarterly meeting and the person in charge of the world cup event for 2026 for the KC area made a very informative

REGULAR MEETING  
September 18, 2023

presentation regarding the amount of money to be brought into the area. He shared that he talked to her about what the City needed to do in order to prepare. He shared that they talked about a Ad Hoc group to be formed and start brainstorming on what could be done to get more of those dollars in out City and recommended they work on doing that. City Manager stated they would investigate.

Councilmember Steinmeyer shared that he watched the Chief of Police on national television talking about policing in our country. He also stated that the Chief made the Independence look good.

Councilmember McCandless shared she was not able to attend last week's meeting. She stated she appreciated the Mayor's apology and want to acknowledge the fantastic women in the community. She also shared that on Saturday, September 23 an emergency preparedness fair at the Sermon Center and thanked the staff putting it on.

Councilmember Hobart shared he had received complaints about statements made and the analogy used. He went on to share that as a counsel, they need to move past analogies and need to move past inconsistent rules and inconsistency in the meetings. He continued to share his thoughts and opinions on the prior meeting.

Mayor Rowland shared with Councilmember Hobart that he would like to work with him further to move the City in a positive way. He shared that on Mayor trash pickup at the park, it was very clean already and shared with the City Manager what a good job his staff was doing.

**CITY MANAGER COMMENTS**

City Manager shared an update regarding the fiscal year and expenditures and was able to add to the fund balance. He also gave a high compliment to front line staff, shift supervisors, managers, etc. for their strong sense of financial management and fiscal responsibility.

Mayor Rowland stated that was an incredible accomplishment and well done to the entire staff.

At 7:17 p.m. the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., September 18, 2023, in the Council Chambers.

---

Presiding Officer of the City Council of the City  
of Independence, Missouri

ATTEST:

---

Interim City Clerk