

SPECIAL CALLED MEETING
September 28, 2020

The Independence City Council met for a Special Called Meeting, September 28, 2020, at 6:00 p.m., in the Council Chambers, 111 E. Maple.

Mayor, Eileen Weir, Presiding Officer of the City Council, called the meeting to order. Upon roll call, the following members of the City Council were present: Mike Huff, John Perkins, Brice Stewart, Karen DeLuccie, Mike Steinmeyer and Mayor Eileen Weir. Councilmember Daniel Hobart appeared virtually. The following members of the City Council were absent: None.

CITIZENS REQUESTS:

Dustin Henrich spoke to Council regarding the tax levy.

FIRST READINGS:

Mayor Weir stated she had advised Council at the last meeting that she had reached out to County for more information regarding this tax levy and had not received acknowledgement of the request, nor a response. Mayor Weir stated that now, a week later, she has reached out again and still has not received a response from the County. The Mayor stated that the County has not met the state statute, although we are required to meet the state statute. The Mayor stated that there are very severe penalties if we do not meet the statute, most severe being that the State would set our levy. Mayor Weir stated that this could have a serious financial impact on the City of Independence. Mayor Weir stated that she does not like being put under this kind of pressure and bullied into making a decision, however, we need to follow the state statute.

In response to Councilmember DeLuccie, City Manager, Zach Walker, stated that Independence is a Home Rule Charter City, which means the State of Missouri has given us the authority to set a City Charter by which to govern as long as the Charter does not conflict with any provisions of the State Constitution or the state statute. This also allows the city to set the annual levy rate on or before October 1st each year. Per the Charter it states in Section 8.6 that the city shall adopt an ordinance each year setting the levy rate for the city. Mr. Walker provided additional information regarding real tax and property tax. Mr. Walker stated that under the Hancock amendment we cannot exceed a certain tax threshold each year. Mr. Walker stated that in odd numbered years, the county assessor does the market value assessment of citizen property. If you disagree with the market assessment you would still pay your taxes, but you would file your taxes under protest and there is an appeal process that can go all the way up to the State Tax Commission. If the citizen appeal is upheld, the State will then come to cities and “claw back”, or take back, the difference that was paid in protest to the correct amount due for the tax.

Mr. Walker stated that since the 2019 odd number year assessment and the appeals from that period, the city has had \$866,000 clawed back from us by the State. Mr. Walker stated that there is a recoupment process that allows us to adjust our levy rate to make up for the lost difference, as long as we do not exceed tax threshold. Mr. Walker stated that currently there are still approximately 1500 appeals outstanding in Jackson County and they are only currently hearing about 100 cases per week.

Mr. Walker explained this is an emergency tonight because this has to be done by no later than October 1st per the City Charter. Mr. Walker stated that we did give proper notice in the newspaper of the public hearing that took place on September 21, 2020. Mr. Walker stated that the Independence Square Benefit District has been established which has its own special property tax assessment in addition to the property taxes that everyone else pays, to help with maintenance, beautification and upkeep. This is not applied city-wide, but only applied to the properties within that benefit district.

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In response to Councilmember Steinmeyer, Mr. Walker stated that the County should have provided the city with their assessment report by the end of August so that it could be used for the city to compute their own information for the purpose of setting this tax levy. The County has not provided the information or responded to requests for the information at this time. Councilmember Steinmeyer stated that he would vote in favor of this levy, however, he hopes the State Attorney General is paying attention.

Bill No. 20-509, entitled, [Ord. #19160]

“AN ORDINANCE LEVYING A TAX ON ALL REAL PROPERTY SUBJECT TO TAXATION ON JANUARY 1, 2020, 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 BUSINESS BENEFIT DISTRICT; SAID LEVIES AND ASSESSMENTS BEING SEPARATE AND DISTINCT, ALL FOR THE FISCAL YEAR COMMENCING ON THE 1ST DAY OF JULY, 2020, AND ENDING ON THE 30TH DAY OF JUNE, 2021, AND DECLARING AN EMERGENCY.”

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

INFORMATION ONLY:

1. COVID-19 Meeting Procedures: The September 14 City Council Meeting will be shared with the public via YouTube and City7. In accordance with social distancing guidelines, very limited public seating will be available on a first-come, first-served basis. The current social distancing maximum capacity is 31 individuals in the audience. Individuals who sign-up to speak can do so in person or online via the live meeting platform. If capacity is exceeded, speakers may be asked to wait in the lobby area and will be called in at the appropriate time. All attendees must participate in a health check and be wearing a cloth face covering upon entering the building. Please plan accordingly to allow time for this prior to the 6 p.m. meeting start time. Those individuals with a fever or showing symptoms of COVID-19 will be asked to watch the meeting on one of the virtual formats. Attendees will be required to socially distance in seats as indicated by the markings on the bench, although minors may sit with a custodial adult. Social distancing maximum capacity is currently 31 individuals in the audience.

COUNCILMEMBER COMMENTS:

Mayor Weir stated that there is a drive through event on September 29, 2020 that is a collaboration between the United Way of Greater Kansas City, the Kansas City Chiefs and the Kansas City Royals. This event is for voter registration and a community food drive through Harvesters. This event will allow both Kansas and Missouri residents the opportunity to register to vote in the upcoming election.

At 6:13 p.m., there being no further business, the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., October 5, 2020, in the Council Chambers.

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

ATTEST:

City Clerk