

## REGULAR MEETING March 1, 2021

The Independence City Council met for a Regular Meeting, March 1, 2021, at 6:00 p.m., virtually held via Microsoft Teams.

Tim Allison, Chaplain and Bereavement Coordinator with Visiting Nurse Association, provided the invocation followed by the Pledge of Allegiance.

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, Daniel Hobart and Mayor Eileen Weir. The following members of the City Council were absent: None.

### CITIZENS REQUEST TO SPEAK:

Joyce Constance-White spoke to Council regarding a proposed liquor license. (Public Hearing #1).

Dick Bryant spoke to Council regarding liquor license applications and Non-Ordinance Action Item No. 5.

### PROCLAMATIONS:

City Clerk, Becky Behrens, read a proclamation for COVID-19 Memorial Day.

Mayor Weir stated it is a very somber moment remembering those affected by COVID-19. The Mayor stated that while we are very enthusiastic about the situation improving, it's important to take a moment to remember that we are still in the middle of a serious public health threat. Mayor Weir stated she appreciates the opportunity to join with many communities across our nation in memorializing the first Monday in March as COVID-19 Memorial Day.

### REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

Councilmembers Huff and Steinmeyer moved to approve the CONSENT AGENDA.

1. Approval of minutes for the Regular Meetings on February 1, 2021 and February 16, 2021.
2. Consideration of a Telecommunications Tower License Agreement at Lake City Army Ammunition Plant.

Bill No. 21-718, entitled, [Res. 6647]  
“A RESOLUTION ADOPTING THE 2021 STRATEGIC PLAN FOR THE CITY OF INDEPENDENCE.”

Bill No. 21-719, entitled, [Res. #6648]  
“A RESOLUTION APPOINTING DANIJELA NENADIC-BOOK AS A MEMBER OF THE JAPANESE SISTER CITY COMMITTEE.”

Bill No. 21-720, entitled, [Res. #6649]  
“A RESOLUTION APPOINTING JACOB JOHN TO THE TAX INCREMENT FINANCING COMMISSION FOR THE CITY OF INDEPENDENCE, MISSOURI.” – *Council Interview Committee Recommendation*

Bill No. 21-721, entitled, [Res. #6650]  
“A RESOLUTION REAPPOINTING MARTIN KUNY AND APPOINTING QUENTIN TEMPLETON TO THE INDEPENDENCE ECONOMIC DEVELOPMENT AND INCENTIVE COMMISSION.” – *Council Interview Committee Recommendation*

Bill No. 21-722, entitled, [Res. #6651]  
“A RESOLUTION REAPPOINTING MICHELE CRUMBAUGH, QUENTIN TEMPLETON, MERIDETH PARRISH AND

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ANGIE JUDY AS A MEMBERS OF THE BRAND INDEPENDENCE COMMITTEE.” – *Individual Appointments: Mayor Eileen Weir & Brice Stewart*

Bill No. 21-723, entitled, [Res. #6652]

“A RESOLUTION AFFIRMING THE APPOINTMENT OF PATRICK CASEY TO THE PUBLIC SAFETY TAX OVERSIGHT COMMITTEE FOR THE CITY OF INDEPENDENCE, MISSOURI.” – *Individual Appointment Councilmember Brice Stewart*

Bill No. 21-724, entitled, [Res. #6653]

“A RESOLUTION APPOINTING JERRY ADKINS TO THE STREET IMPROVEMENT OVERSIGHT COMMITTEE.” – *Individual Appointment Brice Stewart*

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

### PUBLIC HEARINGS:

Mayor Weir opened a full public hearing for the application received from Manmeet Enterprises LLC, doing business as, Truman Mart 1; for an Unlimited Retailer of Intoxicating Liquor and Sunday Sales located at 11805 E. 23rd Street S. Community Development Director, Tom Scannell, provided background information on this item. Dick Bryan spoke in support of this item. There being no additional speakers, Mayor Weir declared the public hearing closed. *Full Public Hearing.*

Council action is requested regarding the application received from Manmeet Enterprises LLC, doing business as, Truman Mart 1; for an Unlimited Retailer of Intoxicating Liquor and Sunday Sales located at 11805 E. 23rd Street S. ***This application requires vote for approval due to residential property being located within three hundred (300) feet of the establishment.***

In response to Councilmember Huff, Mr. Scannell stated that this liquor license was approved in 2018 and renewed in 2019. Mr. Scannell stated that the liquor license was not renewed in 2020. Mr. Scannell stated that if the liquor license is not renewed by June 30<sup>th</sup> then the license is considered null and void, meaning a new application has to be considered. Mr. Scannell stated that this is the new application for the liquor license as well as request to transfer ownership to the wife from the husband. Mr. Scannell stated that the construction of the building was slowed down due to some impact of COVID, but the application was needed because of the failure to renew the license by the required date.

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 item approved.

### NON-ORDINANCE ACTION ITEMS:

Councilmember Hobart stated that he requested this item so that citizens, Councilmembers and city staff have plenty of working day time to consider items that will be voted on.

Mayor Weir stated that she agrees with Councilmember Hobart. The Mayor stated that we tend to have very robust agendas and that does not always allow people the adequate time to learn and study what is on them. Mayor Weir stated that she sent a notice to the Council asking that items be submitted for the Council agenda by Thursdays at noon. The Mayor stated that the City Manager has a staff meeting in the morning on Thursdays. Mayor Weir asked if Councilmember Hobart would consider amending his resolution to a Thursday deadline instead of Wednesday.

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Councilmember Hobart stated that he thought a lot about the deadline and his general thought was that if you don't get your item in by the deadline, then your item just needs to wait. Councilmember Hobart stated that if there is support amongst the Council then he would consider amending the resolution to no later than noon on Thursday, because he would like for people to have at least a few days to look at the item and gather any information they may need before the meeting on Monday.

Councilmember Steinmeyer asked for consideration to postpone this item to get more input. Councilmember Steinmeyer stated that he does not have an issue with the Thursday deadline, but stated that the last couple resolutions he's brought forward with multiple Councilmembers co-sponsoring the items it has put a lot of pressure on city staff that gets backed up. Councilmember Steinmeyer stated that he would like more input from our City Manager, Zach Walker, when he returns about this issue. Councilmember Steinmeyer stated that all of Council works different jobs, and sometimes it takes a lot of time on their part to make sure the research is done well, the wording is correct and to get input from city staff and other Councilmembers.

Councilmember Hobart stated that he spoke with Mr. Walker during the preparation of this resolution. Councilmember Hobart stated his original deadline requested was Monday, which Mr. Walker was opposed to. Councilmember Hobart stated that Mr. Walker was in support of his Wednesday suggested deadline.

Councilmember Steinmeyer stated that it puts a lot of pressure on staff, who serves all seven members of the Council, and he wants to make sure they have time to get all items completed on the agenda. Councilmember Steinmeyer stated he would still like to hear Mr. Walker's input.

Councilmember Hobart stated that this resolution gives everyone more notice, including staff. Councilmember Hobart stated that if the item cannot be completed by the deadline set, then the item should just be moved to the next Council agenda and believes this will serve the public and Council much better.

Councilmember Steinmeyer stated that he agrees in part but doesn't want undue pressure put on Council or city staff.

Councilmember DeLuccie stated that since the City Manager meets with Department Directors every Thursday at 9:00 a.m. then that should be our deadline. Councilmember DeLuccie stated that beyond advising the citizens, our city staff needs to look at the agenda and see how it affects everything else.

Councilmembers DeLuccie and Hobart moved to amend Bill No. 21-725 to change the deadline from Wednesdays at noon to Thursdays at 9:00 a.m. Upon roll call, the vote was: Ayes – Councilmembers: Perkins, Stewart, DeLuccie, Hobart and Mayor Weir. Noes – Councilmembers: Huff and Steinmeyer. Absent –None. The Mayor declared the motion approved.

Mayor Weir stated while deadlines are important, in this business we need to expect the unexpected and there may be occasions when the deadline cannot be strictly met, so we will need to work with our City Manager and City Clerk if there are unusual circumstances that require some flexibility.

Bill No. 21-725, entitled, [Res. #6654]  
“A RESOLUTION AMENDING SECTION 6 “ORDINANCES, RESOLUTIONS, AND MOTIONS” OF THE COUNCIL RULES OF PROCEDURE.” – *Requested by Councilmember Dan Hobart*  
Upon roll call, the vote was: Ayes – Councilmembers: Perkins, DeLuccie, Hobart and Mayor Weir. Noes – Councilmembers: Huff, Stewart and Steinmeyer. Absent –None. The Mayor declared the bill approved.

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2. Council action is requested regarding the change of ownership application received from Jam & Neel Express LLC; to transfer an Unlimited Intoxicating Liquor in the Original Package with Sunday Sales License located at 17601 E 32nd Street South. 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 item approved.

In response to Mayor Weir, Tom Lesnak, with the Chamber of Commerce, stated in regards to payment they are asked to wait until the start of the next fiscal year, July 1<sup>st</sup>. That payment is made prior to the festival, being invoiced in July. Mr. Lesnak stated if the Chamber cannot fulfill the contract then they would not request the payment. Mr. Lesnak stated that before the invoice is generated in July, they will have a good idea about whether they will be able to hold the festival, but for now they are planning to hold the festival and including safety protocols.

3. Council action is requested to approve a contract with the Independence Chamber of Commerce for the license of the Independence Square public area for the Santa-Cali-Gon Festival from Sept 3, 2021 through September 6, 2021. 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 item approved.
4. Council action is requested to amend the liquor license fees contained in the Schedule of Fees. 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 item approved.
5. Council action is requested regarding the change of ownership application received from Prime 3, LLC.; to transfer an Unlimited Intoxicating Liquor in the Original Package with Sunday Sales License located at 3459 S. Sterling Ave. 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 item approved.

Councilmember DeLuccie stated that this seems to be a management document and she does not believe the PUAB can manage IPL according to the Charter. Councilmember DeLuccie stated that she is not in favor of this item.

Mayor Weir stated that she is uncertain about what action is being requested with this item. The Mayor stated that she has some concerns about some items that are in the document. The Mayor stated she has questions about measuring status on some of the items already underway and she also has concerns that some of the items cross the line into operation which the PUAB is not responsible for, such as contract negotiations. Mayor Weir stated that the memo received in October 2020, stated that the PUAB would develop a list of priorities and present them to the Council and then Council would give feedback and develop their priorities to be joined together into a final document for both the PUAB and Council to accept. Mayor Weir stated that if this is the final draft of what the Council is going to agree to pursue per the recommendations of the PUAB, then she will not support this item.

In response to Mayor Weir, Mr. Norris stated that the PUAB spent several months working on this list which represents the PUAB list of priorities, not the staff list of priorities. Mr. Norris stated that the PUAB recommended that this list be moved forward to the Council for adoption. Mr. Norris stated that if Council chooses not to adopt this list, then feedback from the Council would be requested so that the PUAB can continue to work on refining some of these items and developing something that is acceptable for everyone involved.

Jim Nail, Director of IPL, stated his understanding is the same as what Mr. Norris stated regarding the intentions of this list provided by the PUAB.

Mayor Weir stated that she has given some individual feedback to Mr. Norris and Mr. Walker as this document has been in development and that feedback is not reflected in what they are seeing this

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evening. The Mayor stated that there are some good recommendations in this document, but she feels that we need to give the Council the opportunity to respond to these items. The Mayor stated that she would also like to see this formatted in a way where we know how these things will be measured.

Councilmembers Huff and Steinmeyer moved to postpone this item until after the next PUAB meeting for some more clarification.

Councilmember Hobart stated that he appreciates the time and effort put into the document. Councilmember Hobart stated that the document still needs some work and suggests that they with city staff and the IPL Counsel, Sarah Carnes, to focus down some of these items. He stated that he does not believe more items need to be added, but for it to be more concise and understandable. Councilmember Hobart stated that it's a good idea to give Council the ability to go over this at a Study Session meeting.

Councilmember Steinmeyer stated that the PUAB has done a good job scaling this list down from where they started but does believe it would be a good idea to review this information at a Study Session as well.

Upon roll call to postpone this item to the March 22, 2021 Study Session Meeting, the vote was: Ayes – Councilmembers: Huff, Perkins, Stewart, DeLuccie, Steinmeyer, Hobart and Mayor Weir. Noes – None. Absent –None. The Mayor declared the motion approved.

6. Council action is requested regarding PUAB Recommendations of IPL Priorities. *[Postponed to 3/22 Study Session Agenda]*

## ORDINANCES:

Bill No. 21-007, entitled, [Ord. #19196]

“AN ORDINANCE FINDING, DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING TEMPORARY CONSTRUCTION AND GRADING EASEMENTS AND GENERAL UTILITY EASEMENTS FOR THE BRISTOL DRAINAGE IMPROVEMENTS PROJECT (PROJECT NO. 70131902); AUTHORIZING THE NEGOTIATION AND EMINENT DOMAIN PROCEEDINGS IF NECESSARY; APPROVING THE PLANS AND SPECIFICATIONS FOR THE PROJECT; AUTHORIZING THE USE OF EXPERTS AS NEEDED; AUTHORIZING AND DIRECTING THE EXECUTION OF DOCUMENTS AND THE PAYMENT OF FUNDS TO PROPERTY OWNERS OR OTHERS HOLDING PROPERTY RIGHTS, IN CONJUNCTION WITH THE PROJECT.”

was given its 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.

Bill No. 21-008, entitled, [Ord. #19197]

“AN ORDINANCE REPEALING CHAPTER 2 “ALCOHOLIC BEVERAGES” AND ADDING A NEW CHAPTER 2 “ALCOHOLIC BEVERAGES” OF THE CITY CODE.”

was given its 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.

## FIRST READINGS:

Bill No. 21-009, entitled

“AN ORDINANCE AUTHORIZING A CONTRACT WITH COMMUNITY CAPITAL FUND FOR THE ADMINISTRATION OF A SMALL BUSINESS ASSISTANCE PROGRAM FOR SMALL BUSINESSES RECOVERY UTILIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG-CV) FUNDS IN AN AMOUNT NOT TO EXCEED \$125,000.00.”

was given its first reading by title.

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Bill No. 21-502, entitled, [Ord. #19198]  
“AN ORDINANCE ADOPTING AN AMENDMENT TO THE FISCAL YEAR 2020-2021 BUDGET, WHICH WAS APPROVED BY ORDINANCE NO. 19131.” *Appropriation ordinances may receive two readings and be voted on at the same meeting.*

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, Steinmeyer, and Mayor Weir. Noes – Councilmembers: DeLuccie and Hobart. Absent –None. The Mayor declared the bill approved.

INFORMATION ONLY:

1. COVID-19 Semi-Monthly Update.
2. The City Clerk's Office is in receipt of the 23<sup>rd</sup> and Sterling Community Improvement District Proposed Budget for fiscal year ending June 30, 2022.

COUNCILMEMBER COMMENTS:

Councilmember Hobart stated that if citizens are having trouble getting vaccinations locally in Jackson County due to high demand, they may want to consider Bothwell Hospital in Sedalia, MO. He stated that they are giving vaccinations at the fairgrounds and he knows individuals that have been able to get an appointment for their vaccination inside of a week.

Mayor Weir stated that Black History Month just concluded and this year the city took a different approach by collecting a number of videos, interviews and essays reflecting black history in Independence. The Mayor stated she thinks it was very well received. The Mayor thanked our Public Information Officer, Meg Lewis, and her staff for assisting with the new approach.

Mayor Weir stated that March is Women’s History Month and stated that the city will be doing something similar and she looks forward to what we will get to see.

At 6:54 p.m., there being no further business, the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., March 15, 2021, in the Council Chambers.

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

ATTEST:

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City Clerk