

REGULAR MEETING
July 6, 2021

The Independence City Council met for a Regular Meeting, July 6, 2021, at 6:00 p.m., virtually held via Microsoft Teams and in person, in the Council Chambers, 111 E. Maple.

Lupe Moe, member, Church of Jesus Christ of Latter-Day Saints, 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:

Councilmembers DeLuccie and Huff moved to suspend the Council Rules of Procedure to allow a non-resident to speak.

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 motion approved.

Holmes Osborne spoke to Council regarding police.

Bruce Gordon spoke to Council regarding Thomas Jefferson Parkway and Park.

PRESENTATION RESOLUTION:

Councilmembers DeLuccie and Perkins moved to approve Bill No. 21-775.

Bill No. 21-775, entitled, [Res. #6700]

“A RESOLUTION RECOGNIZING MELISSA BALINO, BENEFITS ADMINISTRATOR, WITH THE HUMAN RESOURCES DEPARTMENT, AS THE EMPLOYEE OF THE MONTH FOR JULY 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 bill approved.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

Councilmember Steinmeyer requested that Item No. 2 be pulled for separate consideration.

Councilmember Huff requested that Item No. 6 be pulled for separate consideration.

Councilmembers Huff and Steinmeyer moved to approve the AMENDED CONSENT AGENDA minus Item No. 2 and Item No. 6 to be considered separately.

1. Approval of minutes for the Regular Meetings on June 7, 2021 and June 21, 2021.
3. Council action is requested to issue a purchase order to Azteca Systems LLC, in the amount of \$147,500 for Cityworks Licensing.
4. Council action is requested to issue a purchase order to ESRI, in the amount of \$60,100 for ESRI Licensing and to enter into a four-year agreement.
5. Council action is requested to issue a purchase order to Clarke Equipment, in the amount of \$57,795.46 for the purchase of a compact loader for the Municipal Services Department.

REGULAR MEETING

July 6, 2021

Bill No. 21-776, entitled, [Res. #6701]

“A RESOLUTION EXTENDING THE CONTRACT BETWEEN THE CITY OF INDEPENDENCE, MISSOURI, AND INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS-MAINTENANCE AND CLERICAL BARGAINING UNIT FROM JUNE 30, 2021 THROUGH SEPTEMBER 30, 2021.”

Bill No. 21-777, entitled, [Res. #6702]

“A RESOLUTION APPOINTING BRANDON SCHNUR TO THE BOARD OF DIRECTORS OF THE ENGLEWOOD COMMUNITY IMPROVEMENT DISTRICT.” – *Individual Appointment-Mayor Eileen Weir*

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

In response to Councilmember Steinmeyer, City Manager, Zach Walker stated that in the adopted budget there is an item recommended to be funded is a Fire Deployment Study, which may be the more appropriate place to research specifically where population trends are happening, and other issues mentioned by Councilmember Steinmeyer. Councilmember Steinmeyer requested to have additional input on the safety needs within the Housing Study. Councilmember Perkins stated that the Housing Study is coming up on an On a Roll Committee agenda and we can also talk about concerns we may have at committee level.

Councilmembers Steinmeyer and DeLuccie moved to approve Item No. 2.

2. Council action is requested to issue a purchase order to Development Strategies, in the amount of \$55,500.00 for a Housing Study for the Community Development Department.

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 Councilmember Huff, Mr. Walker stated that the Site Study has largely been completed and has identified the Blue Valley Power Plant as the appropriate site for replacement of the turbines. Mr. Walker stated that we are on track to have the RFP for replacement generation out by September this year. Councilmember Huff stated that he would like to see this postponed until the PUAB are able to provide recommendations on new generation equipment before spending this amount of money.

Councilmembers Huff and DeLuccie moved to approve Item No. 6.

In response to Mayor Weir, Power and Light Director, Jim Nail, stated that the \$1.9 Million is worst case estimate from General Electric (GE) with a lot of contingencies built into the estimate. Mr. Nail provided the dangers of delaying, including capacity agreement requirements and cost if we lose the capacity of that unit before new generation equipment takes its place. In response to Councilmember Huff, Mr. Nail stated that a prior inspection costing \$1.5 Million was for a turbine inspection, this is for a generator so the cost may be less than the \$1.9 Million if the fault can be repaired in place. Mr. Nail stated that if the unit is not repaired until new generation equipment is purchased to replace it, staff would shop to find energy available to meet capacity requirements. Mr. Nail stated that the information he is providing is based on the agreement with Oneda. Mr. Nail stated that according to GE, we can operate Combustion Turbine H6 without great risk although there is a couple of damaged blades. Councilmember Huff stated that it is his understanding that ten out of twenty-nine blades are damaged on H6. Councilmember Huff stated he does not want to keep putting money into machines that will not last and that he is against spending this money until we get more information. In response to Mayor Weir, Mr. Nail stated that for a short term forced outage, we are not required to supply that capacity, but if we make the decision not to repair it, then it is no longer a short term forced outage. In response to Councilmember Huff, Mr. Nail stated that he will not tell SPP something that is not true.

REGULAR MEETING
July 6, 2021

Mayor Weir and Councilmember Steinmeyer moved to postpone Item No. 6 until the July 19, 2021 Regular Meeting.

Mayor Weir stated that the last time this happened we said we would not keep doing this and we would find a solution, and this needs to be a priority. Mayor Weir stated that she is not comfortable spending almost \$2 Million for something we aren't sure will last five years. In response to Councilmember Hobart, Mr. Nail stated that we could ask GE if they would be willing to come speak at a Council Study Session Meeting to answer any questions. Mayor Weir stated that she is comfortable working with city staff and experts we have access to that can share more information with us instead of us asking GE to attend a Study Session. Mr. Walker asked for clarification of questions that Council would like answered at the upcoming Study Session. In response to Councilmember Steinmeyer, Mr. Nail stated that two years ago the units were evaluated to last approximately an additional three to eight years. Councilmember Steinmeyer agrees that we should postpone before spending additional funds on short term repairs.

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

6. Council action is requested to issue a purchase order to General Electric International, Inc. in the amount of \$1,909,344.00 for the inspection and repair of the generator rotor for Combustion Turbine H5.

NON-ORDINANCE ACTION ITEMS:

1. Council action is requested regarding the change of ownership application received from Light Liquor, LLC; for a Retail Selling of Intoxicating Liquor and Sunday Sales Licenses for the Smoke 4 Less & Convenience Store located at 1701 S. Noland Rd.

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.

2. To recover the excessive costs for fuel and energy from Winter Storm 2021, the City Manager is directed to use the Fuel Cost Adjustment formula over a period of 36 months.

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.

ORDINANCES:

Bill No. 21-034, entitled, [Ord. #19230]

“AN ORDINANCE AMENDING SECTION 12.01.003 OF THE INDEPENDENCE CITY CODE TO ADD THE PHRASES SEXUAL ORIENTATION AND GENDER IDENTITY TO 12.01.003(C).”

was given its second reading by title and placed on final passage. In response to Councilmember Stewart, Mr. Walker stated that this item was a recommendation from the Human Relations Commission. Acting City Counselor, Mitch Langford, stated he believes we should have this ordinance in place. Mr. Langford stated that he does not recall a time when he has used this Section, however, there was a recent incident where he would have used this Section had it been enacted. Mr. Langford stated that this ordinance is a sentence enhancement to the assault ordinance. Mr. Langford stated that the sentencing language is determined by him based on the totality of the circumstances. Mr. Langford stated that the Judge would determine guilt or innocence of the charge language. Mr. Langford stated that criminal prosecution flows downhill, he cannot refer cases to the state. Councilmember Stewart stated he thinks we should get rid of the enhancement entirely. 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.

REGULAR MEETING

July 6, 2021

Bill No. 21-035, entitled, [Ord. #19231]

“AN ORDINANCE APPROVING THE AMENDED 2020-2021 ANNUAL ACTION PLAN FOR PROGRAM YEAR 46, AND THE 2021-22 ANNUAL ACTION PLAN FOR PROGRAM YEAR 47 FOR THE CDBG AND HOME PROGRAMS, AUTHORIZING APPLICATIONS TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM YEAR 47 AND THE HOME INVESTMENT PARTNERSHIPS ACT (HOME) PROGRAM YEAR 27; AUTHORIZING EXECUTION OF A WRITTEN AGREEMENT AND ACCEPTANCE OF CDBG AND HOME PROGRAM FUNDS UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974; AND MAKING THE NECESSARY APPROPRIATIONS.”

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. 21-036, entitled

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-30/PUD (HIGH DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) TO DISTRICT R-6 (SINGLE FAMILY RESIDENTIAL) FOR PART OF THE PROPERTY AT 218 N. DELAWARE AVENUE IN INDEPENDENCE, MISSOURI.”

was given its first reading by title.

Bill No. 21-037, entitled

“AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE A TUNNEL CARWASH ON PROPERTY LOCATED AT 19151 E. 39TH STREET S., IN INDEPENDENCE, MISSOURI.”

was given its first reading by title.

Bill No. 21-038, entitled

“AN ORDINANCE AMENDING ORDINANCE NO. 19226, BY ADDING SIXTY-FIVE (65) NEW PARCELS RELATED TO THE 24 HWY COMPLETE STREETS PHASE 1 (PROJECT NO.70111801) IN ORDER TO ACQUIRE NECESSARY TEMPORARY CONSTRUCTION AND GRADING EASEMENTS, NEW RIGHT-OF-WAY AND GENERAL UTILITY EASEMENTS FOR THE PROJECT.”

was given its first reading by title.

Bill No. 21-039, entitled

“AN ORDINANCE CREATING SECTION 12.06.008 OF THE INDEPENDENCE CITY CODE FOR THE PROHIBITION OF CONVERSION THERAPY OF MINORS.”

was given its first reading by title.

Bill No. 21-509, entitled, [postponed]

“AN ORDINANCE ADOPTING AN AMENDMENT TO THE FISCAL YEAR 2021-2022 BUDGET, WHICH WAS APPROVED BY ORDINANCE 19228. 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. In response to Councilmember Huff, Mr. Walker confirmed this item is tied to Item No. 6.

Councilmembers Huff and Steinmeyer moved to postpone Bill No. 21-509 until the July 19, 2021 Regular Meeting. Mr. Walker provided additional details about this bill.

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

INFORMATION ONLY:

1. Noland Road CID Proposed Budget for fiscal year ending June 30, 2022.
2. Englewood CID Proposed Budget for fiscal year ending June 30, 2022.

REGULAR MEETING
July 6, 2021

3. COVID-19 Semi-Monthly Update.
4. Please Note: In accordance with RSMo 610.021, the City Council may convene in an Executive Session at 5:15 pm, in the Council Chambers and move to Conference Room D for the closed meeting, on matters of litigation, legal action, and/or attorney client communications, as permitted by Sec. 610.021(1), on matters of personnel, as permitted by Sec. 610.021(3) and personnel records, as permitted by 610.021(13), on matters of contracts, as permitted by 610.021(12), on matters of real estate, as permitted by 610.021(2) and/or matters of labor negotiations, as permitted by 610.021(9).

COUNCILMEMBER COMMENTS:

Councilmember Stewart stated that he spoke with constituent about police positions open in Independence. In response to Councilmember Stewart, Mr. Walker provided an update about police recruitment and retention plans. Mr. Walker stated that some funds will be allocated toward marketing and branding. Mr. Walker stated that the legality of sign on bonuses needs to be reviewed because of some language in Article 3 of the Missouri Constitution about municipal employee bonuses.

Councilmember Huff stated he has a lot of concerns with the street cuts being done by the gas company. Councilmember Huff stated that he wants to be sure they are mending the street properly. Councilmember Huff stated that our brand-new bridge already has been graffitied underneath. He suggested possibly putting cameras up in the future to monitor these things if possible.

In response to Councilmember Steinmeyer, Mr. Walker stated that he would discuss with his leadership team if there is a way to provide a report on the FCA at IPL. Councilmember Steinmeyer stated that he appreciates people attending and participating in meetings. He stated that there is a lot going on in the city and a lot of decisions being made and encouraged citizens to come speak at meetings to share their opinions.

Councilmember Hobart stated that the Truman Library opened on July 2, 2021 and it is fantastic. Councilmember Hobart stated that it is the best presidential library in the country and highly recommends it.

Mayor Weir stated the library is providing timed tickets that must be reserved in advance, so they do not exceed capacity limits. Mayor Weir stated that the Truman Library is spectacular. Mayor Weir stated the city sponsored the Royals game on the 4th of July and it was a great opportunity for our Tourism Department to promote our city. Mayor Weir thanked the Council for approving the funding to do that and she thanked staff for being at the game and doing a great job representing our city.

Mayor Weir stated that the Delta variant of COVID-19 is in Missouri. The Mayor stated that we are testing our sewer water and it is here. Mayor Weir stated that very nearby we are seeing a backslide into hospitalizations and scarcity of ventilators and we do not want that to be coming our way. Mayor Weir stated that we have 16 vaccination opportunities scheduled and citizens can contact staff or Councilmember for information. Mayor Weir stated that she understands there are a lot of different feelings about the vaccine, but it is the only defense we have against COVID-19 at this time. Mayor Weir stated that we are doing all we can to hold onto the progress we have made and encourages people to get the vaccine.

At 6:50 p.m., there being no further business, the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., July 19, 2021, in the Council Chambers.

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

REGULAR MEETING
July 6, 2021

ATTEST:

City Clerk