

REGULAR MEETING

November 1, 2021

The Independence City Council met for a Regular Meeting, November 1, 2021, at 6:00 p.m., virtually held via Microsoft Teams and in person, in the Council Chambers, 111 E. Maple.

Mayor Weir asked for a moment of silence for Chad Sappenfield who worked for the Independence Fire Department. Mayor Weir provided information about visitation and funeral services.

Ken Truax, Elder, East Independence Church of Christ, 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: John Perkins, Brice Stewart, Karen DeLuccie, Daniel Hobart and Mayor Eileen Weir. The following members of the City Council attended virtually: Mike Huff and Mike Steinmeyer (no verbal roll call due to technical difficulties). The following members of the City Council were absent: None.

CITIZENS REQUEST TO SPEAK:

Kevin Baird spoke to Council regarding IPL's RFP for replacement generation (Consent Agenda Item No. 5).

Councilmembers DeLuccie and Hobart moved to suspend the Council Rules of Procedure to allow for non-residents 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 bill approved.

Bob Sorensen spoke on behalf of the Lagers Retirees to Council regarding retiree benefits.

Henry Carner spoke to Council regarding NueSynergy.

Michele Sumstad, spoke on behalf of the FOP to Council regarding Question 2.

PRESENTATION RESOLUTION:

Councilmembers Hobart and DeLuccie moved to approve Bill No. 21-820.

Bill No. 21-820, entitled, [Res. #6740]

“A RESOLUTION RECOGNIZING LUCAS CROWDER, METER READER, WITH THE INDEPENDENCE POWER AND LIGHT DEPARTMENT, AS THE EMPLOYEE OF THE MONTH FOR NOVEMBER 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:

Councilmembers Huff and Hobart moved to approve the CONSENT AGENDA.

1. Approval of minutes for the Regular Meetings on October 4, 2021 and October 18, 2021.
2. Council action is requested to issue a purchase order to Custom Truck & Equipment, in the amount of \$141,964.00 for a dump truck for the Water Department.
3. Council action is requested to issue a purchase order to Precision Industries for a 110' Ladder Truck for the Fire Department.

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4. Council action is requested to authorize the City Manager to approve a construction contract with Vance Brothers, Inc. for an amount not to exceed \$74,932.56 authorizing future minor change orders not to exceed \$7,500 and/or time extensions for the Pavement Maintenance Crack Filling Operations Project. (No. 112201).
5. Council action is requested to issue a change order to Purchase Order 21000943 with Power Engineers, in the amount of \$50,000, for assistance in the evaluation of the Replacement Generation Resources RFP for the Power & Light Department.
6. Council approval is requested to issue a change order increase on contract #500000520 with contractor Wiedenmann, Inc in the amount of \$178,600 in order to complete additional jobs in the 2021 Emergency Repair Project (No. 131802).
7. Council action is requested to issue a purchase order to Insituform Technologies, USA, LLC in the amount of \$380,322.55 for CIPP Sanitary Sewer pipe repairs (Project No. 9757) and Stormwater pipe repairs (Project No. 130508), Authorization #75, and authorizing \$38,000 for future change orders.

Bill No. 21-821, entitled, [Res. #6741]

“A RESOLUTION REAPPOINTING LORI HALSEY, DR. TERRY MORRIS AND JASON WHITE TO THE INDEPENDENCE ADVISORY BOARD OF HEALTH OF THE CITY OF INDEPENDENCE, MISSOURI.”

Bill No. 21-822, entitled, [Res. #6742]

“A RESOLUTION REAPPOINTING KATIE GALL TO THE MAYOR’S ADVISORY COMMISSION ON THE ARTS.” – *Individual Appointment-Mayor Eileen Weir*

Bill No. 21-823, entitled, [Res. #6743]

“A RESOLUTION AFFIRMING THE APPOINTMENT OF TARA KRUSE TO THE PUBLIC SAFETY TAX OVERSIGHT COMMITTEE FOR THE CITY OF INDEPENDENCE, MISSOURI.” – *Individual Appointment-Councilmember Mike Steinmeyer*

Bill No. 21-824, entitled, [Res. #6744]

“A RESOLUTION APPOINTING LYNN BAKER, BOBBY MCCUTHEON AND MIKE CALVERT TO THE TOURISM COMMISSION OF THE CITY OF INDEPENDENCE, MISSOURI.”

Bill No. 21-825, entitled, [Res. #6745]

“A RESOLUTION APPROVING A PRELIMINARY PLAT OF NOLAND FASHION SQUARE, AT 13920 E. US 40 HIGHWAY IN INDEPENDENCE, MISSOURI.”

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 amendment to the Unified Development Ordinance, Chapter 14, of the Independence City Code relating to recommended trees and plants. Assistant Community Development Director, Rick Arroyo provided background information on this item. There being no additional speakers, Mayor Weir declared the public hearing closed. *Full Public Hearing.*

Bill No. 21-072, entitled, [Ord. #19267]

“AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, CHAPTER 14, OF THE INDEPENDENCE CITY CODE PERTAINING TO RECOMMENDED TREES AND PLANTS.”

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.

Mayor Weir opened a new information only public hearing for the application by Julio Palomino requesting a Special Use Permit to operate a used vehicle sales business at 908 N Atherton. Mr. Arroyo

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provided background information on this item. In response to Mayor Weir, Mr. Arroyo provided information about improvements that are required for the property for this permit. In response to Councilmember Hobart, Mr. Arroyo stated that if there is more than seven vehicles on the property, they will be in violation of the permit. There being no additional speakers, Mayor Weir declared the public hearing closed. *New Information Only.*

In response to Councilmember Perkins, the business is still allowed to do repairs on vehicles but can only have seven for sale. Councilmembers discussed the numerous used car lots along 24 Highway. Councilmember Stewart stated that he does not have any issue with this small business owner who already has a car detail shop and owns the restaurant in front of this location as well.

Bill No. 21-073, entitled, [Ord. #19268]

“AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE A VEHICLE SALES LOT AT 908 N. ATHERTON ROAD, IN INDEPENDENCE, MISSOURI.”

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.

Mayor Weir opened a full public hearing for the formation of the Chapter 353 Redevelopment Plan for the Cargo Largo Project located at the northwest corner of 35th Street and Noland Road. Community Development Director, Tom Scannell provided background information on this item. Tom Waters of the Independence Economic Development Council spoke in support of this item. There being no additional speakers, Mayor Weir declared the public hearing closed. *Full Public Hearing.*

NON-ORDINANCE ACTION ITEMS:

Councilmembers Perkins and DeLuccie moved to postpone Non-Ordinance Action Item No. 1 for two weeks.

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.

1. Council City Council action is requested directing the City Manager to proceed with all work necessary to provide a "Fire Line" to the Englewood Arts building.

ORDINANCES:

Bill No. 21-070, entitled, [Ord. #19269]

“AN ORDINANCE AUTHORIZING A CONTRACT WITH LINAWEAVER CONSTRUCTION, INC. FOR THE INSTALLATION OF AN 8-INCH DIAMETER DUCTILE IRON WATER MAIN FOR THE GUDGELL AVENUE (DODGION – KINGS HIGHWAY) WATER MAIN REPLACEMENT CAPITAL IMPROVEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$1,165,500.00; AUTHORIZING MINOR CHANGE ORDERS FOR AN AMOUNT NOT TO EXCEED \$116,550.00 AND/OR TIME EXTENSIONS; AND INCREASING 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.

Bill No. 21-071, entitled, [Ord. #19270]

“AN ORDINANCE AUTHORIZING A CONTRACT WITH TRUMAN HERITAGE HABITAT FOR HUMANITY FOR THE ADMINISTRATION OF HOME REPAIR PROGRAM FOR LOW TO MODERATE INCOME HOMEOWNERS UTILIZING 2021-22 CDBG PROGRAM FUNDS IN AN AMOUNT NOT TO EXCEED \$371,514.00.”

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.

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FIRST READINGS:

Bill No. 21-074, entitled
“AN ORDINANCE AUTHORIZING EXECUTION OF A COOPERATIVE AGREEMENT FOR PAYMENT OF FUNDS FROM CITY OF KANSAS CITY, MISSOURI TO CITY OF INDEPENDENCE, MISSOURI FOR THE PURPOSE OF CONSTRUCTION OF THE NORTH KENTUCKY AVENUE BRIDGE OVER ROCK CREEK IMPROVEMENT PROJECT.”
was given its first reading by title.

Bill No. 21-075, entitled
“AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-1 (NEIGHBORHOOD COMMERCIAL) TO DISTRICT C-2 (GENERAL COMMERCIAL) FOR 16912 AND 16914 E. 23RD STREET S. AND 2221 S. M-291 HIGHWAY IN INDEPENDENCE, MISSOURI.”
was given its first reading by title.

Bill No. 21-076, entitled
“AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-2 (GENERAL COMMERCIAL) TO DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) FOR 1207 S. MAIN STREET IN INDEPENDENCE, MISSOURI.”
was given its first reading by title.

Bill No. 21-077, entitled
“AN ORDINANCE APPROVING THE CHAPTER 353 REDEVELOPMENT PLAN FOR THE CARGO LARGO PROJECT, DECLARING THE AREA DESCRIBED IN THE REDEVELOPMENT PLAN TO BE A BLIGHTED AREA, TAKING OTHER ACTIONS TO IMPLEMENT THE REDEVELOPMENT PLAN, AND APPROVING A REDEVELOPMENT AGREEMENT.”
was given its first reading by title.

In response to Councilmember DeLuccie, Mayor Weir stated that the Planning Commission meeting and the Incentives Committee meetings are available online.

Bill No. 21-078, entitled
“AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN D & J REALTY HOLDINGS LLC AND THE CITY OF INDEPENDENCE, MISSOURI.”
was given its first reading by title.

Bill No. 21-079, entitled
“AN ORDINANCE LIMITING THE DEPTH OF TWO EXISTING EASEMENTS ON THE PROPERTY, LOT 2, IN WINTERSTONE UNDERGROUND FIRST PLAT, A SUBDIVISION IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.”
was given its first reading by title.

Bill No. 21-080, 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. 21-514, entitled, [Ord. #19271]
“AN ORDINANCE ADOPTING AMENDMENTS TO THE FISCAL YEAR 2021- 2022 BUDGET, WHICH WAS APPROVED BY ORDINANCE NO. 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. 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:

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1. The City Council is expected to convene in an Executive Session at 5:15 pm, Monday, November 1, 2021, in the Council Chambers with the closed session taking place in Conference Room D, on Personnel Matters, as permitted by Sec. 610.021(3), RSMO.
2. The City Clerk's Office is in receipt of the Noland Fashion Square Community Improvement District Annual Report ending June 30, 2021.
3. The City Clerk's Office is in receipt of the Trinity Woods Community Improvement District Annual Report ending June 30, 2021.
4. COVID-19 Semi-Monthly Update
5. 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 Huff encouraged people to get out vote tomorrow.

Councilmember Steinmeyer encouraged people to get out and vote on the very important topics on the ballot.

Councilmember Perkins encouraged people to vote as well. Councilmember Perkins thanked Assistant City Manager, Mark Randall, for his service to the city. This is Mr. Randall's last Council Meeting prior to his upcoming retirement.

Councilmember DeLuccie, encouraged people to vote because it is very important for our Police and Fire Departments, and stated that she was able to do an absentee vote when she was worried she would not be back in time. Councilmember DeLuccie stated that she is happy to be back with her colleagues and friends. She stated that she received really good medical care and she is in really good shape. Councilmember DeLuccie asked that people not worry about her. She invited people to call her and tell her about things she may have missed in her absence.

Councilmember Hobart spoke about the loss of firefighter Chad Sappenfield and gave his condolences. Councilmember Hobart spoke about support of individuals with mental illness. Councilmember Hobart encouraged people to get out and vote to help our Fire and Police Departments and talked about the importance of these items.

Mayor Weir thanked Mr. Randall for his service to the city and talked about his upcoming retirement celebration. Mayor Weir shared some of Mr. Randall's accomplishments.

At 6:55 p.m. the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., November 15, 2021, in the Council Chambers.

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

ATTEST:

City Clerk