

INDEPENDENCE PARK COMMISSION
A RESOLUTION REGARDING THE ADDITION OF THE 97 ACRE FORMER ROCKWOOD GOLF
COURSE TO THE INDEPENDENCE PARK SYSTEM

WHEREAS, the City of Independence (“City”), by Ordinance No. 14288 (“Ordinance”) adopted August 16, 1999, amended Article 9 of the City Code Of Independence, Missouri (“Code”); and

WHEREAS, the Ordinance stated, in amended Section 1.09.003, that “There shall be an Independence Park Commission to function in conjunction with the Parks and Recreation Department for the benefit of the City of Independence;” and

WHEREAS, the Ordinance stated, in amended Section 1.09.066 of the Code, among other things that “The duties of the Commission shall be to: (1) advise the City Council regarding the development, maintenance and operation of the parks...; (2) make such recommendations as it may deem to be in the public interest to the City Council for the improvement of of the parks and recreation programs; (3) actively participate in the development and periodic upgrading of the master plan for the parks . . .; and (4) consider and make recommendations to the City Council regarding the annual budget of the Parks and Recreation Department;” and

WHEREAS, the City Council recently considered a resolution, which if adopted, would add to the Independence Parks System the 97 acre tract of land owned by the City (“Proposed Addition”) which is generally referred to as the former Rockwood Golf Course (“Rockwood Tract”); and

WHEREAS, one portion of the Rockwood Tract is encumbered by a long-term ground lease and is used for the generation of electricity by the solar panels and other equipment located thereon, and the other portion of the Rockwood Tract is unimproved; and

WHEREAS, the Independence Park Commission (“Commission”), at its regular meeting on February 3, 2022, and again at its special meeting on February 17 received reports from the Director of the Independence Parks and Recreation Department (“Department”) regarding the Proposed Addition, and thereafter did deliberate regarding the impact of the Proposed Addition on the Independence parks system (“Park System”) and upon the Department’s recreation programs; and

WHEREAS, the Proposed Addition of the Rockwood Tract to the Independence Park System is not consistent with, or contemplated by, the existing Park Master Plan, which was previously adopted by the City Council; and

WHEREAS, the Rockwood Tract is located within the area of the City already served by Hill Park and Rotary Park, and if additional park land is needed by the City, it is not where the Rockwood Tract is located; and

WHEREAS, because the City Charter states that “the electric utility shall not be operated for the benefit of other municipal functions,” the use of the Rockwood Tract, which was purchased with IPL funds, is limited to the operation and purposes of the electrical utility by the Independence Power and Light Department (“IPL”); and

WHEREAS, maintenance of the Park System is an “other city function”, and as such the Proposed Addition would be prohibited by the Independence City Charter, unless IPL were to be reimbursed for the purchase price, possibly other costs of acquisition, and improvements made to the Rockwood Tract by IPL; and

WHEREAS, the Department budget does not include sufficient funds with which to pay any such required reimbursement of IPL; and

WHEREAS, the Proposed Addition would also require significant and costly development of the land to make it usable as a park, and the Department budget includes no funds to undertake the planning and development of a new 97 acre park; and

WHEREAS, considering the existing budget constraints of the Department and the City in general, and the fact that the Department is currently very short-staffed, the Department has neither the staff nor the money that would be required to improve and maintain, an additional 97 acres of park land; and

WHEREAS, transferring the Rockwood Tract to the Department while it is legally encumbered by the existing ground lease and other legal commitments by the City, and as long as it is physically encumbered by the existing solar panels and related equipment, would, if made into a park while those commitments and encumbrances exist, likely require the time and attention of the Department Director and possibly other Department staff members at a time when they are already stretched by the current constraints under which they are operating; and

WHEREAS, the Proposed Addition, if not accompanied by substantial additional funds and additional maintenance staff, would necessarily negatively impact on the operation and maintenance of the existing City parks by the general public, and especially the participants in the athletic and other organized groups that use park fields and other facilities.

NOW THEREFORE BE IT RESOLVED BY THE INDEPENDENCE PARK COMMISSION AS FOLLOWS:

SECTION 1. The Commission advises the City Council that the Commission believes that at the present time the Proposed Addition would not be in the public interest because of the negative impact it would have on the Department and the use of the existing parks by the general public.

SECTION 2. The Commission believes that it is not in the public interest to recommend that the Proposed Addition be done now for the above stated reasons, and especially because the Proposed Addition is inconsistent with the existing Park Master Plan.

SECTION 3. If the City Council decides to consider the Proposed Addition in the future, the Commission recommends that the Proposed Addition not be undertaken, until the City has: (1) updated the Park Master Plan and the Proposed Addition is included in the updated Park Master Plan; (2) resolved all outstanding legal issues related to the solar farm that is now operating on the Rockwood Tract, (3) caused all solar panels, equipment, and improvements to be removed from the Rockwood Tract; (4) provided sufficient additional funding to the Department to cover the development, operation and maintenance of the existing Park System; and (5) provided sufficient additional funds to make any required reimbursements of IPL resulting from the change of use of the Rockwood Tract to a City park, as well as the development, maintenance and operation of the Rockwood Tract as a City park.

PASSED THIS 17TH DAY OF FEBRUARY 2022 BY THE PARK COMMISSION OF THE CITY OF INDEPENDENCE, MISSOURI
