

REGULAR MEETING May 16, 2022

The Independence City Council met for a Regular Meeting, May 16, 2022, at 6:00 p.m., in the Council Chambers, 111 E. Maple.

Laurie Dean Wiley, member of EPIC Church, provided the invocation followed by the Pledge of Allegiance.

Mayor Pro Tem Daniel Hobart, Presiding Officer of the City Council, called the meeting to order. Upon roll call, the following members of the City Council were present: Jared Fears, John Perkins, Brice Stewart, Mike Steinmeyer, Daniel Hobart and Mayor Rory Rowland. Absent – None. Mayor Rowland attended virtually. *At the time of this meeting, one At-Large seat on the Council is currently vacant.*

CITIZENS REQUEST TO SPEAK:

Councilmembers Fears and Perkins moved to suspend the Council Rules of Procedure to allow for non-residents to speak.

Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor Pro Tem declared the motion approved.

Robert Sorensen spoke to Council regarding Fiscal Year 2022-2023 Proposed Budget Hearing.

Richard Batt spoke to Council regarding Redwood Rezoning.

PROCLAMATIONS:

City Clerk, Becky Behrens, read a proclamation for MARC 50 – Forward Day. Mayor Pro Tem Hobart presented the proclamation to Lauren Palmer and Jason White.

Ms. Behrens read a proclamation for Tammy West & Lynette Jones Day. Mayor Pro Tem Hobart presented the proclamation to Tammy West and Lynette Jones. Robert Arteman thanked Ms. West, Ms. Jones and all people involved in assisting him.

Ms. Behrens read a proclamation for Emergency Medical Services Week. Mayor Pro Tem Hobart presented the proclamation to Assistant Fire Chief, Craig Duplantis and AMR Operations Manager, Paul Lininger.

Mayor Pro Tem Hobart stated that the proclamations for Alli Murphy Day and Lexis Diaz Day will be postponed to the June 6th meeting.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

Councilmembers Perkins and Stewart moved to approve the CONSENT AGENDA.

1. Council action is requested to authorize the City Manager to execute a contract with the Englewood Business Association, to license the use of the public area of the Englewood Arts District and vicinity in connection with certain promotional events scheduled in 2022-2023.
2. Council action to award a Change Order #1 to Purchase Order 2200031 to Burns & McDonnell Engineering in the amount of \$15,000 to cover additional Southwest Power Pool engineering data requests for the Power & Light Department. New revised amount of PO 2200031 will be \$55,000.

REGULAR MEETING

May 16, 2022

3. Council action to award a purchase order to CHM Industries, in the amount of \$321,858.64 for purchasing 41 weathering wood steel transmission poles for the Power & Light Department.
4. Council action to award a purchase order to Toth and Associates in the amount of \$61,205 for performing self-supporting steel distribution pole designs for eight (8) structures required for the MoDOT Highway 24 Improvement project.

Bill No. 22-752, entitled, [Res. #6802]

“A RESOLUTION APPOINTING LIBET OJEDA TO THE STREET IMPROVEMENT OVERSIGHT COMMITTEE.” -
Individual Appointment-Councilmember John Perkins

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

PUBLIC HEARINGS:

Mayor Pro Tem Hobart opened a new information only public hearing for the application by John Lapointe, New Potato Holdings, LLC, requesting a Special Use Permit to operate a car wash business at 17620 E. 39th Street. Assistant Community Development Director, Rick Arroyo, provided background information on this item. Mayor Pro Tem Hobart declared the public hearing closed. *New Information Only.*

Bill No. 22-039, entitled, [Ord. #19330]

“AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE A CAR WASH AT 17620 E. 39TH STREET, IN INDEPENDENCE, MISSOURI.”

Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor Pro Tem declared the bill approved.

Mayor Pro Tem Hobart opened a full public hearing for the Fiscal Year 2022-2023 Proposed Budget Hearing. City Manager, Zach Walker, provided background information on this item. Jason White spoke to Council regarding the Proposed Budget. There being no additional speakers, Mayor Pro Tem Hobart declared the public hearing closed. *Full Public Hearing.*

Mayor Pro Tem Hobart opened a full public hearing for the formation of the Noland South Shopping Center Community Improvement District. Community Development Director, Tom Scannell, provided background information on this item. Christopher Shank spoke in support of the CID. There being no additional speakers, Mayor Pro Tem Hobart declared the public hearing closed. *Full Public Hearing.*

ORDINANCES:

Bill No. 22-037, entitled, [Ord. #19331]

“AN ORDINANCE AUTHORIZING EARLY REPAYMENT OF THE INTERFUND LOAN FROM THE WATER FUND TO THE PARKS AND RECREATION IMPROVEMENTS SALES TAX FUND FOR THE FARMERS MARKET PROJECT.”

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

Bill No. 22-038, entitled, [Ord. #19332]

“AN ORDINANCE CREATING SECTION 1.22.022 OF THE CITY CODE TO ALLOW FOR THE COLLECTION OF A SEVEN DOLLAR FEE, AS PART OF COURT COSTS, ON INDIVIDUAL MUNICIPAL COURT CASES, FOR REMITTANCE TO THE STATEWIDE COURT AUTOMATION FUND.”

REGULAR MEETING

May 16, 2022

was given its second reading by title and placed on final passage. In response to Mayor Pro Tem Hobart, City Counselor, Jeremy Cover, stated that this is required by the presiding judge of the 16th Circuit and provided some background information. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor Pro Tem declared the bill approved.

Bill No. 22-040, entitled, [Ord. #19333]

“AN ORDINANCE REPEALING ORDINANCE NO. 19321 CREATING A CHARTER AMENDMENT ADVISORY BOARD.”

was given its second reading by title and placed on final passage. Councilmember Fears stated that he wanted to assure the community that this ordinance is not to forgo a Charter Amendment Advisory Board forever, but this will allow the new Council to take up this issue. Mayor Rowland stated that the previous ordinance allowed each member of Council to appoint a member to the advisory board and there was no provision in that ordinance to determine how to proceed when seven members were unable to be appointed. In response to Councilmember Steinmeyer, Mr. Cover advised that any changes would need to be done by ordinance, either to repeal or amend. Mr. Cover advised that some Councilmembers wanted the opportunity to review what this board would look like and in an effort to make the process of any changes cleaner he drafted this ordinance to repeal the prior ordinance. Mr. Cover advised that if there is one concern then the prior ordinance could be amended, but if there are several changes it is probably cleaner to repeal this ordinance, this would be determined by the Council. Councilmember Fears shared his concerns with how members are appointed and would prefer Council to interview applicants and not have individual appointment. Councilmember Steinmeyer shared his concerns with appointments and would like every district to have the opportunity to be represented. Councilmember Stewart stated he has the same concerns as Councilmember Steinmeyer. Mayor Pro Tem Hobart stated that he prefers more of a process for appointment and feels like this needs to be a collaborative effort by the Council since it has been such a long time since our Charter was reviewed. In response to Mayor Pro Tem Hobart, Mr. Walker stated that information can be compiled for Council regarding how other cities have handled a Charter Review board. Mayor Pro Tem Hobart stated that he would support each district having a member on the board. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Hobart and Mayor Rowland. Noes – Councilmembers: Stewart and Steinmeyer. Absent – None. The Mayor Pro Tem declared the bill approved.

FIRST READINGS:

Bill No. 22-041, entitled

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) TO DISTRICT R-18/PUD (MODERATE DENSITY RESIDENTIAL /PLANNED UNIT DEVELOPMENT) AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR THE PROPERTIES LOCATED AT 19515 & 19601 E. RD MIZE ROAD, IN INDEPENDENCE, MISSOURI.”

was given its first reading by title.

Bill No. 22-042, entitled

“AN ORDINANCE AMENDING SECTION 12.04.007 OF THE INDEPENDENCE CITY CODE FOR INCLUDING THE VIOLATION OF AN EX PARTE AS A VIOLATION OF AN ORDER OF PROTECTION.”

was given its first reading by title.

Bill No. 22-043, entitled

“AN ORDINANCE CREATING SECTION 12.01.019 OF THE INDEPENDENCE CITY CODE FOR THE PROHIBITION OF STALKING.”

was given its first reading by title.

REGULAR MEETING

May 16, 2022

Bill No. 22-044, entitled

“AN ORDINANCE APPROVING THE PETITION TO ESTABLISH THE NOLAND SOUTH SHOPPING CENTER COMMUNITY IMPROVEMENT DISTRICT (CID), ESTABLISHING THE DISTRICT, AND MAKING FINDINGS AND AUTHORIZING ACTIONS RELATED TO ESTABLISHMENT OF THE DISTRICT.”

was given its first reading by title.

INFORMATION ONLY:

1. The City Council is expected to convene in an Executive Session at 5:00 pm, Monday, May 16, 2022, in the Council Chambers with the closed session taking place in Conference Room D, on Legal Matters, as permitted by Sec. 610.021(1), RSMO.
2. Municipal Division monthly case report April 2022.
3. 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 Perkins provided some information about the new street art in the crosswalks in the Englewood District. Councilmember Perkins thanked participants who helped with this project.

Councilmember Fears thanked the individuals who came to speak to Council tonight.

In response to Mayor Pro Tem Hobart, Mr. Walker advised that we are waiting on information to be provided from the Stay Well Committee to provide recommendations to meet the savings goal set.

Councilmember Steinmeyer shared a story about an encounter he had with an elderly female without a home. Councilmember Steinmeyer stated the officers and AMR were very professional and worked to help the woman, but because she did not have health insurance, she could not be taken to Truman Hospital East. Councilmember Steinmeyer suggested that we open discussion about engaging the private sector to help with the mental health crisis in the city.

Mayor Rowland stated that he agrees with Councilmember Steinmeyer and stated he shares his compassion and would love to have more conversations around this issue. The Mayor stated that he is very proud of our Public Safety individuals that were recognized tonight. Mayor Rowland stated that we cannot manage a secret.

At 7:03 p.m. the Mayor Pro Tem declared the meeting adjourned to a Regular Meeting at 6:00 p.m., June 6, 2022, in the Council Chambers.

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

ATTEST:

City Clerk