

REGULAR MEETING  
June 21, 2022

The Independence City Council met for a Regular Meeting, June 21, 2022, at 6:00 p.m., in the Council Chambers, 111 E. Maple.

Shirley Murdock provided the invocation followed by the Pledge of Allegiance.

Mayor Rory Rowland, 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. *At the time of this meeting, one At-Large seat on the Council is currently vacant.*

CITIZENS REQUEST TO SPEAK:

Tony Summer spoke to Council regarding Independence Tourism.

PROCLAMATIONS:

City Clerk, Becky Behrens, read a proclamation for Lexis Diaz. Mayor Rowland presented the proclamation to Lexis Diaz.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

Councilmember Fears requested that Bill No. 22-762 and Bill No. 22-763 be pulled for separate consideration.

Councilmember Perkins requested that Bill No. 22-761 be pulled for separate consideration.

Councilmembers Hobart and Fears moved to approve the AMENDED CONSENT AGENDA minus Bill No. 22-762, Bill No. 22-763 and Bill No. 22-761.

1. Approval of 2022-2023 Property Insurance Renewal for City Utility Property.
2. Approval of 2022-2023 non-utility property insurance renewal with a total premium of \$511,778.57.
3. Council action is requested to authorize the City Manager to approve a construction contract with, and issue a purchase order to, Wiedenmann, Inc. for an amount not to exceed \$249,729, authorizing future minor change orders for an amount not exceed \$24,973 and/or time extensions as part of Emergency Construction Projects (No. 131802).
4. Council action is requested to issue a purchase order to AVI-SPL in the amount of \$32,400 and enter into a three year agreement for IntelPeer telecommunication services.
5. Council action is requested to issue a purchase order to AVI-SPL in the amount of \$439,385 for the implementation of a unified communication system.
6. Council action is requested to issue a purchase order to AVI-SPL in the amount of \$61,900 for the implementation of a call center software solution.
7. Council action is requested to enter into a three year Microsoft license agreement and issue a purchase order to SHI International, in the amount of \$49,082 for Microsoft Licensing.
8. Council action to award a purchase order to Border States Industries Inc., in the amount of \$145,430.49, for switch gear replacement cabinets for the Power & Light Department.

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9. Council action is requested to issue a purchase order to Garver, LLC, in the amount of \$211,935.00 for Consulting Services for the Rock Creek Wastewater Treatment Plant (RCWWTP) Clarifier Rehabilitation project for the Municipal Services Department.
10. Approval of 2022-2023 excess workers' compensation insurance renewal.

Bill No. 22-758, entitled, [Res. #6812]

"A RESOLUTION UPDATING THE PROCUREMENT POLICY FOR THE CITY OF INDEPENDENCE, MISSOURI."

Bill No. 22-759, entitled, [Res. #6813]

"A RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURES OF THE CITY OF INDEPENDENCE, MISSOURI TO UPDATE AND AMEND ARTICLE I TO ADDRESS EMPLOYMENT, WORKPLACE AND EQUAL EMPLOYMENT OPPORTUNITIES POLICIES."

Bill No. 22-760, entitled, [Res. #6814]

"A RESOLUTION APPOINTING INDEPENDENCE POWER & LIGHT DIRECTOR AS A DIRECTOR OF THE MISSOURI JOINT MUNICIPAL ELECTRIC UTILITY COMMISSION (MJMEUC), DBA MISSOURI ELECTRIC COMMISSION, GOVERNING BOARD, AND THE DEPUTY DIRECTOR AS AN ALTERNATE DIRECTOR TO THAT BOARD, AND REPEALING RESOLUTION NO. 6234 AND ALL OTHER RESOLUTIONS AND PARTS OF RESOLUTIONS IN CONFLICT HEREWITH."

Bill No. 22-764, entitled, [Res. #6818]

"A RESOLUTION AMENDING THE PAY PLAN FOR NON-REPRESENTED CITY EMPLOYEES AS ENUMERATED HEREIN ON AND AFTER THE 21ST DAY OF JUNE, 2022; RECLASSIFY EXECUTIVE ASSISTANT TO THE CITY COUNCIL (LEVEL 12) TO EXECUTIVE ASSISTANT TO THE MAYOR (LEVEL 12); REMOVE MUSEUM ATTENDANT (LEVEL 1); ADD RECREATION SERVICES SUPERVISOR II (LEVEL 11); RECLASSIFY RECREATION PROGRAM & FACILITY SUPERVISOR (LEVEL 10) TO RECREATION SERVICES SUPERVISOR (LEVEL 10); RECLASSIFY PROGRAM SPECIALIST (LEVEL 5) TO SENIOR SERVICES SPECIALIST (LEVEL 7); ADD SENIOR SERVICES ATTENDANT (IN SECTION 6); ADD POLICE CADET (SECTION 7)."

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

Councilmember Perkins stated that this waiver program is right where we need to be, but in review there is a portion on the map that is being excluded near Englewood Arts District and he would like the area included in this program.

Councilmember Perkins and Stewart moved to amend Bill No. 22-761 to change the boundaries of the map for this program. In response to Councilmember Stewart, Councilmember Perkins provided some background information about why this area was excluded originally. In response to Councilmember Fears, Councilmember Perkins provided additional information about why he is asking for the amendment.

Upon roll call to amend Bill No. 22-761, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the bill approved.

Councilmembers Perkins and Hobart moved to approve Bill No. 22-761.

Bill No. 22-761, entitled, [Res. #6815]

"A RESOLUTION APPROVING A TEMPORARY BUILDING PERMIT FEE WAIVER PROGRAM FOR INFILL AND REDEVELOPMENT OF SINGLE FAMILY RESIDENTIAL."

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

Councilmember Fears stated that because there has not been a recommendation made by the Stay Well Committee at this time, he will support this item tonight.

Councilmembers Fears and Hobart moved to approve Bill No. 22-762. In response to Councilmember Perkins, Mike Veit, Chair of the Stay Well Committee, provided some background information regarding the healthcare plan and some of the discussions being had around this issue. Mr. Veit stated that the Committee asked for an additional 30 days to provide the City Manager's office with a recommendation by July 31, 2022. Councilmember Fears stated that he will still vote in favor of this item tonight, he is hopeful that the Stay Well Committee can bring a recommendation by end of July.

Bill No. 22-762, entitled, [Res. #6816]

"A RESOLUTION DIRECTING THE CITY MANAGER TO REVIEW AND RECOMMEND MODIFICATIONS TO THE CITY'S SELF-FUNDED HEALTH INSURANCE PLAN TO PRODUCE STRUCTURAL CHANGES TO ENSURE STAY WELL HEALTH INSURANCE FUNDING IS WITHIN THE APPROVED BUDGET FOR FISCAL YEAR 2022-23 BY AUGUST 1, 2022."

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

Councilmember Fears and Hobart moved to amend by substitution. Section 1 with "The City Manager is directed to negotiate a proposal for economic development services with the Independence Chamber of Commerce."; to substitute Section 2 with "The City Manager is directed to notify the Independence Council for Economic Development of withholding payments until further notice."; to add Section 5 to state "The City Manager will consult with the Economic Development Council and the Independence Chamber of Commerce and present a recommendation for City Council to consider at the August 8, 2022 Study Session meeting." Councilmember Fears stated that he does not feel we have done a great job at development in our community over the last several years.

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

Councilmembers Fears and Hobart moved to approve Bill No. 22-763 as amended.

Bill No. 22-763, entitled, [Res. #6817]

"A RESOLUTION DIRECTING THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR SERVICES WITH THE INDEPENDENCE CHAMBER OF COMMERCE FOR BUSINESS RETENTION AND RECRUITMENT SERVICES AND TO PROVIDE PROPER NOTIFICATION TO THE INDEPENDENCE COUNCIL FOR ECONOMIC DEVELOPMENT OF THE CITY'S INTENT TO TERMINATE THE CURRENT OPERATING AGREEMENT."

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

### PUBLIC HEARINGS:

Mayor Rowland opened a new information only public hearing for the application by Samuel Dryer requesting a rezoning from C-2, General Commercial, and R-6, Single Family Residential, to C-3, Service Commercial, for the property located at 1311 E. US 24 Highway. Assistant Community Development Director, Rick Arroyo, provided background information on this item. Mayor Rowland declared the public hearing closed. *New Information Only.*

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Bill No. 22-046, entitled, [Ord. #19338]

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-2 (GENERAL COMMERCIAL) TO DISTRICT C-3 (SERVICE COMMERCIAL) FOR THE PROPERTY AT 1311 E. US 24 HIGHWAY IN INDEPENDENCE, MISSOURI.” 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 declared the bill approved.

Mayor Rowland opened a new information only public hearing for the application by Seth Veld requesting a rezoning from R-6, Single Family Residential, to R-30/PUD, High Density Residential/Planned Unit Development, and approve a Preliminary Development Plan for the property located at 316 W. Sea Avenue. Mr. Arroyo provided background information on this item. In response to Mayor Rowland, Mr. Arroyo confirmed that the Planning Commission voted against this item. Mayor Rowland declared the public hearing closed. *New Information Only.*

Bill No. 22-047, entitled, [failed]

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-6 (SINGLE FAMILY RESIDENTIAL) TO DISTRICT R-30/PUD (HIGH DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR THE PROPERTY AT 316 W. SEA AVENUE, IN INDEPENDENCE, MISSOURI.” was given its second reading by title and placed on final passage. In response to Councilmember Perkins, Mr. Arroyo provided additional information regarding the reason for this request. Councilmember Perkins stated that he received several phone calls from residents in the area sharing concerns about this becoming a multifamily unit again in an area that is primarily single family homes and is asking that Council vote no on this item. Upon roll call, the vote was: Ayes – None. Noes – Councilmembers: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Absent – None. The Mayor declared the bill failed.

Mayor Rowland opened a new information only public hearing for the application by Matt O'Neal requesting a Special Use Permit to operate a tunnel car wash at 1337 S. Noland Road. Mr. Arroyo provided background information on this item. Mayor Rowland declared the public hearing closed. *New Information Only.*

Bill No. 22-048, entitled, [Ord. #19339]

“AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE A CAR WASH AT 1337 S. NOLAND ROAD, IN INDEPENDENCE, MISSOURI.” 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 declared the bill approved.

Mayor Rowland opened a new information only public hearing for the application by Gus Salman requesting a Special Use Permit to operate a used vehicle sales business at 203 N. M-291 Highway. Mr. Arroyo provided background information on this item. Mayor Rowland declared the public hearing closed. *New Information Only.*

Bill No. 22-049, entitled, [failed]

“AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE A USED CAR LOT AT 203 N. M-291 HIGHWAY, IN INDEPENDENCE, MISSOURI.” was given its second reading by title and placed on final passage. Councilmember Stewart stated that this is in his district and he will be voting no because there already seem to be a lot of used car lots in that area. Councilmember Hobart and Mayor Rowland stated that they agree with Councilmember Stewart and will be voting no. Upon roll call, the vote was: Ayes – None. Noes – Councilmembers: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Absent – None. The Mayor declared the bill failed.

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## NON-ORDINANCE ACTION ITEMS:

Bill No. 22-765, entitled, [postponed]

“A RESOLUTION CREATING THE CHARTER REVIEW COMMISSION FOR THE CITY OF INDEPENDENCE, MISSOURI, TO CONSIST OF NINE MEMBERS TO BE APPOINTED BY THE CITY COUNCIL; DEFINING THE PURPOSES AND DUTIES OF SAID COMMISSION AND THE OBJECTIVES SOUGHT TO BE ACCOMPLISHED; AND FURTHER PROVIDING FOR THE ORGANIZATION AND PLAN OF OPERATION FOR SAID COMMISSION.”

In response to Councilmember Stewart, City Manager, Zach Walker advised why this item has been entered as a resolution instead of an ordinance. Mr. Walker advised that he was not aware of the ask for more public input, but that he was asked to do research and provide a recommendation about how to form the committee. Councilmember Stewart shared his concerns with the resolution and advised he will be voting no on this item.

Councilmembers Steinmeyer and Stewart moved to postpone this item until after a Study Session meeting on this topic can take place.

Upon roll call to postpone Bill No. 22-765, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the motion approved.

2. Amending the Fiscal Year 2022-23 Submitted Budget by reducing capital maintenance funds in the Transient Guest Tax Fund by \$75,000 and adding funding in the Transient Guest Tax Fund in the amount of \$75,000 for a National Frontier Trails Museum Master Plan.

Councilmember Hobart provided some background information regarding this item and Non-Ordinance Action Item #4. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the item approved.

3. Amending the Fiscal Year 2022-23 Submitted Budget by correcting discrepancies in the Parks, Recreation & Tourism Budget and reducing capital expenses in the Tourism Fund in order to have a positive fund balance.

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

4. Amending the Fiscal Year 2022-23 Submitted Budget by reducing capital maintenance funds in the Transient Guest Tax Fund by \$75,000 and adding funding in the Transient Guest Tax Fund in the amount of \$75,000 for a Tourism Master Plan.

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

## ORDINANCES:

Bill No. 22-045, entitled, [Ord. #19340]

“AN ORDINANCE ADOPTING THE ANNUAL OPERATING AND CAPITAL BUDGETS OF THE CITY OF INDEPENDENCE, MISSOURI, FOR THE FISCAL YEAR JULY 1, 2022 - JUNE 30, 2023, ESTIMATING THE REVENUES FOR SAID FISCAL YEAR; APPROPRIATING SUMS FOR THE PURPOSES STATED IN SAID BUDGET, ESTABLISHING OPERATING TRANSFERS, DESIGNATING FUND BALANCE ALLOCATIONS, ESTABLISHING THE AUTHORIZED TABLE OF ORGANIZATION, AND DESIGNATING THOSE WHO MAY MAKE A REQUISITION FOR ENCUMBRANCES AGAINST APPROPRIATIONS.”

was given its second reading by title and placed on final passage. Councilmember Fears thanked staff for answering his questions and acknowledges the work put into this item. Councilmember Fears stated that while he has some concerns about the long-range ability to operate at this level of expenditure, he will be voting to approve this item. In response to Mayor Rowland, Mr. Walker provided some background on efforts being made toward the homelessness issue within the city. Mayor Rowland stated that we need to

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continue to talk about this and continue to work on a plan of action. Councilmember Steinmeyer shared his feelings regarding the homeless issue. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the bill approved.

### FIRST READINGS:

#### Bill No. 22-050, entitled

“AN ORDINANCE AUTHORIZING ACCEPTANCE OF THE 2022 MIDWEST HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) MEMORANDUM OF UNDERSTANDING (MOU) FOR THE KANSAS CITY / OVERLAND PARK DEA TASK FORCE INITIATIVE, AND RELATED DOCUMENTS, WITH THE KANSAS BUREAU OF INVESTIGATION, FOR A GRANT AWARD IN THE AMOUNT OF \$153,166.00; MAKING THE NECESSARY APPROPRIATIONS; AUTHORIZING FUTURE CHANGE ORDERS FOR ADDITIONAL FUNDING AND/OR TIME EXTENSIONS; AND AUTHORIZING CERTAIN FUTURE APPROPRIATIONS.”

was given its first reading by title.

#### Bill No. 22-051, entitled

“AN ORDINANCE AUTHORIZING ACCEPTANCE OF THE 2022 MIDWEST HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) MEMORANDUM OF UNDERSTANDING (MOU) FOR THE INVESTIGATIVE SUPPORT CENTER INITIATIVE, AND RELATED DOCUMENTS, WITH THE KANSAS BUREAU OF INVESTIGATION, FOR A GRANT AWARD IN THE AMOUNT OF \$147,935.00; MAKING THE NECESSARY APPROPRIATIONS; AUTHORIZING FUTURE CHANGE ORDERS FOR ADDITIONAL FUNDING AND/OR TIME EXTENSIONS; AND AUTHORIZING CERTAIN FUTURE APPROPRIATIONS.”

was given its first reading by title.

#### Bill No. 22-052, entitled

“AN ORDINANCE AUTHORIZING THE REMOVAL AND DESTRUCTION OF MUNICIPAL COURT RECORDS THAT HAVE MET ALL REQUIREMENTS TO BE ELIGIBLE FOR SUCH DESTRUCTION AND ARE THE SUBJECT OF CIRCUIT COURT ADMINISTRATIVE ORDER NO. 2022-216.”

was given its first reading by title.

#### Bill No. 22-053, entitled

“AN ORDINANCE APPROVING THE COOPERATIVE AGREEMENT AMONG THE CITY OF INDEPENDENCE, MISSOURI, THE INDEPENDENCE SQUARE COMMUNITY IMPROVEMENT DISTRICT AND THE INDEPENDENCE SQUARE MAIN STREET CORPORATION.”

was given its first reading by title.

#### Bill No. 22-054, entitled

“AN ORDINANCE PARTIALLY VACATING A PLATTED 7.5' UTILITY EASEMENT OF ALL THAT PART OF LOT 8, STERLING VILLAGE SECOND PLAT P.U.D, A SUBDIVISION IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.”

was given its first reading by title.

#### Bill No. 22-055, entitled

“AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A MUNICIPAL AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE US 24 HIGHWAY PHASE 1 PROJECT FROM MO 291 HIGHWAY TO RIVER BOULEVARD AS PART OF THE US 24 HIGHWAY PHASE 1 PROJECT (PROJECT NO. 111801 / FEDERAL PROJECT NO. J4S3405B).”

was given its first reading by title.

#### Bill No. 22-056, entitled

“AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A MUNICIPAL AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE US 24 HIGHWAY PHASE 2 PROJECT FROM RIVER BOULEVARD TO STERLING AVENUE AS PART OF THE US 24 HIGHWAY PHASE 2 PROJECT (PROJECT NO. 112011 / FEDERAL PROJECT NO. J4S3405).”

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was given its first reading by title.

Bill No. 22-505, entitled, [Ord. #19340]  
“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: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None.  
Absent – None. The Mayor declared the bill approved.

INFORMATION ONLY:

1. Municipal Division Monthly Case Report May 2022.
2. 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:

In response to Councilmember Hobart, Mr. Walker provided some information regarding 2023-2024 budget issues. Councilmember Hobart thanked everyone for the work they did on this budget and encouraged Mr. Walker to do his best to get us prepared for future budgets.

Councilmember Fears stated he attended the first annual Juneteenth celebration at Hiram Young Park and stated it was a great event.

At 7:04 p.m. the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., July 5, 2022, 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