

## REGULAR MEETING

August 1, 2022

The Independence City Council met for a Regular Meeting, August 1, 2022, at 6:00 p.m., 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 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-Virtual, 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:

Lynn Baker spoke to Council regarding reviewing the City Charter.

Dan O'Neill spoke to Council regarding reviewing the City Charter.

## PRESENTATION RESOLUTIONS:

Councilmembers Hobart and Stewart moved to approve Bill No. 22-786.

Bill No. 22-786, entitled, [Res. #6837]

“A RESOLUTION RECOGNIZING RACHEAL JOHNSTON, ADMINISTRATIVE ASSISTANT II FOR NEIGHBORHOOD SERVICES, WITH COMMUNITY DEVELOPMENT DEPARTMENT, AS THE EMPLOYEE OF THE MONTH FOR AUGUST 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.

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

Councilmember Fears requested that Item No. 9 be pulled for separate consideration.

Councilmembers Hobart and Perkins moved to approve the AMENDED CONSENT AGENDA minus Item No. 9.

1. Approval of minutes for the Regular Meetings on July 11, 2022 and July 18, 2022.
2. Council action to award a Change Order #1 to Purchase Order 22000162 to TransPerfect Legal Solutions in the amount of \$83,315.56 to cover additional costs incurred for transcription services. New revised amount of PO 22000162 will be \$83,315.56.
3. Council action is requested to issue a purchase order to Clark Equipment, dba Bobcat Company, in the amount of \$74,445.68, for the purchase of a compact excavator for the Municipal Services Department.
4. Council action is requested to issue a purchase order to Midwest Vac Products, in the amount of \$134,181.50, for an IBAK inspection camera system.
5. Council action is requested to issue a purchase order for \$69,108.01 to Deere & Company for a John Deere 5100E Tractor and a John Deere 540M Loader for the Water Department.
6. Council action is requested to issue a purchase order for Northstar Technologies, LLC for \$66,000, authorizing future change orders for an amount not to exceed \$24,000, for the annual renewal of a Stormwater Management and Engineering Services Contract (No. #374-17).

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7. Council action to award a contract to Burns & McDonnell in the amount of \$60,000 to cover Annual Transmission Assessment studies for the Power & Light Department.
8. Council approval to issue a purchase order to ConvergeOne Inc, in the amount of \$121,431.75 for a Network Hardware Update for the Courtney Bend Water Plant for the Water Department.

Bill No. 22-787, entitled, [Res. #6838]

“A RESOLUTION REAPPOINTING JIM BLAU AND ROBIE MATHEWS TO THE TRUMAN MEMORIAL SCHOLARSHIP FUND CANDIDATE SELECTION COMMITTEE OF THE CITY OF INDEPENDENCE, MISSOURI.

Bill No. 22-788, entitled, [Res. #6839]

“A RESOLUTION APPOINTING MICHAEL TALCOTT AS A MEMBER OF THE PUBLIC UTILITIES ADVISORY BOARD OF THE CITY OF INDEPENDENCE, MISSOURI.” – *Individual Appointment-Councilmember Brice Stewart*

Bill No. 22-789, entitled, [Res. #6840]

“A RESOLUTION APPOINTING JEFF MCLAUGHLIN AS A MEMBER OF THE BRAND INDEPENDENCE COMMITTEE.” – *Individual Appointment-Councilmember Jared Fears*

Bill No. 22-790, entitled, [Res. #6841]

“A RESOLUTION REAPPOINTING LIBET OJEDA TO THE CITY JUDICIAL COMMISSION OF THE CITY OF INDEPENDENCE, MISSOURI.” – *Individual Appointment-City Manager Zach Walker*

Bill No. 22-791, entitled, [Res. #6842]

“A RESOLUTION REAPPOINTING DARLA EAMES AS A MEMBER OF THE TREE COMMISSION FOR THE CITY OF INDEPENDENCE, MISSOURI.” – *Individual Appointment-Mayor Rory Rowland*

Bill No. 22-792, entitled, [Res. #6843]

“A RESOLUTION APPOINTING BRENT SCHONDELMEYER TO THE LAND TRUST OF JACKSON COUNTY, MISSOURI.” – *Individual Appointment-Mayor Rory Rowland*

Bill No. 22-793, entitled, [Res. #6844]

“A RESOLUTION UPDATING THE ECONOMIC DEVELOPMENT POLICY FOR THE CITY OF INDEPENDENCE.”

Bill No. 22-794, entitled, [Res. #6845]

“A RESOLUTION REPEALING RESOLUTION NO. 6366 & RESOLUTION NO. 5916 AND DISSOLVING THE MAYOR’S ADVISORY COMMISSION ON THE ARTS.”

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.

Councilmembers Fears and Hobart moved to approve Item No. 9.

In response to Councilmember Fears, City Manager, Zach Walker, provided additional information about where the security services are needed. In response to Councilmember Stewart, Mr. Walker stated that this is for unarmed security.

9. Council action is requested to enter into a one (1) year contract, with four (4), one-year renewal periods for Security Officer Services with Allied Universal for the Power & Light Department.

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.

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## PUBLIC HEARINGS:

Mayor Rowland opened a full public hearing for the formation of the Eastgate Commerce Center Community Improvement District. Community Development Director, Tom Scannell, provided background information on this item. The applicant spoke to Council about this application. There being no additional speakers, Mayor Rowland declared the public hearing closed. *Full Public Hearing.*

Bill No. 22-059, entitled

“AN ORDINANCE APPROVING THE PETITION FOR THE ESTABLISHMENT OF THE EASTGATE COMMERCE CENTER COMMUNITY IMPROVEMENT DISTRICT, ESTABLISHING THE DISTRICT, MAKING FINDINGS AND AUTHORIZING ACTIONS RELATED TO ESTABLISHMENT OF THE DISTRICT.”

was given its first reading by title.

Mayor Rowland opened a full public hearing for the amendment to the Unified Development Ordinance, Chapter 14, of the Independence City Code relating to Special Use Permits for Mini Storage. Community Development Director, Tom Scannell, provided background information on this item. In response to Councilmember Hobart, Mr. Scannell stated that this would allow an indoor self-storage facility to locate in the C-2 with approval of a Special Use Permit. There being no additional speakers, Mayor Rowland declared the public hearing closed. *Full Public Hearing.*

Bill No. 22-070, entitled, [Ord. #19358]

“AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, CHAPTER 14, OF THE INDEPENDENCE CITY CODE PERTAINING TO MINI STORAGE FACILITIES.”

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.

## NON-ORDINANCE ACTION ITEMS:

Bill No. 22-771, entitled, [*Postponed to 9/6*]

“A RESOLUTION AFFIRMING THE CITY COUNCIL’S ADHERENCE TO CERTAIN PROVISIONS OF THE CITY’S PERSONNEL POLICIES AND PROCEDURES AS WELL AS CERTAIN ADMINISTRATIVE POLICIES OF THE CITY OF INDEPENDENCE.”

Councilmember Stewart stated he believes members of the City Council should be held accountable for their actions; however, he feels this resolution is flawed and unenforceable under the Charter.

Councilmember Stewart proposed postponing this item until the September 6, 2022, Council Meeting and suggested some changes he’d like to see.

Councilmembers Stewart and Hobart moved to postpone Bill No. 22-771 until the September 6, 2022 Council Meeting. Mayor Rowland stated that he appreciated Councilmember Stewart reaching out to him to discuss this item and he will vote in favor to postpone this.

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

Bill No. 22-765, entitled, [Res. #6846]

“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.”

Councilmember Stewart stated that he disagrees with excluding former employees, Councilmembers or Mayor’s to serve on this commission.

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Councilmembers Stewart and Steinmeyer moved to amend Bill No. 22-765 to allow former employees, Councilmembers or Mayors to serve on the commission after they have been separated from the city for a minimum of 24 months. Mayor Rowland shared his feelings that he truly wants this to be a citizen's commission. Mayor Rowland stated that there will be a tremendous amount of input and access for those who want to participate.

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

Councilmember Stewart stated that many prior employees, Councilmembers and Mayors are citizens and residents of independence and expressed his feelings about excluding certain citizens from this commission. Councilmember Steinmeyer stated he agrees with Councilmember Stewart, but also doesn't understand why we can't wait three months until the vacant At-Large Councilmember seat is filled and would like to see that happen.

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

## ORDINANCES:

Bill No. 22-066, entitled, [Ord. #19359]

“AN ORDINANCE AUTHORIZING ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$698,000.00 FROM THE MISSOURI DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF OVERTIME FOR THE POLICE DEPARTMENT FOR IMPAIRED DRIVING ENFORCEMENT AND YOUTH ALCOHOL LIQUOR COMPLIANCE CHECKS FROM OCTOBER 1, 2022, TO SEPTEMBER 30, 2023; AUTHORIZING FUTURE CHANGE ORDERS AND/OR TIME EXTENSIONS FOR THE SAME PROJECT 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: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the bill approved.

Bill No. 22-067, entitled, [Ord. #19360]

“AN ORDINANCE AUTHORIZING ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$347,000.00 FROM THE MISSOURI DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF OVERTIME FOR THE POLICE DEPARTMENT FOR A CRASH INVESTIGATION SOFTWARE LICENSE, LETSAC CONFERENCE FEES AND HAZARDOUS MOVING VIOLATIONS ENFORCEMENT FROM OCTOBER 1, 2022, TO SEPTEMBER 30, 2023; AUTHORIZING FUTURE CHANGE ORDERS, EXTENSIONS, AMENDMENTS OR ADDENDUMS FOR ADDITIONAL FUNDING FOR THE SAME PROJECT 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: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the bill approved.

Bill No. 22-068, entitled, [Ord. #19361]

“AN ORDINANCE AUTHORIZING ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$73,000.00 FROM THE MISSOURI DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF OVERTIME FOR THE POLICE DEPARTMENT FOR OCCUPANT PROTECTION ENFORCEMENT FROM OCTOBER 1, 2022, TO SEPTEMBER 30, 2023; AUTHORIZING FUTURE CHANGE ORDERS, EXTENSIONS, AMENDMENTS OR ADDENDUMS FOR ADDITIONAL FUNDING FOR THE SAME PROJECT 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: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the bill approved.

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## Bill No. 22-069, entitled, [Ord. #19362]

“AN ORDINANCE AUTHORIZING ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$62,230.00 FROM THE MISSOURI DEPARTMENT OF TRANSPORTATION FOR REIMBURSEMENT OF PRODUCT SUPPORT, PROGRAM DEVELOPMENT FEES, COMPUTER SOFTWARE AND EQUIPMENT FOR THE POLICE DEPARTMENT FOR E-TICKETING FROM OCTOBER 1, 2022, TO SEPTEMBER 30, 2023; AUTHORIZING FUTURE CHANGE ORDERS, EXTENSIONS, AMENDMENTS OR ADDENDUMS FOR ADDITIONAL FUNDING FOR THE SAME PROJECT 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: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the bill approved.

## FIRST READINGS:

## Bill No. 22-072, entitled

“AN ORDINANCE VACATING AND CHANGING AN EXISTING RIGHT-OF-WAY TO A GENERAL UTILITY EASEMENT, ALL THAT PART OF OLD LEXINGTON ROAD FROM THE EAST RIGHT-OF-WAY LINE OF N BAY AVENUE TO THE WESTERLY RIGHT OF WAY LINE OF U. S. 24 HIGHWAY, IN THE SOUTHEAST QUARTER, SECTION 20, TOWNSHIP 50, RANGE 31, CITY OF INDEPENDENCE, JACKSON COUNTY, MISSOURI.”

was given its first reading by title.

## Bill No. 22-073, entitled

“AN ORDINANCE REDISTRICTING THE CITY OF INDEPENDENCE FOR THE CITY COUNCIL DISTRICTS; REPEALING ORDINANCE NO. 15219 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.”

was given its first reading by title.

## Bill No. 22-074, entitled

“AN ORDINANCE TO APPROVE AMENDMENTS TO THE ELECTRIC SERVICE RULES AND REGULATIONS.”

was given its first reading by title.

## Bill No. 22-075, entitled

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-1 (NEIGHBORHOOD COMMERCIAL) AND 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 AT 2610 AND 2612 S. LEE’S SUMMIT ROAD, IN INDEPENDENCE, MISSOURI.”

was given its first reading by title.

## INFORMATION ONLY:

1. Purchase order 23000100, in the amount of \$50,000 was issued to Brenntag Mid-South Inc for Sodium Bisulfite for the Rock Creek Wastewater Treatment Plant of the Municipal Services Department.
2. Purchase order 23000094, in the amount of \$50,000 was issued to DPC Industries for Sodium Hypochlorite for the Rock Creek Wastewater Treatment Plant of the Municipal Services Department.
3. Purchase order 23000083, in the amount of \$80,000 was issued to DPC Industries for Liquid Chlorine Cylinders for the Courtney Bend Water Treatment Plant of the Water Department.
4. Purchase order 23000082, in the amount of \$115,000 was issued to Carus Corporation for Hexametaphosphate in 50 lb. bags for the Courtney Bend Water Treatment Plant of the Water Department.
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)

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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 continues to be asked about the Police Department Overtime Report and he has stated publicly that he would like the report released publicly without giving personnel information. Councilmember Stewart has asked that a Special Meeting be called to discuss opening this report to the public as much as possible. Councilmember Stewart encouraged citizens to vote tomorrow.

Councilmember Hobart stated that Wes Epperson, a citizen in his district, has organized a monthly meeting for residents of the 4<sup>th</sup> District to discuss city issues and has had some city staff attend to share more information about city programs. He encouraged anyone who is interested in attending to reach out to him and he will help them get the attendance information for Mr. Epperson's group.

Mayor Rowland talked about the tour he attended of the Bingham-Waggoner Estate last Friday and recommended people to visit. Mayor Rowland stated over the weekend he visited the Animal Shelter and stated that they are very overwhelmed and encouraged those looking to adopt a new pet to visit.

At 6:35 p.m. the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., August 15, 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