

REGULAR MEETING
September 6, 2022

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

Laurie Dean Wiley, Member, EPIC Church, 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:

Mayor Rowland provided some guidelines for speakers to follow when speaking to Council.

Councilmembers Hobart and Stewart moved to suspend the Rules of Procedure to allow non-residents to speak during Citizen Requests.

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

Edward Nesbitt spoke to Council regarding the Cargo Largo project.

Bob Sorensen spoke to Council regarding Res. No. 22-804.

Jim Pallo spoke to Council regarding Bill No. 22-084.

Mike Freeland spoke to Council regarding rezoning project and water problems.

Kenneth Tompkins spoke to Council regarding water problems, flooding issues and traffic.

Marilyn McMalon spoke to Council regarding rezoning project.

Robert Doyal spoke to Council regarding water runoff and increased traffic.

Ken Love spoke to Council regarding the property at 4023 S. Noland Rd.

PRESENTATION RESOLUTIONS:

Councilmembers Hobart and Stewart moved to approve Bill No. 22-800.

Bill No. 22-800, entitled, [Res. #6851]

“A RESOLUTION RECOGNIZING CINDY JONES, TROUBLE DISPATCHER, WITH POWER & LIGHT DEPARTMENT, AS THE EMPLOYEE OF THE MONTH FOR SEPTEMBER 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.

PROCLAMATIONS:

City Clerk, Becky Behrens, read a proclamation for National Preparedness Month. Mayor Rowland presented the proclamation to Janelle Scofield.

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REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

Councilmembers Hobart and Fears moved to approve the CONSENT AGENDA

1. Approval of minutes for the Regular Meetings on August 1, 2022 and August 15, 2022.
2. Council action is requested to issue a purchase order to Riverside Technology Inc. (RTI), in the amount of \$75,979.82, for computer equipment for the Fire Department.
3. Council action is requested to enter into an agreement with VOYA for employee voluntary benefits for a period of January 1, 2023 through December 31, 2023 with three (3) one-year renewal options.
4. Council action is requested regarding the change in ownership application received from Noland Petroleum LLC, for Retail Selling of Intoxicating Liquor of All Kinds in the Original Package license for the Crown Liquors located at 3900 S. Noland Road.

Bill No. 22-801, entitled, [Res. #6852]

“A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE SUB-AWARDEE AGREEMENT BETWEEN THE KANSAS CITY AREA TRANSPORTATION AUTHORITY AND THE CITY OF INDEPENDENCE FOR THE AMERICAN RESCUE PLAN TRANSPORTATION ASSISTANCE ACT FORMULA GRANT.”

Bill No. 22-802, entitled, [Res. #6853]

“A RESOLUTION REPEALING RESOLUTION NO. 5910 AND DISSOLVING THE TRANSPORTATION POLICY COMMITTEE.”

Bill No. 22-803, entitled, [Res. #6854]

“A RESOLUTION APPOINTING CAROL SALINAS TO THE MAYOR’S ADVISORY COMMISSION ON ETHICS REFORM.” – *Individual Appointment-Mayor Rory Rowland*

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 declared the motion carried, and the CONSENT AGENDA was approved.

PUBLIC HEARINGS:

Mayor Rowland opened a full public hearing on proposed property tax rates to be set by the City of Independence for the fiscal year beginning July 1, 2022, based on the current assessed valuation by Jackson and Clay Counties. Chief Financial Officer, Cindy Gray, provided background information on this item. Edward Nesbitt asked if the Independence Square receives a tax discount, City Manager, Zach Walker, advised Mr. Nesbitt that he would look into it and get back with him. Ken Love discussed personal property tax. There being no additional speakers, Mayor Rowland declared the public hearing closed. *Full Public Hearing.*

Bill No. 22- 078, entitled

“AN ORDINANCE LEVYING A TAX ON ALL REAL PROPERTY SUBJECT TO TAXATION ON JANUARY 1, 2022, WITHIN THE CORPORATE LIMITS OF THE CITY OF INDEPENDENCE, MISSOURI, FOR GENERAL REVENUE AND PUBLIC HEALTH AND RECREATION PURPOSES, AND FOR THE INDEPENDENCE SQUARE SPECIAL BUSINESS BENEFIT DISTRICT; SAID LEVIES AND ASSESSMENTS BEING SEPARATE AND DISTINCT, ALL FOR THE FISCAL YEAR COMMENCING ON THE 1ST DAY OF JULY, 2022, AND ENDING ON THE 30TH DAY OF JUNE, 2023.”
was given its first reading by title.

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NON-ORDINANCE ACTION ITEMS:

Bill No. 22-771, entitled, [*Postponed to 9/19*]

“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 advised that he has spoken with City Counselor, Jeremy Cover, and Mr. Cover advised that he will have new language for this bill by the next Council meeting.

Councilmembers Stewart and Hobart moved to postpone Bill No. 22-771 to the September 19, 2022, Council Meeting. In response to Councilmember Fears, Mr. Cover stated that the next meeting would allow the time he needs.

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

Bill No. 22-799, entitled, [*Postponed Indefinitely*]

“A RESOLUTION AUTHORIZING THE CITY MANAGER TO IMPLEMENT RECOMMENDED CHANGES TO THE CITY’S SELF-FUNDED HEALTH INSURANCE PLAN.”

Councilmembers Fears and Perkins moved to postpone Bill No. 22-799 indefinitely.

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

Bill No. 22-804, entitled, [Res. #6855]

“A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO IMPLEMENT RECOMMENDED CHANGES TO THE CITY’S SELF-FUNDED HEALTH INSURANCE PLAN.”

Councilmember Fears provided updates regarding the Health Insurance Review Committee and changes proposed. In response to Councilmember Steinmeyer, Mike Veit, Chair of the Staywell Committee, provided additional details about the proposed changes being suggested to the healthcare plans and long-term plans. Councilmember Fears stated that they believe this will be more than a one-year solution but will not be able to best analyze the information until after open enrollment. In response to Councilmember Steinmeyer, Mr. Veit stated that in order to make sure we have the funding to sustain this approach, we have to help keep the membership healthy. Mr. Walker stated that as the City Manager he would be responsible for answering budgetary questions for Council as Mr. Veit chairs a committee that makes recommendations to the City Manager. Councilmember Hobart thanked the members of the Health Insurance Review Committee for their work to help find a solution. Councilmember Hobart stated he is proud and hopeful that we can continue to find the best compromise for everyone. Mayor Rowland thanked the committee as well for their work and stated he fully intended for this to be an ongoing committee and to continue to have these discussions.

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.

ORDINANCES:

Bill No. 22-074, entitled, [Ord. #19367]

“AN ORDINANCE TO APPROVE AMENDMENTS TO THE ELECTRIC SERVICE RULES AND REGULATIONS.” was given its second reading by title and placed on final passage. Councilmember Steinmeyer stated he spoke with staff and members of the PUAB and believes it is best to refer this back to the PUAB.

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Councilmembers Steinmeyer and Stewart moved to refer Bill No. 22-074 back to the PUAB. Councilmember Fears stated that there was a lot of discussion on this matter at the Study Session and he is ready to move forward and will vote no on the motion to postpone. Councilmember Hobart stated he agrees with Councilmember Fears. Councilmember Steinmeyer stated he thinks this is important to go back to the PUAB so that the rate payers can have questions answered. In response to Mayor Rowland, Director of Power & Light, Jim Nail, provided some information about cost savings and number of accounts. Mr. Nail provided additional background information. Mr. Nail advised that the estimated amount that IPL is expected to lose this year is between \$3 million and \$9 million. In response to Councilmember Stewart, Mr. Nail advised that we keep the boxes in stock and can get the number we have on hand to Council at a later time, but his idea is that the city would use the stock they have and not replenish once they are gone. In response to Councilmember Steinmeyer, Mr. Nail provided information regarding cost and permitting as well as information about who owns the box and meter. In response to Mayor Rowland, Mr. Nail stated that he has not been asked by any PUAB members to reconsider. In response to Councilmember Stewart, Mr. Nail provided additional background information. In response to Councilmember Hobart, Mr. Nail confirmed that we have a lineman delivering the boxes to construction projects. Mayor Rowland stated he cares about the rate payers in the city but this is not a material difference for the rate payers so he will vote no on the motion as well. Upon roll call for the motion to refer Bill No. 22-074 back to PUAB, the vote was: Ayes – Councilmembers: Stewart and Steinmeyer. Noes – Councilmembers: Perkins, Fears, Hobart and Mayor Rowland. Absent – None. The Mayor declared the motion failed.

Councilmember Steinmeyer shared additional concerns that he does not feel have been addressed that could affect our residents and believes we need to be responsible when making these decisions. Upon roll call for Bill No. 22-074, the vote was: Ayes – Councilmembers: Fears, Perkins, Hobart and Mayor Rowland. Noes – Councilmembers: Stewart and Steinmeyer. Absent – None. The Mayor declared the bill approved.

Bill No. 22-076, entitled, [Ord. #19368]
“AN ORDINANCE AUTHORIZING ISSUANCE OF A PURCHASE ORDER TO GULF STATES DISTRIBUTORS FOR THE POLICE DEPARTMENT’S ANNUAL AMMUNITION ORDER FOR \$122,835.00; AUTHORIZING FUTURE CHANGE ORDERS NOT TO EXCEED \$2,000.00; AND APPROPRIATING \$66,450.00 FROM THE POLICE DEPARTMENT’S USE TAX FUND BALANCE TO PARTIALLY FUND THIS PURCHASE.”
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.

Councilmember Perkins exited the dais at 7:24 p.m.

Bill No. 22-077, entitled, [Ord. #19369]
“AN ORDINANCE AMENDING CHAPTER 2 OF THE CITY CODE, “ALCOHOLIC BEVERAGES.”
was given its second reading by title and placed on final passage. In response to Councilmember Hobart, Mr. Walker confirmed that this item is to update the City Code to reflect recent liquor law changes locally and at the state level as well. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – Councilmember Perkins. The Mayor declared the bill approved.

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FIRST READINGS:

Bill No. 22-079, entitled
“AN ORDINANCE REPEALING ARTICLE 1 OF CHAPTER 4 “PROPERTY MAINTENANCE CODE” AND ADDING A NEW ARTICLE 1 OF CHAPTER 4 “PROPERTY MAINTENANCE CODE” OF THE CITY CODE AND MAKING OTHER NECESSARY REVISIONS.”
was given its first reading by title.

Bill No. 22-080, entitled
“AN ORDINANCE AMENDING SECTION 12.09.008, “ABATEMENT”, OF THE INDEPENDENCE CITY CODE.”
was given its first reading by title.

Bill No. 22-081, entitled
“AN ORDINANCE AMENDING SECTION 18.25.002, “AUTHORITY TO IMPOUND ABANDONED PROPERTY”, OF THE INDEPENDENCE CITY CODE.”
was given its first reading by title.

Bill No. 22-082, entitled
“AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-12 (TWO-FAMILY RESIDENTIAL) TO DISTRICT C-2 (GENERAL COMMERCIAL) FOR THE PROPERTY AT 1711 E. 23RD STREET S. (1507 E. 23RD STREET S.) IN INDEPENDENCE, MISSOURI.”
was given its first reading by title.

Bill No. 22-083, entitled
“AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-12 (SINGLE FAMILY RESIDENTIAL) TO DISTRICT R-18/PUD (MEDIUM DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR THE PROPERTY AT 8718, 8718½, 8720, 8720½ E. US 24 HIGHWAY, IN INDEPENDENCE, MISSOURI.”
was given its first reading by title.

Bill No. 22-084, 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 PROPERTY AT 2350 S. HADEN STREET (1250 S. HADEN STREET), IN INDEPENDENCE, MISSOURI.”
was given its first reading by title.

Bill No. 22-085, entitled
“AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE AUTOMOTIVE SALES LOT AT 9304 E. US 40 HIGHWAY, IN INDEPENDENCE, MISSOURI.”
was given its first reading by title.

Bill No. 22-086, entitled
“AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE A TUNNEL CAR WASH AT 4121 S. LITTLE BLUE PARKWAY, IN INDEPENDENCE, MISSOURI.”
was given its first reading by title.

Bill No. 22-087, entitled
“AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR THE PROPERTY AT 810 E. WALNUT IN DISTRICT R-18/PUD (MEDIUM DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) IN INDEPENDENCE, MISSOURI.”
was given its first reading by title.

Councilmember Perkins returned at 7:27 p.m.

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Bill No. 22-088, entitled

“AN ORDINANCE VACATING AN EXISTING WATER MAIN EASEMENT OF ALL THAT PART OF 505 N. DODGION AVENUE LYING IN, ON, AND ACROSS LOT 7 (EXCEPT THE SOUTH 9 FEET), OF HOCKENSMITH LAND, A SUBDIVISION IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.”

was given its first reading by title.

INFORMATION ONLY:

1. The certified results of the August 2, 2022 Special At-Large Councilmember election, from the Jackson County Board of Election Commissioners have been received by the City Clerk.
2. Transfer of Property Management for the 39th Place Apartments
3. Purchase order 23000280 for \$378,950.00 was issued to Landmark Dodge Chrysler Jeep (Landmark Dodge) for (13) Dodge Charger Police Vehicles for the Police Department.
4. Handouts During the Meeting
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:

In response to Councilmember Stewart, Mr. Walker provided information regarding the bid process to demolish the old K-Mart building.

Councilmember Fears stated he enjoyed visiting SantaCaliGon last weekend. Councilmember Fears thanked the members of the Health Insurance Review Committee. Councilmember Fears advised Mr. Walker what additional information he needs regarding Bill No. 22-084 because of his concerns. Mr. Walker stated he will get information together for Council and provided prior to next Council Meeting.

Councilmember Steinmeyer stated that he enjoyed SantaCaliGon last weekend as well. Councilmember Steinmeyer shared his feelings about improving our city prior to the World Cup so that the city can get some revenue from that event. Councilmember Steinmeyer stated he is hoping this Council will take a sincere approach to going after the revenue that is owed to this city. Councilmember Steinmeyer stated Council needs to start talking about how we grow with the city and protect the investments. Councilmember Steinmeyer shared his thoughts about improving streets, fire stations and other things within the city.

Councilmember Hobart stated that he also enjoyed SantaCaliGon last weekend. Councilmember Hobart thanked everyone who helped and participated in the event to make it so successful. Councilmember Hobart thanked Councilmember Stewart and the Chamber for their work on security regarding the event. In response to Councilmember Hobart, Mr. Walker stated that we have not reached the point of demolition of the building and provided additional information regarding the old K-Mart building. Councilmember Hobart stated he does not feel that the Council has done nothing toward improvements prior to the World Cup or improving the fire stations, he shared examples. Councilmember Hobart stated that the \$3 million secured by Representative Cleaver for the Independence Square will be able to make great improvements as well. He stated he is hopeful this Council can make great changes as well and appreciates everyone's hard work.

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Mayor Rowland shared information about the Independence Samoan Flag Day event that he attended on Saturday and stated it was a great event and thanked them for the event. Mayor Rowland stated that SantaCaliGon was a nice event with a great rebound since the pandemic. Mayor Rowland again thanked the Health Insurance Review Committee for their work. Mayor Rowland stated we cannot manage a secret.

At 7:44 p.m. the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., September 19, 2022, in the Council Chambers.

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

ATTEST:

City Clerk