

REGULAR MEETING
September 19, 2022

The Independence City Council met for a Regular Meeting, September 19, 2022, at 6:00 p.m., in the Council Chambers, 111 E. Maple.

Shirley Murdock, 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, John Perkins, Brice Stewart, Mike Steinmeyer, Daniel Hobart (virtual) 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:

Wes Epperson spoke to Council regarding additional car lots on 40 Highway.

Mike Huff spoke to Council regarding order of meetings.

Councilmembers Stewart and Hobart 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.

Mike Freeland spoke to Council regarding Public Hearing #1.

Ken Tompkins spoke to Council regarding Public Hearing #1.

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

Steve McBee spoke to Council regarding the Villas at Windmill Fields.

Jim Pallo spoke to Council regarding Windmill Fields development.

Butch Nesbitt spoke to Council regarding CIPs.

PRESENTATION:

Past President of the Junior Service League, Cindy Pritchard, announced and presented the 2022 Susan P. Block Distinguished Public Service Award to this year's recipient, Merideth Rose. Ms. Pritchard reviewed the outstanding work performed by Ms. Rose. Ms. Rose was presented with a plaque and Mayor Rowland congratulated Ms. Rose.

PROCLAMATIONS:

City Clerk, Becky Behrens, read a proclamation for Constitution Week. Mayor Rowland presented the proclamation to the Sons of the American Revolution Harry S. Truman Chapter and the Independence Patriots Chapter.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

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Councilmembers Hobart and Stewart moved to approve the CONSENT AGENDA.

Councilmember Steinmeyer requested that Bill No. 22-805 and Bill No. 22-806 be pulled for separate consideration.

1. Council action is recommended to enter a contract with Invoice Cloud for electronic invoicing and point of sale payment processing services for a period of three (3) years. At the sole option of the City, this agreement may be renewed for additional annual periods with approval of the City and the provider.
2. Council action is requested authorizing acceptance of a grant in the amount of \$75,000 from the National Association of County and City Health Officials to the Medical Reserve Corp, housed with the City of Independence Emergency Preparedness Division and from August 1 until December 31, 2022; authorizing future change orders and/or time extensions for the same project and making the necessary appropriations.
3. Council approval to issue a purchase order to Midwest Infrastructure Coatings LLC, in the amount of \$56,520.00 for Manhole Lining services for the Sewer Maintenance Division of the Municipal Services Department.
4. Council action is requested regarding the change in ownership application received from Midas Independence LLC, for Retail Selling of Malt Liquor and Wine by the Drink license for the Staybridge Suites located at 19400 E. 39th Place.
5. Approval is recommended to enter into a five (5) year contract with Open Systems International, Inc. (an AspenTech business) for technical services and support of the Power & Light Department Supervisory Control and Data Acquisition/Energy Management System (SCADA/EMS).
6. Council action is recommended to authorize the trade-in of the 2015 CAT 430 backhoe owned by the Water Department on a 2022 CAT 430 backhoe as well as the issuance of a purchase order to Foley Equipment Company for a \$84,845.00.

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.

In response to Councilmember Steinmeyer, Deputy City Manager, Adam Norris, stated that this item will cover non-represented employees and any future work agreements will have to be bargained.

Councilmembers Steinmeyer and Stewart moved to approve Bill No. 22-805.

Bill No. 22-805, entitled, [Res. #6855]

“A RESOLUTION AMENDING THE PERSONNEL POLICIES AND PROCEDURES MANUAL OF THE CITY OF INDEPENDENCE, MISSOURI REGARDING OVERTIME POLICIES.”

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.

In response to Councilmember Steinmeyer, Mr. Norris advised that the estimated savings for these changes is approximately \$20,000 annually to the General Fund.

Councilmembers Steinmeyer and Perkins moved to approve Bill No. 22-806.

Bill No. 22-806, entitled, [Res. #6856]

“A RESOLUTION AMENDING THE PAY PLAN FOR NON-REPRESENTED CITY EMPLOYEES AS ENUMERATED HEREIN ON AND AFTER THE 19TH DAY OF SEPTEMBER, 2022; RECLASSIFY DIRECTOR OF PUBLIC HEALTH (EXECUTIVE 3) TO DIRECTOR OF HEALTH AND ANIMAL SERVICES (EXECUTIVE 2); REMOVE DIRECTOR OF ANIMAL SERVICES; ADD DIRECTOR OF HUMAN RESOURCES (EXECUTIVE 2); ADD CHIEF INFORMATION OFFICER (EXECUTIVE 2); ADD DIRECTOR OF FINANCE (EXECUTIVE 2); REMOVE TOURISM SALES AND SERVICES ASSISTANT; REMOVE TOURISM SALES MANAGER; ADD PROMOTION SERVICES REPRESENTATIVE

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(LEVEL 8); REMOVE PROGRAMMER ANALYST; RECLASSIFY GENERAL MANAGER/DIRECTOR OF POWER AND LIGHT TO DIRECTOR OF POWER AND LIGHT (EXECUTIVE 2); REMOVE DIRECTOR OF FINANCE AND ADMINISTRATION; ADD REGULATED INDUSTRIES SUPERVISOR (LEVEL 11); ADD ASSISTANT COMMUNICATIONS MANAGER (LEVEL 13); REMOVE DEVELOPMENT MANAGER; REMOVE NEIGHBORHOOD SERVICES MANAGER; RECLASSIFY NEIGHBORHOOD SERVICES SUPERVISOR TO LEVEL 11 (CURRENTLY LEVEL 10); REMOVE REGULATED INDUSTRIES MANAGER.”

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 Ashley Smith requesting a rezoning from R-12, Two-Family Residential, to C-2, General Commercial, for the property located at 1711 E. 23rd Street. Assistant Community Development Director, Rick Arroyo, provided background information on this item. Mayor Rowland declared the public hearing closed. *New Information Only.*

Bill No. 22-082, entitled, [Ord. #19370]

“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 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 Tim Peerman requesting a rezoning from R-12, Two-Family Residential, to R-18/PUD, Moderate Density Residential/Planned Unit Development, and approve a Preliminary Development Plan for the property located at 8718, 8718 1/2, 8720 and 8720 1/2 E. US 24 Highway. Mr. Arroyo provided background information on this item. Mayor Rowland declared the public hearing closed. *New Information Only.*

Bill No. 22-083, entitled, [Ord. #19371]

“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 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 Ashley Smith requesting a rezoning from R-6, Single Family Residential, to R-18/PUD, Moderate Density Residential/Planned Unit Development, and approving a Preliminary Development Plan for the property located at 2350 S. Haden Street. Mr. Arroyo provided background information on this item. Mr. Arroyo provided new information regarding this public hearing. Mayor Rowland declared the public hearing closed. *New Information Only.*

Councilmembers Fears and Perkins moved to accept the new information for this public hearing. 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.

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Bill No. 22-084, entitled, [*Remanded to Planning Commission*]

“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 second reading by title and placed on final passage.

Councilmembers Fears and Perkins moved to postpone Bill No. 22-084 indefinitely.

Councilmember Fears shared his concerns regarding traffic in the area without the use of the Discount Tire parking lot. Councilmember Steinmeyer shared his concerns regarding this item and stated he would like discussion to get all parties on the same page. City Counselor, Jeremy Cover, advised that the Council can vote on the item or remand the item back to the Planning Commission, but cannot postpone indefinitely.

Councilmembers Fears and Perkins withdrew their motion to postpone Bill No. 22-084 indefinitely. Councilmember Fears and Perkins moved to remand Bill No. 22-084 back to the Planning Commission. Councilmember Stewart asked if we could hear from the developer tonight since there was new information submitted. Mayor Rowland advised that he would not open a public hearing and we can remand it back to the Planning Commission for further discussion. Mr. Cover provided information from the City Code about how to submit new information. Councilmember Steinmeyer spoke about the citizen concerns about not being heard at the committee level. Councilmember Hobart stated that he agrees with Councilmember Steinmeyer and stated he will vote to remand the item. Mayor Rowland stated that he agrees that everyone should be heard and he stated that is hopeful that everyone’s concerns for items like this and in the future can be worked out before bringing it to Council.

Upon roll call to remand Bill No. 22-084 back to the Planning Commission, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the motion approved.

Mayor Rowland opened a new information only public hearing for the application by Cortland Thurman requesting a Special Use Permit to operate a used vehicle sales business at 9304 E. US 40 Highway. Mr. Arroyo provided background information on this item. Mayor Rowland declared the public hearing closed. *New Information Only*.

Bill No. 22-085, entitled, [*Failed*]

“AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE AUTOMOTIVE SALES LOT AT 9304 E. US 40 HIGHWAY, IN INDEPENDENCE, MISSOURI.”

was given its second reading by title and placed on final passage. In response to Mayor Rowland, Mr. Arroyo advised that this is a car lot that currently has an open violation for junk and debris and non-operable vehicles. Mr. Arroyo advised that there is a court date scheduled for November and advised that he does not believe the excessive cars have been cleaned up. Mayor Rowland stated that without it being cleaned up, he will not vote in favor of this item. In response to Councilmember Hobart, Mr. Norris advised that him and the Director of Community Development are currently evaluating the number of car lots in the city and if it is an excessive amount. Councilmember Hobart stated that he will vote against this item. In response to the Mayor, Mr. Norris advised that staff is currently reviewing the number of car lots in our city to surrounding municipalities. 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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Mayor Rowland opened a new information only public hearing for the application by Ashley Smith requesting a Special Use Permit to operate a car wash at 4121 Little Blue Parkway. Mr. Arroyo provided background information on this item. Mayor Rowland declared the public hearing closed. *New Information Only.*

Bill No. 22-086, entitled, [Ord. #19372]

“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 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 Mick Slutter for a Preliminary Development Plan approval for an addition to the Apex Senior Living Center located at 810 E. Walnut. Mr. Arroyo provided background information on this item. Mayor Rowland declared the public hearing closed. *New Information Only.*

Bill No. 22-087, entitled, [Ord. #19373]

“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 second reading by title and placed on final passage. In response to Councilmember Stewart, Mr. Arroyo stated that there are residential homes near this area. Councilmember Stewart stated that he will be voting no because of citizen concerns he has received. Councilmember Fears stated that he has heard similar concerns from citizens and believes a fence could be the solution.

Councilmembers Fears and Hobart moved to require the developer to add a fence on the back side where this location would back up to residential homes. Upon roll call to require the developer to add a fence, the vote was: Ayes – Councilmembers: Fears, Perkins, Hobart and Mayor Rowland. Noes – Councilmembers Stewart and Steinmeyer. Absent – None. The Mayor declared the motion approved.

Upon roll call for Bill No. 22-087, the vote was: Ayes – Councilmembers: Fears, Perkins, Hobart and Mayor Rowland. Noes – Councilmembers Stewart and Steinmeyer. Absent – None. The Mayor declared the bill approved.

NON-ORDINANCE ACTION ITEMS:

Bill No. 22-771, entitled, [Res. #6857]

“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.”

Councilmembers Stewart and Hobart moved to substitute the Bill No. 22-771 with the revised resolution. In response to Councilmember Steinmeyer, Mr. Cover provided information about what changes are being suggested. In response to Councilmember Steinmeyer, Mr. Cover provided information about the current procedures and changes being suggested in regard to handling allegations against Councilmembers. Councilmember Steinmeyer shared his concerns with this item and feels that it has conflicts with the Charter. In response to Councilmember Steinmeyer, Mr. Cover advised that this will not require specific training, but that the Council accept and acknowledge the policy. Councilmember Steinmeyer stated that the Council needs to be willing and able to trust each other and hold each other accountable. Councilmember Steinmeyer feels as though down the road this could be a political

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weaponization against Councilmembers and because it does not line up with the Charter, he will be voting no on the item. Mayor Rowland thanked Councilmember Stewart for working with him on a compromise. Mayor Rowland shared his feelings about Council being held to a higher standard and treating staff respectfully and professionally and he will not accept anything less. Mayor Rowland stated that Councilmembers may disagree, but he feels elected officials have crossed the line before and there was no accountability by Councils in the past to address this issue. Mayor Rowland shared his feelings regarding the importance of holding each other accountable. Councilmember Steinmeyer asked to be recognized, Mayor Rowland declined to recognize him.

Councilmember Steinmeyer called a point of order asking again to be recognized. Mayor Rowland ruled that the point of order was out of order.

Upon roll call to substitute Bill No. 22-771 with the revised language, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, Hobart and Mayor Rowland. Noes – Councilmember Steinmeyer. Absent – None. The Mayor declared the motion approved.

Upon roll call for Bill No. 22-771 as revised, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, Hobart and Mayor Rowland. Noes – Councilmember Steinmeyer. Absent – None. The Mayor declared the motion approved.

Bill No. 22-807, entitled, [Res. #6858]
“A RESOLUTION ESTABLISHING THE INDEPENDENCE FIFA WORLD CUP ADVISORY COMMITTEE.”
Councilmember Stewart stated he understands the importance of this but is concerned about finding members for additional committees when we are struggling to get quorums for the committees we have. Councilmember Steinmeyer stated that he has similar questions as Councilmember Stewart. Councilmember Steinmeyer stated that this and the next item will require leadership and is hoping that Mayor Rowland takes point on both. Councilmember Steinmeyer suggested incorporating these into the Tourism or Parks Commissions.
Upon roll call, 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. 22-808, entitled, [Res. #6859]
“A RESOLUTION ESTABLISHING THE INDEPENDENCE NFL DRAFT ADVISORY COMMITTEE.”
Councilmember Steinmeyer stated that he brought this to the city in 2018 when he was on the Parks Commission and stated that there were licensing issues and would be expensive, but there are things we can do to be attractive to the people visiting the area during the event. Councilmember Steinmeyer stated that he believes the Mayor should be actively involved in this committee. Councilmember Steinmeyer stated he thinks the formation of this committee is too late and will be a dead end. Councilmember Hobart moved to appoint Councilmember Steinmeyer as the Chair to this committee. In response to Mayor Rowland, Mr. Cover advised that you cannot select a Chair until the committee is formed and stated that because the appointment was not properly noticed on this agenda then any appointments would need to be made at a future meeting. Councilmember Hobart withdrew his motion.
Upon roll call for Bill No. 22-808, 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. 22-809, entitled, [Res. #6860]
“A RESOLUTION EXPRESSING THE DESIRE OF THE INDEPENDENCE CITY COUNCIL TO ENGAGE THE CITY OF KANSAS CITY, MISSOURI IN FREQUENT, CLEAR, AND MEANINGFUL DIALOGUE REGARDING THE FUTURE PLANS FOR THE TRUMAN SPORTS COMPLEX.” – *Requested by Councilmember Jared Fears*

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Councilmember Fears provided background information on this item and stated that he feels our city should have a presence at the table when considering any changes to the Royals stadium. Councilmember Stewart stated he agrees with Councilmember Fears and will be voting yes.

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. 22-810, entitled, *[Failed]*

“A RESOLUTION DIRECTING THE CITY MANAGER TO PURSUE A FORENSIC AUDIT THAT EVALUATES THE FINANCES OF THE INDEPENDENCE POWER AND LIGHT DEPARTMENT.” – *Requested by Councilmember Mike Steinmeyer*

Councilmember Steinmeyer provided background information on this item and stated this is overdue and time to have these audits. Councilmember Fears stated that he believes that IPL is already part of the annual audit so he will be voting no because he feels this is redundant. Councilmember Hobart provided background information regarding the annual audit reports received over the last couple years since he began serving on the Audit and Finance Committee and stated that IPL has been in good standing with our third-party auditor. Mayor Rowland shared questions he had regarding this item and stated that a forensic audit is usually conducted when there is a serious concern of maleficence which we do not have. In response to Mayor Rowland, Mr. Norris advised that IPL is part of the annual audit that is performed after the fiscal year ends and provided around the first of the calendar year. Mr. Norris confirmed that IPL had no material deficiencies on the last audit. Mayor Rowland stated that he would be in favor of a financial audit to see if our rates are sufficient to help the organization be sustainable, but we need to identify the proper terminology to be sure we proceed in the correct way. Councilmember Steinmeyer stated a forensic audit is not only suspicion of criminal activity and stated it is a deeper dive into things than a regular audit. Councilmember Steinmeyer stated that deficit in our utility is not small change, and the people deserve to know why we are behind this year and should look at other areas as well. Mayor Rowland stated the reasons he wishes to have a committee or Study Session for bringing items forward to Council Meetings. Mayor Rowland stated that this would be a good item for a Study Session to be sure the Council has clarity and defines exactly what they are looking for. Councilmember Perkins stated that he believes it is the responsibility of the Audit and Finance Committee to work through concerns like this once the concerns are shared. Councilmember Perkins stated opening this up to the possibility of spending hundreds of thousands of dollars with no specific parameters is concerning. In response to Mayor Rowland, Mr. Cover advised that the Council could vote to send this item to the Audit and Finance Committee for review. Councilmember Steinmeyer stated that would be acceptable but wants this to be a priority, so we can better understand the reason for the deep deficit. Councilmember Perkins stated that he would like there to be very specific parameters about what we are going to look at when this item is sent to the Audit and Finance Committee. In response to the Mayor, Councilmember Hobart confirmed that a clear definition of what needs to be looked at should be provided to the Audit and Finance Committee to consider. Councilmember Hobart stated that if it the Audit and Finance Committee decides, they can assign the Management Analyst a task to look at certain things without there being an out-of-pocket cost. Councilmember Steinmeyer asked that we bring the Director of IPL, Jim Nail, to a Study Session to get clarity. Councilmember Hobart stated that he disagrees that we need a Study Session to ask Mr. Nail questions and suggests a phone call and homework be done prior to this moving forward. Councilmember Perkins stated again his suggestion is to write out the specific questions and concerns and bring them to the Audit and Finance Committee or discussion. Mr. Cover advised that this item needs to be voted on or a motion made to postpone. Mayor Rowland stated the Council is interested in finding out the financial health of IPL and it is sustainable in way that is appropriate and believes this item should be voted down at this time.

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

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Bill No. 22-811, entitled, *[Failed]*

“A RESOLUTION FOR THE CITY COUNCIL TO DIRECT THE CITY MANAGER TO POST COMPETITIVE BIDS AND HIRE A FORENSIC INVESTIGATION/AUDIT FIRM TO EXAMINE AND EVALUATE THE CITY OF INDEPENDENCE’S FISCAL, BUDGETARY AND PROCUREMENT POLICIES, AND PROCEDURES TO ENSURE TRANSPARENCY AND ACCOUNTABILITY TO THE TAXPAYERS AND THE EXPENDITURE OF PUBLIC FUNDS.” – *Requested by*

Councilmember Mike Steinmeyer

Councilmember Steinmeyer advised that the Overtime Investigation Report recommended an audit of our city and believes it is time to have this done. Councilmember Perkins stated that specific concerns need to be brought forth in a concise manner to the Audit and Finance Committee to look at. Councilmember Fears stated that he feels this is redundant and agrees that Audit and Finance Committee is the correct place for this issue. Councilmember Stewart stated that we have an audit every year and still had a police overtime scandal. Councilmember Steinmeyer stated he has not brought it to the Audit and Finance Committee and maybe it’s time, however, the police overtime issue was not caught by that committee so the committee cannot catch everything and cannot look at everything. Councilmember Steinmeyer stated that we cannot do things the way we have always done it and in house, because there has been abuse. Councilmember Stewart stated that there was a list of recommendations that the City Manager was going to implement, and Council agreed to move forward with all but this item will likely be voted down and he doesn’t understand why that is. In response to Mayor Rowland, Councilmember Stewart advised that he does not have the full list of recommendations in front of him at this time. Mayor Rowland stated that we need to have facts available when making statements from the dais. Mayor Rowland stated that as a body we cannot proceed with items until we have a clear definition.

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

Bill No. 22-812, entitled, *[Res. #6861]*

“A RESOLUTION EXPRESSING OPPOSITION FROM THE INDEPENDENCE CITY COUNCIL FOR THE PENDING PROPOSAL BEFORE THE MID-CONTINENT PUBLIC LIBRARY TO LOWER THE LIBRARY LEVY BY 2.28 CENTS.” – *Requested by Councilmember Dan Hobart*

Councilmember Hobart provided background information on this item. In response to Councilmember Stewart, Councilmember Hobart stated that it is believed that the libraries have too much money.

Councilmember Stewart stated that he will be voting no on this item because he doesn’t feel like we should control what another entity does. In response to Mayor Rowland, Councilmember Hobart advised that this item only states the Council is in favor of not lowering the funding for libraries. Councilmember Stewart provided additional reasons he will be voting no.

Upon roll call, 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. 22-078, entitled, *[Ord. #19374]*

“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 second reading by title and placed on final passage. Councilmember Perkins provided background information on this item. 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. 22-079, entitled, *[Ord. #19375]*

“AN ORDINANCE REPEALING ARTICLE 1 OF CHAPTER 4 “PROPERTY MAINTENANCE CODE” AND ADDING A

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NEW ARTICLE 1 OF CHAPTER 4 “PROPERTY MAINTENANCE CODE” OF THE CITY CODE AND MAKING OTHER NECESSARY REVISIONS.”

was given its second reading by title and placed on final passage. In response to Mayor Rowland, Community Development Director Tom Scannell provided background information on this item and changes being made. 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. 22-080, entitled, [Ord. #19376]

“AN ORDINANCE AMENDING SECTION 12.09.008, “ABATEMENT”, OF THE INDEPENDENCE CITY CODE.”

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. 22-081, entitled, [Ord. #19377]

“AN ORDINANCE AMENDING SECTION 18.25.002, “AUTHORITY TO IMPOUND ABANDONED PROPERTY”, OF THE INDEPENDENCE CITY CODE.”

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. 22-088, entitled, [Ord. #19378]

“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 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. 22-089, entitled

“AN ORDINANCE AUTHORIZING THE CITY MANAGER TO APPROVE A COST SHARE AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE 24 HIGHWAY COMPLETE STREETS PHASE 3 PROJECT; AND INCREASING APPROPRIATIONS.”

was given its first reading by title.

Bill No. 22-090, entitled

“AN ORDINANCE APPROVING THE COOPERATIVE AGREEMENT AMONG THE CITY OF INDEPENDENCE, MISSOURI, THE NOLAND SOUTH SHOPPING CENTER COMMUNITY IMPROVEMENT DISTRICT AND THE NOLAND SOUTH DEVELOPMENT COMPANY, L.L.P.”

was given its first reading by title.

Bill No. 22-091, entitled

“AN ORDINANCE APPROVING THE INTERGOVERNMENTAL COOPERATIVE AGREEMENT AMONG THE CITY OF INDEPENDENCE, MISSOURI AND THE ENGLEWOOD COMMUNITY IMPROVEMENT DISTRICT.”

was given its first reading by title.

Bill No. 22-092, entitled

“AN ORDINANCE AMENDING ORDINANCE 19221, BY UPDATING THE NECESSARY EASEMENT TYPES AND DESCRIPTIONS FOR PARCEL 13 OF THE RAYMOND, HARKLESS, TO MILLS PROJECT (PROJECT #131806) IN ORDER TO COORDINATE WITH NECESSARY DESIGN CHANGES.”

was given its first reading by title.

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Bill No. 22-093, entitled
 “AN ORDINANCE REPEALING RESOLUTIONS NO. 4530, 4822, 4889, 4691, 4739, 6343 AND 4956 CREATING THE
 LOCAL TAX OVERSIGHT COMMITTEE.”
 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, September 19, 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. The City Clerk's Office is in receipt of the Noland Road Community Improvement District Annual Report ending June 30, 2022.
3. Municipal Division monthly case report August 2022
4. 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).
5. The Council Rules of Procedure amendment noticed for consideration will be considered at the Monday, October 3, 2022, City Council meeting.

COUNCILMEMBER COMMENTS:

Councilmember Stewart shared his feelings regarding the change of Rules of Procedure being considered at the next Council Meeting and does not believe citizen comment should be moved to the end of the meeting. In response to Councilmember Stewart, Mr. Norris confirmed that the police overtime investigation was discounted to keep it within the amount approved by Council.

Councilmember Perkins stated that he agrees citizen comments should still take place at the beginning of meetings, not be moved to the end.

Councilmember Fears stated that he also agrees that citizen comments should remain at the start of the meeting but agrees with most the other changes being proposed. Councilmember Fears shared his positive experience doing a Police ride along with Officer Thompson and thanked the police for their efforts.

Councilmember Hobart thanked Mayor Rowland and Councilmember Stewart for their work on the personnel policy resolution. Councilmember Hobart stated that he is currently in Washington D.C. and speaking with federal representatives this week in hopes to get some help with our Frontier Trails Museum. Councilmember Hobart stated that he used his personal funds for this trip and extra things like this that Councilmembers choose to do should be paid by themselves. Councilmember Hobart stated that he attended the Chiefs game last week and purchased his own ticket.

Councilmember Steinmeyer agrees that citizen comments should always come first on the agenda. Councilmember Steinmeyer shared his feelings regarding ethics and his hopes that Council rebuilds trust and takes the moral high ground again.

REGULAR MEETING
September 19, 2022

Mayor Rowland thanked Councilmember Stewart for working with him on the policy and procedures item. Mayor Rowland stated that he agrees with Councilmember Steinmeyer that we need to look at IPL and city processes but need clear direction. Mayor Rowland stated that we cannot manage a secret.

At 8:23 p.m. the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., October 3, 2022, in the Council Chambers.

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

ATTEST:

City Clerk