

REGULAR MEETING  
October 17, 2022

The Independence City Council met for a Regular Meeting, October 17, 2022, at 6:00 p.m., in the Council Chambers, 111 E. Maple.

Anthea Ralovo, Member, Christ the Rock 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:

Wes Epperson spoke to Council regarding combining the Streets & Storm Water Oversight Committees.

Cynthia Green spoke to Council regarding AirBNB concerns and discussion points.

David Phillips spoke to Council regarding AirBNB concerns and discussion points.

Jackie Davis spoke to Council regarding questions about property issues.

Butch Nesbitt spoke to Council regarding State tax money.

Kenneth Love spoke to Council regarding Community Development, Codes division.

April Preston spoke to Council regarding her AirBNB.

Mayor Rowland recognized a Boy Scout in attendance from Troup 201.

PROCLAMATIONS:

City Clerk, Becky Behrens, read a proclamation for Bess Truman Day. Mayor Rowland presented the proclamation to Doug Richardson and Carol Dage.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

Councilmembers Hobart and Stewart moved to approve the CONSENT AGENDA.

Councilmember Perkins requested that Bill No. 22-818 be pulled for separate consideration.

1. Council action is requested authorizing a leave of absence to Bill Preston from the Planning Commission through 2022.
2. Approval is recommended to amend the Schedule of Fees for the City of Independence effective November 1, 2022.
3. Council action is requested to issue two purchase orders to 911 Custom LLC, for the emergency vehicle equipment necessary to outfit the twenty (20) additional Dodge Chargers recently purchased by the Police Department. One requested purchase order is in the amount of \$51,963.30, for the thirteen (13) administrative vehicles being equipped; and the other requested purchase order is for \$52,385.31 which will equip seven (7) marked vehicles.

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4. Council action is requested to issue a purchase order to Community Service League, in the amount of \$60,000.00, for shared funding for the I-Share program.

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 Perkins and Hobart moved to postpone Bill No. 22-818 until the November 21, 2022 Council Meeting to allow residents and property owners to have further discussion.

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. 22-818, entitled, [*postponed to 11/21*]

“A RESOLUTION APPROVING A SHORT-TERM RENTAL FOR 1430 S. MAYWOOD AVENUE, LOCATED AT 1430 S. MAYWOOD AVENUE IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.”

**PUBLIC HEARINGS:**

Mayor Rowland opened a new information only public hearing for the application by Jeff Lovelace requesting a rezoning from C-2, General Commercial and R-6, Single-Family Residential, to R-6, Single-Family Residential, for the property located at 1322 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*.

Bill No. 22-095, entitled [Ord. #19383]

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-2 (GENERAL COMMERCIAL) TO DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) FOR THE PROPERTY AT 1322 E. US 24 HIGHWAY IN INDEPENDENCE, MISSOURI.”

In response to Councilmember Hobart, Mr. Arroyo provided additional information regarding the zoning of this property. 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 Jeff Lovelace requesting a rezoning from C-2, General Commercial and R-6, Single-Family Residential, to C-2, General Commercial, for the property located at 1308, 1310 and 1312 E. US 24 Highway. Mr. Arroyo provided background information on this item. Mayor Rowland declared the public hearing closed. *New Information Only*.

Bill No. 22-096, entitled, [Ord. #19384]

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) TO DISTRICT C-2 (GENERAL COMMERCIAL) FOR THE REAR OF THE PROPERTY AT 1308, 1310, AND 1312 D. US 24 HIGHWAY IN INDEPENDENCE, MISSOURI.”

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

Mayor Rowland opened a new information only public hearing for the application by Kevin Perrin requesting a rezoning from R-A, Residential-Agricultural, and R-4/PUD, Single-Family Residential Low Density/Planned Unit Development, to R-A, Residential-Agricultural, for the property

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located at 2631 S. Lobb Cemetery Road. Mr. Arroyo provided background information on this item. Mayor Rowland declared the public hearing closed. *New Information Only.*

Bill No. 22-097, entitled, [Ord. #19385]

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-A (RESIDENTIAL-AGRICULTURAL) AND DISTRICT R-4/PUD (SINGLE-FAMILY LOW DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) TO DISTRICT R-A (RESIDENTIAL-AGRICULTURAL) FOR THE PROPERTY AT 2631 S. LOBB CEMETERY ROAD IN INDEPENDENCE, MISSOURI.”

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

## NON-ORDINANCE ACTION ITEMS:

Bill No. 22-819, entitled, [Res. #6867]

“A RESOLUTION AMENDING RESOLUTION NO. 6846 AND UPDATING LANGUAGE IN SECTIONS 2 & 3.”

In response to Mayor Rowland, City Manager, Zach Walker, provided background information and intent of 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.

## ORDINANCES:

Bill No. 22-093, entitled, [*Postponed indefinitely*]

“AN ORDINANCE REPEALING RESOLUTIONS NO. 4530, 4822, 4889, 4691, 4739, 6343 AND 4956 CREATING THE LOCAL TAX OVERSIGHT COMMITTEE.”

was given its second reading by title and placed on final passage. Councilmember Hobart shared his feelings regarding the item.

Councilmembers Hobart and Stewart moved to postpone Bill No. 22-093 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. 22-094, entitled, [Ord. #19386]

“AN ORDINANCE FINDING, DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING TEMPORARY CONSTRUCTION AND GRADING EASEMENTS, GENERAL UTILITY EASEMENTS AND RIGHT OF WAY FOR THE LYNN COURT AND NOLAND ROAD INTERSECTION ALIGNMENT PROJECT (PROJECT NO. 512101); AUTHORIZING THE NEGOTIATION AND EMINENT DOMAIN PROCEEDINGS IF NECESSARY; APPROVING THE PLANS AND SPECIFICATIONS FOR THE PROJECT; AUTHORIZING THE USE OF EXPERTS AS NEEDED; AUTHORIZING AND DIRECTING THE EXECUTION OF DOCUMENTS AND THE PAYMENT OF FUNDS TO PROPERTY OWNERS OR OTHERS HOLDING PROPERTY RIGHTS, IN CONJUNCTION WITH THE PROJECT.”

was given its second reading by title and placed on final passage. In response to Councilmember Stewart, Mr. Walker provided information regarding the timing of this project. In response to Councilmember Fears, Mr. Walker provided background information regarding the language used regarding imminent domain. In response to Councilmember Steinmeyer, Mr. Walker advised the best place for someone to determine public property or private property would be the Jackson County online parcel viewer. Mr. Walker confirmed that any area the city would perform work, would be publicly held. In response to Councilmember Perkins, Mr. Walker confirmed that the imminent domain language is included in all improvement projects and provided additional information. In response to Councilmember Steinmeyer, Mr. Walker stated that the project will be engineered and designed around traffic studies and other current information. Mr. Walker advised that if a development comes into the area, typically as a condition for approval, they would have to make the improvements. Councilmember Steinmeyer shared his concerns with the project. Councilmember Hobart shared his support for this item. Upon roll call, the vote was:

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

Bill No. 22-098, entitled, [Ord. #19387]

“AN ORDINANCE APPROVING A PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT; AUTHORIZING THE CITY OF INDEPENDENCE, MISSOURI TO ISSUE TWO SERIES OF TAXABLE INDUSTRIAL DEVELOPMENT REVENUE BONDS IN A COMBINED PRINCIPAL AMOUNT NOT TO EXCEED \$55,000,000; AND AUTHORIZING AND APPROVING CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.”

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. 22-099, entitled

“AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM MID-AMERICA REGIONAL COUNCIL IN THE AMOUNT OF \$129,000 FOR THE CITY’S SENIOR ADULT NUTRITION SITE PROGRAM FOR FISCAL YEAR 2022-2023 AND EXECUTE THE AMENDMENT COMMUNITY CENTER SERVICES AGREEMENT; 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. 22-100, entitled

“AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE A BED AND BREAKFAST AT 910 E. MANOR ROAD, IN INDEPENDENCE, MISSOURI.”

was given its first reading by title.

Bill No. 22-101, entitled

“AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A CERTAIN CONTRACT FOR SALE OF REAL ESTATE IN EXCHANGE FOR PAYMENT OF \$23,205.00 FOR LAND DESIGNATED AS CITY SURPLUS PROPERTY, 12820 E. 43RD TERRACE S., AND TO DO ALL THE THINGS NECESSARY TO CONSUMMATE SAID SALE.”

was given its first reading by title.

Bill No. 22-508, entitled

“AN ORDINANCE APPROVING A FINAL PLAT FOR NEW TOWN AT HARMONY – PLAT THREE, IN INDEPENDENCE, MISSOURI; AND DECLARING AN EMERGENCY.”

was given its first and second reading by title and placed on final passage. In response to Councilmember Stewart, Mr. Walker provided background on why plats are read as emergency items. Councilmember Stewart stated he will be voting no. In response to Councilmember Steinmeyer, Mr. Walker stated that the developer is ready to start construction and selling lots, but he is not aware of any pressing emergency. Councilmember Hobart stated that he doesn’t want to change the process midstream on this developer so he will be voting yes. In response to Councilmember Hobart, Mr. Walker will look into best practices on items like this and provide information back to Council.

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 failed.

Bill No. 22-509, entitled

“AN ORDINANCE APPROVING A FINAL PLAT FOR NEW TOWN AT HARMONY – PLAT FOUR, IN INDEPENDENCE, MISSOURI; AND DECLARING AN EMERGENCY.”

was given its first and second reading by title and placed on final passage. In response to Councilmember Perkins, City Counselor, Jeremy Cover, provided details about actions needed for this and 22-508 to come before Council without being emergency items. Councilmember Stewart stated that he thought

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voting no on Bill No. 22-508 would just move the item to the next meeting as a first reading. Deputy City Manager, Adam Norris, advised that staff moved forward in adding both items as emergencies because this has been the long-standing practice with Council and facilitates development. Mr. Norris stated that changing these items now or voting them down, does fundamentally change what the developer is doing and will essentially delay their project four weeks. The Mayor explained the process to reconsider Bill No. 22-508. Councilmember Hobart advised that we are currently considering Bill No. 22-509 so we should proceed with this item, and then discuss reconsideration of Bill No. 22-508.

Councilmembers Hobart and Fears moved to remove the emergency language from Bill No. 22-509 to revert the item to a non-emergency item, having its first reading tonight.

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.

Councilmembers Stewart and Perkins moved to reconsider Bill No. 22-508.

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.

Councilmembers Hobart and Fears moved to remove the emergency language from Bill No. 22-508 to revert the item to a non-emergency item, having its first reading tonight. Mayor Rowland stated he wanted to clarify that staff can continue to add these items as emergency items going forward until the Council as a body provides different direction. Mr. Cover stated that he and staff will look into whether this practice is formalized and if it would require a formal change.

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.

**INFORMATION ONLY:**

1. The City Council is expected to convene in an Executive Session at 5:00 pm, Monday, October 17, 2022, in the Council Chambers with the closed session taking place in Conference Room D, on Legal Matters, as permitted by Sec. 610.021(1), RSMO.
2. Municipal Division monthly case report September 2022
3. Purchase order 23000469 for \$199,321.42 was issued to the Department of Natural Resources (DNR) for the 2022 Missouri State Primacy Fee Safe Drinking Water Act for the Water Department.
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).

**COUNCILMEMBER COMMENTS:**

Councilmember Perkins stated that the Square Table Fundraiser event was great and very well attended. Councilmember Perkins provided additional information about the fundraiser.

Councilmember Fears stated he also enjoyed the Square Table Fundraiser event and thinks it is a good cause. Councilmember Fears shared details about the CSL Donation Drive on October 24, 2022.

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Councilmember Hobart provided condolences to the family of the fire fighter who was killed in an auto accident recently. Councilmember Hobart stated that he appreciates the public safety staff very much. Councilmember Hobart recognized Al Rudd for his service.

Councilmember Steinmeyer provided condolences to the family of the lost fire fighter. Councilmember Steinmeyer shared his feelings regarding the public safety members we have lost and has asked prayers are given for our public safety staff.

Mayor Rowland provided condolences to the family of the lost fire fighter. In response to Mayor Rowland, Mr. Walker advised the dates of the visitation and funeral and advised that final details are still being worked out. Mayor Rowland advised the next Council meeting will be Wednesday, November 9, 2022. Mayor Rowland shared information about his three grandchildren.

At 7:34 p.m. the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., November 9, 2022, at the Independence Utilities Center.

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

ATTEST:

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City Clerk