

REGULAR MEETING November 9, 2022

The Independence City Council met for a Regular Meeting, November 9, 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 and Mayor Rory Rowland. Absent – None. *At the time of this meeting, one At-Large seat on the Council is currently vacant.*

Councilmember Fears recognized nine scouts and seven leaders from Pack 4383, East 29th Street Community of Christ Congregation.

PRESENTATION RESOLUTIONS:

Councilmembers Hobart and Fears moved to approve Bill No. 22-820.

Bill No. 22-820, entitled, [Res. #6868]
 “A RESOLUTION RECOGNIZING JAMES POLLOCK, STORMWATER SUPERINTENDENT, WITH THE MUNICIPAL SERVICES DEPARTMENT, AS THE I-STAR AWARD RECIPIENT FOR NOVEMBER 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.

Mayor Rowland presented the resolution and award to Mr. Pollock.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

Councilmembers Hobart and Perkins moved to approve the CONSENT AGENDA.

Councilmember Perkins requested that Bill No. 22-821 be pulled for separate consideration.

Councilmember Stewart requested that Bill No. 22-823 be pulled for separate consideration.

1. Approval of minutes for the Regular Meetings on October 3, 2022 and October 17, 2022.
2. Council action is requested to authorize the City Manager to approve a construction contract with Terry Snelling Construction Inc. for an amount not to exceed \$476,000 authorizing future minor change orders not to exceed \$47,600 and/or time extensions for Vaile Sidewalk Improvements Phase 1 Project (No. 111812).
3. Approval is recommended to issue purchase orders to MacQueen Equipment Inc. in the total amount of \$54,444.40 for the purchase of twenty (20) sets of turnout gear for the Fire Department.
4. Council action is requested to allow the City Manager to sign a memorandum of agreement with, and issue a purchase order for \$100,000 to, the Mid-America Regional Council (MARC) as part of a commitment to the Little Blue River Watershed Feasibility Study - Phase Two project (No. 132301).
5. Council approval to issue a purchase order to Holthouse Construction LLC, in the amount of \$825,078.00 for a Water Main Replacement for Northern Boulevard and Ralston Avenue for the Water Department.
6. Council action is requested to issue a purchase order to PGAV, Inc., for Tourism and Museum Master Planning Services.

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7. Approval is recommended to issue purchase orders to Motorola Solutions Inc. in the amount of \$97,433.20 for the purchase of four (4) APX4500 Enhanced 7/800 MHz mobile radios, an APX4500 Enhanced 7/800 MHz mobile radio, and sixteen (16) APX6000 700/800 Model 2.5 portable radios for the Fire Department.
8. Approval is recommended to issue two (2) purchase orders to Shawnee Mission Ford, for a total sum of \$280,000 for the purchase of three (3) Ford F550 chassis and one (1) Ford F250 truck for the Fire Department.
9. Approval is recommended to issue a purchase order to CSTK JCB in the amount of \$130,318.73 for a Model 3CX 12L4WH Compact Pro Excavator for the Parks, Recreation & Tourism Department.
10. Council action is requested to authorize the City Manager to enter into a contract with the Missouri Department of Health and Senior Services, contract number 51089, for the Maternal Child Health Services Grant Program for reimbursement of qualified expenses up to \$57,188.

Bill No. 22-822, entitled, [Res. #6870]

“A RESOLUTION ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF USED CAR LOT APPLICATIONS.”

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 provided background information regarding Bill No. 22-821. Councilmember Perkins thanked the committee members and staff for their help with the committee.

Councilmembers Perkins and Stewart moved to approve Bill No. 22-821.

Bill No. 22-821, entitled, [Res. #6869]

“A RESOLUTION REPEALING RESOLUTION NO. 6383 AND DISSOLVING THE ON A ROLL WORKING GROUP COMMITTEE.”

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 Stewart, City Manager, Zach Walker, provided background information on Bill No. 22-823. Councilmember Stewart shared his feelings regarding this item and stated he will be voting no. In response to Councilmember Steinmeyer, Mr. Walker advised that we have approximately 25-30 short term rentals in the city, and they are being taxed at a hotel rate. Mr. Walker advised information regarding the transient guest tax. Mr. Walker stated he will be able to provide additional information to Council regarding the amount on revenue generated by the taxes on these properties at a later date to Council. Councilmember Perkins made reference to a well written email from Kristen Conley who is a business owner in the city and owns and operates a number of AirBNB properties.

Councilmembers Stewart and Perkins moved to approve Bill No. 22-823.

Bill No. 22-823, entitled, [Res. #6871]

“A RESOLUTION ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF SHORT-TERM RENTAL APPLICATIONS.”

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

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PUBLIC HEARINGS:

Mayor Rowland opened a new information only public hearing for the application by Beth Hoberg requesting a Special Use Permit to operate a bed and breakfast at 910 E. Manor Road. Assistant Director of Community Development, Rick Arroyo, provided background information on this item. There being no speakers, Mayor Rowland declared the public hearing closed. *New Information Only.*

Bill No. 22-100, entitled, [Ord. #19388]

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

In response to Councilmember Hobart, City Counselor, Jeremy Cover, clarified the moratorium and the affects on current applications. 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 full public hearing for the the application received from Crafts and Cocktails, LLC for a Consumption of Intoxicating Liquor license located at 17201 E. US 40 Highway, Suite 115. Director of Community Development, Tom Scannell, provided background information on this item. Shelly Foster spoke in support of this application. There being no additional speakers, Mayor Rowland declared the public hearing closed. *Full Public Hearing.*

1. Council action is requested regarding the application received from Crafts and Cocktails, LLC for a Consumption of Intoxicating Liquor license located at 17201 E. US 40 Highway, Suite 115.

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.

NON-ORDINANCE ACTION ITEMS:

Bill No. 22-824, entitled, [Res. #6872]

“A RESOLUTION FOR APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF INDEPENDENCE, MISSOURI, AND THE INDEPENDENCE CHAMBER OF COMMERCE FOR THE ESTABLISHMENT AND OPERATION OF THE INDEPENDENCE ECONOMIC DEVELOPMENT PARTNERSHIP.”

Councilmember Fears provided some background information on this item. In response to Councilmember Steinmeyer, Mr. Walker provided additional background information about the \$170,000 paid to the EDC from the Electric Utility Fund. Mr. Walker clarified the costs to the city regarding this item. In response to Councilmember Fears, Mr. Walker confirmed that we have not made any payments to the IEDC. In response to Councilmember Hobart, Mr. Walker advised that this setup is more in line with how our peers are operating. Mayor Rowland shared his feelings regarding this item 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.

ORDINANCES:

Bill No. 22-099, entitled, [Ord. #19389]

“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 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. 22-101, entitled, [Ord. #19390]

“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 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. 22-508, entitled, [Ord. #19391]

“AN ORDINANCE APPROVING A FINAL PLAT FOR NEW TOWN AT HARMONY – PLAT THREE, 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.

Bill No. 22-509, entitled, [Ord. #19392]

“AN ORDINANCE APPROVING A FINAL PLAT FOR NEW TOWN AT HARMONY – PLAT FOUR, 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.

FIRST READINGS:

Bill No. 22-102, entitled

“AN ORDINANCE AUTHORIZING THE PURCHASE OF TWO (2) NEW SPARTAN CUSTOM 4-DOOR PUMPER FIRE TRUCKS FROM PRECISION INDUSTRIES INC. FOR \$1,440,876.01 AND MAKING THE NECESSARY APPROPRIATIONS.”

was given its first reading by title.

Bill No. 22-103, entitled

“AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE A BODY ARTS SERVICES BUSINESS AT 116 W. US 24 HIGHWAY, IN INDEPENDENCE, MISSOURI.”

was given its first reading by title.

INFORMATION ONLY:

1. Purchase order 23000511 for \$167,855.60 was issued to Frazier Oil Company for Substation Fuel Oil for the Power & Light Department.
2. The City Clerk's Office is in receipt of the Trinity Woods Community Improvement District Annual Report ending June 30, 2022.
3. The City Clerk's Office is in receipt of the Independence Square Community Improvement District Annual Report ending June 30, 2022.
4. Please Note: In accordance with RSMo 610.021, the City Council may convene in an Executive Session during or after the meeting, 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).

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COUNCILMEMBER COMMENTS:

Councilmember Hobart shared information about the tree planting ceremony in remembrance of Karen DeLuccie.

Mayor Rowland congratulated Bridget McCandless on her winning the election for the At-Large Councilmember seat.

At 6:35 p.m. the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., November 21, 2022, in the Council Chambers.

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

ATTEST:

City Clerk