

REGULAR MEETING
December 19, 2022

The Independence City Council met for a Regular Meeting, December 19, 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, John Perkins, Brice Stewart, Bridget McCandless, Mike Steinmeyer, Daniel Hobart and Mayor Rory Rowland. Absent – None.

Councilmembers Steinmeyer and Stewart moved to suspend the Rules of Procedure to allow for non-residents to speak.

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

Councilmembers McCandless and Steinmeyer moved to suspend the Rules of Procedure to address Bill No. 22-831 before citizen comment.

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

PRESENTATION RESOLUTIONS:

Councilmembers Steinmeyer and Hobart moved to approve Bill No. 22-831.

Bill No. 22-831, entitled, [Res. #6879]

“A RESOLUTION RECOGNIZING BRETT SCHMIDLI, POLICE OFFICER, WITH THE INDEPENDENCE POLICE DEPARTMENT, AS THE I-STAR AWARD RECIPIENT FOR DECEMBER 2022.”

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

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

CITIZEN REQUESTS:

Mayor Rowland shared information regarding trash service and why the issue was discussed at the December 12, 2022 Study Session. Mayor Rowland stated that he supports the open discussion regarding this issue.

Philip Dickey spoke to Council regarding protesting a business at 23rd and 291 Highway.

Dustin Ferrell spoke to Council regarding waste removal.

Erin Talcott spoke to Council regarding trash proposal.

Teddy Ferrell spoke to Council regarding trash removal.

David Titus spoke to Council regarding trash service.

Michael Alkire spoke to Council regarding opposition to the solid waste program considerations.

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Lucy Young spoke to Council regarding Council agendas and trash service.

Jayrd Keen-Funk spoke to Council regarding the trash issue.

Jassen Holmberg spoke to Council regarding the trash solid waste proposal.

William Hicks spoke to Council regarding trash pickup issues.

Billie Brooks spoke to Council regarding Bill No. 22-833.

David Finger spoke to Council regarding Bill No. 22-833.

William J. Hoots spoke to Council regarding Bill No. 22-833.

William L. Hoots spoke to Council regarding Bill No. 22-833.

Kevin DeLaney spoke to Council regarding waste industry.

Lisa Hoppes spoke to Council regarding trash.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

Councilmembers Hobart and McCandless moved to approve the CONSENT AGENDA.

Councilmember Stewart requested that Item No. 3 and Bill No. 22-833 be pulled for separate consideration.

Councilmember Fears requested that Item No. 7 be pulled for separate consideration.

Councilmember McCandless requested that Item No. 1 be pulled for separate consideration.

Councilmember Perkins requested that Bill No. 22-832 be pulled for separate consideration.

2. Council action to award a contract and purchase order to C-R Fence in the amount of \$101,922.00 for Sugar Creek Pump Station Fencing for the Municipal Services Department, WPC Division.
4. Council action is requested to issue a purchase order to Truman Heritage Habitat for Humanity, in the amount of \$50,000.00, for the 2022–2023 Weatherization Program for the Power & Light Department.
5. Council action to award a purchase order to Insko Industries, in the amount of \$47,000.00, for H-5 combustion turbine repair requiring insulation and abatement for Power & Light Department.
6. Council action is requested to authorize the City Manager to approve change order No. 1 to the engineering services contract with WSP USA for the Square Streetscape project (no. 111902) for an amount not to exceed \$24,768.92; authorizing future minor change orders for an amount not to exceed \$31,914.33.

Bill No. 22-834, entitled, [Res. #6881]

“A RESOLUTION CONFIRMING THE CITY COUNCIL'S DESIRE TO REJOIN THE MISSOURI MUNICIPAL LEAGUE AND DIRECTING THE CITY MANAGER TO REMIT PAYMENT FOR MEMBERSHIP DUES.”

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

Councilmember McCandless stated that she is recusing herself from voting on this item because she was not in attendance of these meetings.

Councilmembers Hobart and Fears moved to approve Item No. 1.

1. Approval of minutes for the Regular Meetings on November 9, 2022, November 21, 2022 and November 23, 2022. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Recusal: Councilmember McCandless. Absent – None. The Mayor declared the item approved.

In response to Councilmember Stewart, Deputy City Manager, Adam Norris, stated that after the RFQ, there will be an RFP process where a negotiation would take place and then staff would be able to come back with funding options and advise whether there is a cost to the city or not.

Councilmembers Stewart and Steinmeyer moved to approve Item. No. 3.

3. Authorization for the City Manager to Issue a Request for Qualifications for Downtown Area Master Developer. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the item approved.

Councilmember Fears shared results of open enrollment.

Councilmember Fears and Hobart moved to approve Item No. 7. Councilmember Hobart thanked the members of the Health Insurance Review Committee. Mayor Rowland also thanked the committee for working well together and to help see positive results.

7. Approval of Stop loss insurance for the City's self-insurance health program. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the item approved.

In response to Councilmember Perkins, Mr. Norris clarified the role of the Clinical Social Worker position.

Councilmembers Perkins and Hobart moved to approve Bill No. 22-832.

Bill No. 22-832, entitled, [Res. #6880]

“A RESOLUTION AMENDING THE PAY PLAN FOR NON-REPRESENTED CITY EMPLOYEES AS ENUMERATED HERIN ON AND AFTER THE 19TH DAY OF DECEMBER 2022; REMOVE DIRECTOR OF PUBLIC WORKS (EXECUTIVE 2); RECLASSIFY MUSEUM SERVICES ASSISTANT TO LEVEL 5 (CURRENTLY LEVEL 4); ADD PROGRAM SPECIALIST (LEVEL 6); ADD LICENSED CLINICAL SOCIAL WORKER (LEVEL 11).”

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

Councilmember Stewart stated that he spoke with this applicant regarding this short-term rental and she no longer wishes to have a short term rental at this property. Councilmember Stewart made a motion to postpone Bill No. 22-833 indefinitely. Acting City Counselor, John Mautino, clarified that

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action needs to be taken on this bill tonight and cannot be postponed. In response to Mayor Rowland, Mr. Norris clarified options regarding this bill. Councilmember Stewart withdrew his motion to postpone this item. In response to Councilmember Hobart, Mr. Mautino clarified the wording of the motion needed to move forward with this item.

Councilmembers Stewart and McCandless moved to affirm the Planning Commission's denial of the application for a short-term rental at 2316 S. Hanover Avenue.

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

Bill No. 22-833, entitled, *[failed]*

“A RESOLUTION APPROVING A SHORT-TERM RENTAL FOR KEARNEY ASSOCIATES, LLC, LOCATED AT 2316 S. HANOVER AVENUE IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.”

PUBLIC HEARINGS:

Mayor Rowland opened a full public hearing for the application received from Jackson County Shrine Club for a Consumption of Intoxicating Liquor license located at 120 ½ S. Pleasant. Director of Community Development, Tom Scannell, provided background information on this item. Lucy Young spoke in opposition to this item if associated with another issue. Bill Blunton spoke in support of this item and clarified that this is not related to the old Water Department building. 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 Jackson County Shrine Club for a Consumption of Intoxicating Liquor license located at 120 ½ S. Pleasant.

In response to Councilmember Fears, Mr. Scannell advised that no complaints have been received by nearby property owners. Councilmember Perkins confirmed that the Jackson County Shrine Club does not have any affiliation with the Water Department, and he has also had no complaints from surrounding properties. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the item approved.

Mayor Rowland opened a full public hearing for the application received from QuikTrip Corporation for an Intoxicating Liquor of all kinds in the Original Package License for QuikTrip #192 that will be located at 16813 E. 23rd St. S. Mr. Scannell provided background information on this item. Katelyn Halsburn spoke in favor of this item. There being no additional speakers, Mayor Rowland declared the public hearing closed. *Full Public Hearing.*

2. Council action is requested on the application received from QuikTrip Corporation for an Intoxicating Liquor of all kinds in the Original Package License for QuikTrip #192 that will be located at 16813 E. 23rd St. S.

In response to Councilmember Fears, Mr. Scannell advised that he's had no complaints regarding this item. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the item approved.

NON-ORDINANCE ACTION ITEMS:

Bill No. 22-835, entitled, *[failed]*

“A RESOLUTION DIRECTING THE CITY MANAGER TO RECORD, LIVESTREAM, AND UPLOAD MEETINGS OF THE CITY CHARTER REVIEW COMMISSION.” -Requested by Councilmember Brice Stewart

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Councilmember Stewart shared his feelings regarding why he supports this resolution. In response to Councilmember Fears, Mr. Norris advised the estimated cost for recording these meetings. In response to Councilmember Hobart, City Clerk, Becky Behrens, advised that it was not designated where these meetings are to be held when the commission was created. Councilmember Hobart stated that he feels that there are logistics issues to recording these meetings due to the limited locations that have recording available. Councilmember Steinmeyer shared his feelings about transparency and support of this item. In response to Councilmember Stewart, Mr. Norris advised that whether they can meet virtually is decided at the committee level. Mr. Norris advised that depending on the circumstances, some individuals may be paid overtime in order to record the meetings. Mr. Norris also advised that the Council Chamber is used by Municipal Court Monday through Thursday during regular building hours. Councilmember McCandless shared her feeling for why she is opposing this resolution due to lack of suitable places to hold the meetings and because of the concern for items being put on social media without full context. Councilmember Steinmeyer shared his concerns for not broadcasting these meetings and the importance of them being available to the public. Mayor Rowland shared his feeling of opposition for this item and stated that this request has not been made of this body for any other committees we create. Mayor Rowland stated that this document will be reviewed by all of us, they will be public meetings that will be posted for public to attend and minutes can be requested to see what was discussed. Upon roll call, the vote was: Ayes – Councilmembers: Perkins, Stewart and Steinmeyer. Noes – Councilmembers: Fears, McCandless, Hobart and Mayor Rowland. Absent – None. The Mayor declared the bill approved.

FIRST READINGS:

Bill No. 22-111, entitled

“AN ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF INDEPENDENCE, MISSOURI AND THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION PROVIDING FOR PARTICIPATION IN THE TRAFFIC ENGINEERING ASSISTANCE PROGRAM AND DESIGN SERVICES FOR A TRAFFIC STUDY AT NOLAND ROAD AND 35TH STREET FOR INTERSECTION SAFETY AND OPERATIONAL ANALYSIS.”

was given its first reading by title.

Bill No. 22-112, entitled

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-2 (GENERAL COMMERCIAL) TO DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) FOR THE PROPERTY AT 400 N. OSAGE STREET IN INDEPENDENCE, MISSOURI.”

was given its first reading by title.

Councilmembers Hobart and Perkins moved to remand Bill No. 22-113 back to staff. In response to Mayor Rowland, Mr. Norris advised that these are anticipated to be brought back to Council in January.

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

Bill No. 22-113, entitled, *[remanded back to staff]*

“AN ORDINANCE ADOPTING AMENDMENTS TO THE FISCAL YEAR 2021- 2022 BUDGET, WHICH WAS APPROVED BY ORDINANCE NO. 19228. APPROPRIATION ORDINANCES MAY RECEIVE TWO READINGS AND BE VOTED ON AT THE SAME MEETING.”

Councilmembers Hobart and Perkins moved to remand Bill No. 22-114 back to staff.

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

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Bill No. 22-114, entitled, *[remanded back to staff]*

“AN ORDINANCE ADOPTING AMENDMENTS TO THE FISCAL YEAR 2021- 2022 BUDGET, WHICH WAS APPROVED BY ORDINANCE NO. 19228. APPROPRIATION ORDINANCES MAY RECEIVE TWO READINGS AND BE VOTED ON AT THE SAME MEETING.”

Bill No. 22-115, entitled

“AN ORDINANCE AMENDING ORDINANCE 19226, BY UPDATING THE NECESSARY EASEMENT DESCRIPTIONS FOR PARCELS 5 AND 20 OF THE 24 HWY COMPLETE STREETS PHASE 1 PROJECT (PROJECT #111801) IN ORDER TO MAKE NECESSARY DESIGN CHANGES.”

was given its first reading by title.

Bill No. 22-116, entitled

“AN ORDINANCE IMPOSING A MARIJUANA SALES TAX AT THE RATE OF THREE PERCENT OF THE RECEIPTS FROM THE SALE AT RETAIL OF ADULT USE MARIJUANA WITHIN THE CITY OF INDEPENDENCE, MISSOURI, WHICH SHALL REMAIN IN EFFECT AT SAID RATE THEREAFTER UNTIL REPEALED, BY THE VOTERS OF THE CITY; CALLING FOR THE PROPOSITION ADOPTING SAID TAX TO BE PLACED ON THE BALLOT AT THE REGULARLY SCHEDULED ELECTION TO BE HELD APRIL 4, 2023; PROPOSING THE FORM OF THE BALLOTS AND DIRECTING THE CITY CLERK TO DO ALL THINGS CALLED FOR BY LAW IN CONNECTION WITH THE HOLDING OF SAID ELECTION.”

was given its first reading by title.

INFORMATION ONLY:

1. Purchase order 23000615 in the amount of \$171,240.45 was issued to Frazier Oil Company for Substation Fuel Oil for the Power & Light Department.
2. Purchase order 23000666 in the amount of \$49,995.00 was issued to Lou Fusz Ford for the purchase of a Ford F150 Police Responder truck for use by the Police Department.
3. Purchase order 23000668 in the amount of \$54,870.00 was issued to Nextran Corporation for the purchase of a 2023 GMC Sierra crew cab truck for use in the Fire Department.
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).

COUNCILMEMBER COMMENTS:

Councilmember Stewart asked that the staff look into the business operating at 23rd Street and 291 Highway that the first speaker spoke about and provided information back to staff.

Councilmember Perkins wished everyone a Merry Christmas. Councilmember Perkins thanked our Municipal Services Department for all the street crews who will be working to prepare for the cold weather. Councilmember Perkins mentioned two Englewood events that were successful, the Third Friday Art Walk and their neighborhood open house.

Councilmember Fears wished staff and citizens a Merry Christmas and happy holidays.

Councilmember Hobart discussed mental health issues and stated the holidays can be especially difficult for some and to reach out to those you love who may be alone, and if you need help, please reach

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out. Councilmember Hobart shared the 9-8-8 hotline for anyone who may have a mental health crisis. Councilmember Hobart wished everyone a Merry Christmas.

Councilmember Steinmeyer stated he was grateful to be able to serve the city for another year and is thankful for all the things our citizens do for our community. Councilmember Steinmeyer shared his experience watching the Fire Department deliver gifts to children at Walmart last weekend. Councilmember Steinmeyer thanked city staff and their hard work and looks forward to 2023.

Councilmember McCandless thanked city staff and is thankful for being a partner to continue to work through how to continue to improve things, such as IPL, for our citizens. Councilmember McCandless shared her appreciation for our first responders, especially during the holiday season. Councilmember McCandless wished everyone a Merry Christmas.

Mayor Rowland thanked everyone who sent emails and spoke tonight to share their comments and concerns. Mayor Rowland thanked city staff for their work over the past year and is looking forward to 2023. Mayor Rowland wished everyone a Merry Christmas.

At 7:47 p.m. the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., January 3, 2023, in the Council Chambers.

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

ATTEST:

City Clerk