

REGULAR MEETING  
February 6, 2023

The Independence City Council met for a Regular Meeting, February 6, 2023, 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, Bridget McCandless, Mike Steinmeyer, Daniel Hobart and Mayor Rory Rowland. Absent – None.

Councilmember Fears recognized Boy Scouts in attendance from Troop 201 and Pack 738.

CITIZENS REQUEST TO SPEAK:

Maria Vargas spoke to Council regarding Bill No. 23-005.

Charles Ray spoke to Council regarding breed specific legislation.

PRESENTATION RESOLUTIONS:

Councilmembers Fears and McCandless moved to approve Bill No. 23-708.

Bill No. 23-708, entitled, [Res. #6891]  
“A RESOLUTION RECOGNIZING MATTHEW BYRUM AND CAMERON AULT, OFFICERS WITH THE INDEPENDENCE POLICE DEPARTMENT, AS THE I-STAR AWARD RECIPIENT FOR FEBRUARY 2023.”  
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.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

Councilmembers Hobart and McCandless moved to approve the CONSENT AGENDA.

Councilmember McCandless requested that Item No. 4 be pulled for separate consideration.

1. Approval of minutes for the Regular Meetings on January 4, 2023 and January 17, 2023 and Special Called Meeting on January 12, 2023.
2. Council action is requested to approve the issuance of a change order on Purchase Order 23000035 to Douglas C Christianson, increasing the total Purchase Order amount by \$36,000, and making the new total of the Purchase Order \$85,900.
3. Council action is requested to issue a purchase order to ESRI in the amount of \$52,100.00 for 2022-2023 and \$52,100.00 for 2023-2014 fiscal years for the ESRI Advantage Program.
5. Council action is requested to issue a purchase order to Worth Motorsports Inc, for three (3) 2022 Harley Davidson Road Kings and motorcycle maintenance to be purchased by the Police Department, in the amount of \$68,392.00.
6. Council action is requested to issue a contract with Martin Underground for Fiber Optic Construction Services for one (1) year, with four (4) possible one-year renewal periods for the Power & Light Department.
7. Council action is requested to issue a purchase order to Graybar Electric Company Inc (Graybar), in the amount of \$249,977.25, Desert Storm Switchgears for the Power & Light Department.

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8. Council action is requested to issue a contract extension for intra-city transit services with First Transit for the Community Development Department.
9. Council action to issue Change Order to Purchase Order 22000976 to Worldwide Industries Corporation in the amount of \$617,677 to cover additional expenses to the steel structure of the 39th Street Reservoir for the Water Department. New revised amount of PO will be \$1,715,669.00.
10. Council action to issue Change Order to Purchase Order 23000203 to USIC Locating Services in the amount of \$100,000 to cover utility marking and locating services the Water Department. New revised amount of PO will be \$200,000.00.
11. Council action to issue Change Order #2 to Purchase Order 23000016 to the Goodyear Tire & Rubber Company in the amount of \$10,000 to cover additional expenses for tires the Municipal Services Department. New revised amount of PO will be \$56,000.00.
12. Council action is requested to issue a purchase order to TransAmerican Power Products (TAPP), for Steel for the 24 Highway Improvement Project for the Power & Light Department, in the amount of \$159,745.00.

Bill No. 23-709, entitled, [Res. #6892]

“A RESOLUTION OF THE INDEPENDENCE CITY COUNCIL APPROVING THE MAYOR’S APPOINTMENT OF CINDY GRAY TO THE BOARD OF DIRECTORS OF THE INDEPENDENCE EVENTS CENTER COMMUNITY IMPROVEMENT DISTRICT.”

Bill No. 23-710, entitled, [Res. #6893]

“A RESOLUTION AFFIRMING THE CITY COUNCIL’S POLICY FOR USE OF SUITES AND TICKETS AT THE CITY OWNED CABLE DAHMER ARENA.”

Bill No. 23-711, entitled, [Res. #6894]

“A RESOLUTION APPROVING AN EXECUTIVE ORDER PROVIDING FOR THE METHOD OF APPOINTING MEMBERS OF THE TIF COMMISSION IN CLAY COUNTY AND AUTHORIZING THE MAYOR TO EXECUTE THE ORDER ON BEHALF OF THE CITY.”

Bill No. 23-712, entitled, [Res. #6895]

“A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE PLANNING SUSTAINABLE PLACES PROGRAM GRANT AGREEMENT BETWEEN THE CITY OF INDEPENDENCE AND THE MID-AMERICA REGIONAL COUNCIL FOR THE INDEPENDENCE TRANSPORTATION FOR ALL PLAN.”

Bill No. 23-713, entitled, [Res. #6896]

“A RESOLUTION APPROVING PARTICIPATION WITH THE REGIONAL RESOURCE SHARING AGREEMENT.”

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.

In response to Councilmember McCandless, City Manager, Zach Walker, provided background information on this item and benefits to the city.

Councilmembers McCandless and Hobart moved to approve Item No. 4.

4. Council action is requested to authorize the City Manager to enter into a 4-year cooperative agreement with the Mid-America Regional Council to fund operations related to the traffic control system known as the Operation Green Light 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.

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PUBLIC HEARINGS:

Mayor Rowland opened a new information only public hearing for the rezoning from I-1, Industrial, to R-6, Single-Family Residential, for the properties located at 709 and 713 S. Willis Avenue. Assistant Director of Community Development, Rick Arroyo, provided background information on this item. In response to Mayor Rowland, Mr. Arroyo advised we would be able to provide Ms. Vargas with a zoning letter tomorrow if approved. Mayor Rowland declared this public hearing closed. *New Information Only.*

Bill No. 23-005, entitled, [Ord. #19411]  
“AN ORDINANCE APPROVING A REZONING FROM DISTRICT I-1 (INDUSTRIAL) TO DISTRICT R-6 (SINGLE FAMILY RESIDENTIAL) FOR THE PROPERTIES AT 709 AND 713 S. WILLIS AVENUE 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, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the bill approved.

NON-ORDINANCE ACTION ITEMS:

Bill No. 23-714, entitled, [*postponed to 2/20*]  
“A RESOLUTION ADOPTING THE 2023-2024 CITY OF INDEPENDENCE ACTION PLAN.”

Councilmembers Fears and Hobart moved to postpone Bill No. 23-714 until the February 20, 2023, meeting. Councilmember Fears asked that there be a presentation provided at the February 13, 2023 Study Session for this item. In response to Councilmember Stewart, Mr. Walker stated that he would have enough time to put together a presentation before the Study Session.  
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. 23-715, entitled, [*postponed indefinitely*]  
“A RESOLUTION CREATING THE MAYOR’S CIVILITY AWARD.” – *Requested by Mayor Rory Rowland*

Councilmembers Fears and Hobart moved to postpone Bill No. 23-715 indefinitely.  
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.

ORDINANCES:

Bill No. 22-107, entitled, [Ord. #19412]  
“AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, CHAPTER 14, OF THE INDEPENDENCE CITY CODE PERTAINING TO SHORT-TERM RENTALS.”  
was given its second reading by title and placed on final passage.

Councilmembers Hobart and Fears moved to amend Bill No. 22-107 to add the words “report and” under 14-424-25 B. (4) so that the full sentence shall read, “The short-term rental operator fails to report and pay transient guest tax, sales tax and/or property taxes.”  
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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In response to Councilmember Steinmeyer, Mr. Walker stated that the revocation provision would relate to any City Code violation. Councilmember Hobart thanked Mr. Walker and the Community Development Director, Tom Scannell for their work on this item. Councilmember Perkins referenced the addition of the noise management plan requirement requiring a noise monitoring device and thanked Mr. Scannell. In response to Councilmember Fears, Mr. Walker confirmed that these new regulations apply to current short-term rentals as well. Mayor Rowland thanked staff and Deputy City Manager, Adam Norris, for their work on this item.

Councilmembers McCandless and Hobart moved to approve Bill No. 22-107 as amended.

Upon roll call for Bill No. 22-107 as amended, 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. 23-004, entitled, [Ord. #19413]

“AN ORDINANCE AUTHORIZING THE INCREASE OF EXPENDITURES FOR SALARIES FOR LIFEGUARDS AT THE ADVENTURE OASIS WATER COMPLEX FOR \$58,434.00 AND MAKING THE NECESSARY APPROPRIATIONS.” was given its second reading by title and placed on final passage. In response to Mayor Rowland, Mr. Walker advised that this will raise the wage to \$15 per hour and Mr. Walker provided background information on 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 bill approved.

### FIRST READINGS:

Bill No. 23-006, entitled

“AN ORDINANCE AUTHORIZING FINAL DISPOSITION OF CERTAIN CITY RECORDS THAT HAVE MET ALL REQUIREMENTS TO BE ELIGIBLE FOR SUCH DISPOSITION.” was given its first reading by title.

Bill No. 23-007, entitled

“AN ORDINANCE AUTHORIZING FINAL DISPOSITION OF CERTAIN CITY AUDIO AND VIDEO RECORDS THAT HAVE MET ALL REQUIREMENTS TO BE ELIGIBLE FOR SUCH DISPOSITION.” was given its first reading by title.

Bill No. 23-008, entitled

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-6 (SINGLE FAMILY RESIDENTIAL) TO DISTRICT R-12 (TWO FAMILY RESIDENTIAL) FOR THE PROPERTY AT 701 N. FOREST AVENUE IN INDEPENDENCE, MISSOURI.” was given its first reading by title.

Bill No. 23-009, entitled

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-30/PUD (HIGH DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) AND DISTRICT R-12 (TWO-FAMILY RESIDENTIAL) TO DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) FOR THE PROPERTY AT 9607 E. US 24 HIGHWAY IN INDEPENDENCE, MISSOURI.” was given its first reading by title.

### INFORMATION ONLY:

1. Case 22-100-22, a request by Mark Turnbough with Summit Holdings Group, LLC, to rezone the property at 420 S. Main Street from C-2 (General Commercial) to R-18/PUD (Moderate Density Residential/Planned Unit Development), was advertised for a new information only public hearing at the February 6, 2023 City Council meeting. As this case was

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continued by the Planning Commission, the new information only public hearing is now expected to be heard at the March 6, 2023 City Council meeting.

2. Case 22-100-23, a request by Francisco Salcedo, to rezone the property at 9607 E. US 24 Highway from R-30/PUD (High Density Residential/Planned Unit Development) and R-12 (Two-Family Residential) to R-6 (Single Family Residential), was advertised for a new information only public hearing at the February 6, 2023 City Council meeting. As this case was continued by the Planning Commission, the new information only public hearing is now expected to be heard at the February 20, 2023 City Council meeting.
3. Purchase order 23000756 in the amount of \$53,772.16 was issued John Moore Oil Company for Substation Fuel Oil for the Power & Light Department.
4. Purchase orders 23000745 and 23000753 in the amounts of \$138206.34 and \$91,775.37 were issued to Frazier Oil Company for Substation Fuel Oil for the Power & Light Department.
5. Purchase order 20232132 in the amount of \$88,835.04 was issued to Frazier Oil Company for Substation Fuel Oil for the Power & Light Department.
6. 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:

In response to Councilmember Stewart, Mr. Walker stated that he will check on the status of having an IPL presentation at a study session and get back to Council with an expected date. Councilmember Stewart stated his desire to have staff and Council consider an ordinance requiring residents to have trash service with a possible opt out clause. Councilmember Stewart also asked that staff look into options for a city-wide trash cleanup day.

Councilmember Perkins said that it is exciting that the Chiefs are going to the Super Bowl and seeing Chiefs flags around town. Councilmember Perkins thanked volunteers who participate in the Hearts-to-Hearts Program. Councilmember Perkins stated there is going to be a cleanup this Saturday along 23<sup>rd</sup> Street and Chrysler. Councilmember Perkins wished the Chiefs well.

Councilmember Fears stated that he and Councilmember McCandless spent some time with IPL a couple weeks ago and reviewed information about future predictions of IPL and he appreciated that level of insight. Councilmember Fears suggested to his fellow Councilmembers to do the same. Councilmember Fears wished the Chiefs well.

Councilmember Hobart addressed Mr. Ray regarding his comments about the breed specific legislation. Councilmember Hobart stated that the Council hears him and his family's concerns. Councilmember Hobart stated this is a big issue and would like to see the Council address it and he understands that there are many sides to this issue to consider. Councilmember Hobart thanked Mr. Ray for speaking although it was difficult. Councilmember Hobart recognized Management Analyst, Dr. Eric Green, and thanked him for his service to the city, and shared that he will be leaving at the end of the week.

Councilmember Steinmeyer encouraged citizens to watch the streamed meeting tomorrow, February 7, 2023, of the Charter Review Commission. Councilmember Steinmeyer stated that there will be a lot of important conversations and hopes that citizens participate and provide input. Councilmember

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Steinmeyer shared his thoughts on looking into the Crackerneck Creek TIF and obtaining owed revenue to the city. In response to Councilmember Steinmeyer, Mr. Walker stated that he will work with staff to look into what costs may be associated with having an outside analyst look at the TIF and he will get back to Council with something to consider.

Councilmember McCandless recognized the Finance Department because of the city's clean audit. Councilmember McCandless recognized the Parks, Recreation and Tourism Department for their work in maintaining Glendale Park and giving the community a great place for kids to play and people to visit. Councilmember McCandless thanked the Fire Department for including Council in celebrating the addition of nine new firefighters and the promotion of three current firefighters. Councilmember McCandless thanked the Palmer Center and their senior citizen meals program.

Mayor Rowland recognized the Kansas City Chiefs success this year. Mayor Rowland stated that he agrees with Councilmember Stewart and has been working with city staff and is hoping to have something in place every month from April through October. Mayor Rowland thanked his colleagues for their work together.

At 6:51 p.m. the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., February 20, 2023, in the Council Chambers.

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

ATTEST:

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City Clerk