

**REGULAR MEETING**  
**February 20, 2023**

The Independence City Council met for a Regular Meeting, February 20, 2023, 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 Pro Tem, Daniel Hobart, 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 and. Daniel Hobart. Absent – Mayor Rory Rowland.

**CITIZENS REQUEST TO SPEAK:**

Lucy Young spoke to Council regarding Bill No. 23-714.

Roxanne Robinson spoke to Council regarding the rezoning on Farmer.

Scott O'Brien spoke to Council regarding Bill No. 23-008.

Frank Smith spoke to Council regarding the rezoning at Forest and College Terr.

**PROCLAMATIONS:**

City Clerk, Becky Behrens, read the proclamation for George Washington's Birthday. Councilmember Hobart presented the proclamation to the Harry S. Truman Chapter of the Missouri Society of the American Revolution.

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:**

Councilmembers Perkins and McCandless moved to approve the CONSENT AGENDA.

Councilmember McCandless requested that Bill No. 23-720 be pulled for separate consideration.

Councilmember Fears requested that Bill No. 23-716 be pulled for separate consideration.

1. Council action is requested to approve the issuance of a change order on Purchase Order 23000680 to Peckham Guyton Albers & Viets (PGAV, Inc.), increasing the amount approved by \$10,000.
2. Council action is requested to issue a purchase order to Advanced Rehabilitation Technology for an amount not to exceed \$69,762, authorizing future minor change orders not to exceed \$6,976.20 for the installation of Manhole lining as part of the Trenchless Technology Project (No. 9757).
3. Council action is requested to issue a purchase order to Solomon Corporation, for Substation A Transformer 9 complete inspection and transformer servicing for the Power & Light Department, in the amount of \$70,425.00.
4. Council action is requested to issue a purchase order to Arkansas Electric Cooperatives, for Distribution Transformers for the Power & Light Department, in the amount of \$50,227.67.
5. Council action is requested to authorize the City Manager to sign the Federal Transit Administration FY 2023 Annual Certification and Assurances.
6. Council action is requested to issue a purchase order for \$181,422.28 to ConvergeOne for Data Center hardware

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7. Council action is requested to issue a purchase order to Arkansas Electric Cooperatives, for Pole Mount - Distribution Transformers for the Power & Light Department, in the amount of \$63,315.00.

Bill No. 23-717, entitled, [Res. #6898]

“A RESOLUTION REAPPOINTING JOHN RUDDY, DARYL NELSON, AND LARRY LEGLER TO THE INDEPENDENCE ADVISORY BOARD OF HEALTH OF THE CITY OF INDEPENDENCE, MISSOURI.”

Bill No. 23-718, entitled, [Res. #6899]

“A RESOLUTION APPOINTING DENNIS THARP TO THE INDEPENDENCE PARK COMMISSION FOR THE CITY OF INDEPENDENCE, MISSOURI.” – *Individual Appointment-Councilmember Dan Hobart*

Bill No. 23-719, entitled, [Res. #6900]

“A RESOLUTION APPOINTING RONALD BRUCH AS THE ALTERNATE-CITY REPRESENTATIVE ON THE JACKSON COUNTY BOARD OF EQUALIZATION WHEN SAID BOARD IS CONSIDERING ASSESSMENTS OF PROPERTY WITHIN THE CITY OF INDEPENDENCE.”

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

Councilmembers McCandless and Fears moved to amend Bill No. 23-720 to add Les Boatright to the Charter Review Commission as well.

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

Councilmembers McCandless and Fears moved to approve Bill No. 23-720. Councilmember Stewart stated an email earlier in the day had been sent to advise Council that Mr. Boatright had won the rank choice voting and would be added to the Charter Commission. Mayor Pro Tem Hobart shared background information on this item. Councilmember Steinmeyer provided additional information regarding the rank choice voting.

Bill No. 23-720, entitled, [Res. #6901]

“A RESOLUTION APPOINTING TERRI STEELE TO THE CHARTER REVIEW COMMISSION.”

Upon roll call, the vote for Bill No. 23-720 as amended was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, and Hobart. Noes – None. Absent – Mayor Rowland. The Mayor Pro Tem declared the bill approved.

Councilmembers Fears and McCandless moved to postpone Bill No. 23-716 until the March 6, 2023, Council Meeting. Councilmember Fears stated that there may be a need to appoint an alternate on this committee and would like to give the retirees more time before this item is voted on.

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

Bill No. 23-716, entitled, [*postponed to 3/6*]

“A RESOLUTION REAPPOINTING CINDY CULP TO THE CITY MANAGER’S STAY WELL COMMITTEE.”

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## PUBLIC HEARINGS:

Mayor Pro Tem Hobart opened a new information only public hearing for the application by Walter Bethay to rezone the property from R-6, Single Family Residential, to R-12, Two-Family Residential, for the property located at 701 N. Forest Avenue. Assistant Director of Community Development, Rick Arroyo, provided background information on this item. Mayor Pro Tem Hobart declared this public hearing closed. *New Information Only.*

Bill No. 23-008, entitled, [Ord. #

“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 second reading by title and placed on final passage. Councilmember Perkins provided background information on this item and stated that staff did not recommend approval of this rezoning and he is not in favor of this item at this time. Councilmember McCandless shared her feeling regarding this item and will vote in favor. In response to Councilmember Fears, Mr. Arroyo stated that there is enough frontage at this property to allow for a smaller size duplex. Councilmember Perkins shared his conversations with the residents who neighbor this property, and the property is not opposed to a single-family home in this space. Councilmember Perkins confirmed that the applicant of the rezoning is not present at the meeting, but the residents who live in the area are present. In response to Councilmember Fears, Councilmember Perkins confirmed that the applicant advised he would be ok with a single-family home on this lot. Councilmember McCandless thanked Councilmember Perkins for the information, and stated this will help her make a better-informed decision. In response to Councilmember Hobart, City Manager, Zach Walker, confirmed that staff recommended against this rezoning. Councilmember Hobart shared his feelings regarding this item and will be voting no on the rezoning. Upon roll call, the vote was: Ayes –None. Noes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer and Hobart. Absent – Mayor Rowland. The Mayor Pro Tem declared the bill failed.

Mayor Pro Tem opened a new information only public hearing for the application by Francisco Salcedo requesting a rezoning from R-12, Two-Family Residential, and R-30/PUD, High Density Residential/Planned Unit Development, to R-6, Single Family Residential for the property located at 9607 E. US 24 Highway. Mr. Arroyo provided background information on this item. Mayor Pro Tem Hobart declared the public hearing closed. *New Information Only.*

Bill No. 23-009, entitled, [Ord. #19414]

“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 second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer and Hobart. Noes – None. Absent – Mayor Rowland. The Mayor Pro Tem declared the bill approved.

## NON-ORDINANCE ACTION ITEMS:

1. Council action is requested to authorize the City Manager to direct City staff to pursue the Bistate Sustainable Reinvestment Corridor Planning Project with MARC.

Councilmember Hobart shared his excitement regarding this project and thanked staff for their work on this item. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer and Hobart. Noes – None. Absent – Mayor Rowland. The Mayor Pro Tem declared the item approved.

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Bill No. 23-714, entitled, [Res. #6902]

“A RESOLUTION ADOPTING THE 2023-2024 CITY OF INDEPENDENCE ACTION PLAN.”

Councilmembers Stewart and Steinmeyer moved to amend Bill No. 23-714 to remove the words “and determine the future ownership” from Section 5 (g). City Counselor, Jeremy Cover, clarified how that section would read if the amendment is passed.

Upon roll call, the vote was: Ayes – Councilmembers: Perkins, Stewart, McCandless, Steinmeyer and Hobart. Noes – Councilmember Fears. Absent – Mayor Rowland. The Mayor Pro Tem declared the motion approved.

Councilmembers Steinmeyer and Stewart moved to move Section 5.1(c) to Section 6.2(a).

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

Councilmember Fears stated that he is in favor of the document as a whole and will vote in favor. Councilmember Steinmeyer stated that as we work through these items it will be clearer and more defined about the roles of Council and staff. In response to Councilmember Hobart, Mr. Walker stated that this is staff communicating back to the Council and through them to the community how we plan to implement the policy visions of the Council. Councilmember Hobart stated that Council will not direct Mr. Walker’s staff but appreciates the collaborative nature of the document.

Councilmembers Steinmeyer and McCandless moved to approve Bill No. 23-714 as amended.

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

## ORDINANCES:

Bill No. 23-006, entitled, [Ord. #19415]

“AN ORDINANCE AUTHORIZING FINAL DISPOSITION OF CERTAIN CITY RECORDS THAT HAVE MET ALL REQUIREMENTS TO BE ELIGIBLE FOR SUCH DISPOSITION.”

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 and Hobart. Noes – None. Absent – Mayor Rowland. The Mayor Pro Tem declared the bill approved.

Bill No. 23-007, entitled, [*postponed to 3/20*]

“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 second reading by title and placed on final passage.

In response to Councilmember Stewart, Ms. Behrens provided background information regarding this item. Councilmember Stewart stated he would like the city to retain these records for 60-90 days. In response to Councilmember Steinmeyer, Ms. Behrens stated that the item can be postponed, but she advised that the current process of deletion of these records every 33 days will continue. Councilmember Steinmeyer asked that more information around this item be provided at an upcoming Study Session.

Councilmembers Steinmeyer and Stewart moved to postpone Bill No. 23-007 until the March 20, 2023 Council meeting after the Study Session presentation on March 13, 2023. In response to Councilmember Stewart, Mr. Walker agreed to have staff look into the cost of holding those records for 60-90 days.

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

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**FIRST READINGS:**

Bill No. 23-010, entitled  
“AN ORDINANCE AMENDING THE CITY OF INDEPENDENCE CITY CODE BY AMENDING CHAPTER 17, “PUBLIC WORKS REGULATIONS” TO CHAPTER 17, “MUNICIPAL SERVICES REGULATIONS” MAKING NECESSARY UPDATES AND CLARIFYING THE RIGHT-OF-WAY POLICY.”  
was given its first reading by title.

Bill No. 23-011, entitled  
“AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT FOR THE TRUMAN DEPOT AND PACIFIC TRAIL PROJECT AND MAKING NECESSARY APPROPRIATIONS.”  
was given its first reading by title.

Bill No. 23-012, entitled  
“AN ORDINANCE AUTHORIZING A CONTRACT WITH THE MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES, TRACKING NUMBER 53164, TO PROVIDE FINANCIAL ASSISTANCE FOR THE WORKFORCE CONTRACT GRANT PROGRAM FOR THE PERIOD OF OCTOBER 1, 2022 THROUGH JUNE 30, 2024; ACCEPTING FUNDS FOR THE PERIOD IN THE AMOUNT OF \$373,550.77; AUTHORIZING FUTURE CHANGE ORDERS FOR ADDITIONAL FUNDING AND/OR TIME EXTENSIONS FOR THE SAME PROJECT; AND AUTHORIZING CERTAIN FUTURE APPROPRIATIONS.”  
was given its first reading by title.

Bill No. 23-013, entitled  
“AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-2 (GENERAL COMMERCIAL) TO DISTRICT R-18/PUD (MODERATE DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) AND APPROVING A PRELIMINARY DEVELOPMENT PLAN TO REZONE THE PROPERTY LOCATED AT 420 S. MAIN STREET, IN INDEPENDENCE, MISSOURI.”  
was given its first reading by title.

Bill No. 23-014, entitled  
“AN ORDINANCE APPROVING REZONINGS FROM DISTRICT I-1 (INDUSTRIAL) TO DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) FOR THE PROPERTIES LOCATED AT 308 AND 312 S. LIBERTY STREET, IN INDEPENDENCE, MISSOURI.”  
was given its first reading by title.

Bill No. 23-015, entitled  
“AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, CHAPTER 14, OF THE INDEPENDENCE CITY CODE PERTAINING TO GROUP LIVING FACILITIES.”  
was given its first reading by title.

**INFORMATION ONLY:**

1. Municipal Division monthly case report January 2023.
2. Purchase order 23000838 in the amount of \$529,881.00 was issued to T & R Electric Supply for Power Distribution Transforms for the Power & Light Department.
3. Amendments to the CORE - State Investment in Local Public Health Services Grant Contract.
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 Steinmeyer stated we have a lot going on in our nation and encourages citizens to be involved, especially locally and to bring concerns to Council. Councilmember Steinmeyer thanked the citizens who came to the meeting for their participation.

Councilmember McCandless recognized the Power & Light Department and their implementation of the Caring Contact Customer Application. Councilmember McCandless shared information about a community conversation had around policing. Councilmember McCandless stated that it was a very productive and important conversation.

Councilmember Fears stated that the Missouri General Assembly is in session and a few members of Council will be attending the Missouri Municipal League Conference tomorrow and is looking forward to the interactions with representatives and senators for our area. Councilmember Fears stated that he was able to attend the Rotary Club Mardi Gras which was a successful event that raised funds for Mothers Refuge.

Councilmember Perkins stated that the Rotary Club Mardi Gras fundraiser was a great event and for a good cause. Councilmember Perkins recognized both new Deputy Police Chiefs, Michelle Sumstad and Jason Peterson.

Councilmember Stewart congratulated the new Deputy Chiefs.

Councilmember Hobart recognized the Deputy Chiefs. Councilmember Hobart stated that the Rotary event was great and shared that Mr. Walker will be the president of the Rotary Club next year. Councilmember Hobart shared some history regarding Anthony Mondaine and the city. Councilmember Hobart stated that we need to challenge each other as community leaders to do better and find a way to provide a community for more diversity. He stated that our community is increasingly diverse, but our leadership is not.

Mr. Walker stated that we will be seeing more of the new Deputy Chiefs so we can all get to know them better. Mr. Walker stated that this Friday our Independence water will be entered into the International Water Competition and hoping for great results.

At 7:04 p.m. the Mayor Pro Tem declared the meeting adjourned to a Regular Meeting at 6:00 p.m., March 6, 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