

REGULAR MEETING
March 20, 2023

The Independence City Council met for a Regular Meeting, March 20, 2023, at 6:00 p.m., in the Council Chambers, 111 E. Maple.

Laurie Dean Wiley, Member, EPIC 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, Bridget McCandless, Mike Steinmeyer, Daniel Hobart and Mayor Rory Rowland. Absent – Councilmember Brice Stewart. Councilmember Fears attended virtually.

CITIZENS REQUEST TO SPEAK:

Brian Morse spoke to Council regarding pit bull Ban.

Muriel Luedeman spoke to Council regarding Sustainability Commission Update & Support of MOU.

Lucy Young spoke to Council regarding breed specific legislation.

Miriam Keith spoke to Council regarding breed specific legislation.

Charles Ray spoke to Council regarding breed specific legislation.

Tonya Bronson spoke to Council regarding the pit bull ban.

Roxanne Robinson spoke to Council regarding Rezoning Case #23-400-06.

Robert Brackenberry spoke to Council regarding pit bulls.

Terre Kelly-Tweedie spoke to Council regarding pit bull dog ban.

Deborah Wilson spoke to Council regarding pit bulls.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

Councilmembers Hobart and Steinmeyer moved to approve the CONSENT AGENDA.

Councilmember McCandless requested that Item No. 10 be pulled for separate consideration.

Councilmember Hobart requested that Bill No. 23-724 be pulled for separate consideration.

1. Council action is requested to expend \$100,000.00 in purchase orders to Design Mechanical, for HVAC Repairs for various City Departments.
2. Council action to issue Change Order #1 to Purchase Order 23000098 to Graybar Electric Company Inc (Graybar) in the amount of \$232,467.31 to cover additional aluminum and copper cable for the Power & Light Department. New amount of PO will be \$442,467.31.
3. Council action is requested to issue a purchase order to Kansas City Renovations for \$49,275.00 for the Rock Creek Control Room Remodel Project for the Municipal Services Department.

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4. Council action to issue Change Order #1 to Purchase Order 23000171 to Davenport Construction LLC (Davenport) in the amount of \$100,000.00 to cover the costs for Asphalt Street Cut Repairs for the Water Department. New amount of PO will be \$400,000.00.
5. Council action to issue Change Order #1 to Purchase Order 23000249 to Davenport Construction LLC (Davenport) in the amount of \$75,000.00 to cover the costs for Asphalt Street Cut Repairs for the Municipal Services. New amount of PO will be \$125,000.00.
6. Council action is requested to authorize the City Manager to approve change order No.1 to the engineering design service contract with Wilson & Company for the Valley View Road Extension Project (No. 512001) for an amount not to exceed \$36,901.00; authorizing future minor change orders for an amount not to exceed \$12,680.00 and/or time extensions.
7. A request for Council approval to authorize the City Manager to direct the Police Department to submit applications and participate in the 2023/2024 Hazardous Moving Violation grant as provided through the Missouri Department of Transportation, Highway Safety Division.
8. A request for Council approval to authorize the City Manager to direct the Police Department to submit applications and participate in the 2023/2024 Impaired Driving Grant as provided through the Missouri Department of Transportation, Highway Safety Division.
9. A request for Council approval to authorize the City Manager to direct the Police Department to submit a revised application and participate in the 2023/2024 Occupant Protection grant as provided through the Missouri Department of Transportation, Highway Safety Division.

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

Councilmember McCandless provided background information on Item No. 10. In response to Councilmember McCandless, City Manager, Zach Walker, provided additional information regarding this item. In response to Councilmember Steinmeyer, Mr. Walker stated that the contract has the deliverables as well as specificity about allocation of funds. Mr. Walker stated that the Sustainability Commission can review the reports and work with CSL for feedback about the effectiveness of the program. Councilmember McCandless shared the name of the program and encouraged citizens to encourage them in their work. Mayor Rowland shared his support of this item and the importance of the reporting coming from this program.

10. Council action is requested to allow the City Manager to sign a memorandum of understanding (MOU) with, and issue a purchase order for \$100,000 to, Community Services League (CSL) as part of a commitment to 'Independence TOGETHER'.

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

Councilmember Hobart provided background information on Bill No. 23-724.

Councilmembers Hobart and Fears moved to remove the Board of Adjustment and the Economic Development and Incentive Commission from Section 2, and not be recorded or live streamed. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – Councilmember Stewart. The Mayor declared the motion approved.

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Councilmembers Hobart and McCandless moved to approve Bill No. 23-724 as amended.

Bill No. 23-724, entitled, [Res. #6906]

“A RESOLUTION REPEALING RESOLUTION NO. 6724 AND DIRECTING THE CITY MANAGER ON BOARDS AND COMMISSIONS RECORDINGS.”

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

ORDINANCES:

Bill No. 23-007, entitled, [Ord. #19422]

“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 Mayor Rowland, Mr. Walker confirmed that no amendments were made to the item. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – Councilmember Stewart. The Mayor declared the bill approved.

Bill No. 23-016, entitled, [Ord. #19423]

“AN ORDINANCE AUTHORIZING THE FEDERAL LANDS ACCESS PROGRAM FUNDS AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE HISTORIC TRAILS PHASE 1 PROJECT.”

was given its second reading by title and placed on final passage. In response to Councilmember McCandless, Mr. Walker confirmed that the funding for this project are state funds, not city funds. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – Councilmember Stewart. The Mayor declared the bill approved.

Bill No. 23-017, entitled, [Ord. #19424]

“AN ORDINANCE AUTHORIZING A CONTRACT WITH TRUMAN HERITAGE HABITAT FOR HUMANITY FOR THE ADMINISTRATION OF HOME REPAIR PROGRAM FOR LOW TO MODERATE INCOME HOMEOWNERS UTILIZING 2022-23 CDBG PROGRAM FUNDS IN AN AMOUNT NOT TO EXCEED \$138,596.43.”

was given its second reading by title and placed on final passage. In response to Councilmember McCandless, Mr. Walker confirmed that this project helps seniors, disabled and low income citizens for home repairs that can help prevent homelessness or being removed from their homes due to code violations. Upon roll call, the vote was: Ayes – Councilmembers: Fears, Perkins, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – Councilmember Stewart. The Mayor declared the bill approved.

Bill No. 23-018, entitled, [Ord. #19425]

“AN ORDINANCE APPROVING THE AMENDED 2021-2022 ANNUAL ACTION PLAN AND ADOPTING THE HOME-ARP ALLOCATION PLAN; AND MAKING THE NECESSARY APPROPRIATIONS.”

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

Bill No. 23-019, entitled, [Ord. #19426]

“AN ORDINANCE AMENDING CHAPTER 12 ARTICLE 2 “CONTROLLED SUBSTANCES” OF THE INDEPENDENCE CITY CODE.”

was given its second reading by title and placed on final passage. In response to Councilmember McCandless, Mr. Walker provided background information on this item. In response to Councilmember Fears, City Counselor, Jeremy Cover, provided information regarding the fines listed. Councilmember Fears asked Mr. Walker to review the fine structure. Upon roll call, the vote was: Ayes –

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FIRST READINGS:

Bill No. 23-020, entitled

“AN ORDINANCE APPROVING REZONINGS FROM DISTRICT R-30/PUD (HIGH DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) AND DISTRICT C-2 (GENERAL COMMERCIAL) TO DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) FOR THE PROPERTIES LOCATED AT 137 E. COLLEGE STREET; 110, 116, 118 AND 120 E. FARMER STREET; 112, 113, 116, 118, 120, 121, 125, 127, 130, 134 AND 137 E. WALDO AVENUE; AND 501, 507, 601, 605, 609, 615, 617, 619 AND 623 N. MAIN STREET; IN INDEPENDENCE, MISSOURI.”

was given its first reading by title. Councilmember Perkins provided background information regarding this item.

Bill No. 23-021, entitled

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-1 (NEIGHBORHOOD COMMERCIAL) TO DISTRICT C-2 (GENERAL COMMERCIAL) FOR THE PROPERTY AT 3300 BLUE RIDGE CUT-OFF IN INDEPENDENCE, MISSOURI.”

was given its first reading by title.

Bill No. 23-500, entitled, [Ord. #19427]

“AN ORDINANCE MAINTAINING THE RATES OF GROSS RECEIPTS TAXES FOR ALL APPLICABLE UTILITIES OPERATING WITHIN THE CITY AND DECLARING AN EMERGENCY.”

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

INFORMATION ONLY:

1. The City Clerk's office is in receipt of the 23rd & Sterling CID Proposed Budget for fiscal year ending June 30, 2024.
2. Municipal Division monthly case report February 2023
3. 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 Fears stated he appreciates the efforts of staff that allow him to participate virtually.

Councilmember Hobart thanked the citizens that came to speak about the pit bull ban regardless of which side they fall on. Councilmember Hobart stated that it is not an easy thing for the Council to decide to overturn the decision made by the Council at the time and believes that this is a topic that should go to the vote of the people. Councilmember Hobart advised that there will be a petition at the polls on April 4, 2023, that will be available for people to sign if they would like to repeal the pit bull ban. Councilmember Hobart wished everyone a happy spring season.

In response to Councilmember Steinmeyer, Mr. Walker provided information about board and commission meeting recording limitations and stated that throughout the budget process staff will look at

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cost options for upgrading equipment for better quality and bring that forward to Council. Councilmember Steinmeyer stated that its important for transparency and accountability, so we need to get these meetings online and consistent quickly. Councilmember Steinmeyer would like numbers provided to Council soon to fix the issues now, and then we can look at more expansive improvements down the road. Councilmember Steinmeyer shared information about the old GEHA building in East Independence that has been purchased by an entrepreneur who has built innovative modular multifamily units in Kansas City. Councilmember Steinmeyer stated that him and Mr. Walker have been invited to tour the modular development and discuss his future plans within Independence. Councilmember Steinmeyer advised Mr. Walker that there is a commercial real estate listing for The Falls/Bass Pro to lease 490,805 square feet and would like to know if there is a conflict. Councilmember Steinmeyer asked for Mr. Walker to find out more information and provide it to Council.

Councilmember McCandless shared information about the passing of a 55-year-old city employee, Mike Savona, who worked for the city since he was in high school. Councilmember McCandless is thankful for his longevity of service to the city and offered condolences to coworkers and family.

Mayor Rowland shared information about the Daughters of the American Revolution presentation from Saturday. Mayor Rowland thanked all the citizens who spoke to Council tonight. Mayor Rowland shared and experience after he recently received a letter from a second grader and had her family visit City Hall for lunch last week.

At 7:15 p.m. the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., April 5, 2023, in the Council Chambers.

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

ATTEST:

City Clerk