

REGULAR MEETING

May 1, 2023

The Independence City Council met for a Regular Meeting, May 1, 2023, at 6:01 p.m., in the Council Chambers, 111 E. Maple.

Laurie Dean Wiley, 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 Hobart and Perkins moved to suspend the Rules of Procedure to allow Presentations and the Presentation Resolution to be addressed prior to 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.

PRESENTATIONS:

The 2023 Preserve Independence Awards presentation was provided by Wendy Shay, Historic Preservation Manager with the Community Development Department. Corey Tharp, member of the Heritage Commission, presented the award to the recipients from Truman Heritage Habitat.

Jim Nail, Director of the Power and Light Department provided background information about the American Public Power Association Reliable Public Power Provider Diamond Award that has been awarded to the Independence Power and Light Department.

PRESENTATION RESOLUTIONS:

Councilmembers Hobart and McCandless moved to approve Bill No. 23-736.

Bill No. 23-736, entitled, [Res. #6918]

“A RESOLUTION RECOGNIZING CHERYL WRISINGER, ADMINISTRATIVE ASSISTANT III, WITH THE COMMUNITY DEVELOPMENT DEPARTMENT, AS THE I-STAR AWARD RECIPIENT FOR MAY 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.

CITIZENS REQUEST TO SPEAK:

Miriam Keith spoke to Council regarding the Pitbull ban.

Jacob Jensen spoke to Council regarding Short Term Rental Appeal.

Laurie Dean Wiley spoke to Council regarding BSL – Pitbull ban.

Robert Brackenberry spoke to Council regarding the Pitbull Ban.

Terre Kelly-Tweedie spoke to Council regarding the Pitbull Ban.

Lucy Young spoke to Council regarding the Independence Animal Shelter.

Jerry Price spoke to Council regarding the Pitbull Ban.

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Jason White spoke to Council regarding Pitbulls.

Mike Anderson spoke to Council regarding overturning the Pitbull Ban.

PROCLAMATIONS:

City Clerk, Becky Behrens, read the proclamation for National Historic Preservation Month. Mayor Rowland presented the proclamation.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

Councilmembers Hobart and Fears moved to approve the CONSENT AGENDA.

Councilmember McCandless requested that Bill No. 23-740 be pulled for separate consideration.

Councilmember Stewart requested that Bill No. 23-741 be pulled for separate consideration.

1. Approval of minutes for the Regular Meetings on April 5, 2023 and April 17, 2023.
2. Council action is requested to issue a purchase order to Precision Industries, Inc., for the remount of chassis on existing rescues-chassis to be purchased by the Fire Department, in the amount of \$216,733.46.
3. Council action is to enter a contract with Truman Heritage Habitat for Humanity as a qualifying community housing development organization for the development of affordable housing, utilizing 2021-22 and 2022-23 HOME program funds.
4. Council action is requested to issue a purchase order to Facility Gateway Corporation for \$51,175.00, for APC Symetra Maintenance ByPass Cabinet Upgrades to be purchased by the Power & Light Department.
5. Council action is requested to issue a purchase order to MegaKC in the amount of \$755,000.00 for the Courtney Bend Water Treatment Plant paste slaker replacement project for the Water Department.
6. Council action is requested to authorize the City Manager to approve change order no. 1 to the engineering services contract with TranSystems Corporation for the Chrysler Avenue Bridge over Union Pacific Railroad (UPRR) project (no. 112108) for an amount not to exceed \$142,359.50; authorizing future minor change orders for an amount not to exceed \$14,235.95.

Bill No. 23-737, entitled, [Res. #6919]

“A RESOLUTION APPOINTING JAMES CONLEY TO THE TAX INCREMENT FINANCING COMMISSION FOR THE CITY OF INDEPENDENCE, MISSOURI.” – *Individual Appointment-Councilmember Bridget McCandless*

Bill No. 23-738, entitled, [Res. #6920]

“A RESOLUTION REPEALING RESOLUTION NO. 6416 AND DISSOLVING THE BRAND INDEPENDENCE COMMITTEE.”

Bill No. 23-739, entitled, [Res. #6921]

“A RESOLUTION AMENDING SECTION 3” TYPES OF MEETINGS” OF THE CITY COUNCIL RULES OF PROCEDURE.”

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.

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Councilmember McCandless stated she wanted to highlight this item and provided background information on Bill No. 23-740.

Councilmembers McCandless and Hobart moved to approve Bill No. 23-740. Councilmember Perkins stated that he also supports this item and provided additional information. Mayor Rowland thanked both Councilmember McCandless and Perkins for their work on this item. Councilmember Hobart thanked them for their work on this item as well and believes this is progress.

Bill No. 23-740, entitled, [Res. #6922]
 “A RESOLUTION ADOPTING A STATEMENT OF COMMON PURPOSE AMONG CITIES IN EASTERN JACKSON COUNTY, MISSOURI TO ADDRESS HOMELESSNESS.”
 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.

In response to Councilmember Stewart, Mayor Rowland provided background information on Bill No. 23-741. Councilmember Stewart stated that he would like for there to be an end date established for this commission.

Councilmembers Stewart and McCandless moved to postpone Bill No. 23-741 to the May 15, 2023 Council meeting. Councilmember Steinmeyer would like to see the updated document from the commission prior to the Council meeting. Mayor Rowland also confirmed that there will be a presentation from the Commission at the June 12, 2023 Study Session meeting.
 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. 23-741, [postponed]
 “A RESOLUTION AMENDING THE MEMBER TERMS OF THE MAYOR’S ADVISORY COMMISSION ON ETHICS REFORM.”

PUBLIC HEARINGS:

Mayor Rowland opened a new information only public hearing for the application by Phil & Lisa Snedeger requesting a rezoning from I-1, Industrial, to R-6, Single-Family Residential, for the property located at 617 N. Hocker Avenue. Assistant Community Development Director, Rick Arroyo, provided background information on this item. Mayor Rowland declared this public hearing closed. *New Information Only.*

Bill No. 23-029, entitled, [Ord. #19434]
 “AN ORDINANCE APPROVING A REZONING FROM DISTRICT I-1 (INDUSTRIAL) TO DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) FOR THE PROPERTY AT 617 N. HOCKER 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.

ORDINANCES:

Bill No. 23-026, entitled, [Ord. #19435]
 “AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A CONTRACT WITH JACKSON COUNTY, MISSOURI, WHICH CALLS FOR JACKSON COUNTY TO PROVIDE FUNDING IN THE AMOUNT OF \$225,000.00 TO THE CITY FOR INDEPENDENCE POLICE DEPARTMENT’S LAW ENFORCEMENT SCHOOL-BASED INITIATIVE CALLED S.T.E.P.”

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was given its second reading by title and placed on final passage. In response to Councilmember Stewart, City Counselor, Jeremy Cover provided information about whether an abstention would be needed. 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. 23-027, entitled, [Ord. #19436]

“AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ACCEPT A WARRANTY DEED FROM THE ROCK HILL HOMEOWNER’S ASSOCIATION FOR THE OWNERSHIP OF THE ROCK HILL SANITARY SEWER LIFT STATION AND TO ADDITIONALLY ACCEPT OWNERSHIP OF APPROXIMATELY 2,144.6 FT OF SANITARY SEWER FORCE MAIN.”

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.

Bill No. 23-028, entitled, [Ord. #19437]

“AN ORDINANCE AMENDING ARTICLE 1 OF CHAPTER 4 “PROPERTY MAINTENANCE CODE” PERTAINING TO REPAIRING DANGEROUS BUILDINGS.”

was given its second reading by title and placed on final passage. In response to Mayor Rowland, City Manager, Zach Walker, provided background information on this item. Mr. Walker confirmed this is for residential and commercial 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 bill approved.

Bill No. 23-030, entitled, [Ord. #19438]

“AN ORDINANCE AUTHORIZING A CONTRACT WITH THE NATIONAL COUNCIL ON AGING TO PROVIDE FINANCIAL ASSISTANCE FOR THE COVID-19 AND INFLUENZA VACCINE UPTAKE INITIATIVE GRANT PROGRAM FOR THE PERIOD OF APRIL 28, 2023 THROUGH APRIL 27, 2024; ACCEPTING FUNDS FOR THE PERIOD IN THE AMOUNT OF \$90,560; AUTHORIZING FUTURE CHANGE ORDERS FOR ADDITIONAL FUNDING AND/OR TIME EXTENSIONS FOR THE SAME PROJECT; 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, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the bill approved.

FIRST READINGS:

Bill No. 23-031, entitled

“AN ORDINANCE AMENDING CHAPTER 1 ARTICLE 28 “INDEPENDENCE COMMISSION ON HUMAN RELATIONS” OF THE INDEPENDENCE CITY CODE.”

was given its first reading by title.

Bill No. 23-032, entitled

“AN ORDINANCE AMENDING CHAPTER 5 OF THE CITY CODE, “BUSINESS AND OCCUPATION LICENSES”.”

was given its first reading by title.

Bill No. 23-033, entitled

“AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A CERTAIN GRANT AGREEMENT WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE SQUARE STREETSCAPE PROJECT (PROJECT NO. 111902 / FEDERAL AWARD NO. B-23-CP-MO-0905).”

was given its first reading by title.

Bill No. 23-034, entitled

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-1 (NEIGHBORHOOD COMMERCIAL) TO

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DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) FOR THE PROPERTY AT 10103 E. KENTUCKY IN INDEPENDENCE, MISSOURI.”

was given its first reading by title.

Bill No. 23-035, entitled

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-1 (NEIGHBORHOOD COMMERCIAL) TO DISTRICT R-30/PUD (HIGH DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR THE PROPERTY AT 10101 E. KENTUCKY ROAD, IN INDEPENDENCE, MISSOURI.”

was given its first reading by title.

Bill No. 23-036, entitled

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) TO DISTRICT R-6/PUD (SINGLE-FAMILY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR THE PROPERTY AT 2710 S. WESTPORT ROAD, IN INDEPENDENCE, MISSOURI.”

was given its first reading by title.

INFORMATION ONLY:

1. The certified results of the April 4, 2023 Special Election, from the Jackson County Board of Election Commissioners have been received by the City Clerk.
2. Handouts During the Meeting
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 Hobart discussed the Arbor Day celebration at the Uptown Market. In response to Councilmember Hobart, Mr. Cover provided information about next steps regarding the initiative petition that was submitted by the citizens. Mr. Cover advised that if the Jackson County Election board determines that there are sufficient signatures, the Council will then have 30 days to act on the petition and vote to overturn the BSL or vote to have this issue placed on the next available ballot. Councilmember Hobart stated that he is waiting to hear what the signature count is from the petition and stated it is unlikely that Council will take action prior to that.

Councilmember Steinmeyer spoke about giving our first responders room on the roadways when they are responding to calls. Councilmember Steinmeyer shared his experience visiting the dispatch center and advised that there are open job positions and encouraged applicants to apply. Councilmember Steinmeyer asked again that people move to the right on the road when they hear and see first responders. He shared an experience about a ride along he went on and commended Police Officers for how well they responded to an incident. Councilmember Steinmeyer stated that in April the Fire Department had 21 fires and no one was hurt, and encouraged citizens to thank them when you see them.

Councilmember McCandless shared a photo and information about recognizing US Veteran Ray Shockley who was invited to lay a wreath at the Tomb of the Unknown Soldier. Councilmember McCandless thanked IPD for the escort to the airport for him to catch his flight. Councilmember McCandless discussed the recent trip staff took to Manhattan, KS and looks forward to discussing the

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information received from their recent downtown development. Councilmember McCandless recognized staff who worked at Countryside Suites to help move residents to alternate locations after a water issue. She advised that MoDOT will be working on the Blue Ridge Overpass which will be closed until November. Councilmember McCandless discussed the Kite Festival and encouraged people to ride bikes during the month of May since it is National Bike Month. Councilmember McCandless stated that she will also wait to make statements on BSL and looks forward to the discussions when the time comes.

Councilmember Stewart stated that he will also not make any statements regarding BSL at this time. Councilmember Stewart provided information regarding a homeless situation where there is an individual staying on a residential sidewalk and asked staff to see if there is anything more that can be done in this type of situation.

Councilmember Perkins shared information about a Community Conversation meeting at the Fairmount Center on May 11, 2023 to discuss with the citizens in his district what things are on their minds and is interested in being engaged. Councilmember Perkins stated that there is also an open house on May 23, 2023 for the Truman Connected and Square Streetscape. Councilmember Perkins shared that on June 3, 2023 we will have the Annual Northwest Independence Cleanup.

Councilmember Fears shared that Independence hosted about 2000 delegates from around the world for the Community of Christ International Conference. He stated it was a good event. Councilmember Fears stated that the Economic Development Partnership had its first meeting last week which went well. Councilmember Fears advised that Mr. Walker is still working on the Crackerneck Creek TIF and just wanted to provide an update. In response to Councilmember Fears, Mr. Walker stated that at the May 22, 2023 Study Session we will have a presentation regarding BSL. Councilmember Fears stated that he will not make comments regarding this issue at this time.

Mayor Rowland shared details about his visit to the ISD Academy Awards that honored the city for our engagement program. Mayor Rowland also stated that the CSL Volunteer Luncheon was also held and he thanked the city volunteers. Mayor Rowland stated that on April 20, 2023, Wild About Harry was in Kansas City. Mayor Rowland stated that he and Councilmember McCandless went to City Officials Training on April 21, 2023 and gained a lot of information. Mayor Rowland stated that on April 22, 2023 he attended the memorial service for city employee, Kenny James, and asks that we all remember him in our thoughts. Mayor Rowland asked for information from staff regarding residential renovations and projects and their limits. Mayor Rowland provided additional information regarding Bill No. 23-032.

At 7:35 p.m. the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., May 15, 2023, in the Council Chambers.

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

ATTEST:

City Clerk