

## REGULAR MEETING

July 3, 2023

The Independence City Council met for a Regular Meeting, July 3, 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, Brice Stewart, Bridget McCandless and Mayor Rory Rowland. Daniel Hobart appeared virtually. Absent – Mike Steinmeyer.

## CITIZENS REQUEST TO SPEAK:

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

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

Bob Sorenson spoke to Council regarding Rebecca Behrens, City Clerk's, leaving the Clerk's office.

Jeff Rogers, Independence Square Association, spoke to Council regarding what is going on in historic downtown. (Brew Walk, moonlight movies, etc.)

Terri Tweedie spoke to Council regarding the changes made to the dangerous dog issue (Pit Bulls, etc.).

## PRESENTATION RESOLUTIONS:

Councilmembers Fears and McCandless moved to approve Bill No. 23-759.

Bill No. 23-759, entitled, [Res. #6940]

A RESOLUTION RECOGNIZING MATT BULLOC, FIRE CAPTAIN, WITH THE FIRE DEPARTMENT, AS THE I-STAR AWARD RECIPIENT FOR JULY 2023.”

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

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

Councilmembers Perkins and Fears moved to approve the CONSENT AGENDA.

1. Approval of minutes for the Regular Meetings on June 5, 2023 and June 20, 2023. 2.
2. Council action is requested to issue a purchase order to Clark Equipment Company, for a T770 T4 Bobcat Track Loader to be purchased by the Municipal Services Department/Sewer Maintenance Division, in the amount of \$49,999.04.
3. Council action is requested to issue a contract with Zambelli Lawn Care & Snow Removal LLC, for Mowing Services for one (1) year, with three (3) possible one-year renewal periods for the Municipal Services Department.

## REGULAR MEETING

July 3, 2023

4. Council action is requested to direct the City Manager to grant Spire Missouri Inc. a 1,250 square foot easement for the installation of a rectifier cable in conjunction with their ongoing service main upgrade project.
5. Council action is requested to authorize the City Manager to approve a design contract with, and issue a purchase order to, Alfred Benesch & Company for an amount not to exceed \$162,500 authorizing future minor change orders not to exceed \$16,250 and/or time extensions, to perform engineering design services to replace the Heidelberger Bridge as part of the Emergency Transportation Project (No. 112203).
6. Council action is requested to issue a purchase order for Northstar Technologies, LLC for \$90,000, authorizing future change orders for an amount not to exceed \$9,000, for a Stormwater Management and Engineering Services Contract.
7. Council action is requested to authorize the City Manager to issue a purchase order to Barr Engineering Co. for an amount not to exceed \$95,800 authorizing future minor change orders not to exceed \$9,580 and/or time extensions, to perform groundwater evaluation and permit support services for the former Blue Valley CCR Impoundments.
8. Approval of 2023-24 Property Insurance Renewal for City Utility Property

Bill No. 23-760, entitled, [Res. #6941]

“A RESOLUTION REAPPOINTING HEATHER WILEY TO THE CITY PLANNING COMMISSION OF THE CITY OF INDEPENDENCE, MISSOURI – *Individual Appointment – Councilmember John Perkins*

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

## PUBLIC HEARINGS:

Mayor Rowland opened a new information only public hearing for the application by Emmert Welding requesting a rezoning from R-6/PUD, Single Family Residential/Planned Unit Development, to I-1, Industrial, for the property located at 23500 E. M-78 Highway. Mr. Arroyo provided background information on this item. Mayor Rowland declared this public hearing closed. *New Information Only.*

Bill No. 23-050, entitled [Ord. #19454]

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-6/PUD (SINGLE-FAMILY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) TO DISTRICT I-1 (INDUSTRIAL) FOR THE PROPERTY AT 23500 E. M-78 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, Hobart and Mayor Rowland. Absent – Steinmeyer. Noes – None. The Mayor declared the bill approved.

Mayor Rowland opened a new information only public hearing for the application by Susan Whitehill requesting a rezoning from R-6, Single Family Residential, to C-2, General Commercial, for the property located at 17422 E. 39th Street. Mr. Arroyo provided background information on this item. Mayor Rowland declared this public hearing closed. *New Information Only.*

Bill No. 23-051, entitled, [Ord. #19455]

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) TO DISTRICT C-2 (GENERAL COMMERCIAL) FOR THE PROPERTY AT 17422 E. 39TH STREET S. 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, Hobart and Mayor Rowland. Absent – Steinmeyer. Noes – None. The Mayor declared the bill approved.

Mayor Rowland opened a new information only public hearing for the application by Lance Houston and David Ford requesting a rezoning from R-6, Single Family Residential, R-12, Two-Family

## REGULAR MEETING

July 3, 2023

Residential, and C-2, General Commercial, to I-1, Industrial, for the property located at 9400 E. 23rd Street. Mr. Arroyo provided background information on this item. Mayor Rowland declared this public hearing closed. *New Information Only.*

Bill No. 23-052, entitled, [Ord. #19456]

“AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL), R-12 (TWO FAMILY RESIDENTIAL) AND DISTRICT C-2 (GENERAL COMMERCIAL) TO I-1 (INDUSTRIAL) FOR THE PROPERTY AT 9400 E. 23RD STREET S. 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, Hobart and Mayor Rowland. Absent – Steinmeyer. Noes – None. The Mayor declared the bill approved.

## ORDINANCES

Bill No. 23-053, entitled, [Ord. #19457]

“AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF FUNDING FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE, OFFICE OF JUSTICE PROGRAMS, FY 2022 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM, THROUGH A MEMORANDUM OF UNDERSTANDING WITH KANSAS CITY, MISSOURI, WHICH ALLOCATES \$61,032.00 TO THE CITY OF INDEPENDENCE, MISSOURI, FOR THE POLICE DEPARTMENT’S USE; APPROPRIATING THE NECESSARY FUNDS; AND AUTHORIZING FUTURE CHANGE ORDERS AND APPROPRIATIONS FOR THE SAME PROJECT.”

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

Bill No. 23-054, entitled [Ord. #19458]

“AN ORDINANCE LOWERING THE MONTHLY AUTOMOBILE ALLOWANCE FOR EACH ELECTED COUNCILMEMBER, INCLUDING MAYOR, FROM \$500.00 TO \$200.00 BY AMENDING ORDINANCE 18574, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.”

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

Bill No. 23-055, entitled [Ord. #19559]

“AN ORDINANCE AUTHORIZING ACCEPTANCE OF THE 2023 MIDWEST HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) MEMORANDUM OF UNDERSTANDING (MOU) FOR THE INVESTIGATIVE SUPPORT CENTER INITIATIVE, AND RELATED DOCUMENTS, WITH THE KANSAS BUREAU OF INVESTIGATION, FOR A GRANT AWARD IN THE AMOUNT OF \$154,459.00; MAKING THE NECESSARY APPROPRIATIONS; AUTHORIZING FUTURE CHANGE ORDERS FOR ADDITIONAL FUNDING AND/OR TIME EXTENSIONS; 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, Hobart and Mayor Rowland. Absent – Steinmeyer. Noes – None. The Mayor declared the bill approved.

Bill No. 23-056, entitled [Ord. #19460]

“AN ORDINANCE AUTHORIZING ACCEPTANCE OF THE 2023 MIDWEST HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) MEMORANDUM OF UNDERSTANDING (MOU) FOR THE KANSAS CITY / OVERLAND PARK DEA TASK FORCE INITIATIVE, AND RELATED DOCUMENTS, WITH THE KANSAS BUREAU OF INVESTIGATION, FOR A GRANT AWARD IN THE AMOUNT OF \$153,166.00; MAKING THE NECESSARY APPROPRIATIONS; AUTHORIZING FUTURE CHANGE ORDERS FOR ADDITIONAL FUNDING AND/OR TIME EXTENSIONS; AND AUTHORIZING CERTAIN FUTURE APPROPRIATIONS.”

## REGULAR MEETING

July 3, 2023

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

Bill No. 23-057, entitled [Ord. #19461]

“AN ORDINANCE APPROVING A FINAL PLAT FOR LITTLE BLUE ESTATES, 1ST PLAT, 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, Hobart and Mayor Rowland. Absent – Steinmeyer. Noes – None. The Mayor declared the bill approved.

## FIRST READINGS:

Bill No. 23-058, entitled

“AN ORDINANCE ADOPTING AMENDMENTS TO THE FISCAL YEAR 2022- 2023 BUDGET, WHICH WAS APPROVED BY ORDINANCE NO. 19340.”

was given its first reading by title.

Bill No. 23-059, entitled

“AN ORDINANCE FINDING, DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING TEMPORARY CONSTRUCTION AND GRADING EASEMENTS AND GENERAL UTILITY EASEMENTS FOR THE BARNES PLACE DRAINAGE IMPROVEMENT PROJECT (PROJECT NO. 131901); AUTHORIZING THE NEGOTIATION AND EMINENT DOMAIN PROCEEDINGS IF NECESSARY; APPROVING THE PLANS AND SPECIFICATIONS FOR THE PROJECT; AUTHORIZING THE USE OF EXPERTS AS NEEDED; AUTHORIZING AND DIRECTING THE EXECUTION OF DOCUMENTS AND THE PAYMENT OF FUNDS TO PROPERTY OWNERS OR OTHERS HOLDING PROPERTY RIGHTS, IN CONJUNCTION WITH THE PROJECT.”

was given its first reading by title.

Bill No. 23-060, entitled

“AN ORDINANCE TERMINATING TAX INCREMENT FINANCING WITHIN THE EASTLAND CENTER TAX INCREMENT FINANCING REDEVELOPMENT PLAN AREA; AND AUTHORIZING CERTAIN ACTIONS RELATING THERETO.”

was given its first reading by title.

Bill No. 23-061, entitled

“AN ORDINANCE AMENDING SECTION 3.03.007 “AGGRESSIVE DOGS” OF THE INDEPENDENCE CITY CODE.”

was given its first reading by title.

## INFORMATION ONLY:

1. The City Clerk's Office is in receipt of the Englewood Community Improvement District Proposed Budget for fiscal year ending June 30, 2024.
2. The City Council is expected to convene in an Executive Session at 5:30 pm, Monday, July 3, 2023, in the Council Chambers with the closed session taking place in Conference Room A, on Personnel Actions, as permitted by Sec. 610.021(3) and Personnel Records, as permitted by 610.021(13).
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).

## REGULAR MEETING

July 3, 2023

## COUNCILMEMBER COMMENTS:

Councilmember Stewart asked City Manager about if the City they had something similar to when it gets a certain freezing temperature, electricity/gas will not be shutoff for the hot weather. In response to Councilmember Stewart, The City Manager provided that the City does have something similar for the heat. Councilmember Stewart also shared information about his attendance to the Town Hall at MCC Blue River regarding the recent property valuations and gave two dates for additional Town Halls regarding property valuations. (July 5 – Longview College and July 10 – MCC Penn Valley)

Councilmember Perkins thanked the Independence Square Association regarding the activities and work they do in planning and promoting all activities. Councilmember Perkins also thanked Methodist on a Mission, which is comprised of young men and women with St. Mark's United Methodist Church, on their taking the time to help with painting and yard work. Councilmember Perkins also thank Becky Behrens for her great job and wished her the best.

Councilmember Fear asked the City Manager regarding the Aggressive Dog Ordinance, which had its first reading, on any forthcoming ordinances for other dangerous dogs and responsible ownership clauses. In response to Councilmember Fear, City Manager provided there were and asked for any additional comments from the Council. He also recommended individuals to look at the agenda for the next City Council meeting and read the memo prepared by legal counsel, which notes a lot of those issues are already addressed by the City Code. Councilmember Fears also shared his tour at the new Cargo Largo facility.

Councilmember McCandless thanked the City for the rescheduling of the 4<sup>th</sup> of July fireworks to the 7<sup>th</sup>. Councilmember McCandless thanked Becky Behrens and wished her well.

Councilmember Hobart thanked the City for the rescheduling of the fireworks and thanked Becky Behrens and wished her well.

Mayor Rowland mentioned the rescheduling of the fireworks and that the Mayor's trash cleanup has been rescheduled to July 15 with the location to be determined. Mayor Rowland thanked Becky Behrens for her service.

At 6:39 p.m. the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., July 17, 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