REGULAR MEETING
October 16, 2023

The Independence City Council met for a Regular Meeting, October 16, 2023, at 6:03 p.m., in the Council Chambers, 111 E. Maple.

Tim Allison, Chaplain and Bereavement Coordinator, Visiting Nurse Association 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 and Mayor Rory Rowland. Absent – None.

CITIZENS REQUEST TO SPEAK

Tony Summer spoke to Council regarding the Historic Bike Tour sponsored by the Sustainability Commission.

Leigh Phillips spoke to Council regarding zoning overlay at the Englewood Arts Overlay District.

Nina Woodson and Casey Blackwell spoke to Council thanking Mayor Rowland for attending the Cultural Heritage Skateboard Competition in Hill Park and request to have a speaking session with Mayor and City Council regarding skate park.

PROCLAMATIONS

A proclamation declaring Tuesday, October 24th, 2023 as World Polio Day in Independence, Missouri.

Zachary Walker, President of the Rotary Club, along with other members of the Rotary Club, were in attendance to support this Proclamation.

CONSENT AGENDA
Reports And Recommendations of the City Manager:

Councilmembers Hobart and McCandless moved to approve the CONSENT AGENDA.

1. Council action is requested to issue a purchase order for $146,733.00 to Shawnee Mission Ford, for a Ford F-600 Chassis with Reading service body for the Water Transmission & Distribution Division of the Municipal Service Department.

2. Council action is requested to enter a three (3) year contract, with two, one year renewal terms with Envelopes and Forms, Inc., dba SureBill for Utility Bill Printing and Mailing Services for the Water Division of the Municipal Services Department. The City reserves the right to extend the contract under the same terms and conditions for additional one-year periods provided such extensions are mutually agreeable to the City and the contractor and if funds are available to support the continuation of the contract.

3. Council action is requested to issue a purchase order in the amount of $118,550 to RubinBrown, LLP for the City's audit services for the fiscal year 2023 audit.

4. Council action is requested to authorize the City Manager to issue a purchase order to Wiedenmann Inc. for an amount not to exceed $374,000, authorizing future minor change orders and/or time extensions not to exceed $37,400, to complete emergency repairs to failing culverts in the City as part of the Emergency Stormwater (No. 131802) and Emergency Transportation (No. 112203) projects.

5. Council action is requested to issue a purchase order for $97,882 to TMS Inc, for a Lime Bin Replacement for the Water Production Division of the Municipal Services Department.

6. Council action is requested to expend $500,000 to Arkansas Electric Coop, for Transmission & Distribution Transformers for the Transmission & Distribution Division of the Power & Light Department.

7. Council action is requested to issue a purchase order to Shawnee Mission Ford in the amount of $131,768.00, for two (2) 2024 Ford F-550 4x4 Cab & Chassis trucks for the Power and Light Department

Resolutions

23-782 A resolution appointing James Bradley Chance (Brad) as a member of the Public Utilities Advisory Board of the City of Independence, Missouri - Individual Appointment-Mayor Rory Rowland. ***Approved/Res. No. 6963***

23-784 A resolution appointing Danijela Nenadic-Book, Jeannae Segura Brown, Kalyn Parker, Cori Tharp and Cassy Pallo as a member of the Japanese Sister City Committee. ***Approved/Res. No. 6964***

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 CONSENT AGENDA was approved.

Consent Agenda - Separate Considerations:

Councilmember McCandless made a Motion to approve 23-785 and 23-786 and Councilmember Hobart Seconded.

23-785 A resolution approving the recommendations of the City Manager's Memorandum Re: Boards and Commissions Policies and Procedures Recommendations (This item addresses item 1.2.C in the 2023-24 Independence Action Plan).

Councilmember McCandless shared that the Strategic Plan for the City reviewed the 23 Boards and Commissions of the City recognized that some of them had overlapping duties and the recommendation was for the City Manager to review them and see about consolidation. She also shared that since it was an important item, she requested it be sent to the November 13 Study Session to hear more about it and give input to the City Manager. Councilmember McCandless made a motion to move this item to the November 13 study session, Councilmember Hobart seconded the motion. Councilmember Hobart and Councilmember Fears agreed this was a good idea.

Upon roll call, the vote to approve moving this item to the November 13, 2023 Study Session was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the motion carried, and 23-785 was moved to the November 13, 2023 Study Session.

23-786 A resolution approving the recommendations of the City Manager's memorandum regarding the consolidation of City Boards and Commissions. (This item addresses item 1.2.A in the 2023-2024 Independence Action Plan).

Councilmember McCandless shared that 23-786 was the companion piece to 23-785 and made a motion for it to be moved to the November 13, 2023 Study Session and Councilmember Hobart seconded said motion.

Upon roll call, the vote to approve moving this item to the November 13, 2023 Study Session was: Ayes – Councilmembers: Fears, Perkins, Stewart, McCandless, Steinmeyer, Hobart and Mayor Rowland. Noes – None. Absent – None. The Mayor declared the motion carried, and 23-786 was moved to the November 13, 2023 Study Session.

REGULAR AGENDA

Ordinances
Second Reading(s)

Bill No. 23-090, entitled, [Ord. #19493]
"AN ORDINANCE AUTHORIZING A CONTRACT WITH THE MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES TO PROVIDE FINANCIAL ASSISTANCE FOR THE MATERNAL CHILD HEALTH SERVICES GRANT PROGRAM FOR THE PERIOD OF OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024; ACCEPTING FUNDS FOR THE PERIOD IN THE AMOUNT OF $57,397.68; AUTHORIZING FUTURE CHANGE ORDERS FOR ADDITIONAL FUNDING AND/OR TIME EXTENSIONS FOR THE SAME PROJECT; AND AUTHORIZING CERTAIN FUTURE APPROPRIATIONS. (Second and Final Reading)."

There being no discussion.

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 23-091 entitled, [Ord. #19494].
"AN ORDINANCE AMENDING SECTION 11.12.004 "EMERGENCY POWERS OF THE MAYOR" OF THE INDEPENDENCE CITY CODE." (Requested by Councilmember Mike Steinmeyer). (Second and Final Reading).

Councilmember Steinmeyer asked City Counselor, Jeremy Cover, about Section 11.12.04.A regarding the addition of new number 6, "To order the discontinuance of selling, distributing or giving away gasoline or other liquid flammable or combustible products in any container other than a gasoline

tank properly affixed to a motor vehicle" and voiced his concerns. Mr. Cover shared its intent. More discussion was had on this matter. Councilmember Fears advised Mr. Cover that he had gone over the material that was provided with this bill and stated that he could not find any reference 67.265 RSMo, as amended, and asked Mr. Cover to summarize what that section does. Mr. Cover summarized the section for the Council. Councilmember Fears also asked Mr. Cover about the deleted number 6 in Section 11.12.04.A, which read "To order discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition or other weapons of any character whatsoever or nonintoxicating or intoxicating liquor." Councilmember Fears asked Mr. Cover to help him understand, before this power was deleted, what kind of situation would involve using this power. Again, Mr. Cover described what situation may happen to for this power to be used. It was discussed that if this is deleted it would take the full council to pass this, if needed. Councilmember Steinmeyer expressed his concern of and the constitutionality of restricting the selling and distributing of firearms. There was no more discussion.

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 23-092 entitled, [Ord. #19495].

"AN ORDINANCE AUTHORIZING A CONTRACT WITH THE MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES TO PROVIDE FINANCIAL ASSISTANCE FOR THE LOCAL PUBLIC HEALTH AGENCY INFRASTRUCTURE GRANT PROGRAM FOR THE PERIOD OF AUGUST 1, 2023, THROUGH NOVEMBER 30, 2027; ACCEPTING FUNDS FOR THE PERIOD IN THE AMOUNT OF $333,687.00; AUTHORIZING FUTURE CHANGE ORDERS FOR ADDITIONAL FUNDING AND/OR TIME EXTENSIONS FOR THE SAME PROJECT; AND AUTHORIZING CERTAIN FUTURE APPROPRIATIONS." (Second and Final Reading)

There being no discussion.

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 23-093 entitled, [Ord. #19496].

"AN ORDINANCE APPROVING THE ISSUANCE OF TAX INCREMENT AND SPECIAL DISTRICTS REVENUE BONDS (HUB DRIVE REDEVELOPMENT PROJECT), SERIES 2023, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $16,000,000, BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF INDEPENDENCE, MISSOURI AND AUTHORIZING CERTAIN OTHER ACTIONS AND DOCUMENTS IN CONNECTION THEREWITH." (Second and Final Reading)

Councilmember McCandless inquired of the City Manager, Zachary Walker, and wanted to reassure people that the City takes no risk if this bill is approved. Mr. Walker agreed with Councilmember McCandless and explained in further detail.

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:

23-094 1R "An ordinance authorizing the acceptance of a grant award from the U.S. Department of Justice, Office of Justice Programs, in the amount of $400,000 for a Body-Worn Camera Policy and Implementation program for the Independence Police Department for the project period of October 1, 2023 through September 30, 2026. (This addresses Item 3.1.G, Update Public Safety Technology Systems, of the 2023 City of Independence Action Plan)."

was given its first reading by title.

Councilmember Fears stopped the first reading and shared that he knew this would be discussed in the October 23 study session, which he might not be able to participate. He asked City Manager to have as part of that discussion is about ongoing expenses after the three-year period and how those expenses were to be covered and City Manager agreed.

23-095 1R "An ordinance granting a utility and fiber easement to Tillman Infrastructure LLC a Delaware Limited Liability Company across part of the commonly known address of 14520 East 39th Street."

was given its first reading by title.

23-096 1R "An ordinance approving a rezoning from District C-2 (General Commercial) to District R-30/PUD (High-Density Residential/Planned Unit Development) and approving a Preliminary Development Plan for the property located northwest of Interstate 70 and Woods Chapel Road, in Independence, Missouri."

was given its first reading by title.

23-097 1R "An ordinance amending the City of Independence City Code by amending Chapter 17 "Municipal Services Regulations" making necessary updates, clarifying Right-Of-Way policy, and updating Floodplain policy."

was given its first reading by title.

23-098 1R "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.

23-099 1R "An ordinance approving a rezoning from District C-2 (General Commercial) to District C-3 (Service Commercial) for the property at 1507 W. US Highway 24 in Independence, Missouri."

was given its first reading by title.

23-100 1R "An ordinance amending the Unified Development Ordinance, Chapter 14, of the Independence City Code pertaining to vehicle sale, gasoline and fuel sales, motor vehicle repair and car

washes. (This addresses Item 4.2.e of the 2023 City of Independence Action Plan)."
was given its first reading by title.

23-101 1R "An ordinance approving a plan for an industrial development project; authorizing the City of Independence, Missouri to issue its Taxable Industrial Development Revenue bonds in a principal amount not to exceed $70,200,000; and authorizing and approving certain documents and actions in connection therewith."
was given its first reading by title.

INFORMATION ONLY

1. Semi Annual Report of the Public Safety Tax Oversight Committee

2. Semi-Annual Report of the Streets Improvement Oversight Committee.

3. Semi-Annual Report of the Stormwater Oversight Committee.

4. Municipal Division Monthly Case Report September 2023.

5. Purchase order 24000631 in the amount of $418,606.00 was issued to Landmark Dodge for ten (10) Model Year 2023 Dodge Durango Pursuit Rated AWD vehicles for the Police Department.

6. The City Council is expected to convene in an Executive Session at 5:00 p.m., Monday, October 16, 2023, in the Council Chambers with the closed session taking place in Conference Room A, on matters, as permitted by Sec. 610.021(13), RSMO.

7. *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 had nothing to share.

Councilmember Perkins shared he and Councilmember McCandless attended the Firefighters Gala and discussed where the proceeds of that fundraiser went.

Councilmember Stewart had nothing to share.

Councilmember Steinmeyer shared that Mr. Gene Hoppy, a teacher who spent his entire career at William Chrisman, passed away. Next, Councilmember Steinmeyer read a prepared statement announcing that as of November 1, 2023, he was stepping down as a City Councilmember and thanked everyone.

Councilmember McCandless thanked Councilmember Steinmeyer. She also shared her hope that people took the opportunity and read the various Oversight Committee Reports at the end of this Agenda to know where their tax dollars are going and how they are being spent. She also thanked the oversight committees. She then shared that Opioid settlement funds were coming to municipalities, counties and states. She asked City Manager to talk with the Advisory Board of Health for them to give recommendations on how these funds can be used. She shared that they lost the co-responders for the police department and asked to explore other options and partners to be able to continue with the grant the City was awarded. Lastly, she shared that Englewood Arts were having the Portraits of Independence on the 20th.

Councilmember Hobart thanked Councilmember Steinmeyer. He then explained there was a gentleman in the audience that didn't sign up but wanted to speak, Mr. John Eppert. There was no objection to him speaking.

Mr. Eppert introduced who was with him and thanked the City Council and City Departments for their help and support and explained that they are the ones that put together the annual Halloween event known as the Enchanted Forest.

Mayor Rowland thanked Councilmember Steinmeyer. He shared that he attended the skateboard event held at Hill Park. He also shared the trash pickup on Saturday and thanked certain employees for attending and helping.

CITY MANAGER COMMENTS

Mr. Walker thanked Mr. Steinmeyer for his service to the community.

At 6:57 p.m. the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., October 16, 2023, in the Council Chambers.

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

ATTEST:

_____
Interim City Clerk