INDEPENDENCE
MISSOURI
A GREAT AMERICAN STORY

COUNCIL AGENDA

May 6, 2024
6:00 PM, Council Chambers - 111 E. Maple Ave.

Agendas are published late in the week for the following week's Council business meetings. Changes made after the tentative agenda is published will be reflected in the latest version posted.

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INVOCATION

Invocation by Tim Allison, Chaplain for the Visiting Nurse Association Hospice

THE PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION RESOLUTIONS

24-720 A resolution recognizing Chris Ballinger, Community Development Program Administrator of the Community Development Department, as the I-STAR Award Recipient for May 2024.

CITIZEN REQUESTS

PROCLAMATIONS

Proclamation for National Historic Preservation Month to be accepted by Dr. Mark Scherer, Heritage Commission Chair

CONSENT AGENDA

Reports and Recommendations of the City Manager

1. Approval of minutes from the April 4th and April 15th Regular Meetings
2. Council action is requested to issue a purchase order to Cogent Inc. in the amount of $154,935.00, for the rehabilitation, maintenance, and repair of one (1) Clearwell Transfer Pump located at the Courtney Bend Water Treatment Plant for the Water Division of the Municipal Services Department.
3. Council action is requested to extend the City's contract with RubinBrown, LLP for the

City's audit services for fiscal years 2024 and 2025 and authorizing the issuance of future purchase orders.

4. Council action is requested to issue a purchase order to Clark Equipment Company (KC Bobcat) for a 4-year lease for a total of $57,672.00, for an S86 Series Bobcat Compact skid steer for the Street Maintenance Division of the Municipal Services Department.

5. Council action is requested to authorize the City Manager to approve a construction contract with Vance Brothers, Inc., for an amount not to exceed $2,995,972.74 authorizing future minor change orders not to exceed $299,597.27 and/or time extensions for the 2024 Roadway Seals Project as part of the Pavement Preventative Maintenance Operations Project (No. 112201).

Resolutions

24-721 A Resolution reappointing Robert Pruente to the Heritage Commission

24-722 A Resolution reappointing Brent Schondelmeyer to the Land Trust of Jackson County

24-723 A Resolution reappointing Ronald Bruch to the Jackson County Board of Equalization

24-724 A Resolution establishing a temporary moratorium on accepting, processing and consideration of applications, permits and licenses for tobacco stores, liquor stores and small box variety retail stores.

REGULAR AGENDA

Public Hearing(s)

A public hearing for the formation of the Fairmount Community Improvement District. **Full Public Hearing.**

Ordinances

24-015 2R An Ordinance vacating an existing right-of-way of all that part of Coon Road beginning at 7 Hwy and heading West approximately 631 feet and reserving the same as a general utility easement, Independence, Jackson County, Missouri.

2R

24-030 2R 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 of Independence Police Department's Law Enforcement School-Based Initiative called S.T.E.P.

2R

First Reading(s)

24-031 1R An Ordinance amending Chapter 9 (Fire Code) of the Independence City Code by adding a new Article 2 to add Lift Assist cost recovery and non-resident mitigation fees

1R

24-032 1R An ordinance amending the Unified Development Ordinance, Chapter 14, of the City Code pertaining to Data Center use in I-1. ***This addresses item 2.1.c of the 2023-2024 Independence Action Plan.***

1R

24-033 1R An ordinance repealing Chapter 5, Article 1, adding a new Chapter 5, Article 1 of the City Code and renaming Chapter 5 to "Business Licenses." ***This addresses item***

2.1.a of the 2023-2024 Independence Action Plan.

1R

24-034 1R An ordinance approving a rezoning from District C-2 (General Commercial) and District R-12 (Two-Family Residential) to District R-6 (Single-Family Residential) for the property at 9519 E. Truman Road.

1R

24-035 1R An ordinance approving a rezoning from District R-30/PUD (High Density Residential) to R-6 (Single Family Residential) for the property at 120 E. College Street.

1R

24-036 1R An ordinance approving a rezoning from District C-2 (General Commercial) to District R-6 (Single Family Residential) for the property at 908 N. Liberty Street.

1R

24-037 1R An ordinance approving the petition to establish the Fairmount Community Improvement District, establishing the district, and making findings and authorizing actions related to establishment of the district.

1R

INFORMATION ONLY

1. Boards and Commission Memo
2. ***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

ADJOURNMENT

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Invocation by Tim Allison, Chaplain for the Visiting Nurse Association Hospice

Department:	**Contact Person:**

REVIEWERS:

Department	**Action**
City Clerk Department	Approved

Council Action:	**Council Action:**

City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 24-720

Agenda Title:

24-720 A resolution recognizing Chris Ballinger, Community Development Program Administrator of the Community Development Department, as the I-STAR Award Recipient for May 2024.

Department:	**Contact Person:**

REVIEWERS:

Department	**Action**
City Clerk Department	Approved

Council Action:	**Council Action:**

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Proclamation for National Historic Preservation Month to be accepted by Dr. Mark Scherer, Heritage Commission Chair

Department:	**Contact Person:**

REVIEWERS:

Department	**Action**
City Clerk Department	Approved

Council Action:	**Council Action:**

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Approval of minutes from the April 4th and April 15th Regular Meetings

Department:	**Contact Person:**

REVIEWERS:

Department	**Action**
City Clerk Department	Approved

Council Action:	**Council Action:**

ATTACHMENTS:

	Description	**Type**
🗋	Reg Meeting Minutes 4.4.24	Ordinance

Regular Meeting Minutes

Thursday, April 4, 2024

Time Started – 6:01 PM

INVOCATION

Elder Ken Truax of the East Independence Church of Christ gave the invocation

THE PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Councilmembers Fears, Perkins, McCandless, Hobart, and Mayor Rowland

Absent: Councilmember Stewart

Councilmember Fears moved, seconded by Councilmember McCandless, to take the ISTAR resolution out of order.

Councilmember Fears – yes

Councilmember Perkins – yes

Councilmember McCandless – yes

Councilmember Hobart – yes

Mayor Rowland – yes

Motion was approved 5-0

24-719 A resolution recognizing Sara Dustman, Administrative Assistant II, of the Independence Fire Department, as the I-STAR Award Recipient for April, 2024.

The motion to approve the ISTAR award was made by Councilmember Hobart and seconded by Councilmember McCandless.

Councilmember Fears – yes

Councilmember Perkins – yes

Councilmember McCandless – yes

Councilmember Hobart – yes

Mayor Rowland – yes

Motion was approved 5-0

CITIZEN REQUESTS

Councilmember Hobart motioned to suspend the rules to allow non-residents to speak, seconded by Councilmember Fears.

Councilmember Fears – yes

Councilmember Perkins – yes

Councilmember McCandless – yes

Councilmember Hobart – yes

Mayor Rowland – yes

Motion was approved 5-0

Attorney John Rowe spoke in favor of bill number 24-016 regarding building a Dollar General Store at 9800 E. 40 Hwy.

Kirk Farrelly spoke in favor of bill number 24-016 regarding building a Dollar General Store at 9800 E. 40 Hwy.

Leigh Phillips spoke against the Charter amendments being put on a ballot in August 2024, stating it should wait until February 2025.

Elisa Breitenbach spoke against the Charter amendments being put on a ballot in August 2024

Terrene Mulch spoke in opposition to liquor being allowed to be served at the restaurant between Dollar Tree and Family Dollar on 23rd Street. She is not sure what it is called.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

Motion to approve consent agenda made by Councilmember Hobart

Second by Councilmember McCandless

Items 5 and 10, pulled by Councilmember Fears

Councilmember Fears – yes

Councilmember Perkins – yes

Councilmember McCandless – yes

Councilmember Hobart – yes

Mayor Rowland – yes

Consent Agenda was approved 5-0

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

1. Approval of minutes from the March 4th and March 18th Regular Meetings

2. Council action is requested on the change in ownership application received from APS Operations, LLC dba Liquor Studio & Tobacco for a Retail Selling of Intoxicating Liquor of all kinds in the original package license for Liquor Studio & Tobacco that will be located at 1431 S. Noland Rd.

3. Council action is requested to authorize the City Manager to issue a change order to the design contract with Garver LLC (PO#22001089 for $211,935) for an amount not to exceed $511,000, authorizing future minor change orders and/or time extensions not to exceed $72,293.50 as part of the Rock Creek Wastewater Treatment Plant Rehabilitation Project (No. 302205).

4. Council action is requested to expend $75,000.00 to Metro Ford for parts and repair services to the Municipal Services Department, Central Garage division.

5. Council action is requested to issue a purchase order to Community Service League, in the amount of $60,000.00, for the 2023-2024 ISHARE Program for the Power & Light Department.

A motion was made by Councilmember Fears to approve item #5, and Councilmember Perkins seconded it.

Councilmember Fears would like someone from the program to come and share the program's successes and what it accomplishes for us.

Councilmember Fears – yes

Councilmember Perkins – yes

Councilmember McCandless – yes

Councilmember Hobart – yes

Mayor Rowland – yes

Item #5 was approved 5-0

6. Council action is requested to issue a purchase order of $136,020 to Image Trends Report Management System for the Fire Department.

7. Council action is requested to expend $86,000 with Blue Springs Winwater for inventory purchases for the Stormwater and Sewer Maintenance Divisions of the Municipal Services Department.

8. Council action is requested to enter into contracts with Galvan's Lawn & Landscape LLC and Zambelli Lawn Care & Snow Removal LLC for Mowing Services for the Power & Light, Parks, Recreation, & Tourism, and Municipal Services Departments. This contract will be for one year. (This addresses items 4.1.d and 6.3.c in the 2023-2024 Independence Action Plan).

9. Council action is requested to award a purchase order to Pishny Restoration Services for $66,730 for restoration work on the south porch at the Vaile Mansion for the Parks, Recreation & Tourism Department. (This addresses item 4.1.d in the 2023-2024 Independence Action Plan).

10. Council action to award a change order #3 to Burns & McDonnell PO 23000632 for $40,458.00 to cover additional environmental studies for the Substation S site study for the Power & Light Department.

A motion was made by Councilmember Fears to approve item #5, and Councilmember Perkins seconded it.

The Eastgate Project will cover additional costs of Burns and McDonnell through the development agreement approved by the Council. Northpoint will be paying that cost.

Councilmember Fears – yes

Councilmember Perkins – yes

Councilmember McCandless – yes

Councilmember Hobart – yes

Mayor Rowland – yes

Item #10 was approved 5-0

Resolutions

24-720 A resolution reappointing Les Boatright and Mary Smead to the Storm Water Control Sales Tax Oversight Committee

24-721 A resolution reappointing Thad McCullough to the Human Relations Commission

24-722 A resolution reappointing Twyla Olson-Hahn to the Tree Commission

24-723 A resolution reappointing Sam Rushay and Michael Calvert to the Tourism Commission

24-724 A resolution approving the Preliminary Plat of Eastgate Commerce Center, Buildings B1-B3 in Independence, Missouri.

24-725 A resolution approving the Preliminary Plat of Eastgate Commerce Center, Buildings 5-7 in Independence, Missouri.

REGULAR AGENDA

Public Hearing(s)

A public hearing for the application by Capital Growth Buckhalter requesting a rezoning from C-2, General Commercial and R-6, Single Family Residential, to C-2, General Commercial, for the property located at 9800 E. US 40 Highway. ***New Information Only***.

Rick Arroyo, Assistant Community Development Director for the City, spoke about this item. The Planning Commission considered this rezoning on February 13th, 2024. They did not recommend this rezoning.

Currently, this area has both C-2 and R-6 zoning. The applicant wishes to rezone the property to C-2 to construct a Dollar General establishment.

24-016 **2R** An ordinance approving a rezoning from District C-2 (General Commercial) and R-6 (single-family Residential) to District C-2 (General Commercial) for the property at 9800 E. US 40 Highway. **2R**

Councilmember Hobart confirmed with City Manager Zach Walker that this decision is the sole decision of the Council.

Councilmember McCandless asked City Manager Zach Walker if any concerns were being reported to the city manager's office regarding these types of stores. City Manager Walker said there had been code complaints about trash, litter, and debris on the property, as well as dumpsters so full the wind would blow trash from them.

Councilmember Fears – no

Councilmember Perkins – no

Councilmember McCandless – no

Councilmember Hobart – no

Mayor Rowland – no

24-016 fails as none in favor and all opposed

A public hearing for the application by Ashley Abbott requesting a rezoning from C-2, General Commercial, to R-6, Single Family Residential, for the property located at 210 E. College Street. ***New Information Only***.

Rick Arroyo, Assistant Community Development Director, spoke about this item. The Planning Commission considered this item on February 13th, 2024. The Commission voted in favor of this rezoning. The building has been vacant for many years. The owner would like to remodel as a single-family home and refinance the loan for this structure.

The rezoning would match its intended use.

24-017 **2R** An ordinance approving a rezoning from District C-2 (General Commercial) to District R-6 (Single-Family Residential) for the 210 E. College Street property. **2R**

Councilmember Perkins confirmed there has been no communication in opposition to this.

Councilmember McCandless said she did receive a communication from someone who owned commercial property. He was concerned the property was too close to the sidewalk.

City Manager Walker confirmed that this falls within the city setback ordinances. It was also confirmed that there would be very little if any, impact on the commercial property in the area.

Councilmember Fears – yes

Councilmember Perkins – yes

Councilmember McCandless – yes

Councilmember Hobart – yes

Mayor Rowland – yes

Item #24-017 passes 5-0

A Full Public Hearing for the application received from Arcoiris Botanero, LLC, for a Restaurant Selling Intoxicating Liquor by the drink license for Arcoiris Botanero that will be located at 11716 E. 23rd St. ***Full Public Hearing.***

Rick Arroyo, Assistant Community Development Director, spoke about this item. This is an application for a liquor license for a restaurant that occupies an 880-square-foot unit in a strip center. Operate between a Family Dollar and a Dollar Tree business. They are also requesting a Sunday sale license. The business has been there since 2021. There are other locations nearby that sell liquor. There are no schools or churches within the 300-foot buffer area; however, there is a residential zoning district within the 300 feet.

Sonja and another female from the Arcoiris Restaurant spoke, asking the Council to approve their application.

Council action is requested on the application received from Arcoiris Botanero, LLC for a Restaurant Selling Intoxicating Liquor by the drink license for Arcoiris Botanero that will be located at 11716 E. 23rd St.

Councilmember McCandless spoke in favor of this to support small businesses.

Councilmember Perkins stated that Family Dollar asked for a liquor license, which the Council turned down because of its different business model.

Councilmember Fears – yes

Councilmember Perkins – yes

Councilmember McCandless – yes

Councilmember Hobart – yes

Mayor Rowland – no

The matter is approved 4 in favor, 1 opposed

Ordinances

24-015 **2R** An Ordinance vacating an existing right-of-way of all that part of Coon Road beginning at 7 Hwy and heading West approximately 631 feet and reserving the same as a general utility easement, Independence, Jackson County, Missouri. **2R**

Councilmember Perkins moved to postpone this item to the May 6th Council meeting to give more time for conversation and action.

Councilmember McCandless seconded.

Councilmember Fears – yes

Councilmember Perkins – yes

Councilmember McCandless – yes

Councilmember Hobart – yes

Mayor Rowland – yes

Motion passed to postpone to May 6th, 5-0

24-018 **2R** An ordinance authorizing the City Manager to accept an amendment to a grant from Mid-America Regional Council increasing the amount in the grant by $95,285 up to $184,702 for the City's Senior Adult Nutrition Site Program for Fiscal Year 2023-2024, and execute the Amendment Community Center Services Agreement; making the necessary appropriations; authorizing future change orders for additional funding and/or time extensions; and, authorizing certain future appropriations. (This addresses items 1.3b, 4.1d, and 5.2b in the 2023-2024 Independence Action Plan.) **2R**

This supports the opportunity for ~~folks~~ ~~seniors~~ to get a fresh hot meal once a day, as well as some social and programming activities. The grant covers this cost, which would be difficult to do without the grant. It serves many critical needs for our community.

Councilmember Fears – yes

Councilmember Perkins – yes

Councilmember McCandless – yes

Councilmember Hobart – yes

Mayor Rowland – yes

24-018 passes 5-0

First Reading(s)

First Readings read by the City Clerk

24-019 **1R** An ordinance authorizing a contract with Jackson County, Missouri, to provide financial assistance for the COMBAT Substance Use Disorder Prevention and Violence Prevention Grant Program for the period of January 1st, 2024, through December 31st, 2024, accepting funds for the period in the amount of $90,000.00; authorizing future change orders for additional funding and/or time extensions for the same project; and authorizing certain future appropriations. **1R**

24-020 **1R** An ordinance approving the 2024-25 Annual Action Plan for the CDBG and HOME Programs, authorizing applications to the Department of Housing and Urban Development, authorizing execution of a written agreement and acceptance of CDBG and HOME Program funds, and making the necessary appropriations. **1R**

24-021 **1R** An ordinance authorizing the City Manager to execute a certain grant agreement with the Missouri Highways and Transportation Commission for the 23rd Street Sidewalk Project (Project No. 112110 / Federal Project No. TAP-3379(442). **1R**

24-022 **1R** An ordinance authorizing the City Manager to execute a certain grant agreement with the Missouri Highways and Transportation Commission for the Winner Road Complete Streets Project (Project No. 112403 / Federal Project No. STBG-3379(440). **1R**

24-023 **1R** An ordinance approving a Special Use Permit to operate a body art service at 10609 E. Winner Road in Independence, Missouri. **1R**

24-024 **1R** An ordinance approving a Special Use Permit to operate a body art service at 4516 S. Noland Road in Independence, Missouri. **1R**

24-025 **1R** An ordinance amending the Unified Development Ordinance, Chapter 14, of the Independence City Code pertaining to auto repair. **1R**

24-026 **1R** An ordinance finding, determining, and declaring the necessity of acquiring general utility easements and temporary construction easements for the Leslie to Crane at Hereford Project (Project No. 132201); 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. **1R**

24-027 **1R** An ordinance calling for an election to amend the Charter of the City of Independence and providing for submission of the proposed Charter amendments to the qualified voters of the City of Independence for their approval at an election called and to be held on August 6th, 2024. **1R**

24-028 **1R** Council action is requested to issue a purchase order to Project Advocates, LLC for $857,096 for Consulting Services for the Justice Center Project for the Police Department and adopting amendments to the FY 2023-24 adopted budget which was approved by Ordinance No. 19453. **1R**

24-029 **1R** Council action is requested to issue a purchase order to Hoefer Welker, LLC, in the amount of $3,660,540, authorizing future minor change orders and/or time extensions not to exceed $3,660,540 for Design and Consulting Services for the Justice Center Project for the Police Department. **1R**

Councilmember Perkins moved to suspend Council rules to add items 24-018 and 24-029 to the study session agenda for April 8th, also with items that will come forward on the fire department so the Council can get more information before they need to vote on them.

Councilmember McCandless seconded this motion.

Councilmember Fears – yes

Councilmember Perkins – yes

Councilmember McCandless – yes

Councilmember Hobart – yes

Mayor Rowland – no

24-028 and 24-029 will be moved to the Study Session agenda for April 8th.

INFORMATION ONLY

1. This is a placeholder for the certified results of the April 2nd, 2024, General Election for Districts 1, 2, 3, and 4 Independence City Councilmembers

2. 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 congratulated those elected this week and all who participated in the election process. He also reminded citizens that the Council would like to hear from them regarding the proposed changes to the charter, and an email address has been provided for that input.

Councilmember McCandless stated that the Truman Library was celebrating the 75th anniversary of the establishment of NATO.

A special Truman statue will be dedicated in Brussels at the home of NATO. It is the one-year anniversary of Independence Together. So far, they have collected 375,000 lbs. of roadside trash and moved every member of that employment team into permanent housing.

There is a waiting list to join the program.

Congratulations to the Rock Creek wastewater group, which received the Missouri Water Environmental Association's Missouri Facility of the Year Award.

Shout out to City Manager Walker, who is the co-chair of the Regional Homeland Security Coordinating Committee, representing fifty cities and counties that work on coordination, planning, and training to protect our IT infrastructure.

Councilmember Hobart is proud of the voters who came out and voted down the 3/8 cent sales tax. He believes it should be renegotiated and encouraged the team to come to Eastern Jackson County to work with us.

Mayor Rowland stated that on March 30th, the Truman Library reinstituted the Harry's Hop and Hunt. The Mayor, John Pritchard, and KCTV 5 anchor Lanita Cook read books to the children. KC Wolf appeared along with the Monarch's mascot and the Easter Bunny. Shoutout to Jeff and Cindy Rogers and Azelia for the work they did to put on such a great event.

The Barton family reached out to the Mayor.

Their daughter's bicycle was stolen.

IPD quickly found out who had stolen the bicycle, and that person was arrested on an outstanding warrant. The bike has yet to be returned, but the Mayor is hopeful that it will be returned soon. The Barton's are extremely pleased with IPD's response.

City Manager Zach Walker wanted to remind everyone there are other important issues on the Study Session agenda for April 8th. The budget will be submitted in May, and discussions will take place during the study session. There will also be a presentation for the citizen satisfaction survey.

Amid a nationwide search to fill the Fire Chief position, the City has received 28 applications from all across the country. Also, the Public Information Officer position is down to the final two candidates. He hopes to have both of those positions filled very soon.

ADJOURNMENT at 7:05 PM

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

ATTEST:

City Clerk

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested to issue a purchase order to Cogent Inc. in the amount of $154,935.00, for the rehabilitation, maintenance, and repair of one (1) Clearwell Transfer Pump located at the Courtney Bend Water Treatment Plant for the Water Division of the Municipal Services Department.

Recommendations:

Council approval to issue a purchase order.

Background:

This project is for performance of required rehabilitation, maintenance, and repair of (1) Clearwell Transfer Pump located at the Courtney Bend Water Treatment Plant. This pump distributes water from the Clearwell to the Treated Reservoir helping in the treatment process. The Clearwell Transfer pump is essential to the operations of the plant to maintain constant flow for optimal reservoir levels.

The Procurement Office of the Finance and Administration Department issued Invitation to Bid (“ITB”) #24012 on March 1, 2024. The ITB was publicly available through the City’s e-bidding service provider, Public Purchase.

The City received three bids in response to ITB #24012. Upon review by Water Department Staff, it was determined the bid submitted by Cogent Inc met the requirements specified, and to be lowest, best bid received. JCI did not provide pricing for all the line items therefore their bid was reviewed and deemed not representative to the other two remaining bids. Cogent Inc appear to possess the necessary capability and capacity to successfully perform the work required.

Approval of this item shall authorize change orders up to a total of ten (10) percent of the authorized amount for each order, provided appropriations are available.

Fiscal Impact:

The fiscal impact to the City is $154,935.00. Funding for the Clearwell Transfer Pump

is included in the fiscal year 2023-24 adopted budget, page 262, account number (0404830- 5212), maintenance services.

Department:	Municipal Services	**Contact Person:**	Lisa Reynolds

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REVIEWERS:

Department	Action
Purchasing Division (Finance Department)	Approved
Water Department	Approved
Finance Department	Approved
City Managers Office	Approved
City Clerk Department	Approved

Council Action:	**Council Action:**

ATTACHMENTS:

	Description	Type
🗋	Clearwell Transfer Pump Spreadsheet	Exhibit
🗋	Courtney Bend Aerial Map	Exhibit

ExcelFormat	Bid Tabulation By Vendor
Version	1
Bid	ITB #24012 - Courtney Bend Water Plant Clearwell Transfer Pump
End Date	2024-03-26 02:00 PM CDT

		Cogent		JCI		LVK
Name	**Item Description**					
Clearwell transfer pump electric drive motor	Provide labor, equipment, and materials for Clearwell transfer pump electric drive motor.	$1,343.00		$4,756.00		$28,769.00
Optional adder A	Provide for all labor, equipment, and materials required and as specified for the replacement of flange mounted sleeve bearings of motor drive-end and opposite drive-end bearings.	$5,329.00		no bid		$16,415.92
Optional adder B	Provide for all labor, equipment, and materials required and as specified for the replacement of electric motor windings.	$6,429.00		$5,130.00		$27,972.00
Optional adder C	Provide for all labor, equipment, and materials required and as specified for the providing of a complete new replacement electric drive motor that meets and/or exceeds the design points and performance criteria.	$19,286.00		$22,387.00		$28,769.00
Clearwell transfer vertical pump	Provide for all labor, equipment, and materials required and as specified for the performance of inspection, maintenance, and refurbishment to clearwell transfer vertical pump.	$24,429.00		$7,655.00		$49,628.00
Optional adder A	Provide for labor, equipment, and materials required and as specified for the replacement of threaded line shaft bearings of vertical pump.	$1.00		$2,500.00		$160.00
Optional adder B	Provide for labor, equipment, and materials required and as specified for the replacement of shaft coupling.	$1.00		$598.00		$375.00
Optional adder C	Provide for labor equipment, and materials required and as specified for the replacement of suction bearing.	$1.00		$1,756.00		$1,181.00
Optional adder D	Provide for labor, equipment, and materials required and as specified for replacement of pump stuffing box.	$5,250.00		$2,459.00		$1,388.00
Optional adder E	Provide for labor, equipment, and materials required and as specified for replacement of line shaft coupling.	$1.00		$1,794.00		$1,106.00
Optional adder F	Provide for labor, equipment, and materials required and as specified for replacement of cast iron head discharge assembly.	$34,500.00		no bid		$48,276.00
Optional adder G	Provide for labor, equipment, and materials required and as specified for the replacement of the pump shaft.	$5,614.00		$7,226.00		$4,873.00
Optional adder H	Provide for labor, equipment, and materials required and as specified for the replacement of the pump impeller(s).	$36,000.00		no bid		$22,620.00
Optional adder I	Provide for labor, equipment, and materials required and as specified for the replacement of line shaft bearing.	$1.00		$328.00		$153.00
Re-installation, alignment, and start-up of clearwell transfer pump	Provide for all labor, equipment, and materials required and as specified for the performance of re-installation, alignment, and start-up of clearwell transfer pump.	$16,000.00		$22,241.00		$7,892.00
Optional adder A	Provide for labor, equipment, and materials required and as specified for replacement of motor – pump coupling.	$750.00		$2,000.00		$375.00
		$154,935.00		***$80,830.00***		***$239,952.92***
		$79,106.00		***$80,830.00***		***$152,641.00***

Google Maps Google Maps

Imagery ©2015 Google, Map data ©2015 Google 200 ft

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested to extend the City's contract with RubinBrown, LLP for the City's audit services for fiscal years 2024 and 2025 and authorizing the issuance of future purchase orders.

Recommendations:

Council approval to extend the City's contact with RubinBrown, LLP.

Background:

The City Charter requires an independent annual audit of the City's financial statements. RubinBrown, LLP was previously awarded the contract that was approved by City Council for these services through a Request for Proposals (RFP). In addition to the audit of the City's financial statements, the contract also includes the annual audits of the Crackerneck Creek Transportation Development District (TDD), Events Center Community Improvement District (CID), and Hub Drive Transportation Development District (TDD) and Community Improvement District (CID).

Fiscal Year 2024 Audit – Purchase Order in Fiscal Year 2025:
Annual Audit – City = $102,300.00
Single Audit – estimated 3 programs = $19,200.00 ($6,400.00 per program)
Annual Audit – TDD 2 districts = $12,800.00 ($6,400.00 per district)
Annual Audit – CID 2 districts = $12,800.00 ($6,400.00 per district)
Total = $147,100.00

Fiscal Year 2025 Audit – Purchase Order in Fiscal Year 2026:
Annual Audit – City = $108,000.00
Single Audit – estimated 3 programs = $20,100.00 ($6,700.00 per program)
Annual Audit – TDD 2 districts = $13,400.00 ($6,700.00 per district)
Annual Audit – CID 2 districts = $13,400.00 ($6,700.00 per district)
Total = $154,900.00

Approval of this item authorizes change orders up to (10) percent of the authorized amount, providing appropriations are available.

Fiscal Impact:

The fiscal impact to the City for Fiscal Year 2024-25 will be $147,100.00 for the audit for fiscal year ending 2024, and funding will be included in the Fiscal Year 2024-25 proposed budget as follows:

$121,500.00 to Fund (095), account number 0954210-5226, Professional Services
$6,400.00 to Fund (418), account number 418-5226, Professional Services
$6,400.00 to Fund (445), account number 445-5226, Professional Services
$6,400.00 to Fund (433), account number 433-5226, Professional Services
$6,400.00 to Fund (434), account number 434-5226, Professional Services

The fiscal impact to the City for Fiscal Year 2025-26 will be $154,900.00, for the audit for fiscal year ending 2025 and funding will be included in the Fiscal Year 2025-26 proposed budget as follows:

$128,100.00 to Fund (095), account number 0954210-5226, Professional Services
$6,700.00 to Fund (418), account number 418-5226, Professional Services
$6,700.00 to Fund (445), account number 445-5226, Professional Services
$6,700.00 to Fund (433), account number 433-5226, Professional Services
$6,700.00 to Fund (434), account number 434-5226, Professional Services

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Department:	Finance & Administration	**Contact Person:**	Cindy Gray

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REVIEWERS:

Department	**Action**
Purchasing Division (Finance Department)	Approved
Finance Department	Approved
City Managers Office	Approved
City Clerk Department	Approved

Council Action:	**Council Action:**

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested to issue a purchase order to Clark Equipment Company (KC Bobcat) for a 4-year lease for a total of $57,672.00, for an S86 Series Bobcat Compact skid steer for the Street Maintenance Division of the Municipal Services Department.

Recommendations:

Council approval to issue purchase order.

Background:

This unit will be utilized for street maintenance purposes for the 4-year term. It is a high flow machine to be utilized for accessories related to street paving maintenance. It will operate various accessories including a high flow planer for removing asphalt for repaving operations. This machine is being leased because it will incur heavy use and historically, if purchased, it would require high maintenance costs in years 5-10. The lease is 25% less over 4-years vs. the outright purchase cost. This savings, along with later years maintenance cost savings, will allow us to enter a new lease for a new piece of equipment after the 4-years, realizing these savings over again. This is due to the extreme wear and tear of operations that will be on this heavy use piece of equipment for street repairs.

The supplier of the excavator is Clark Equipment Company dba KC Bobcat. Clark Equipment Company is furnishing the skid steer lease through the pricing connected with the Sourcewell Contract #040319-CEC for compact construction equipment.

Per section 8.06.004, Paragraph 4 of the City Code states competitive bidding is not required when purchases are made through a cooperative contract established by a government purchasing entity or cooperative. The cooperative bids used will have been established pursuant to RSMo. 70.220 or generally accepted governmental purchasing practices through the competitive bidding process.

Approval of this item authorizes the Finance Director to issue change orders up to a total of ten (10) percent of the original authorized amounts, so long as appropriations are available.

Fiscal Impact:

The fiscal impact to the City is:
Year 1 $14,418
Year 2 $14,418
Year 3 $14,418
Year 4 $14,418
Total $57,672 for the 4-year term

Funding for the excavator is in the 2023-2024 approved budget, schedule 7 on page 67 under equipment, and will cost from account number (0115112-5236) (Rents & Leases > 1 year)

Department:	Municipal Services	**Contact Person:**	Lisa Reynolds

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REVIEWERS:

Department	Action
Purchasing Division (Finance Department)	Approved
Public Works Department	Approved
Finance Department	Approved
City Managers Office	Approved
City Clerk Department	Approved

Council Action:	**Council Action:**

ATTACHMENTS:

	Description	Type
🗋	Master Lease Agreement	Exhibit

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested to authorize the City Manager to approve a construction contract with Vance Brothers, Inc., for an amount not to exceed $2,995,972.74 authorizing future minor change orders not to exceed $299,597.27 and/or time extensions for the 2024 Roadway Seals Project as part of the Pavement Preventative Maintenance Operations Project (No. 112201).

Recommendations:

Council Approval is recommended.

Executive Summary:

There was 1 construction bid for this project.

Vance Brothers, Inc: $2,995,972.74

Vance Brothers, Inc has successfully and satisfactorily completed other construction contracts for the City. Their bid is being recommended for approval of this contract.

The 2024 Roadway Seals portion of the Pavement Preventative Maintenance Operations Project (No. 112201) will address approximately 43 lane miles of roadway.

Background:

The Pavement Maintenance Operations Project (No. 112201) provides for contracted pavement maintenance annually. These operations include overlay, sealing, and crackfilling for designated streets throughout the City.

Fiscal Impact:

The fiscal impact to the City is $3,295,570.01. including contingency. Funding for the Pavement Preventative Maintenance Operations Project (No. 112201) is included in the FY 24 adopted budget, page number 182, account number 7011-5406, Street Sales Tax Fund 011.

Department: Municipal Services **Contact Person:** Lisa Reynolds

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REVIEWERS:

Department	Action
Public Works Department	Approved
Finance Department	Approved
City Managers Office	Approved
City Clerk Department	Approved

Council Action: **Council Action:**

ATTACHMENTS:

	Description	Type
1	Official Bid Tabulation Summary #24017 - FY 24 Roadway Seals	Exhibit
2	FY24 Seals Location and Quantities	Exhibit
3	FY24 Seals Maps	Exhibit

Invitation to Bid #24017 - Bid Tabulation Results

FY24 Pavement Maintenance - Roadway Seals
CITY PROJECT NO. 112201-7
5-Apr-24

Contractor	Base Bid
Vance Brothers	$ 2,995,972.74

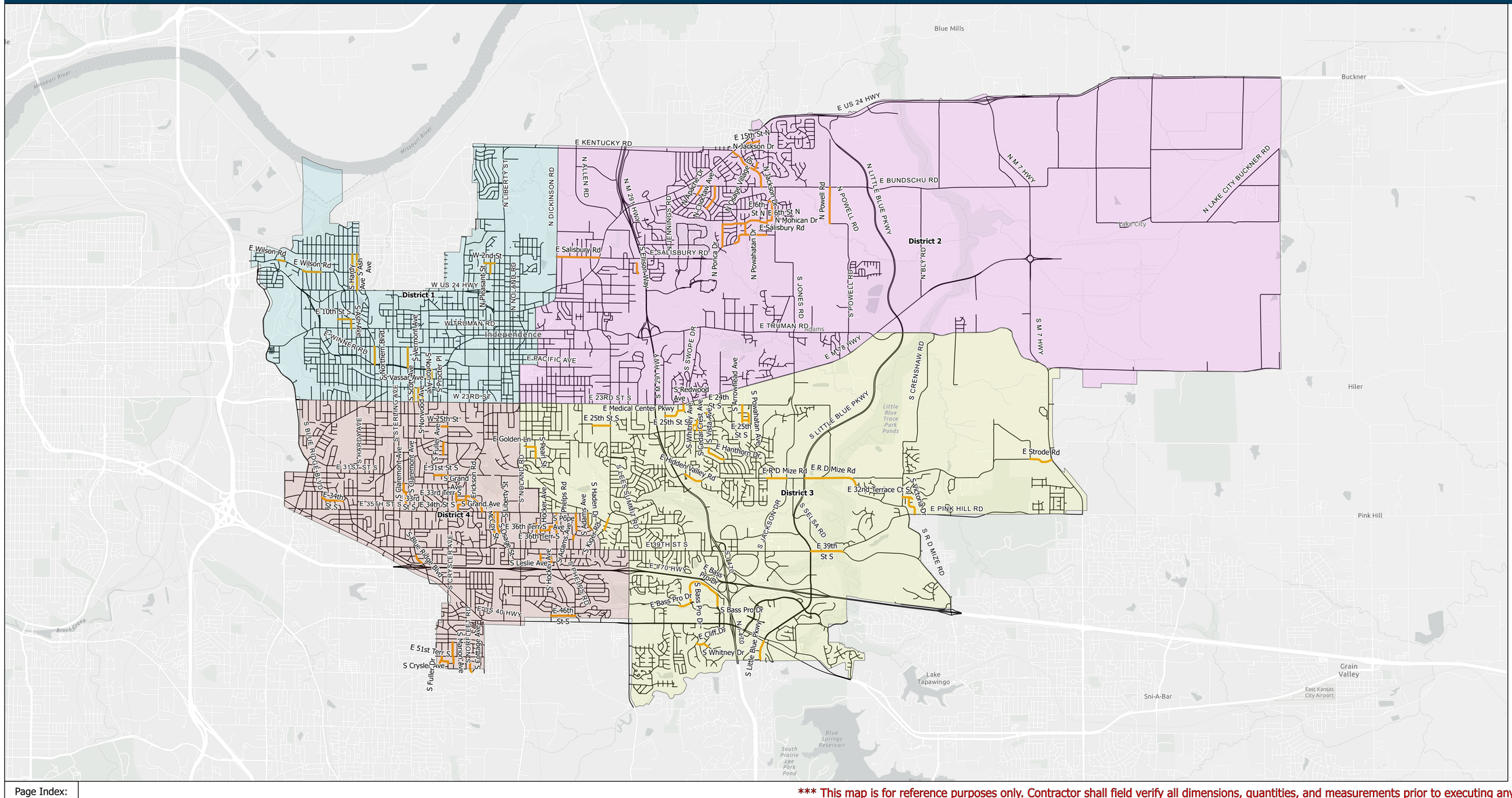
Seal Locations				Seals		Crack Fill		
Street	From	To	District	Cape SY	Micro SY	Lin. Ft	Approx Yield (Lbs/Lin Ft)	Lbs
E 10TH ST S	S CEDAR AVE	S ASH AVE & E GOLF AVE	District 1	1398.44	0.00	0.00	0.48	0.00
E 10TH ST S	S HOME AVE	S CEDAR AVE	District 1	685.91	0.00	0.00	0.48	0.00
E SALISBURY RD	DICKINSON RD	N BROADWAY ST	District 1	1063.43	0.00	0.00	0.48	0.00
E SALISBURY RD	N BROADWAY ST	N SINCLAIR RD	District 1	1710.00	0.00	0.00	0.48	0.00
E SALISBURY RD	N HOLDER RD	E US 24 HWY	District 1	1858.31	0.00	0.00	0.48	0.00
E SALISBURY RD	N HOWARD DR	N KIGER RD	District 1	960.50	0.00	0.00	0.48	0.00
E SALISBURY RD	N KIGER RD	N HOLDER RD	District 1	901.59	0.00	0.00	0.48	0.00
E SALISBURY RD	N ROGERS ST	N HOWARD DR	District 1	936.49	0.00	0.00	0.48	0.00
E SALISBURY RD	N SINCLAIR RD	N ROGERS ST	District 1	1629.81	0.00	0.00	0.48	0.00
E WILSON RD	S BROOKSIDE AVE	S OXFORD AVE	District 1	865.08	0.00	0.00	0.48	0.00
E WILSON RD	S CRESCENT AVE	S ARLINGTON AVE	District 1	1134.73	0.00	0.00	0.48	0.00
E WILSON RD	S GLENWOOD AVE	S CRESCENT AVE	District 1	1095.07	0.00	0.00	0.48	0.00
E WILSON RD	S KENTUCKY AVE	E SHORT AVE	District 1	1524.97	0.00	0.00	0.48	0.00
E WILSON RD	S OXFORD AVE	S GLENWOOD AVE	District 1	1288.14	0.00	0.00	0.48	0.00
N PLEASANT ST	W NICKELL AVE	W 2ND ST	District 1	0.00	1915.70	0.00	0.48	0.00
S ASH AVE	E 11TH ST S	E 10TH ST S	District 1	797.48	0.00	0.00	0.48	0.00
S ASH AVE	E LEXINGTON AVE	E KENTUCKY RD	District 1	3517.44	0.00	0.00	0.48	0.00
S ASH AVE	E TRUMAN RD	E 11TH ST S	District 1	1021.62	0.00	0.00	0.48	0.00
S ASH AVE	S CEDAR AVE	E LEXINGTON AVE	District 1	3157.94	0.00	0.00	0.48	0.00
S HARDY AVE	E LEXINGTON AVE	E KENTUCKY RD	District 1	0.00	3675.42	0.00	0.48	0.00
S HARDY AVE	E US 24 HWY	E LEXINGTON AVE	District 1	3760.87	0.00	0.00	0.48	0.00
S NORTHERN BLVD	E 18TH ST S	E 15TH ST S	District 1	5858.76	0.00	0.00	0.48	0.00
S NORTON AVE	E 20TH ST S	E 23RD ST S	District 1	3412.59	0.00	0.00	0.48	0.00
S NORWOOD AVE	E 23RD ST S	E 20TH ST S	District 1	3810.22	0.00	0.00	0.48	0.00
S PROCTER PL	W LINDEN AVE	W LEXINGTON AVE	District 1	1824.99	0.00	0.00	0.48	0.00
S SCOTT AVE	E 23RD ST S	E 20TH ST S	District 1	2214.38	0.00	0.00	0.48	0.00
S VASSAR AVE	W LINDEN AVE	E WINNER RD	District 1	2234.63	0.00	0.00	0.48	0.00
S VERMONT AVE	E WINNER RD	E 15TH ST S	District 1	2826.95	0.00	0.00	0.48	0.00
W 2ND ST	N MCCOY ST	N MCCOY ST	District 1	0.00	356.95	0.00	0.48	0.00
W 2ND ST	N PLEASANT ST	N MCCOY ST	District 1	0.00	710.13	0.00	0.48	0.00
W 2ND ST	N SPRING ST	N PLEASANT ST	District 1	0.00	729.66	0.00	0.48	0.00
E 15TH ST N	N INCA DR	N OSAGE VILLAGE DR	District 2	0.00	1101.09	0.00	0.48	0.00
E 15TH TERRACE CT N	N OSAGE VILLAGE DR	CUL-DE-SAC	District 2	1254.19	0.00	0.00	0.48	0.00
E 6TH ST N	N AZTEC DR	N SIOUX AVE	District 2	0.00	2067.34	0.00	0.48	0.00
E 6TH ST N	N PONCA DR	N SEMINOLE DR	District 2	2558.45	0.00	0.00	0.48	0.00
E 6TH ST N	N POWAHATAN DR	N AZTEC DR	District 2	3959.50	0.00	0.00	0.48	0.00
E 6TH ST N	N SEMINOLE DR	N WIGWAM CT	District 2	800.53	0.00	0.00	0.48	0.00
E 6TH ST N	N SIOUX AVE	N MOHICAN DR	District 2	815.66	0.00	0.00	0.48	0.00
E 6TH ST N	N WIGWAM CT	N POWAHATAN DR	District 2	824.61	0.00	0.00	0.48	0.00
E SALISBURY RD	N POWAHATAN DR	N TEPEE DR	District 2	854.11	0.00	0.00	0.48	0.00
E SALISBURY RD	N SEMINOLE DR	N POWAHATAN DR	District 2	3216.13	0.00	0.00	0.48	0.00
E SALISBURY RD	N TEPEE DR	N SIOUX AVE	District 2	3353.44	0.00	0.00	0.48	0.00
E STRODE RD	S LOBB CEMETERY RD	S M 7 HWY	District 2	4425.73	0.00	0.00	0.48	0.00
N APACHE DR	E SUSQUEHANNA RIDGE	E BUNDSCHU RD	District 2	1954.92	0.00	0.00	0.48	0.00
N CHOCTAW AVE	E REDWOOD DR	E SUSQUEHANNA RIDGE	District 2	2065.73	0.00	0.00	0.48	0.00
N CHOCTAW AVE	E SUSQUEHANNA RIDGE	E BUNDSCHU RD	District 2	3345.09	0.00	0.00	0.48	0.00
N JACKSON DR	E 14TH ST N	N OSAGE VILLAGE DR	District 2	7456.28	0.00	0.00	0.48	0.00
N JACKSON DR	E US 24 HWY	E 13TH TERRACE CT N	District 2	2738.00	0.00	0.00	0.48	0.00
N JACKSON DR	N DAVIS RD	E BUNDSCHU RD	District 2	3849.83	0.00	0.00	0.48	0.00
N JACKSON DR	N DAVIS RD	E BUNDSCHU RD	District 2	1623.17	0.00	0.00	0.48	0.00
N JACKSON DR	N OSAGE VILLAGE DR	N DAVIS RD	District 2	2691.39	0.00	0.00	0.48	0.00
N MOHICAN DR	E 6TH ST N	N SIOUX AVE	District 2	0.00	4056.84	0.00	0.48	0.00
N OSAGE VILLAGE DR	N INCA DR	E 12TH TERRACE CT N	District 2	0.00	1318.39	0.00	0.48	0.00
N OSAGE VILLAGE DR	N JACKSON DR	N INCA DR	District 2	0.00	674.63	0.00	0.48	0.00
N PONCA DR	E 5TH ST N	E 5TH TERR N	District 2	728.49	0.00	0.00	0.48	0.00
N PONCA DR	E 5TH TERR N	E 6TH ST N	District 2	757.57	0.00	0.00	0.48	0.00
N PONCA DR	E SALISBURY RD	E 5TH ST N	District 2	2659.80	0.00	0.00	0.48	0.00
N POWAHATAN DR	E 5TH ST N	E GERONIMO CT	District 2	416.17	0.00	0.00	0.48	0.00
N POWAHATAN DR	E GERONIMO CT	E 6TH ST N	District 2	938.02	0.00	0.00	0.48	0.00
N POWAHATAN DR	E SALISBURY RD	E 5TH ST N	District 2	745.15	0.00	0.00	0.48	0.00
N POWELL RD	3500 FT FROM S POWELL RD	E BUNDSCHU RD	District 2	5578.78	0.00	0.00	0.48	0.00
S ELLISON WAY	E QUEEN RIDGE DR	E 1ST ST S	District 2	2388.62	0.00	0.00	0.48	0.00
E 24TH ST	S BRIDGER DR	S VIKING DR	District 3	526.77	0.00	0.00	0.48	0.00
E 25TH ST S	S ARROWHEAD AVE	S POWAHATAN AVE	District 3	0.00	1393.51	0.00	0.48	0.00
E 25TH ST S	S CEDAR CREST AVE	S WHITNEY AVE	District 3	0.00	870.22	0.00	0.48	0.00
E 25TH ST S	S LEES SUMMIT RD	S WOODBURY ST	District 3	0.00	3359.07	0.00	0.48	0.00
E 32ND TERRACE CT S	S CARDINAL CT	S VICTORIA DR	District 3	709.47	0.00	0.00	0.48	0.00
E 32ND TERRACE CT S	S CRENSHAW RD	S CARDINAL CT	District 3	518.03	0.00	0.00	0.48	0.00
E 32ND TERRACE CT S	S VICTORIA DR	CUL-DE-SAC	District 3	1072.81	0.00	0.00	0.48	0.00
E BASS PRO DR	S BASS PRO DR	S BASS PRO DR	District 3	9278.42	0.00	0.00	0.48	0.00
E BASS PRO DR	S LEES SUMMIT RD	S BASS PRO DR	District 3	2799.47	0.00	0.00	0.48	0.00
E CLIFF DR	S CEDAR CREST AVE	S WHITNEY DR	District 3	965.82	0.00	0.00	0.48	0.00
E CLIFF DR	S TIERNEY DR	S CEDAR CREST AVE	District 3	750.96	0.00	0.00	0.48	0.00

E GOLDEN LN	S DODGION AVE	S PEARL ST	District 3	1763.61	0.00	0.00	0.48	0.00
E HANTHORN DR	E 27TH TERR S	S PONCA DR	District 3	4317.03	0.00	0.00	0.48	0.00
E HIDDEN VALLEY RD	S CEDAR CREST DR	S REDWOOD DR	District 3	1681.01	0.00	0.00	0.48	0.00
E HIDDEN VALLEY RD	S REDWOOD DR	E 31ST TERRACE DR S	District 3	4100.18	0.00	0.00	0.48	0.00
E MEDICAL CENTER PKWY	S PARKVIEW AVE	S REDWOOD AVE	District 3	1667.87	0.00	0.00	0.48	0.00
E MEDICAL CENTER PKWY	S R D MIZE RD	S PARKVIEW AVE	District 3	3091.60	0.00	0.00	0.48	0.00
E MEDICAL CENTER PKWY	S R D MIZE RD	S PARKVIEW AVE	District 3	1506.69	0.00	0.00	0.48	0.00
E R D MIZE RD	E EUREKA RD	S BROOK RIDGE CT	District 3	2450.02	0.00	0.00	0.48	0.00
E R D MIZE RD	S IVA DR	S JACKSON DR	District 3	6402.87	0.00	0.00	0.48	0.00
E R D MIZE RD	S LITTLE BLUE PKWY	S NECESSARY RD	District 3	5286.49	0.00	0.00	0.48	0.00
E R D MIZE RD	S NECESSARY RD	E EUREKA RD	District 3	9724.48	0.00	0.00	0.48	0.00
E R D MIZE RD	S SIOUX AVE	S IVA DR	District 3	1912.24	0.00	0.00	0.48	0.00
S ADAMS AVE	S RANDALL DR	E 35TH ST S	District 3	1229.01	0.00	0.00	0.48	0.00
S ARROWHEAD AVE	E 24TH ST S	E HOLKE RD	District 3	1464.00	0.00	0.00	0.48	0.00
S ARROWHEAD AVE	E 24TH TERR S	E 24TH ST S	District 3	718.56	0.00	0.00	0.48	0.00
S ARROWHEAD AVE	E 25TH ST S	E 24TH TERR S	District 3	719.57	0.00	0.00	0.48	0.00
S ARROWHEAD AVE	E 25TH TERR S	E 25TH ST S	District 3	505.41	0.00	0.00	0.48	0.00
S BASS PRO DR	E BASS PRO DR	E BASS PRO DR	District 3	4531.06	0.00	0.00	0.48	0.00
S BASS PRO DR	E BLUFF DR	E BASS PRO DR	District 3	3688.96	0.00	0.00	0.48	0.00
S CEDAR CREST AVE	E 25TH TERR S	E 25TH ST S	District 3	1004.56	0.00	0.00	0.48	0.00
S HADEN DR	E 36TH ST S	E 35TH ST S	District 3	2584.57	0.00	0.00	0.48	0.00
S HADEN DR	E 36TH TERR S	E 36TH ST S	District 3	741.88	0.00	0.00	0.48	0.00
S HADEN DR	E 37TH ST S	E 36TH TERR S	District 3	915.97	0.00	0.00	0.48	0.00
S KIGER RD	E 35TH ST S	282 FT FROM E 35TH ST S	District 3	793.69	0.00	0.00	0.48	0.00
S KIGER RD	E 36TH ST S	E 35TH ST S	District 3	799.97	0.00	0.00	0.48	0.00
S KIGER RD	E 36TH TERR S	E 36TH ST S	District 3	842.26	0.00	0.00	0.48	0.00
S PEARL ST	E RANKIN RD	S RANKIN DR	District 3	1392.89	0.00	0.00	0.48	0.00
S PEARL ST	S RANKIN DR	E GOLDEN LN	District 3	1004.90	0.00	0.00	0.48	0.00
S PHELPS RD	E 36TH TERR S	E 35TH ST S	District 3	2962.41	0.00	0.00	0.48	0.00
S POWAHATAN AVE	E 24TH TERR S	E 24TH ST S	District 3	838.23	0.00	0.00	0.48	0.00
S POWAHATAN AVE	E 25TH ST S	E 24TH TERR S	District 3	811.65	0.00	0.00	0.48	0.00
S POWAHATAN AVE	E 25TH TERR S	E 25TH ST S	District 3	838.10	0.00	0.00	0.48	0.00
S REDWOOD AVE	E MEDICAL CENTER PKWY	E 23RD ST S	District 3	1912.09	0.00	0.00	0.48	0.00
S VICTORIA DR	E 33RD STREET CT S	E 32ND TERRACE CT S	District 3	1117.02	0.00	0.00	0.48	0.00
S VICTORIA DR	E PINK HILL RD	E 33RD STREET CT S	District 3	3301.02	0.00	0.00	0.48	0.00
S VISTA AVE	E 25TH STREET CT S	E 24TH TERRACE CT S	District 3	1361.94	0.00	0.00	0.48	0.00
S VISTA AVE	E 25TH TERR S	E 25TH STREET CT S	District 3	856.41	0.00	0.00	0.48	0.00
S WHITNEY AVE	E 25TH ST S	S WHITNEY AVE CDS	District 3	979.74	0.00	0.00	0.48	0.00
S WHITNEY AVE	E 25TH TERR S	E 25TH ST S	District 3	1139.85	0.00	0.00	0.48	0.00
S WHITNEY DR	E 49TH TERRACE CT S	E CLIFF DR	District 3	1159.74	0.00	0.00	0.48	0.00
E 31ST ST S	S EDWARDS CIR	S CRYSLER AVE	District 4	1247.44	0.00	0.00	0.48	0.00
E 31ST ST S	S FOREST AVE	S EDWARDS CIR	District 4	1206.36	0.00	0.00	0.48	0.00
E 33RD ST S	S CLAREMONT AVE	S CLAREMONT AVE	District 4	503.33	0.00	0.00	0.48	0.00
E 33RD TERR S	S GRAND AVE	S ERICKSON RD	District 4	1698.35	0.00	0.00	0.48	0.00
E 34TH ST S	S EVANSTON AVE	S OVERTON TERR	District 4	957.33	0.00	0.00	0.48	0.00
E 34TH ST S	S GRAND AVE	S ERICKSON RD	District 4	1572.40	0.00	0.00	0.48	0.00
E 34TH ST S	S HOME AVE	S CEDAR AVE	District 4	1541.52	0.00	0.00	0.48	0.00
E 34TH ST S	S OVERTON AVE	S HOME AVE	District 4	829.35	0.00	0.00	0.48	0.00
E 34TH ST S	S OVERTON TERR	S OVERTON AVE	District 4	844.56	0.00	0.00	0.48	0.00
E 36TH TERR S	S EMERY ST	S LESLIE AVE	District 4	938.61	0.00	0.00	0.48	0.00
E 36TH TERR S	S LESLIE AVE	S POPE AVE	District 4	936.14	0.00	0.00	0.48	0.00
E 36TH TERR S	S POPE AVE	S PHELPS RD	District 4	1319.73	0.00	0.00	0.48	0.00
E 46TH ST S	E 46TH CIR	S PHELPS RD	District 4	665.95	0.00	0.00	0.48	0.00
E 46TH ST S	E 46TH STREET CT S	E 46TH CIR	District 4	598.93	0.00	0.00	0.48	0.00
E 46TH ST S	S FREMONT RD	E 46TH STREET CT S	District 4	3482.69	0.00	0.00	0.48	0.00
E 51ST TERR S	S CRYSLER AVE	S FULLER DR	District 4	1420.47	0.00	0.00	0.48	0.00
E MCCOY ST	E 33RD ST S	E 33RD ST S	District 4	2244.78	0.00	0.00	0.48	0.00
E MCCOY ST	E 33RD ST S	E 35TH ST S	District 4	1384.28	0.00	0.00	0.48	0.00
E MCCOY ST	S SANTA FE TERR	E 33RD ST S	District 4	1298.03	0.00	0.00	0.48	0.00
S ADAMS AVE	E 36TH TERR S	S RANDALL DR	District 4	1848.03	0.00	0.00	0.48	0.00
S ADAMS AVE	E 37TH ST S	E 36TH TERR S	District 4	961.16	0.00	0.00	0.48	0.00
S ADAMS AVE	E 38TH ST S	S RANDALL DR	District 4	948.64	0.00	0.00	0.48	0.00
S BLUE RIDGE BLVD	E 40TH TERR S	E 40TH ST S	District 4	1035.92	0.00	0.00	0.48	0.00
S BLUE RIDGE BLVD	E HIGHRIDGE DR	E 40TH TERR S	District 4	1474.35	0.00	0.00	0.48	0.00
S CLAREMONT AVE	E 32ND TERR S	E 32ND ST S	District 4	1316.19	0.00	0.00	0.48	0.00
S CLAREMONT AVE	E 33RD ST S	E 32ND TERR S	District 4	303.42	0.00	0.00	0.48	0.00
S CLAREMONT AVE	S VERMONT AVE	E 33RD ST S	District 4	3262.33	0.00	0.00	0.48	0.00
S COTTAGE AVE	CITY LIMIT	E 51ST TERR S	District 4	2386.53	0.00	0.00	0.48	0.00
S CRYSLER AVE	E 52ND ST S	E 51ST TERR S	District 4	383.87	0.00	0.00	0.48	0.00
S ERICKSON RD	E BOWEN ST	E 33RD ST S	District 4	732.21	0.00	0.00	0.48	0.00
S ERICKSON RD	E ERICKSON RD	E BOWEN ST	District 4	758.96	0.00	0.00	0.48	0.00
S FULLER AVE	W 28TH ST	W 27TH ST	District 4	715.62	0.00	0.00	0.48	0.00
S FULLER AVE	W 28TH TERR	W 28TH ST	District 4	811.95	0.00	0.00	0.48	0.00
S FULLER AVE	W SCOTT PL	W 28TH TERR	District 4	788.96	0.00	0.00	0.48	0.00
S FULLER DR	E 51ST TERR S	E 51ST ST S	District 4	719.35	0.00	0.00	0.48	0.00
S FULLER DR	E 52ND ST S	E 51ST TERR S	District 4	1055.04	0.00	0.00	0.48	0.00
S GRAND AVE	E 33RD ST S	S SANTA FE RD & W 33RD ST	District 4	475.56	0.00	0.00	0.48	0.00
S GRAND AVE	E 33RD TERR S	E 33RD ST S	District 4	764.90	0.00	0.00	0.48	0.00

S GRAND AVE	E 34TH TERR S	E 34TH ST S	District 4	833.73	0.00	0.00	0.48	0.00
S HOCKER AVE	E 37TH ST S	E 36TH ST S	District 4	2144.25	0.00	0.00	0.48	0.00
S HOCKER AVE	E 40TH ST S	E 39TH TERR S	District 4	772.25	0.00	0.00	0.48	0.00
S HOCKER AVE	E 40TH TERR S	E 40TH ST S	District 4	773.89	0.00	0.00	0.48	0.00
S LESLIE AVE	E 40TH TERR S	E 40TH ST S	District 4	766.48	0.00	0.00	0.48	0.00
S LIBERTY ST	S MAIN ST	E 35TH ST S	District 4	4212.31	0.00	0.00	0.48	0.00
S MARION AVE	E 51ST ST S	E 49TH TERR S	District 4	3263.34	0.00	0.00	0.48	0.00
S MARION AVE	E 52ND ST S	E 51ST ST S	District 4	1295.59	0.00	0.00	0.48	0.00
S OSAGE ST	S MAIN ST	W 37TH ST S	District 4	1600.89	0.00	0.00	0.48	0.00
S OSAGE ST	W 37TH ST S	E 35TH ST S	District 4	3809.72	0.00	0.00	0.48	0.00
S PHELPS RD	E 37TH ST S	E PHELPS CT	District 4	486.21	0.00	0.00	0.48	0.00
S PHELPS RD	E 37TH ST S	E PHELPS CT	District 4	1654.35	0.00	0.00	0.48	0.00
S PHELPS RD	E PHELPS CT	E 36TH TERR S	District 4	166.98	0.00	0.00	0.48	0.00
S POPE AVE	E 36TH TERR S	E 36TH TERR S	District 4	783.84	0.00	0.00	0.48	0.00
W 25TH ST	S WOODLAND AVE	S CRYSLER AVE	District 4	1911.87	0.00	0.00	0.48	0.00
			Seals - Cape (SY):		**301,647.73**	**Crack Fill (LBS):**		**-**
			Seals - Micro (SY):		**22,228.95**	**Crack Fill (LN):**		**-**
			Seals TOTAL (SY):		**323,876.68**			

INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals



Legend

Districts
- District 1
- District 2
- District 3
- District 4
- SEAL
- Streets

N
W E
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Page Index:
FullCity - 1

0 2.25 4.5 9 Miles

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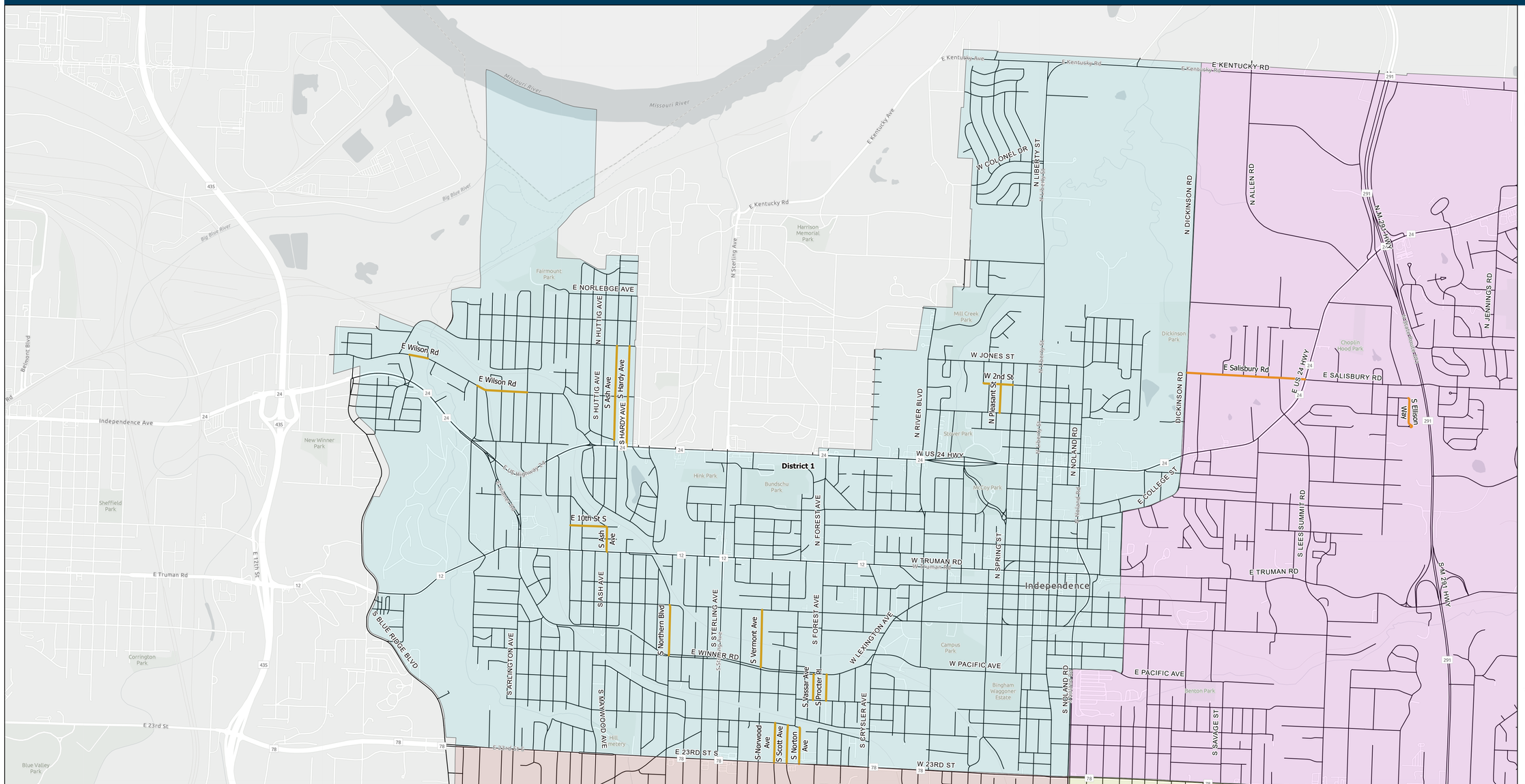
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals District 1



Legend

Districts
- District 1
- District 2
- District 3
- District 4

SEAL
Streets

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Page Index:
District1 - 2

0 0.75 1.5 3 Miles

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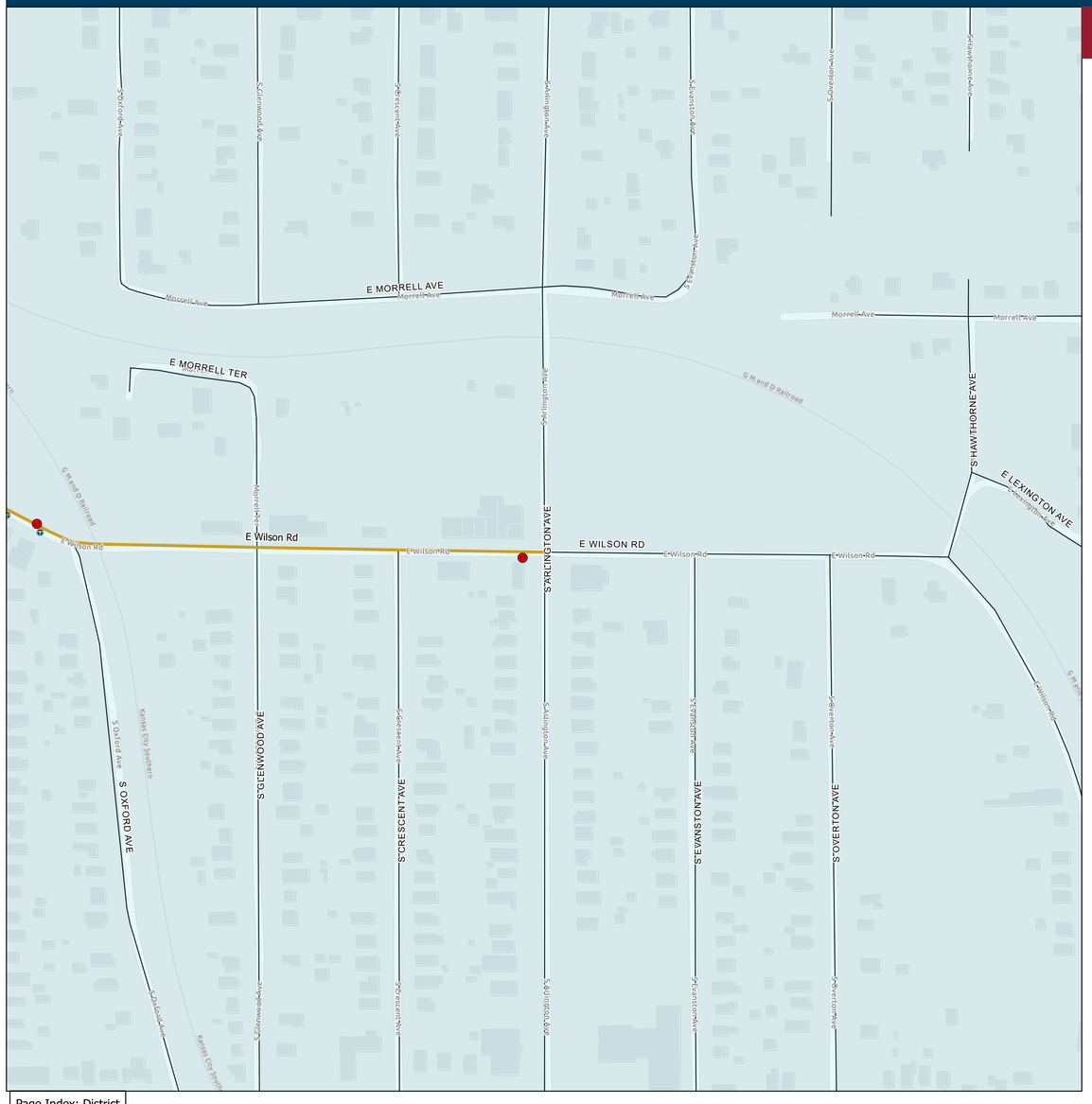
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 1 - 9

0 0.1 0.2 0.4 Miles

Map Grid J2C, District 1

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
1	10139	District 1	E WILSON RD	S BROOKSIDE AVE	S OXFORD AVE	235.93
2	10138	District 1	E WILSON RD	S OXFORD AVE	S GLENWOOD AVE	429.38
4	3953	District 1	E WILSON RD	S GLENWOOD AVE	S CRESCENT AVE	328.52
2234	4848	District 1	E WILSON RD	S CRESCENT AVE	S ARLINGTON AVE	340.42

Legend

- Water Taps (2)
- Sanitary Manholes (2)
- District 1
- SEAL
- Streets

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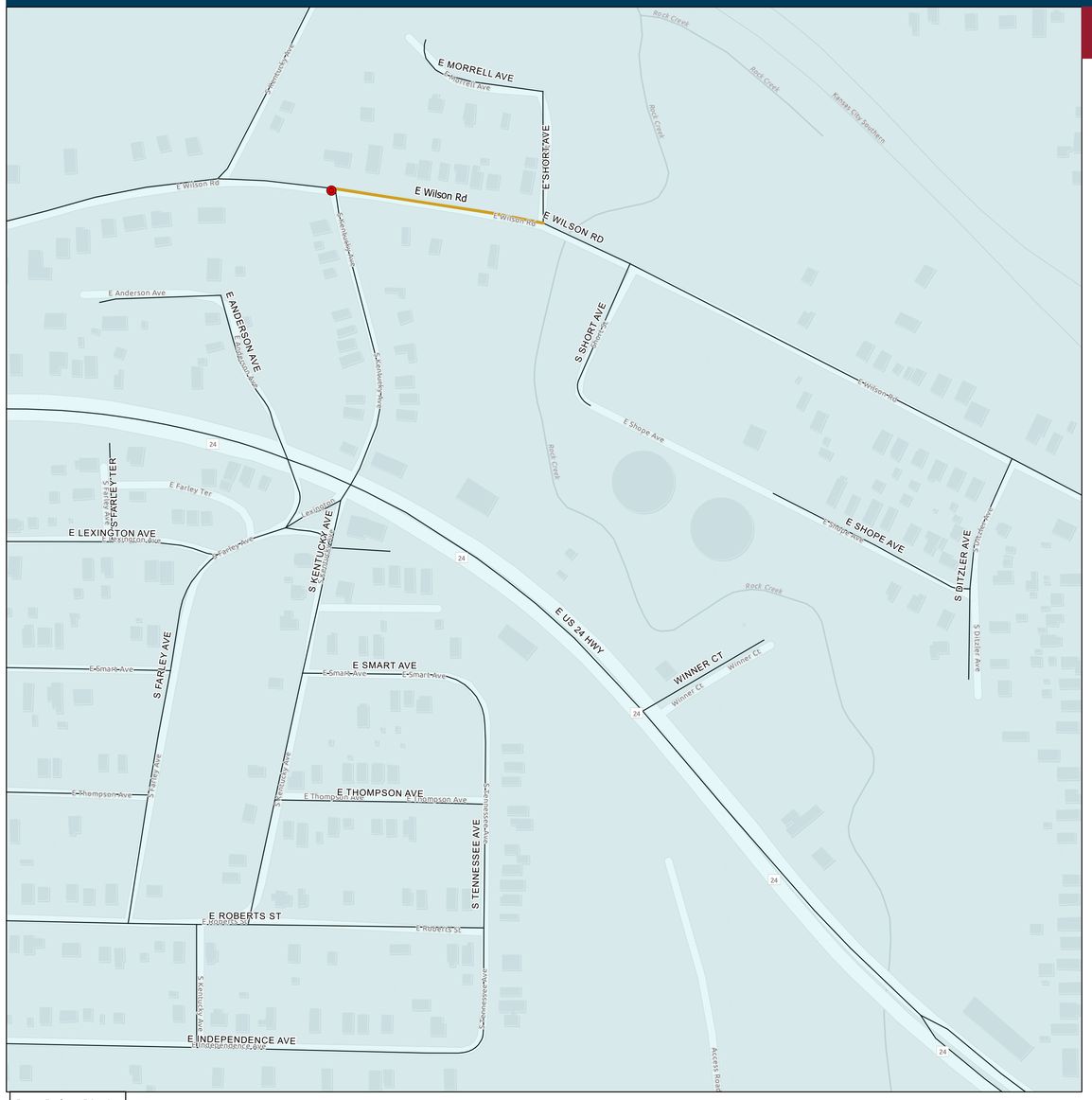
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 1 - 10

0 0.1 0.2 0.4 Miles

Map Grid J2D, District 1

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
2192	9317	District 1	E WILSON RD	S KENTUCKY AVE	E SHORT AVE	490.17

Legend

- Sanitary Manholes (1)
- District 1
- SEAL
- Streets

N
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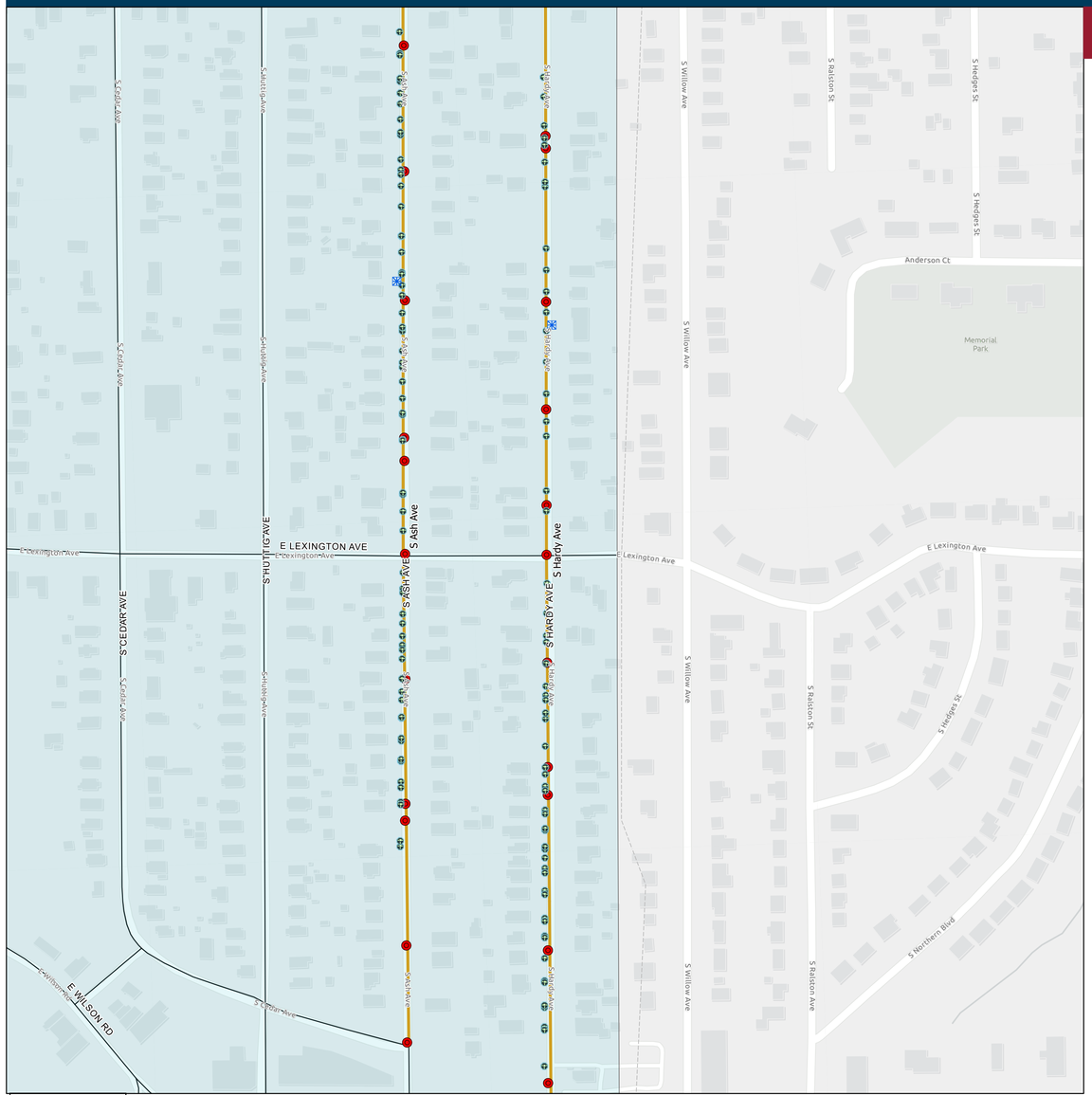
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 1 - 12

Map Grid J3D, District 1

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
631	3881	District 1	S ASH AVE	S CEDAR AVE	E LEXINGTON AVE	1136.86
735	3872	District 1	S ASH AVE	E LEXINGTON AVE	E KENTUCKY RD	1319.04
2432	3684	District 1	S HARDY AVE	E LEXINGTON AVE	E KENTUCKY RD	1323.15
5766	3437	District 1	S HARDY AVE	E US 24 HWY	E LEXINGTON AVE	1301.84

Legend

- Storm Water Structures (2)
- Water Taps (120)
- Sanitary Manholes (22)
- District 1
- SEAL
- Streets

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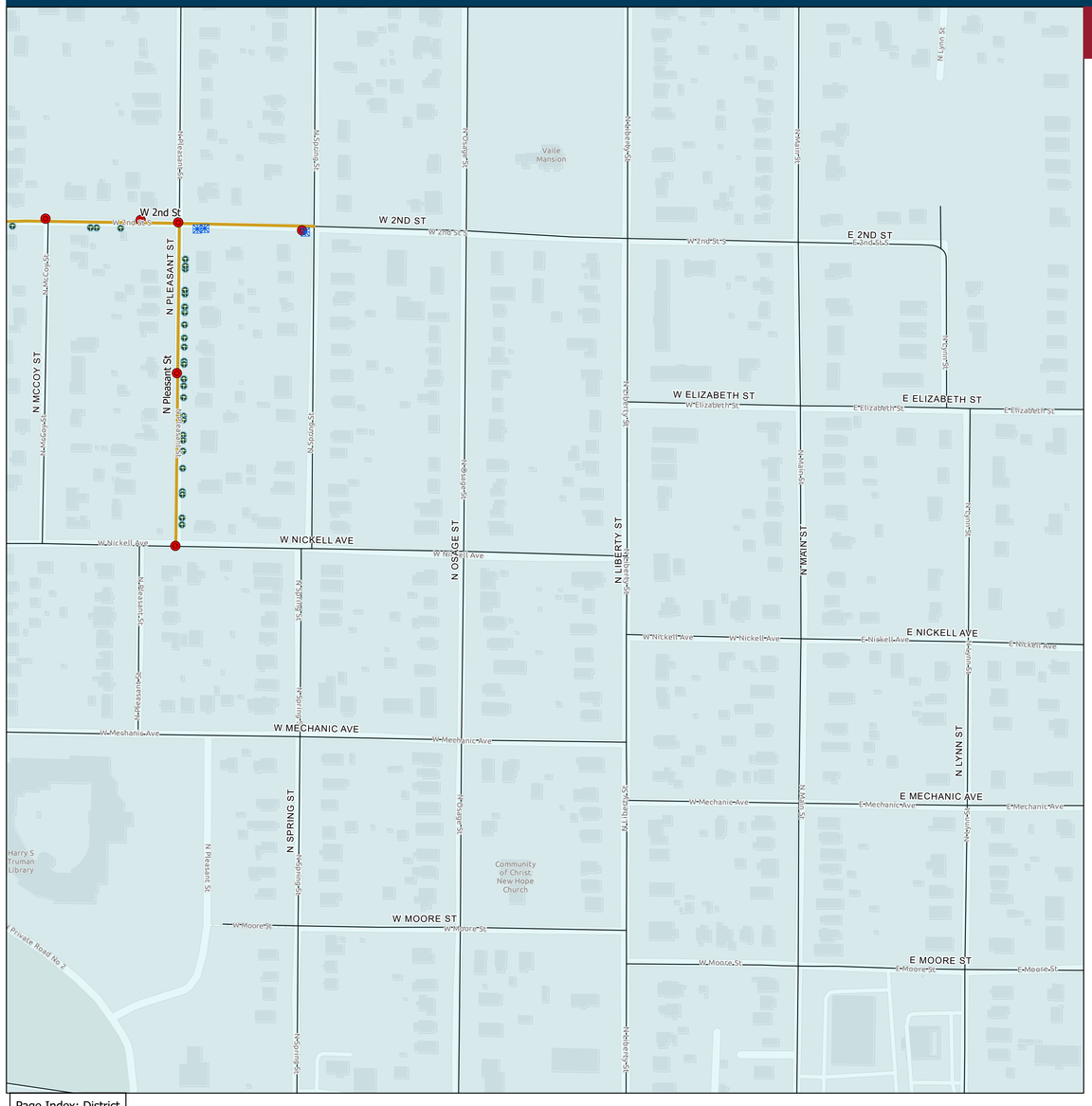
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Map Grid J5D, District 1

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
914	4374	District 1	W 2ND ST	N SPRING ST	N PLEASANT ST	312.71
1905	4831	District 1	W 2ND ST	N PLEASANT ST	N MCCOY ST	304.34
2958	9029	District 1	W 2ND ST	N MCCOY ST	N MCCOY ST	152.98
4168	3596	District 1	N PLEASANT ST	W NICKELL AVE	W 2ND ST	749.62

Legend

- Storm Water Structures (3)
- Water Taps (30)
- Sanitary Manholes (6)
- District 1
- SEAL
- Streets

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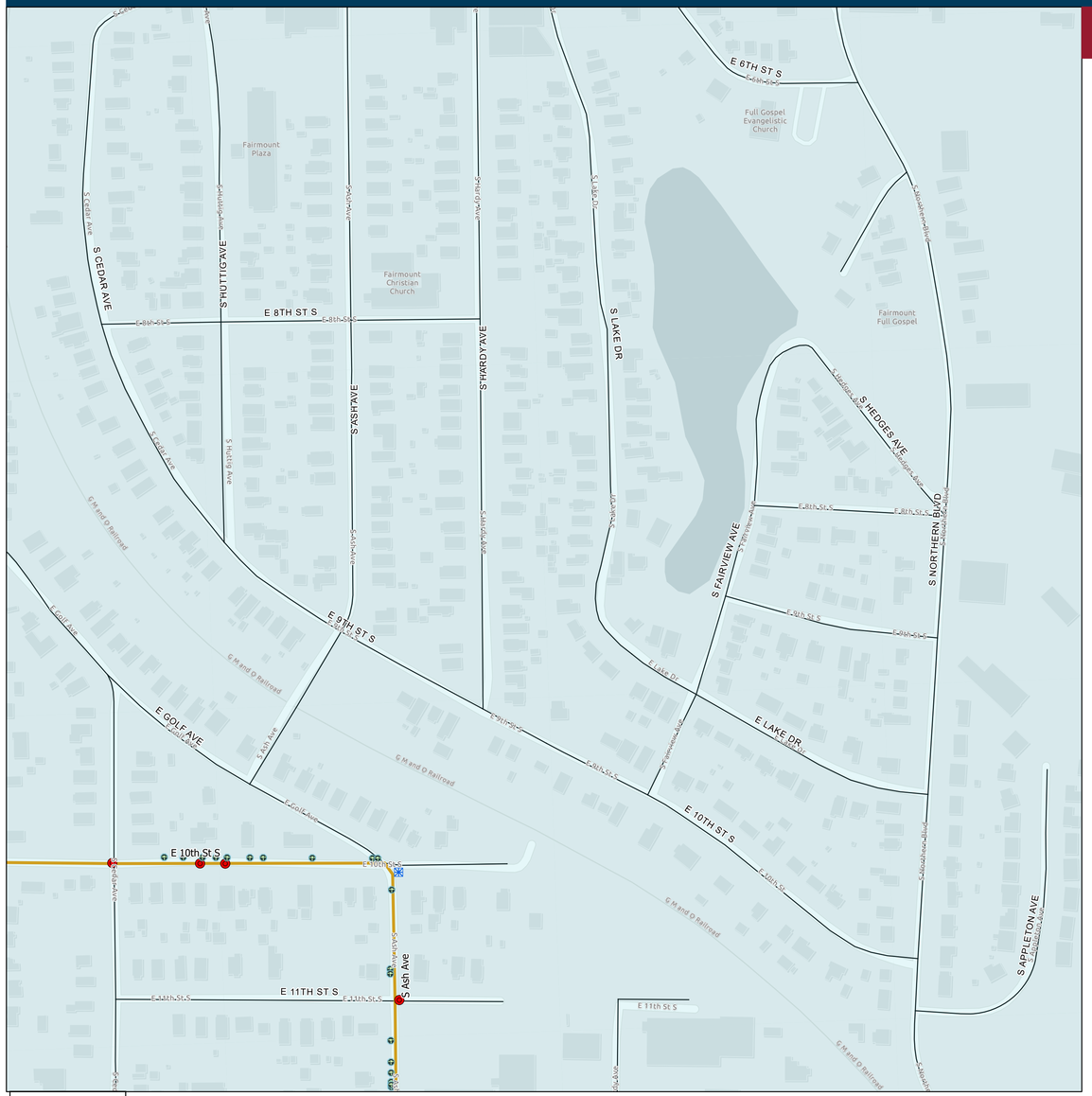
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



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Map Grid K3A, District 1

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
941	4383	District 1	E 10TH ST S	S HOME AVE	S CEDAR AVE	308.66
1315	9650	District 1	S ASH AVE	E TRUMAN RD	E 11TH ST S	340.54
2759	9417	District 1	S ASH AVE	E 11TH ST S	E 10TH ST S	326.24
4012	5753	District 1	E 10TH ST S	S CEDAR AVE	S ASH AVE & E GOLF AVE	629.3

Legend

- Storm Water Structures (1)
- Water Taps (19)
- Sanitary Manholes (4)
- District 1
- SEAL
- Streets

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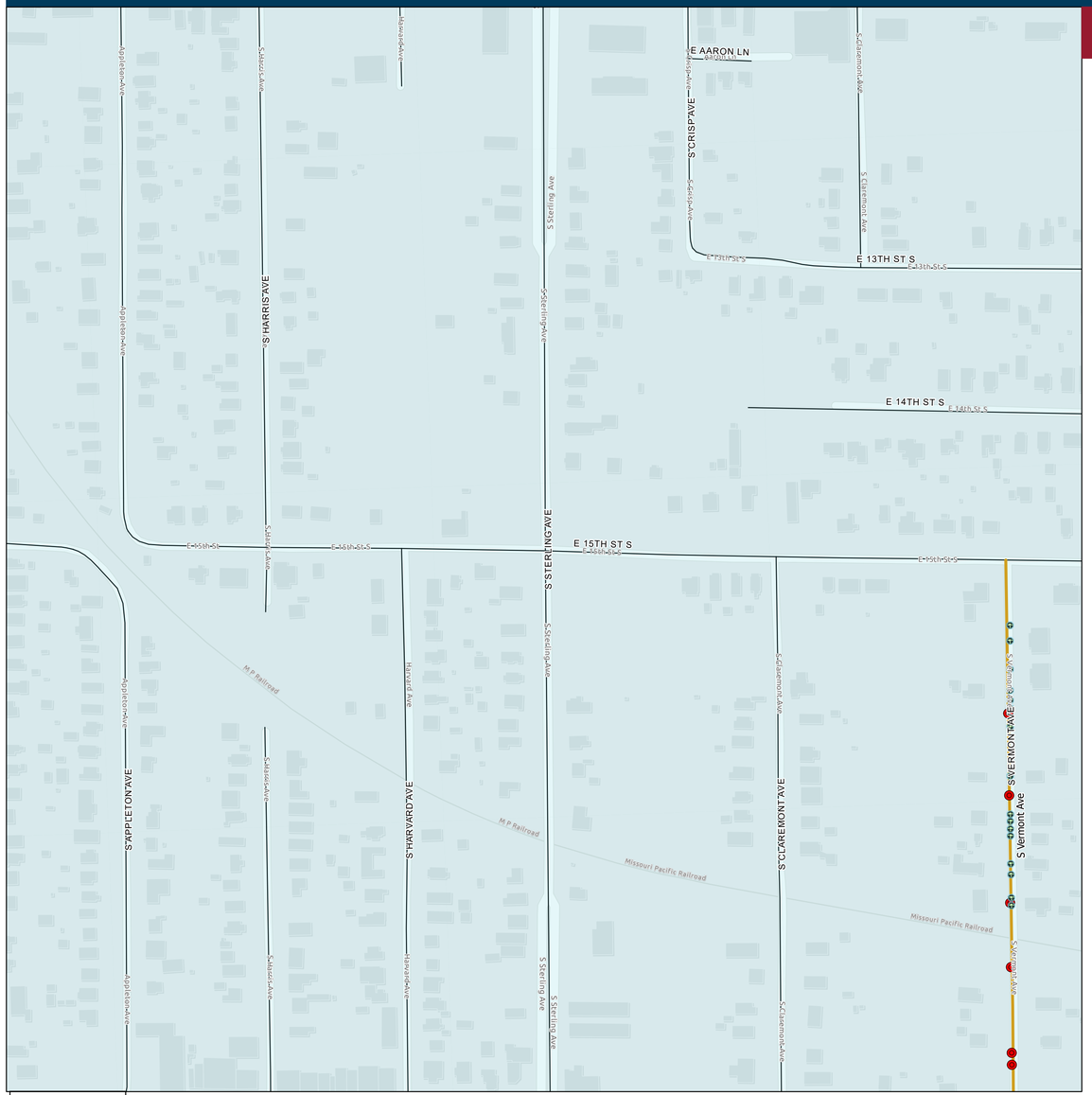
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 1 - 21

0 0.1 0.2 0.4 Miles

Map Grid K3C, District 1

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
3437	3356	District 1	S VERMONT AVE	E WINNER RD	E 15TH ST S	1496.62

Legend

- Water Taps (16)
- Sanitary Manholes (6)
- District 1
- SEAL
- Streets

N W E S

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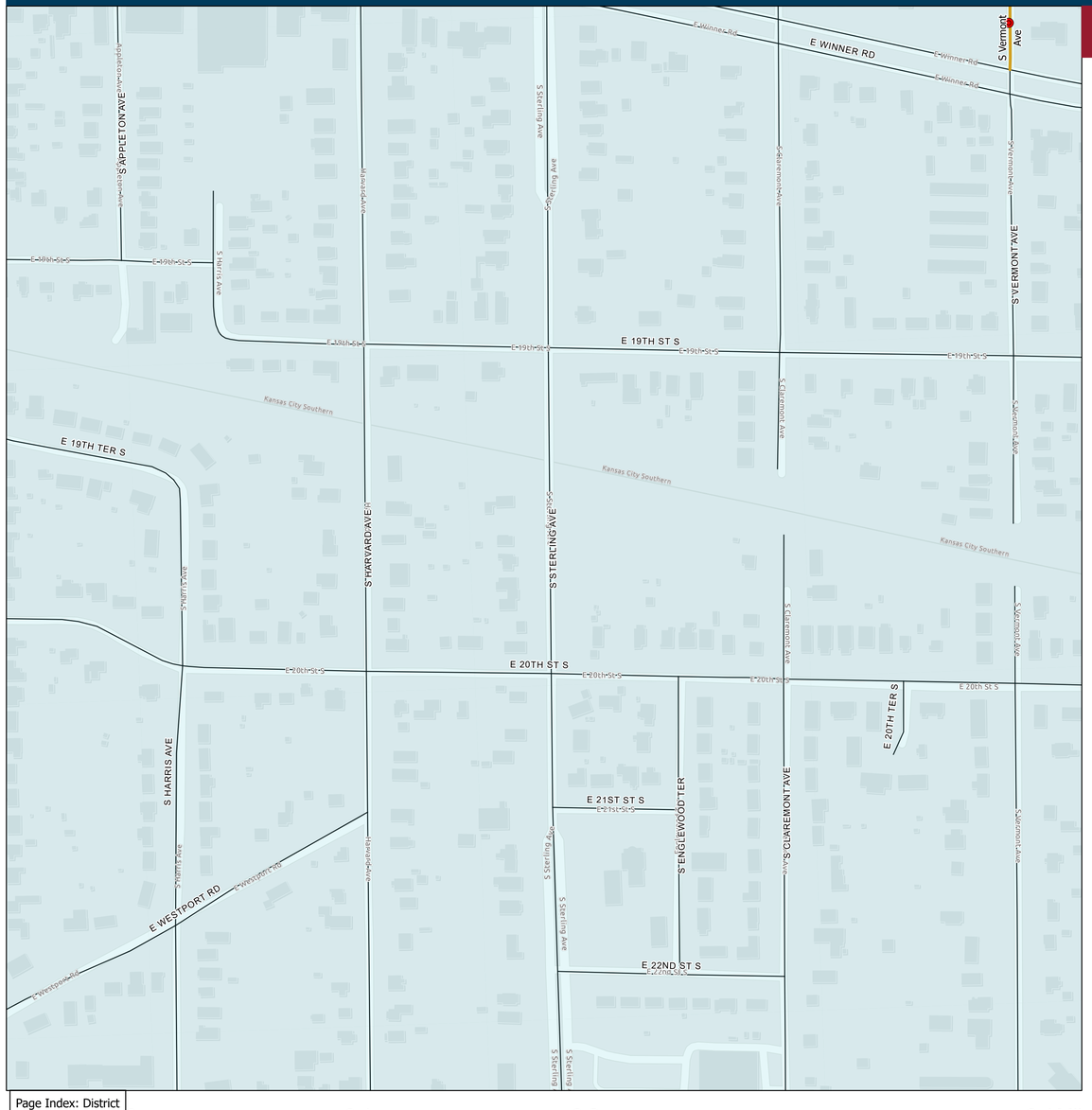
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals



Page Index: District 4 District 1 - 23

Map Grid L3B, District 1

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
3437	3356	District 1	S VERMONT AVE	E WINNER RD	E 15TH ST S	1496.62

Legend

- Sanitary Manholes (1)
- District 1
- SEAL
- Streets

N
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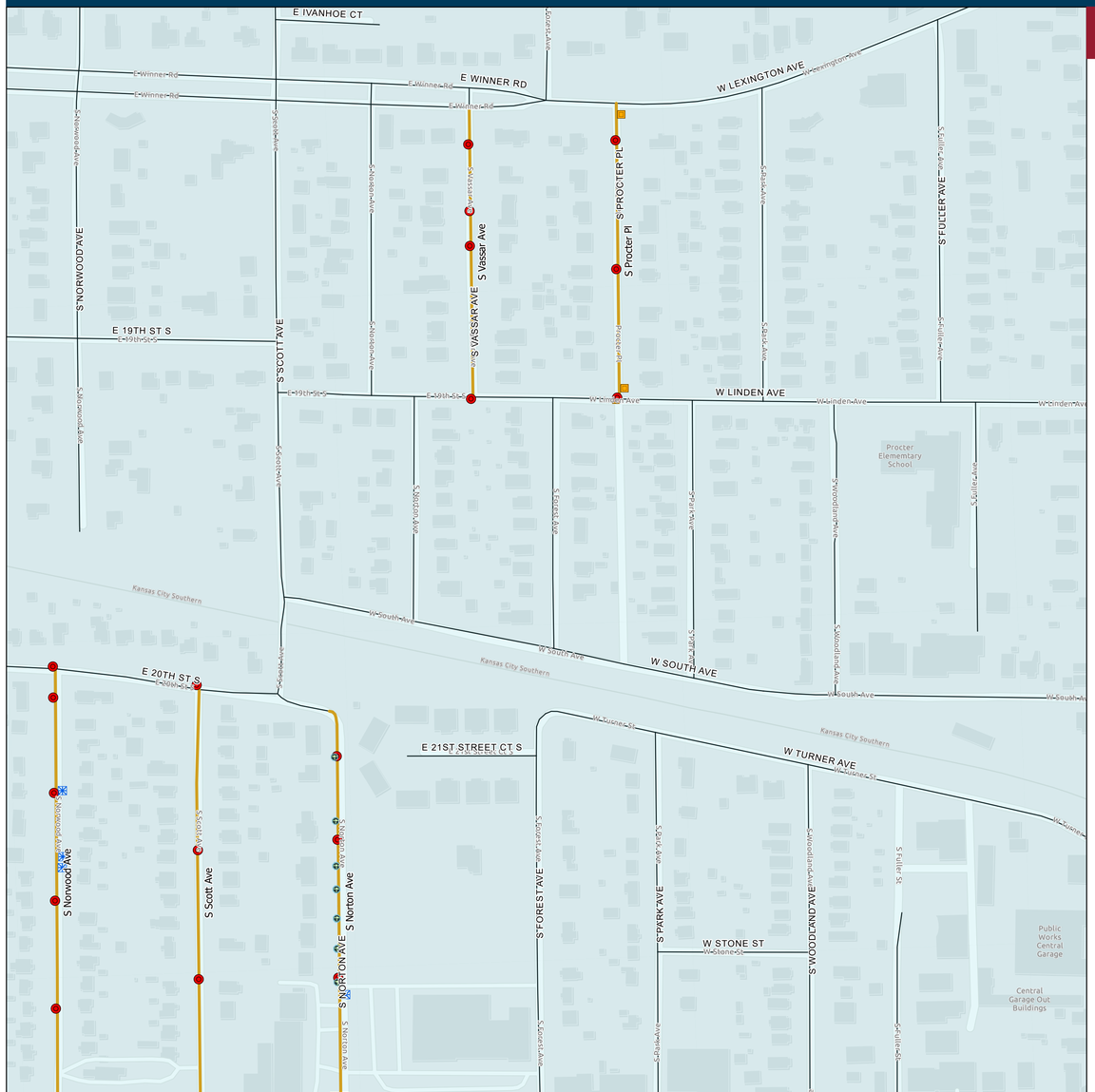
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 4 District 1 - 24

Map Grid L4A, District 1

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
469	1116	District 1	S SCOTT AVE	E 23RD ST S	E 20TH ST S	996.47
2400	1755	District 1	S NORWOOD AVE	E 23RD ST S	E 20TH ST S	1039.15
3042	7143	District 1	S VASSAR AVE	W LINDEN AVE	E WINNER RD	670.39
3466	5518	District 1	S PROCTER PL	W LINDEN AVE	W LEXINGTON AVE	684.37
5948	2934	District 1	S NORTON AVE	E 20TH ST S	E 23RD ST S	959.79

Legend

- Storm Water Structures (6)
- Water Taps (11)
- Sanitary Manholes (18)
- Curb Ramps (3)
- District 1
- SEAL
- Streets

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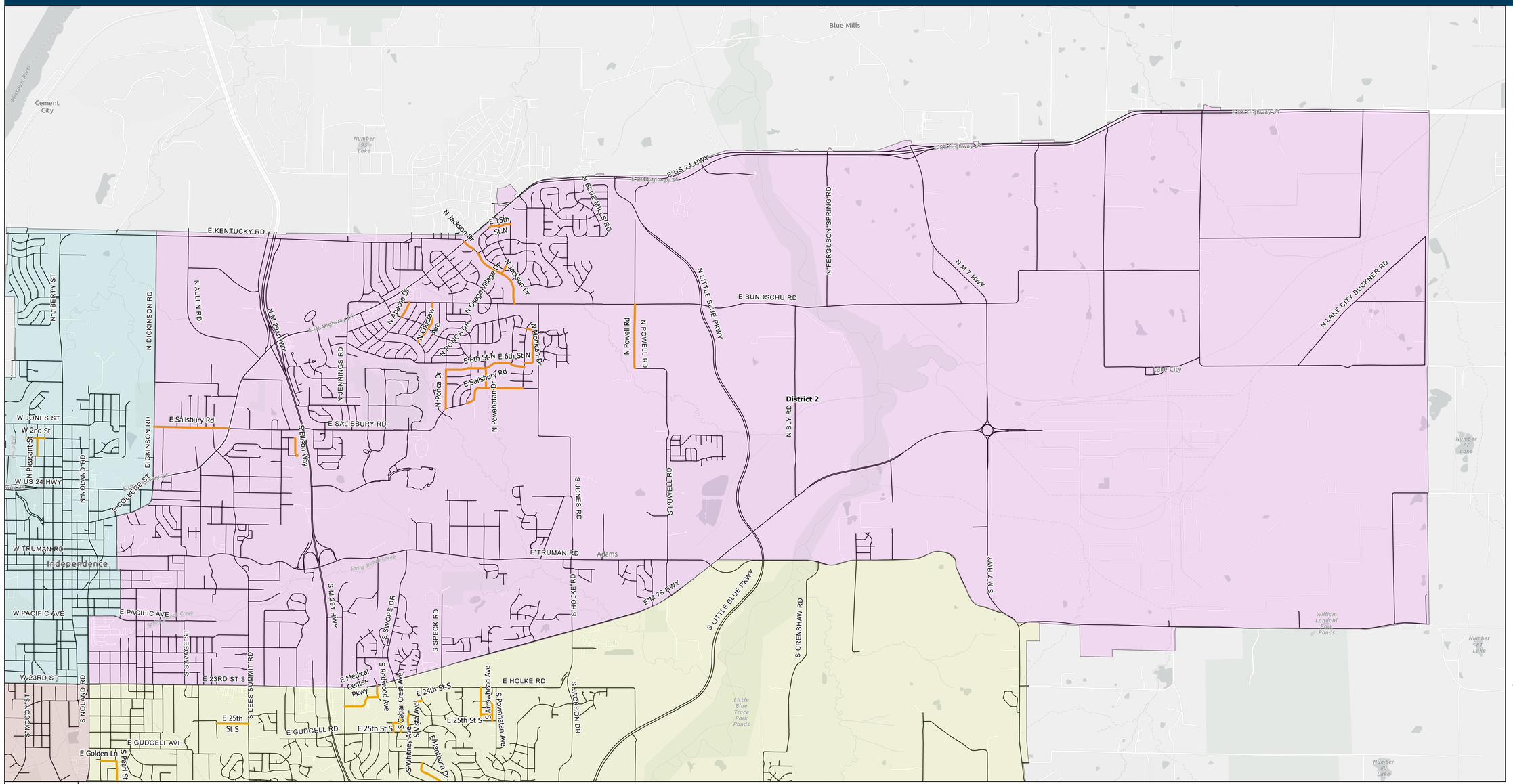
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals District 2



Legend

Districts
- District 1
- District 2
- District 3
- District 4
- SEAL
- Streets

N
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Page Index:
District2 - 3

0 1.25 2.5 5 Miles

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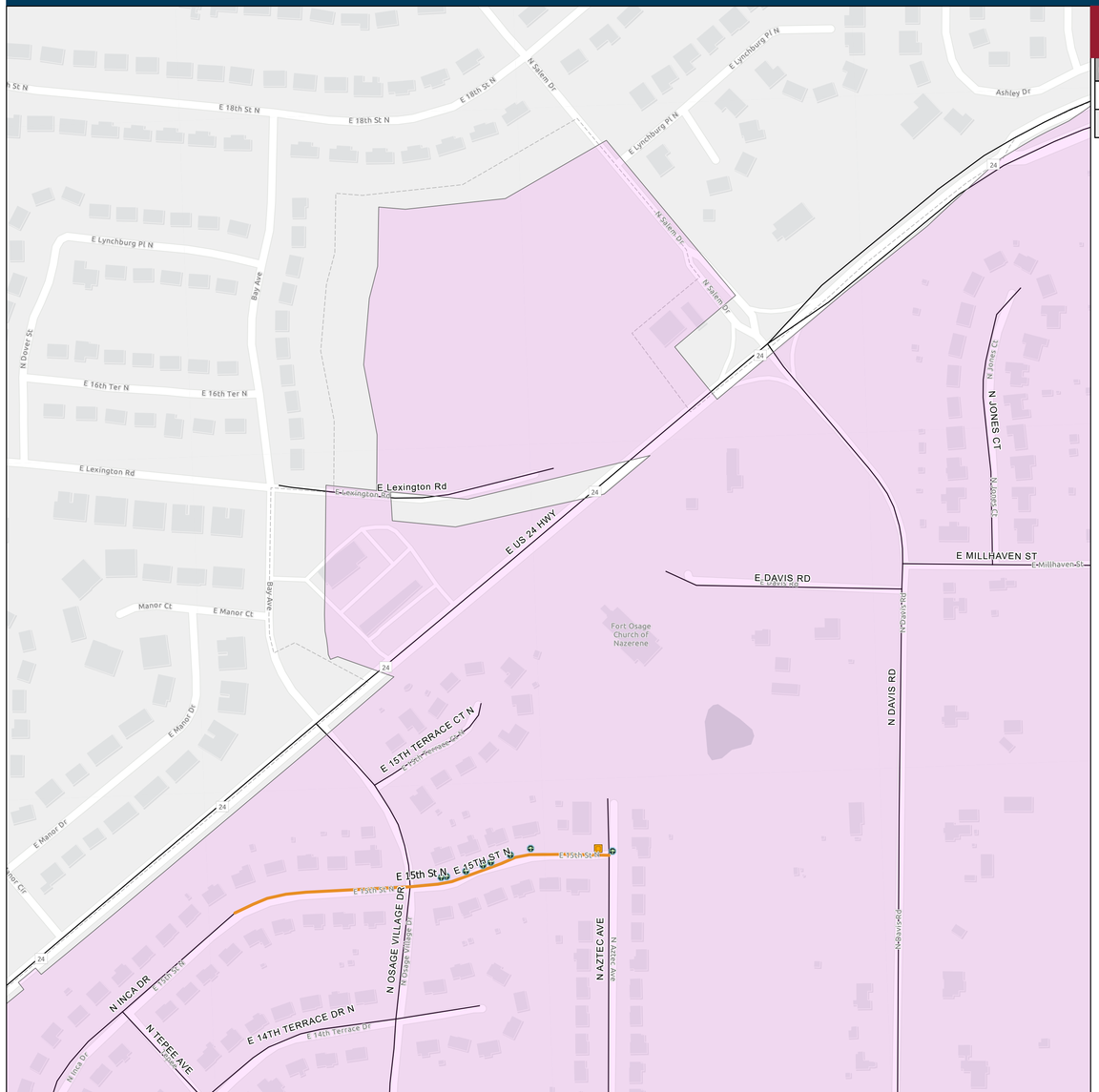
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 2 - 1

Map Grid H8C, District 2

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
127	10098	District 2	E 15TH TERRACE CT N	N OSAGE VILLAGE DR	CUL-DE-SAC	470.32
131	10095	District 2	E 15TH ST N	N INCA DR	N OSAGE VILLAGE DR	412.91

Legend

- Water Taps (8)
- Curb Ramps (1)
- District 2
- SEAL
- Streets

N
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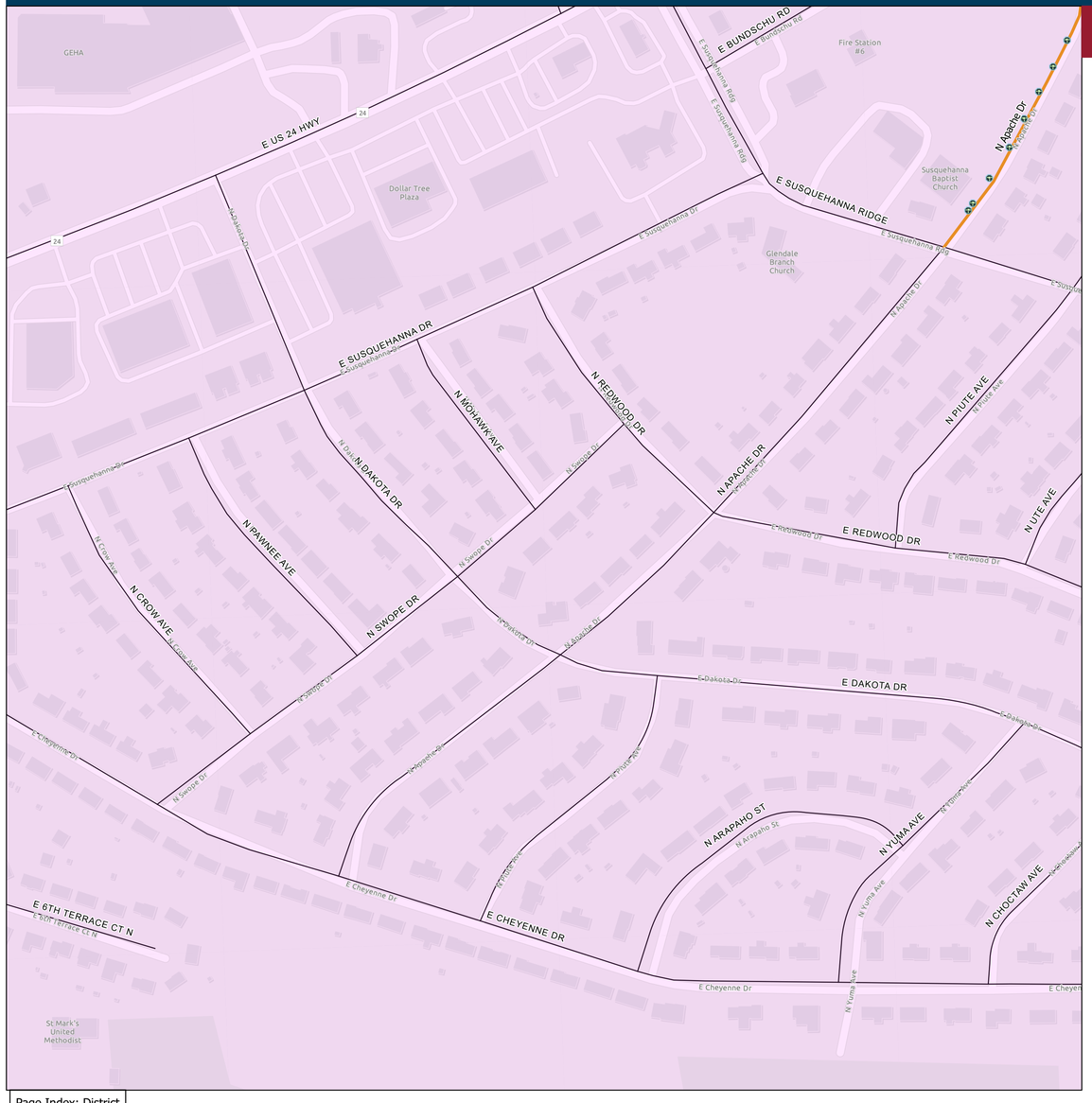
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 2 - 3

0 0.1 0.2 0.4 Miles

Map Grid I7C, District 2

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
2372	1751	District 2	N APACHE DR	E SUSQUEHANNA RIDGE	E BUNDSCHU RD	703.77

Legend

- Water Taps (8)
- District 2
- SEAL
- Streets

N
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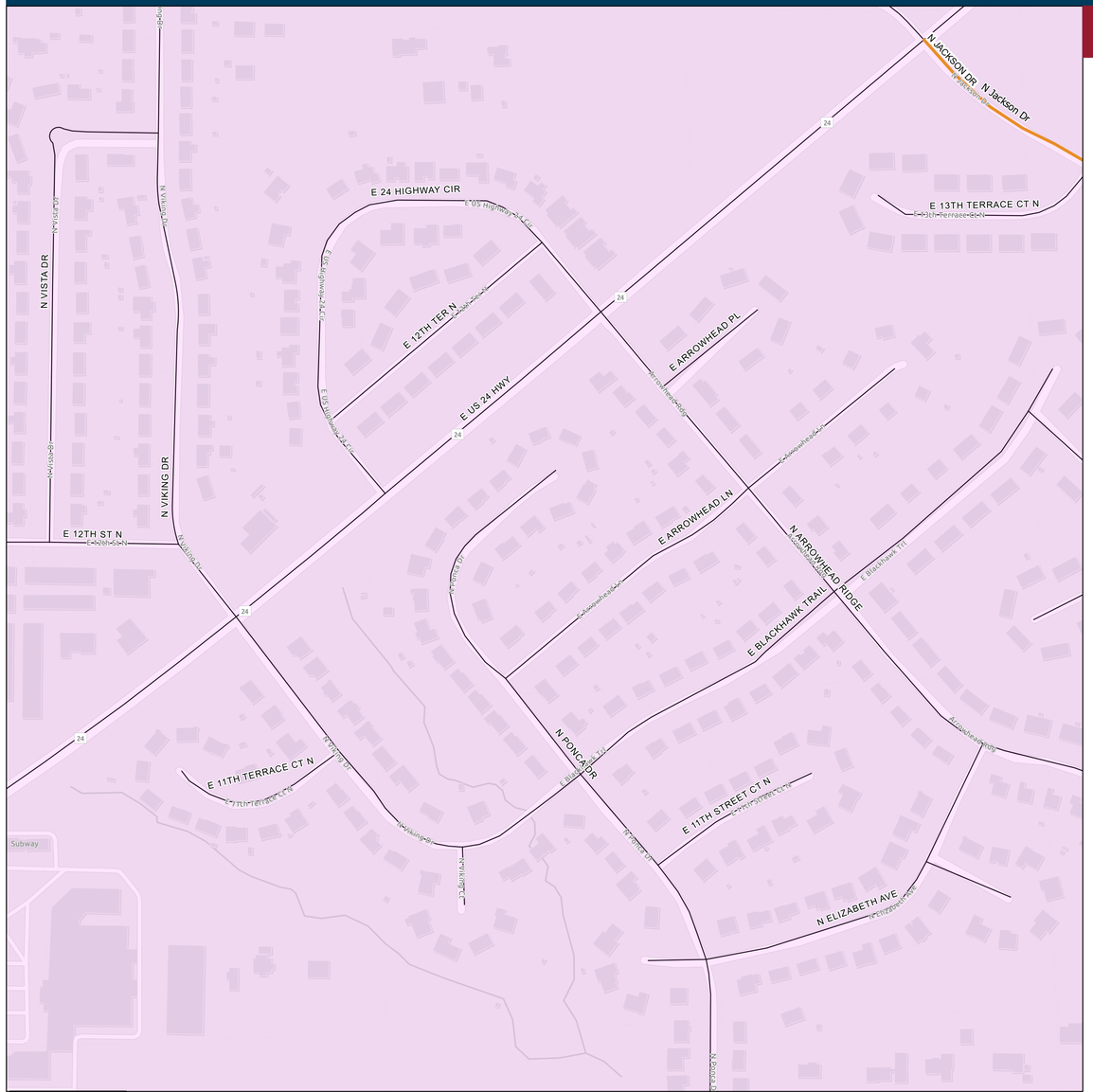
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 2 - 4

0 0.1 0.2 0.4 Miles

Map Grid I8A, District 2

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
416	9989	District 2	N JACKSON DR	E US 24 HWY	E 13TH TERRACE CT N	492.84

Legend

- District 2
- SEAL
- Streets

N
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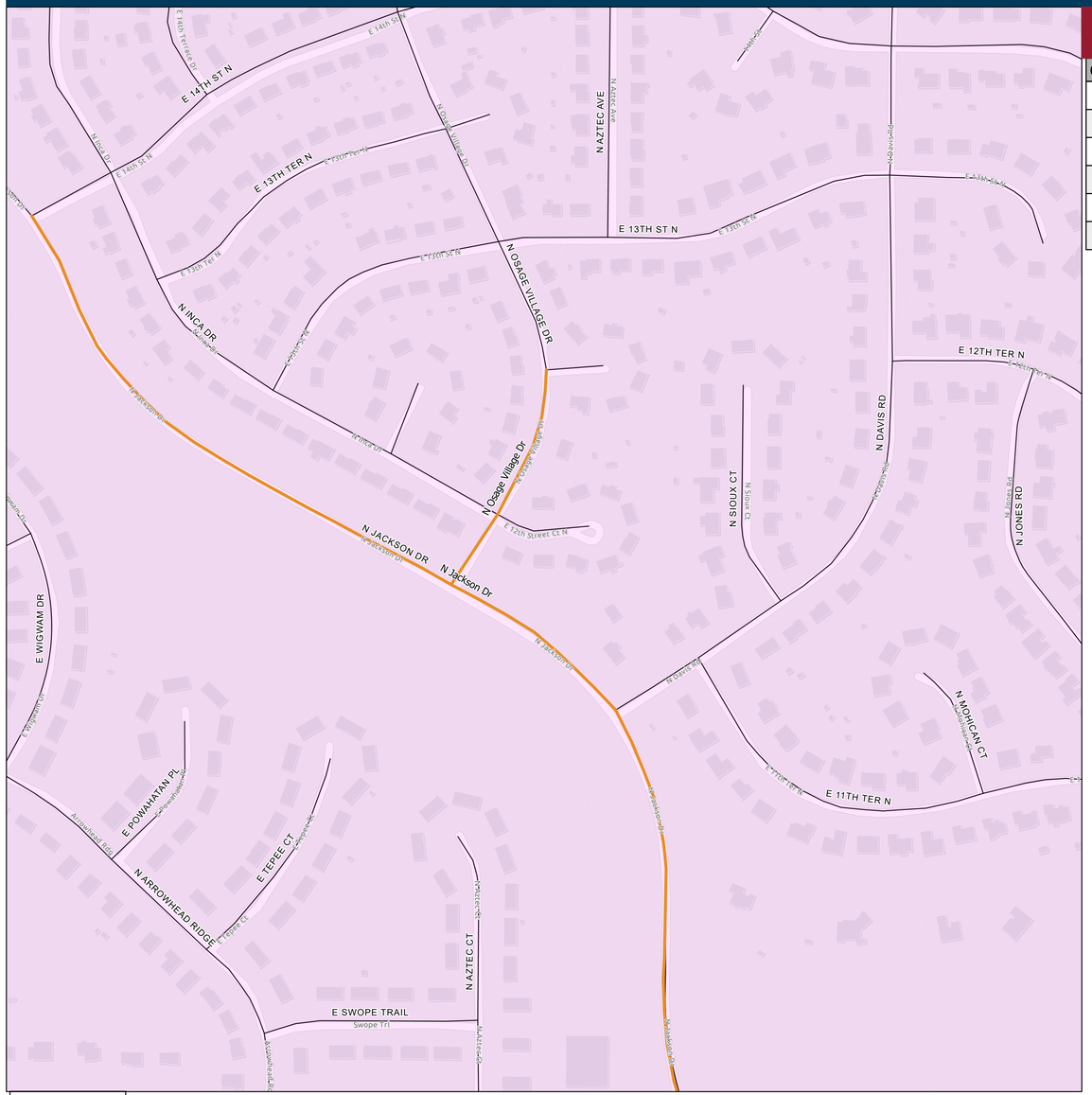
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 2 - 5

Map Grid I8B, District 2

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
102	4011	District 2	N OSAGE VILLAGE DR	N JACKSON DR	N INCA DR	195.86
103	1018	District 2	N JACKSON DR	E 14TH ST N	N OSAGE VILLAGE DR	1342.13
412	9992	District 2	N OSAGE VILLAGE DR	N INCA DR	E 12TH TERRACE CT N	359.56
983	9774	District 2	N JACKSON DR	N DAVIS RD	E BUNDSCHU RD	692.97
1109	9922	District 2	N JACKSON DR	N OSAGE VILLAGE DR	N DAVIS RD	484.45
7258	7230	District 2	N JACKSON DR	N DAVIS RD	E BUNDSCHU RD	292.17

Legend

- District 2
- SEAL
- Streets

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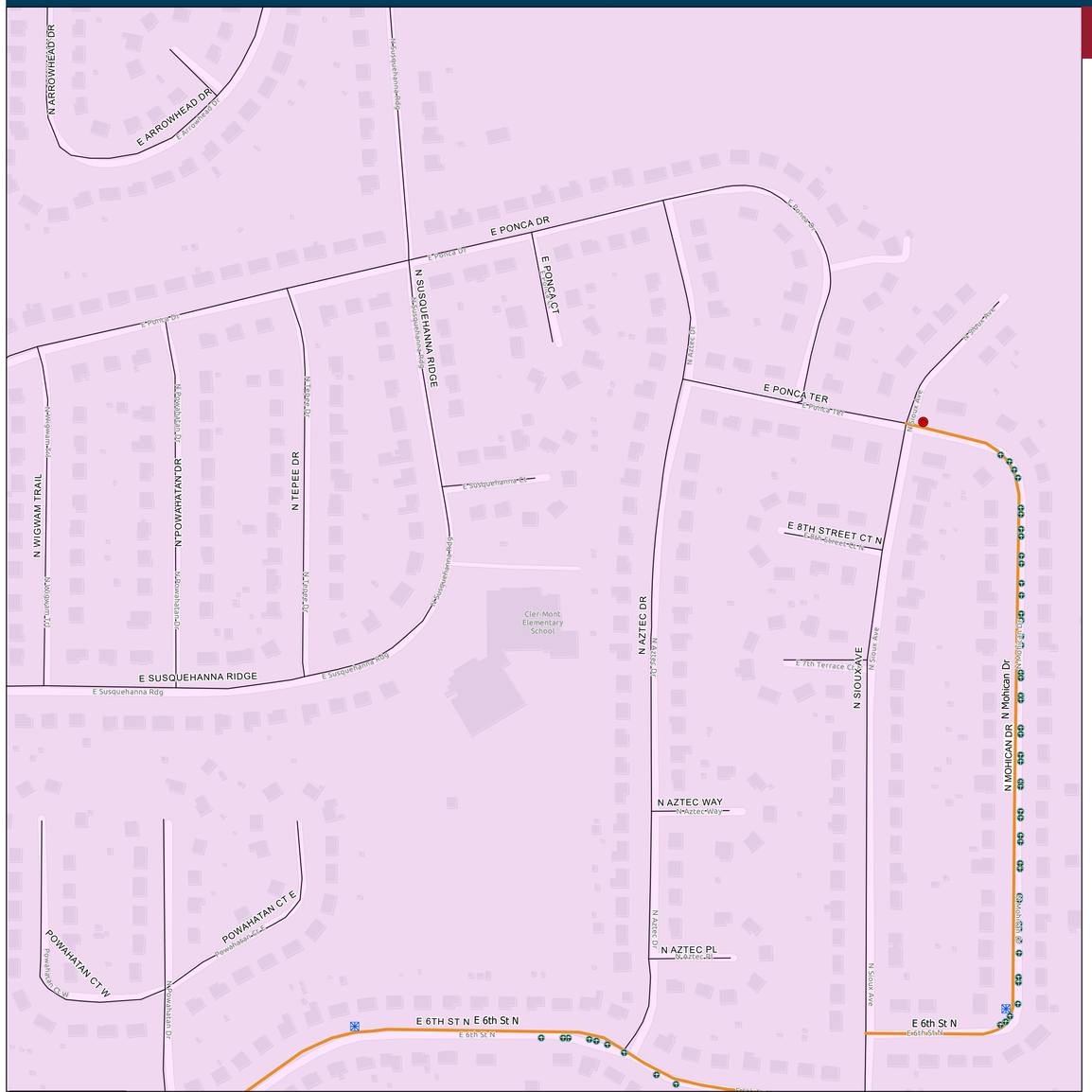
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 2 - 6

0 0.1 0.2 0.4 Miles

Map Grid I8C, District 2

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
1068	1373	District 2	E 6TH ST N	N POWAHATAN DR	N AZTEC DR	1113.61
1071	9739	District 2	E 6TH ST N	N AZTEC DR	N SIOUX AVE	581.44
2490	1796	District 2	N MOHICAN DR	E 6TH ST N	N SIOUX AVE	1587.46
2492	9227	District 2	E 6TH ST N	N SIOUX AVE	N MOHICAN DR	319.17

Legend

- Storm Water Structures (2)
- Water Taps (53)
- Sanitary Manholes (1)
- District 2
- SEAL
- Streets

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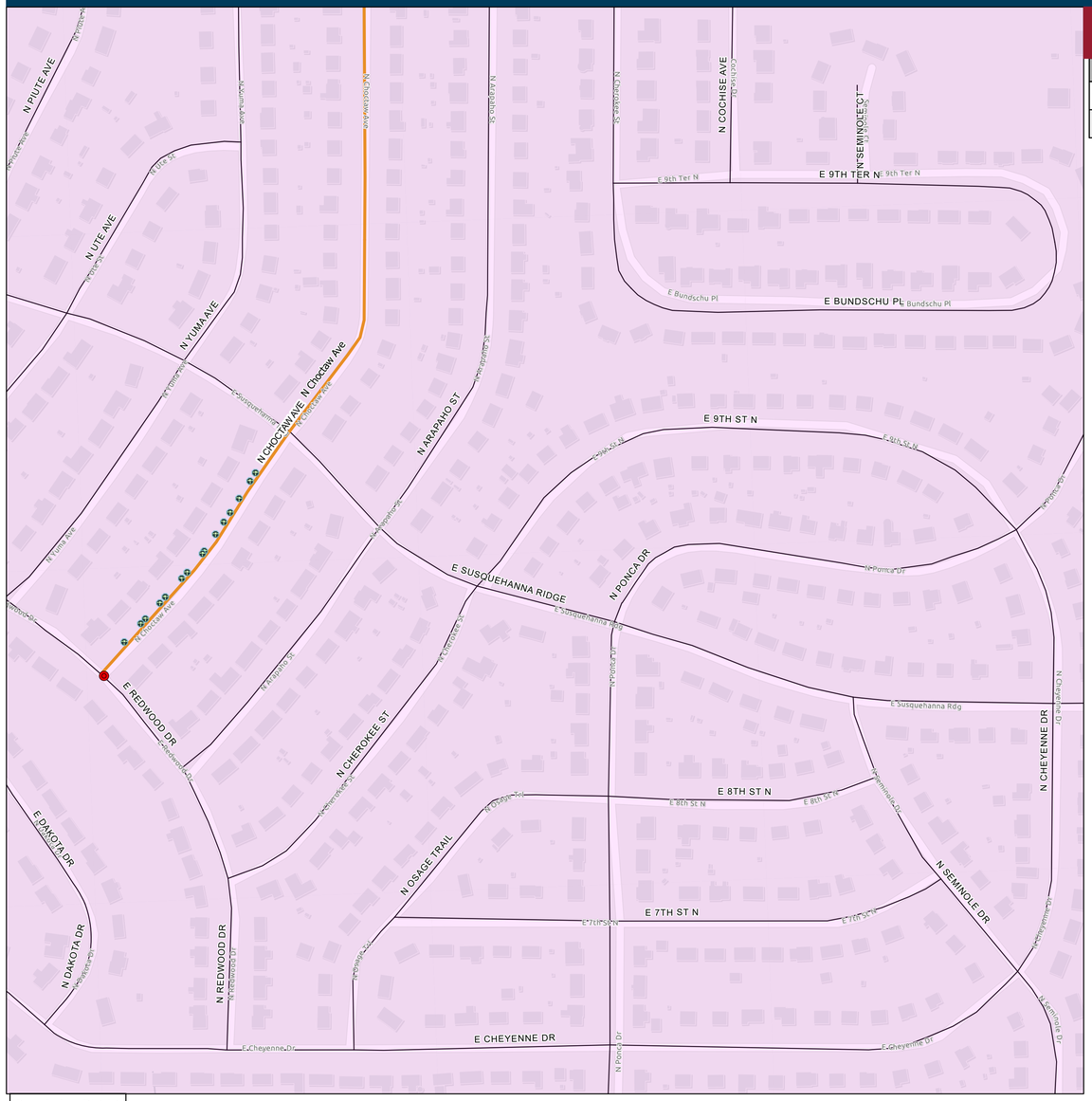
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



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Map Grid I8D, District 2

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
2367	1749	District 2	N CHOCTAW AVE	E SUSQUEHANNA RIDGE	E BUNDSCHU RD	1115.03
2781	1873	District 2	N CHOCTAW AVE	E REDWOOD DR	E SUSQUEHANNA RIDGE	715.06

Legend

- Water Taps (15)
- Sanitary Manholes (1)
- District 2
- SEAL
- Streets

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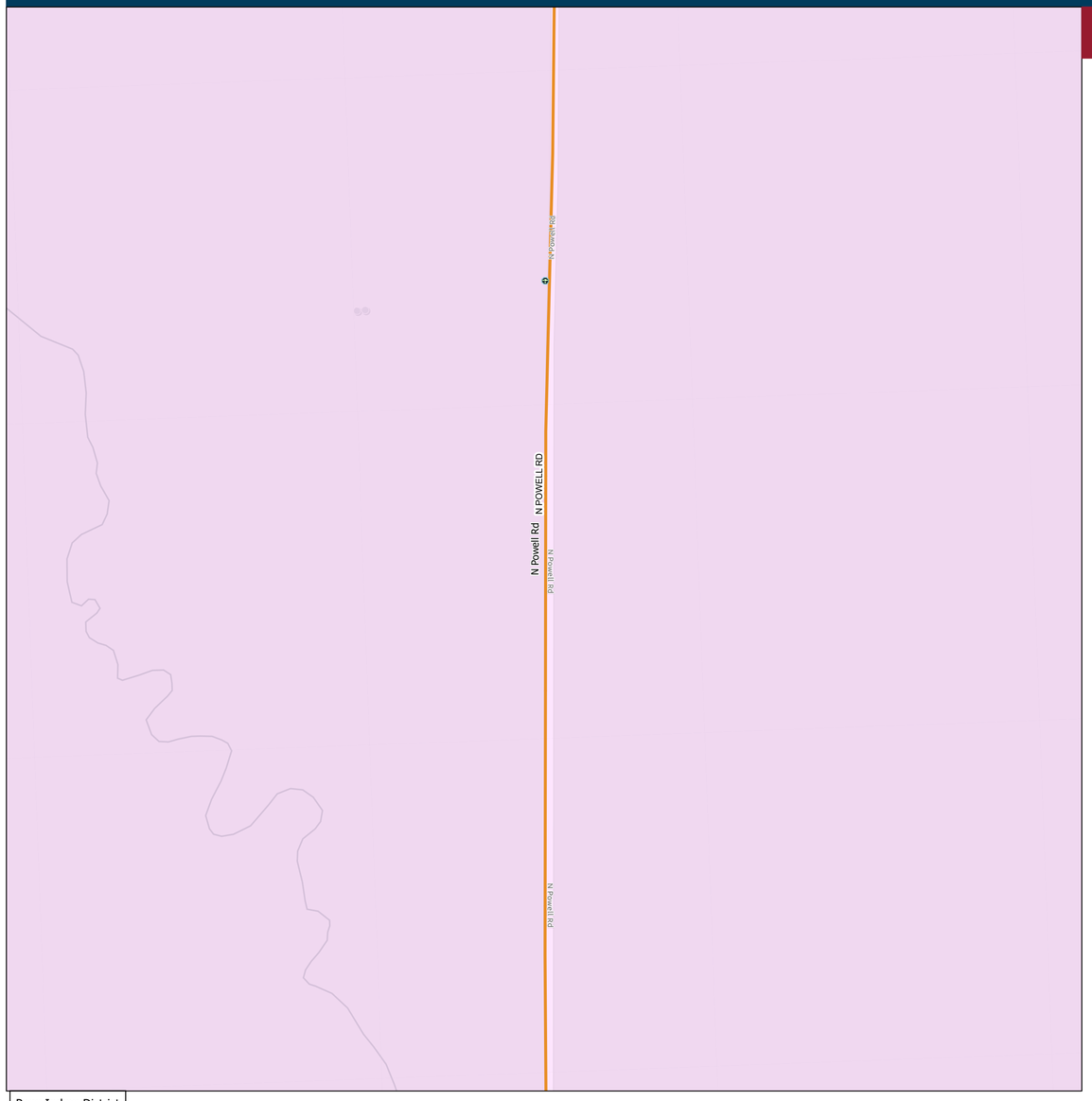
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Map Grid I9C, District 2

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
2506	1806	District 2	N POWELL RD	3500 FT FROM S POWELL RD	E BUNDSCHU RD	2642.58

Legend

- Water Taps (1)
- District 2
- SEAL
- Streets

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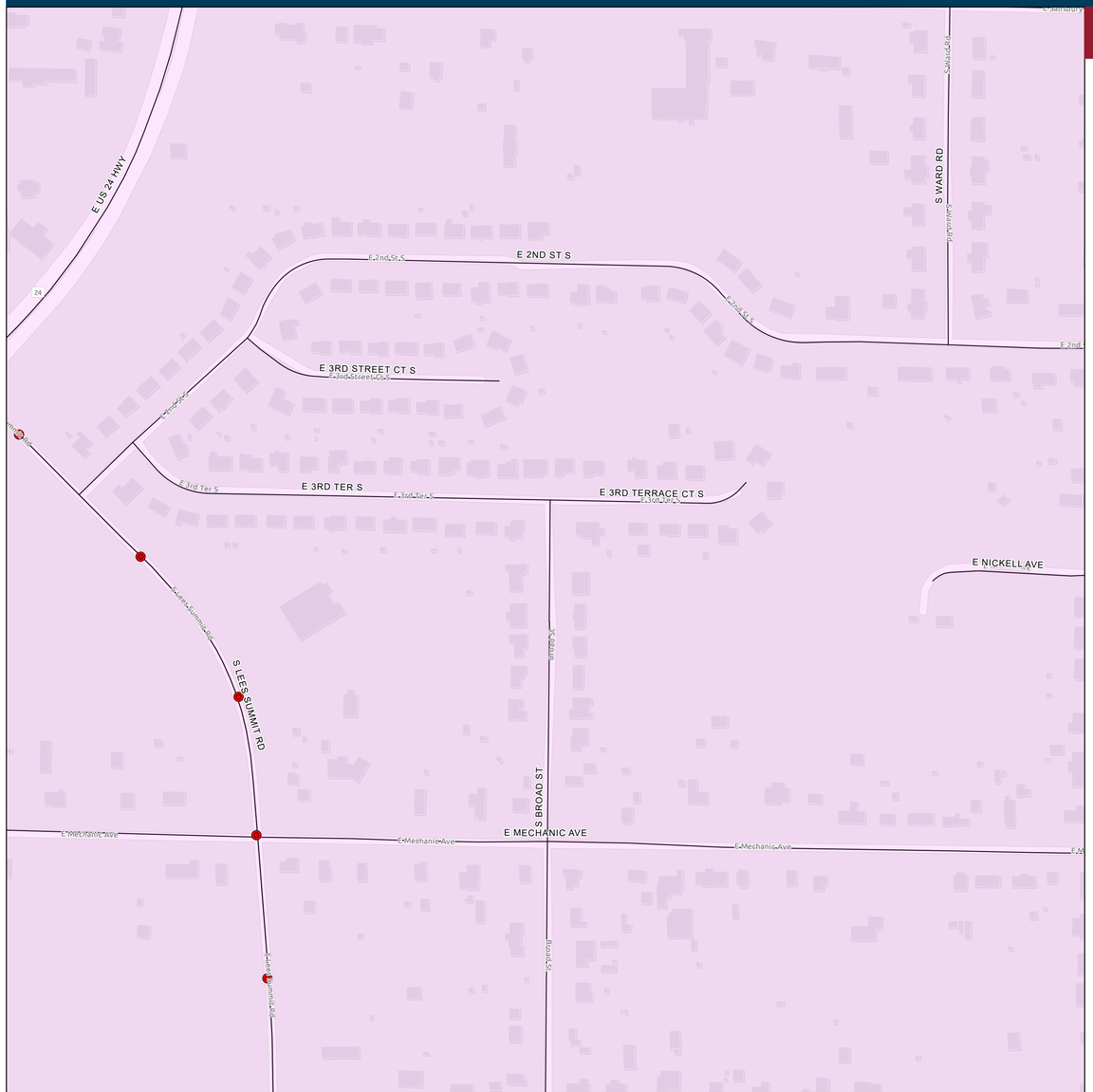
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



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Map Grid J6C, District 2

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
934	9794	District 2	S LEES SUMMIT RD	E 2ND ST S	N HOLDER RD	374.43
1079	1378	District 2	S LEES SUMMIT RD	E MECHANIC AVE	E 2ND ST S	931.2
3008	9012	District 2	S LEES SUMMIT RD	E INDEPENDENCE AVE	E MECHANIC AVE	662.24

Legend

- Sanitary Manholes (5)
- District 2
- Streets

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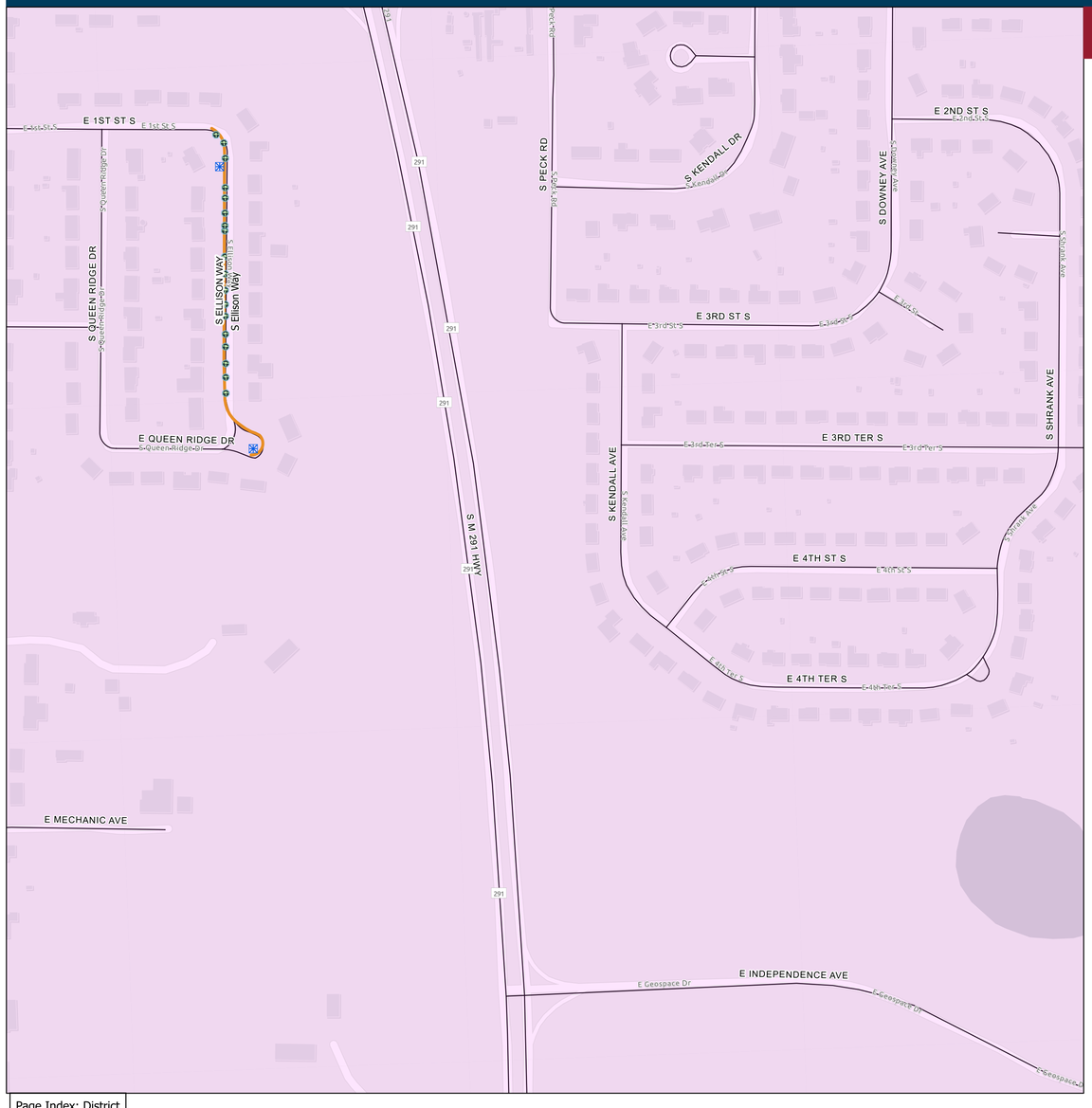
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



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0 0.1 0.2 0.4 Miles

Map Grid J7D, District 2

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
2154	1693	District 2	S ELLISON WAY	E QUEEN RIDGE DR	E 1ST ST S	826.83
2154	1693	District 2	S ELLISON WAY	E QUEEN RIDGE DR	E 1ST ST S	826.83
2154	1693	District 2	S ELLISON WAY	E QUEEN RIDGE DR	E 1ST ST S	826.83

Legend

- Storm Water Structures (2)
- Water Taps (18)
- District 2
- SEAL
- Streets

N W E S

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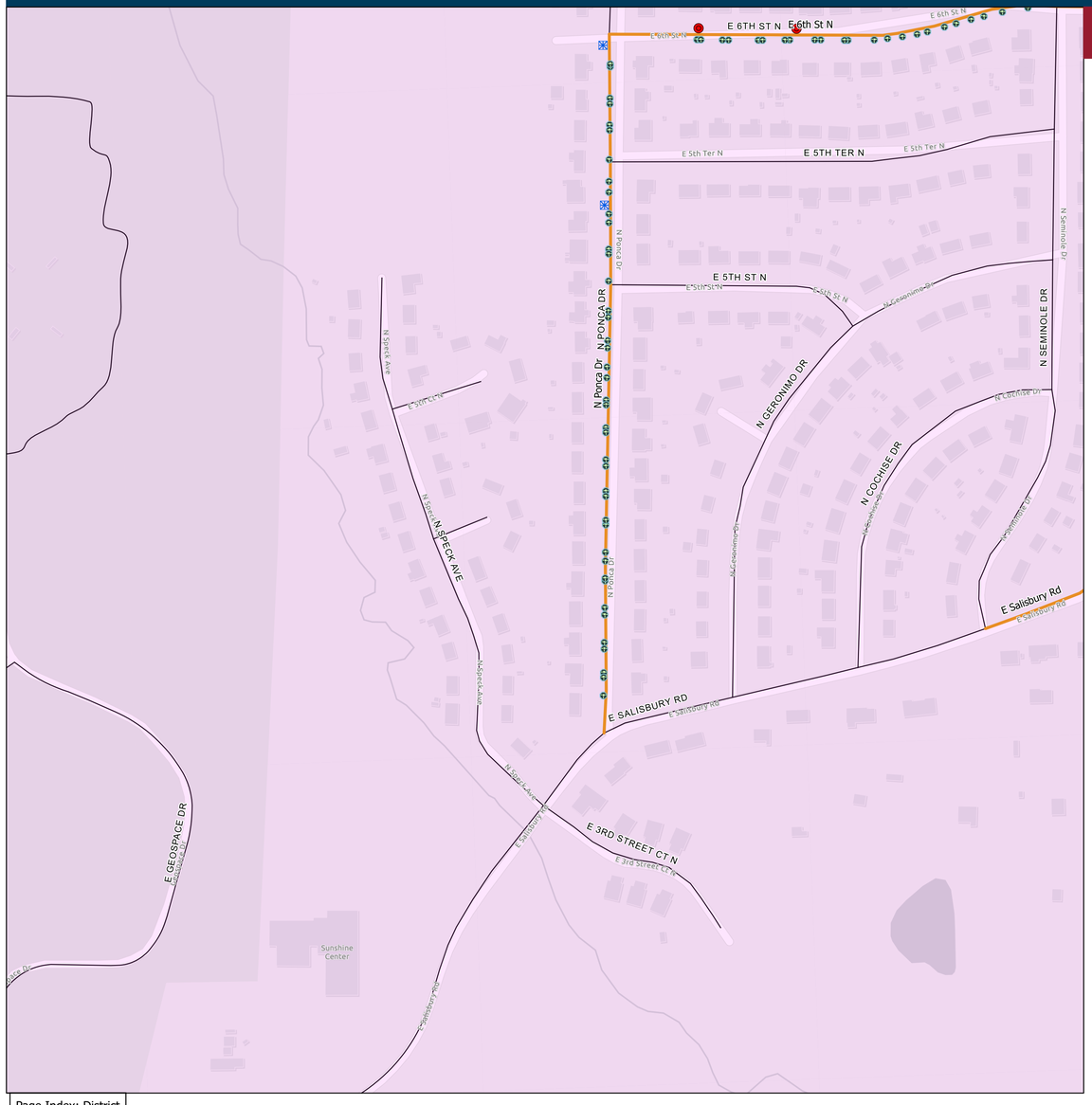
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



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0 0.1 0.2 0.4 Miles

Map Grid J8A, District 2

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
994	1347	District 2	E SALISBURY RD	N SEMINOLE DR	N POWAHATAN DR	1206.05
1073	4436	District 2	E 6TH ST N	N SEMINOLE DR	N WIGWAM CT	300.2
1969	1625	District 2	E 6TH ST N	N PONCA DR	N SEMINOLE DR	1046.64
2199	1709	District 2	N PONCA DR	E SALISBURY RD	E 5TH ST N	1040.79
2621	5134	District 2	N PONCA DR	E 5TH TERR N	E 6TH ST N	296.44
4720	6045	District 2	N PONCA DR	E 5TH ST N	E 5TH TERR N	285.06

Legend

- Storm Water Structures (2)
- Water Taps (64)
- Sanitary Manholes (2)
- District 2
- SEAL
- Streets

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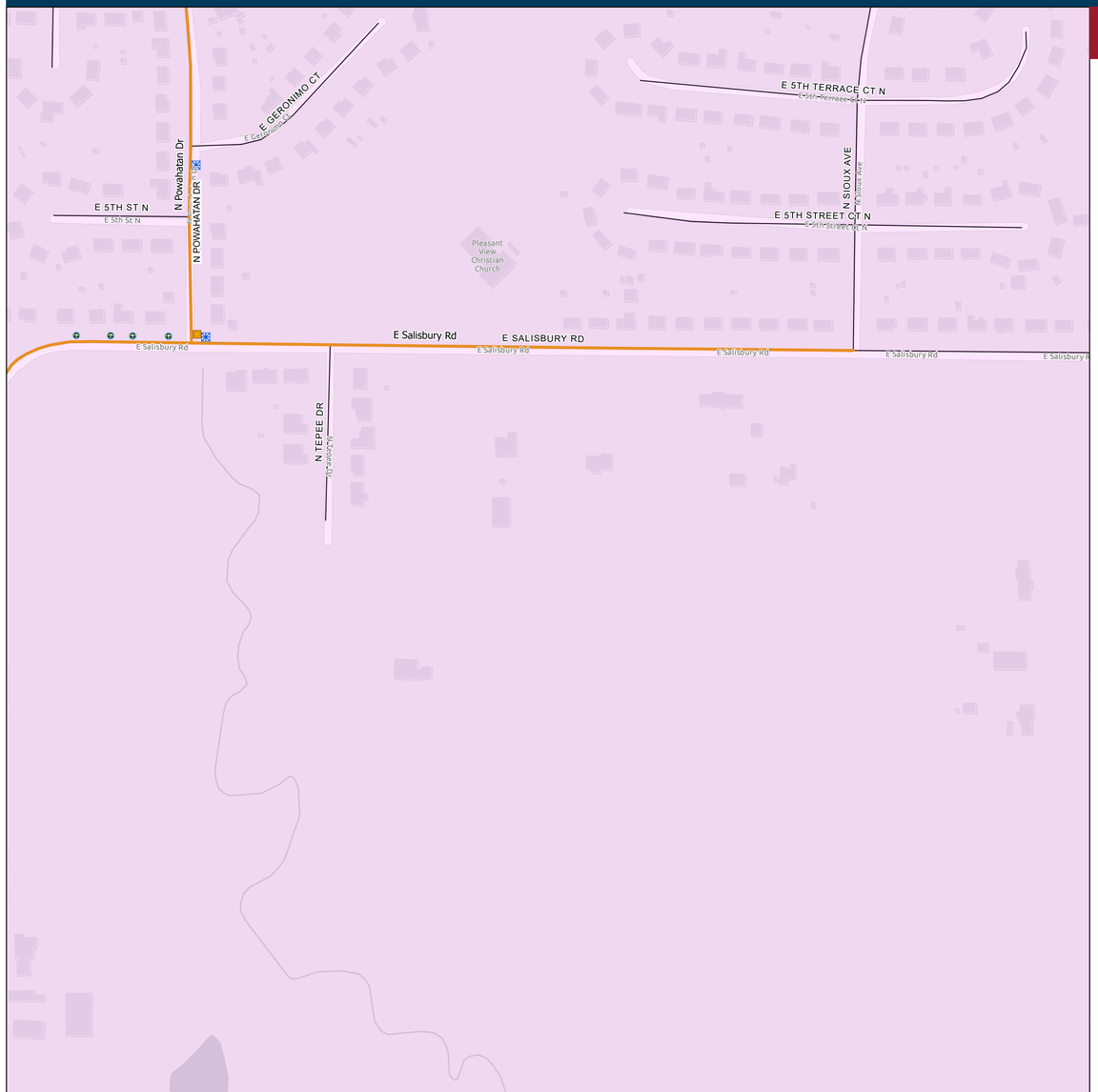
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals



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Map Grid J8B, District 2

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
994	1347	District 2	E SALISBURY RD	N SEMINOLE DR	N POWAHATAN DR	1206.05
4140	5809	District 2	N POWAHATAN DR	E 5TH ST N	E GERONIMO CT	162.85
4385	8470	District 2	N POWAHATAN DR	E GERONIMO CT	E 6TH ST N	367.05
4703	6034	District 2	N POWAHATAN DR	E SALISBURY RD	E 5TH ST N	291.58
5117	6254	District 2	E SALISBURY RD	N POWAHATAN DR	N TEPEE DR	320.29
5122	2673	District 2	E SALISBURY RD	N TEPEE DR	N SIOUX AVE	1207.24

Legend

- Storm Water Structures (2)
- Water Taps (4)
- Curb Ramps (1)
- District 2
- SEAL
- Streets

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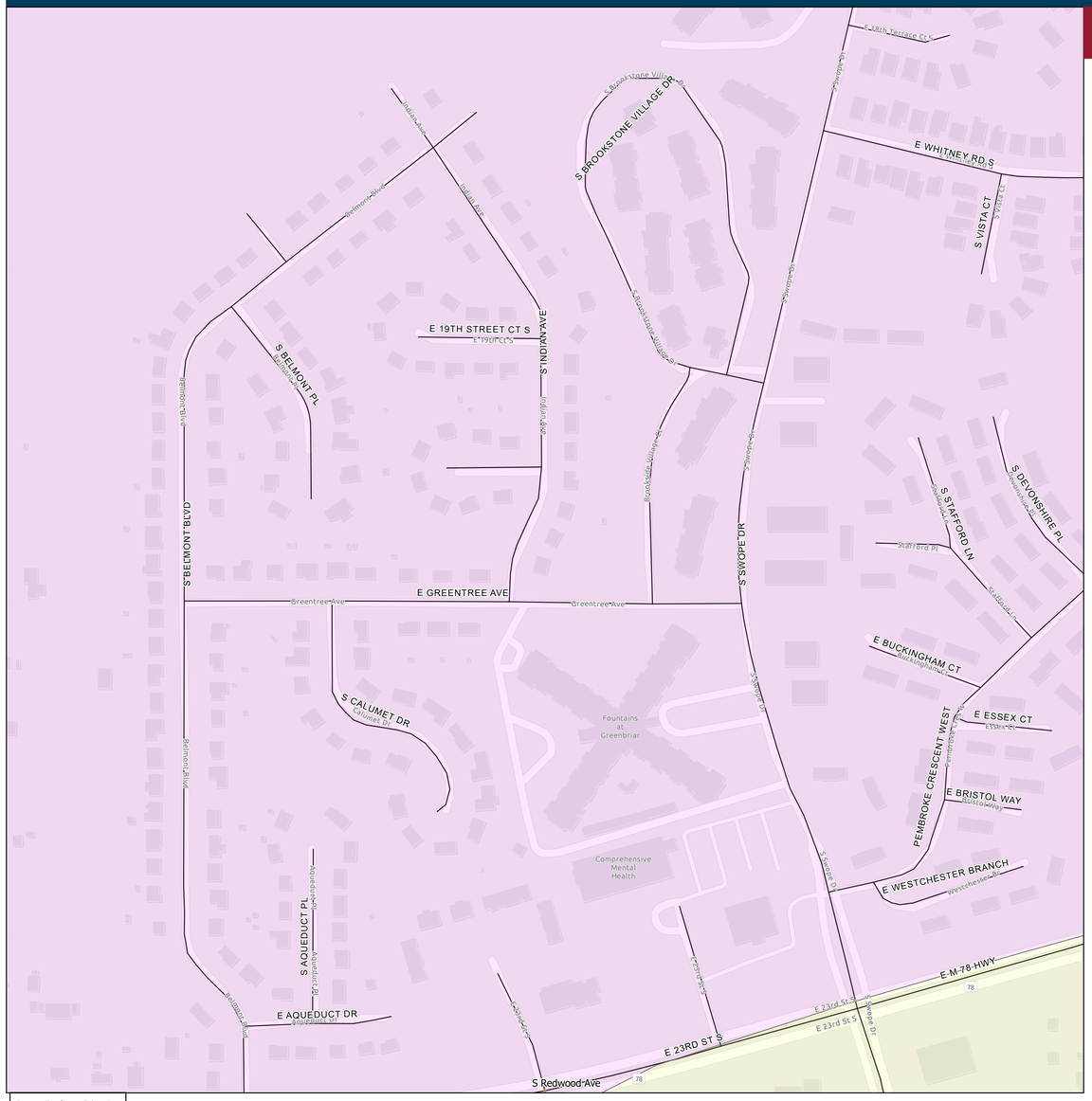
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



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Map Grid L7B, District 2

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
5204	8142	District 3	S REDWOOD AVE	E MEDICAL CENTER PKWY	E 23RD ST S	491.68

Legend

- District 2
- District 3
- SEAL
- Streets

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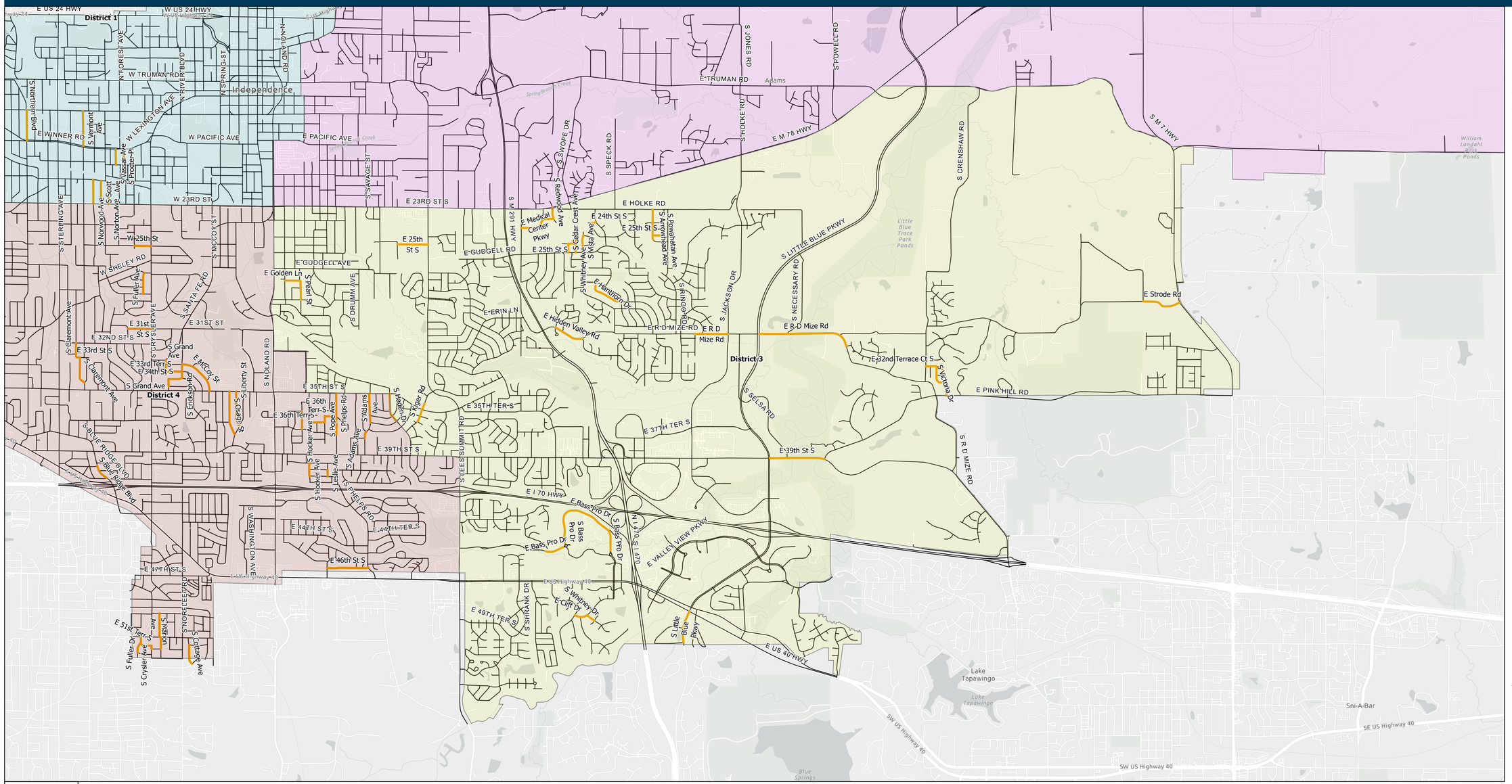
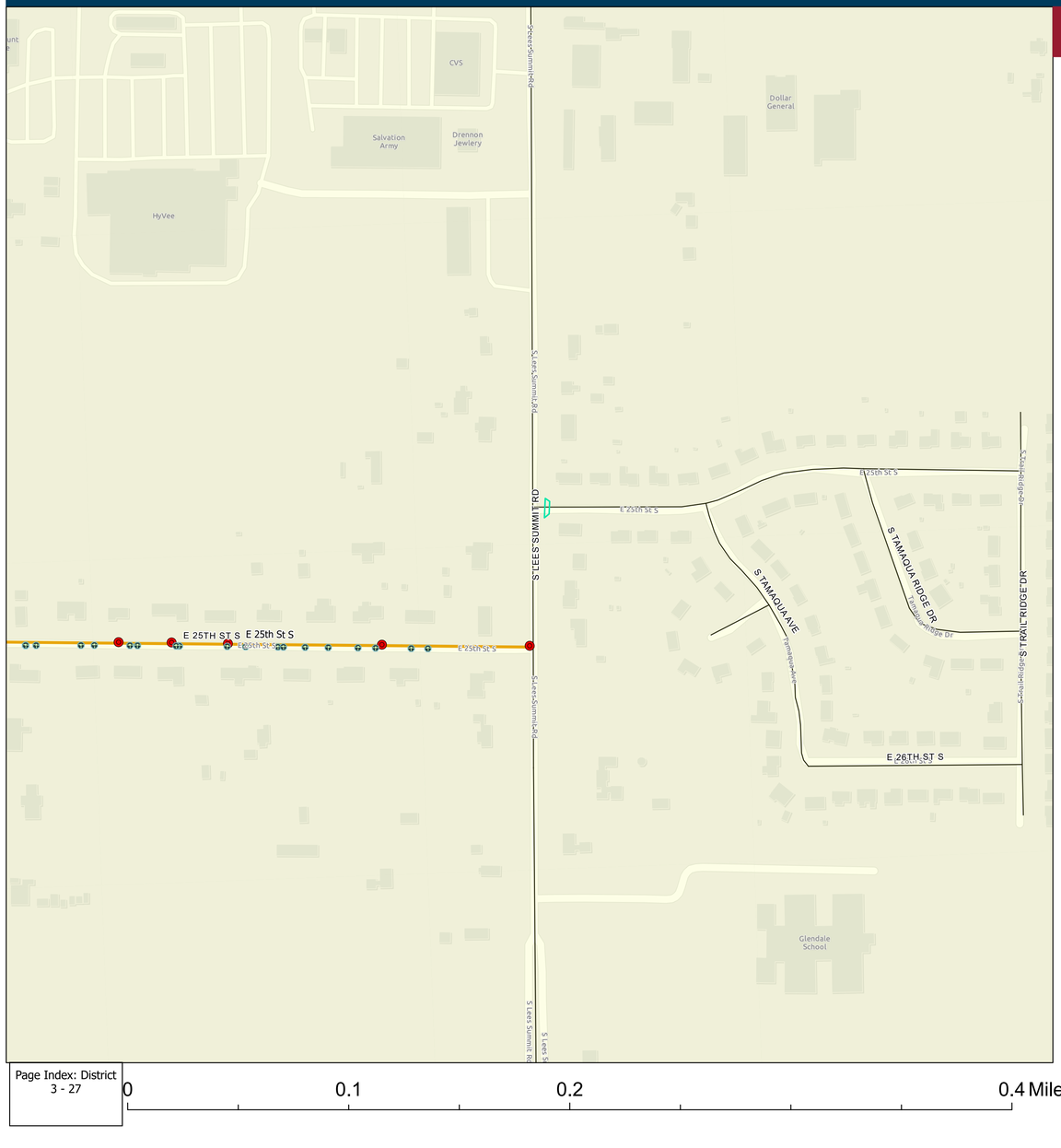
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals District 3


District 1
District 4
District 3
E US 24 HWY
W US 24 HWY
W TRUMAN RD
E WINNER RD
W PACIFIC AVE
E PACIFIC AVE
W 23RD ST
E 23RD ST S
E 25th St S
E GUDGELL AVE
E GUDGELL RD
E 31st St S
E 32ND ST S
E 33rd St S
E 34th St S
E 35TH ST S
E 36th Terr S
E 36th Terr S
E 39TH ST S
E 44TH ST S
E 46th St S
E 47TH ST S
E 51st Terr S
E 35TH TER S
E 37TH TER S
E 44TH TER S
E 49TH TER S
E HOLKE RD
E 24th St S
E 25th St S
E TRUMAN RD
E M 78 HWY
S M 7 HWY
E I 70 HWY
E Bass Pro Dr
E VALLEY VIEW PKWY
E US 40 HWY
SW US Highway 40
SE US Highway 40
E Strode Rd
E R D Mize Rd
E 32nd Terrace Ct S
E PINK HILL RD
E 39th St S
E Golden Ln
E Hidden Valley Rd
E ERIN LN
E Hartman Dr
E Cliff Dr
S Whitney Dr
S Grand Ave
S Grand Ave
S Blue Ridge Blvd
S Blue Ridge Blvd
S Crysler Ave
S Fuller Dr
S Fuller Ave
S Claremont Ave
S Claremont Ave
S Norwood Ave
S Norton Ave
S Scott Ave
S Vernon Ave
S Vernon Ave
S Pioneer Pl
S Erickson Rd
S Cedar Ave
S Liberty St
S Liberty St
S Phelps Rd
S Page Ave
S Hocker Ave
S Hocker Ave
S Leslie Ave
S Adams Ave
S Adams Ave
S Adams Ave
S Speck Rd
S Swope Dr
S Redwood Ave
S Cedar Crest Ave
S Vista Ave
S Whitney Ave
S Tomahawk Ave
S Tomahawk Ave
S Jones Rd
S Holke Rd
S Powell Rd
S Crenshaw Rd
S Jackson Dr
S Necessary Rd
S Selsa Rd
S R D Mize Rd
S Victoria Dr
S Lees Summit Rd
S Lees Summit Rd
S Lees Summit Rd

INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Map Grid L6C, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
3405	3630	District 3	E 25TH ST S	S LEES SUMMIT RD	S WOODBURY ST	1314.42

Legend

- Water Taps (19)
- Sanitary Manholes (5)

Crosswalk Path

- 0 (1)
- District 3
- SEAL
- Streets

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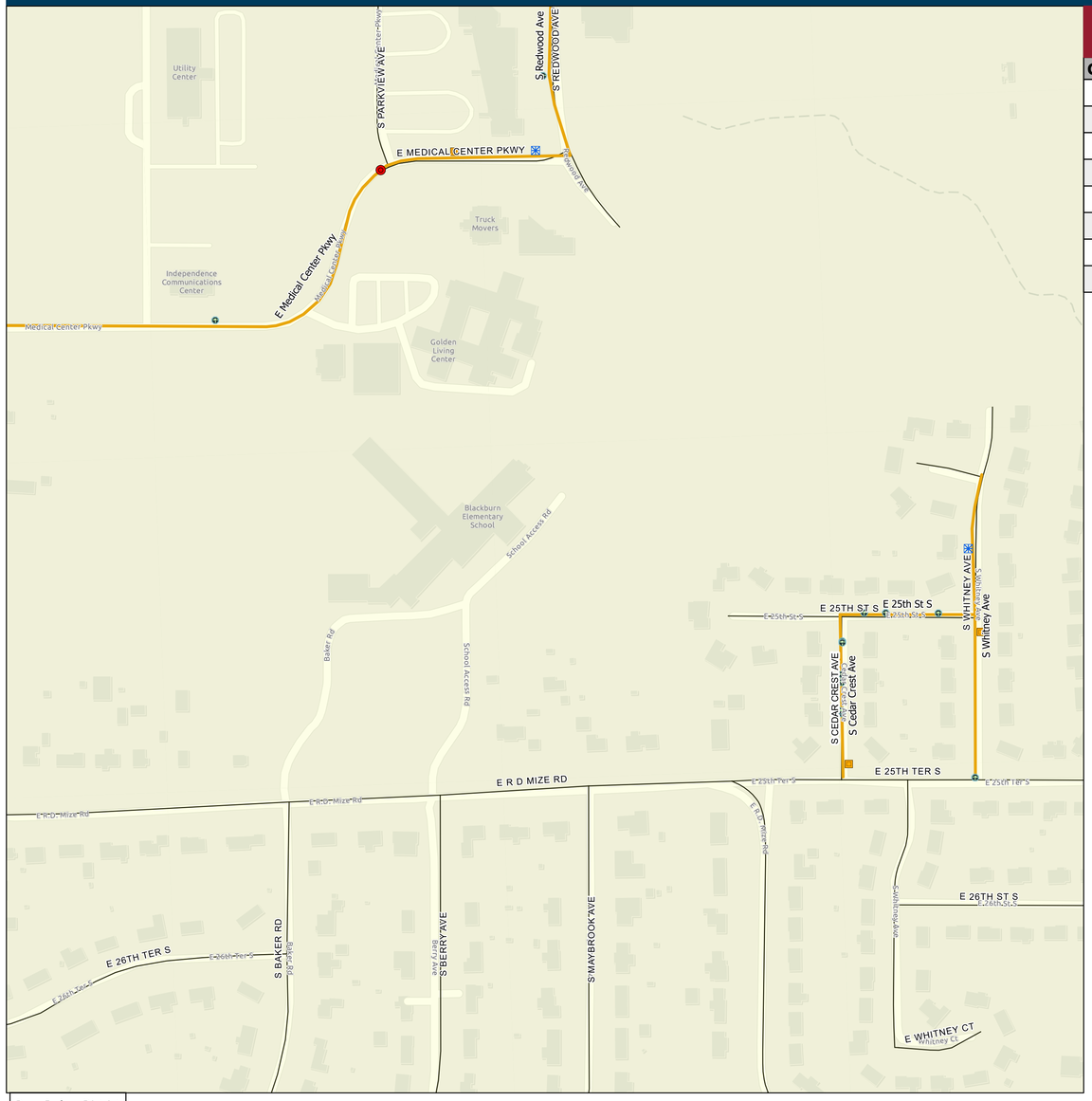
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



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Map Grid L7C, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
2155	4936	District 3	S WHITNEY AVE	E 25TH TERR S	E 25TH ST S	379.95
3911	5709	District 3	S CEDAR CREST AVE	E 25TH TERR S	E 25TH ST S	376.71
4450	8441	District 3	S WHITNEY AVE	E 25TH ST S	S WHITNEY AVE CDS	326.58
4451	5937	District 3	E 25TH ST S	S CEDAR CREST AVE	S WHITNEY AVE	313.28
5204	8142	District 3	S REDWOOD AVE	E MEDICAL CENTER PKWY	E 23RD ST S	491.68
5205	8141	District 3	E MEDICAL CENTER PKWY	S PARKVIEW AVE	S REDWOOD AVE	428.88
5388	2777	District 3	E MEDICAL CENTER PKWY	S R D MIZE RD	S PARKVIEW AVE	772.9
7162	7014	District 3	E MEDICAL CENTER PKWY	S R D MIZE RD	S PARKVIEW AVE	398.83

Legend

- Storm Water Structures (2)
- Water Taps (12)
- Sanitary Manholes (1)
- Curb Ramps (3)
- District 3
- SEAL
- Streets

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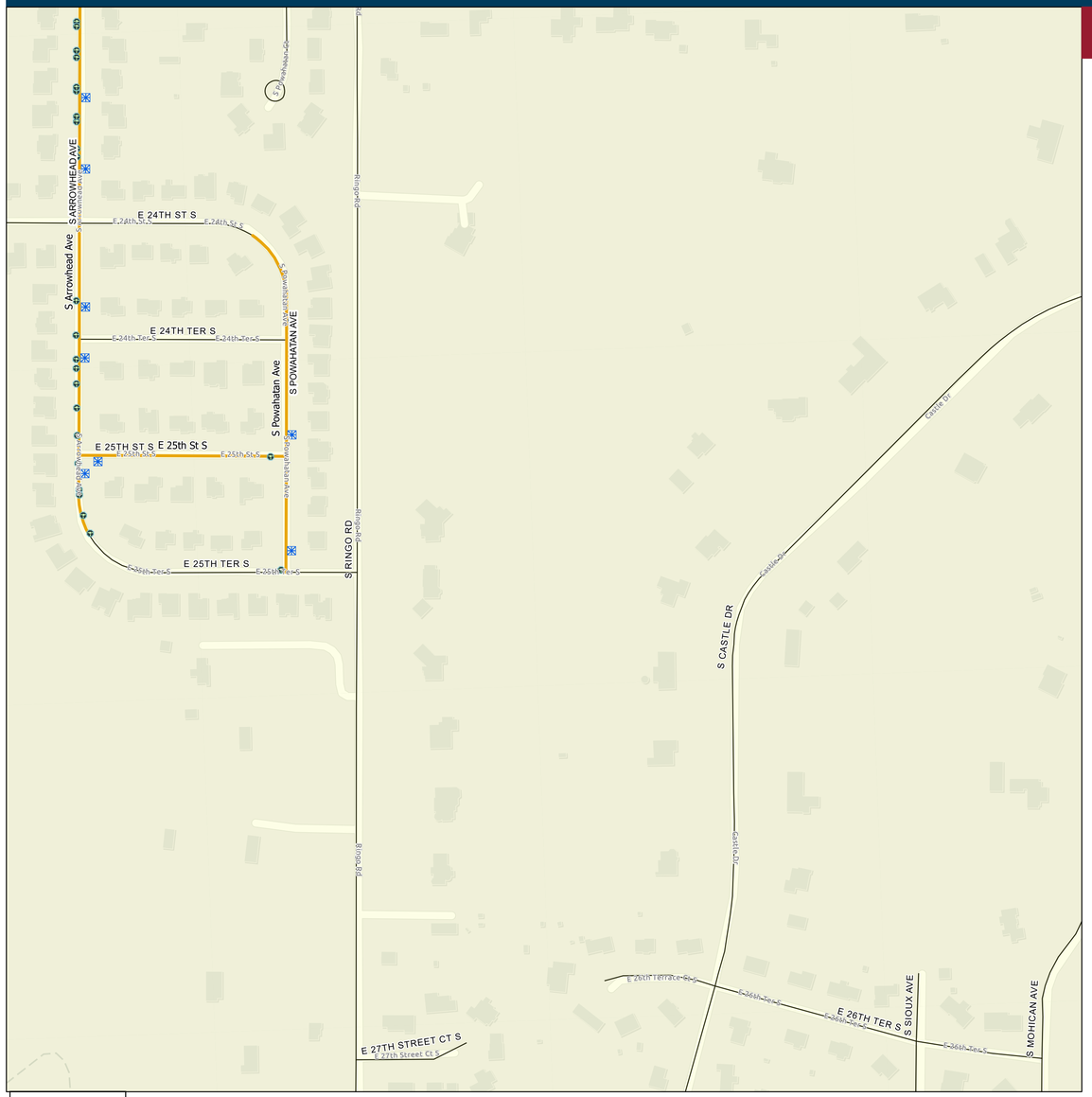
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



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Map Grid L8C, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
261	4109	District 3	S POWAHATAN AVE	E 25TH TERR S	E 25TH ST S	269.39
513	9971	District 3	S ARROWHEAD AVE	E 25TH TERR S	E 25TH ST S	189.53
1102	9927	District 3	S POWAHATAN AVE	E 24TH TERR S	E 24TH ST S	269.43
1595	4555	District 3	S POWAHATAN AVE	E 25TH ST S	E 24TH TERR S	270.55
1717	4737	District 3	S ARROWHEAD AVE	E 24TH TERR S	E 24TH ST S	269.46
2138	4926	District 3	S ARROWHEAD AVE	E 25TH ST S	E 24TH TERR S	269.84
2298	4986	District 3	E 25TH ST S	S ARROWHEAD AVE	S POWAHATAN AVE	482.37
3038	5318	District 3	S ARROWHEAD AVE	E 24TH ST S	E HOLKE RD	572.87

Legend

- Storm Water Structures (9)
- Water Taps (27)
- District 3
- SEAL
- Streets

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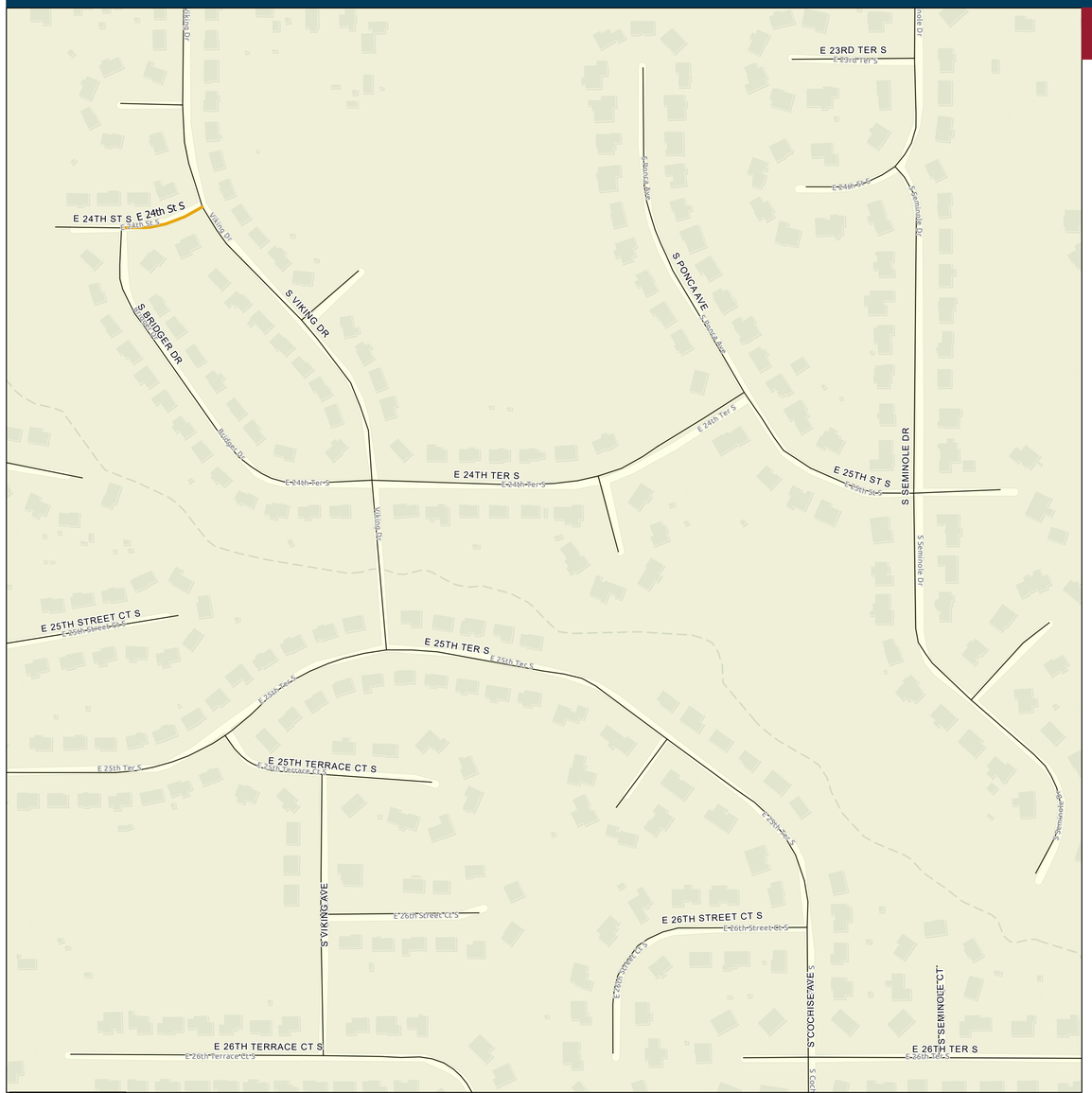
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals



Map Grid L8D, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
1265	9683	District 3	E 24TH ST	S BRIDGER DR	S VIKING DR	197.54

Legend

- District 3
- SEAL
- Streets

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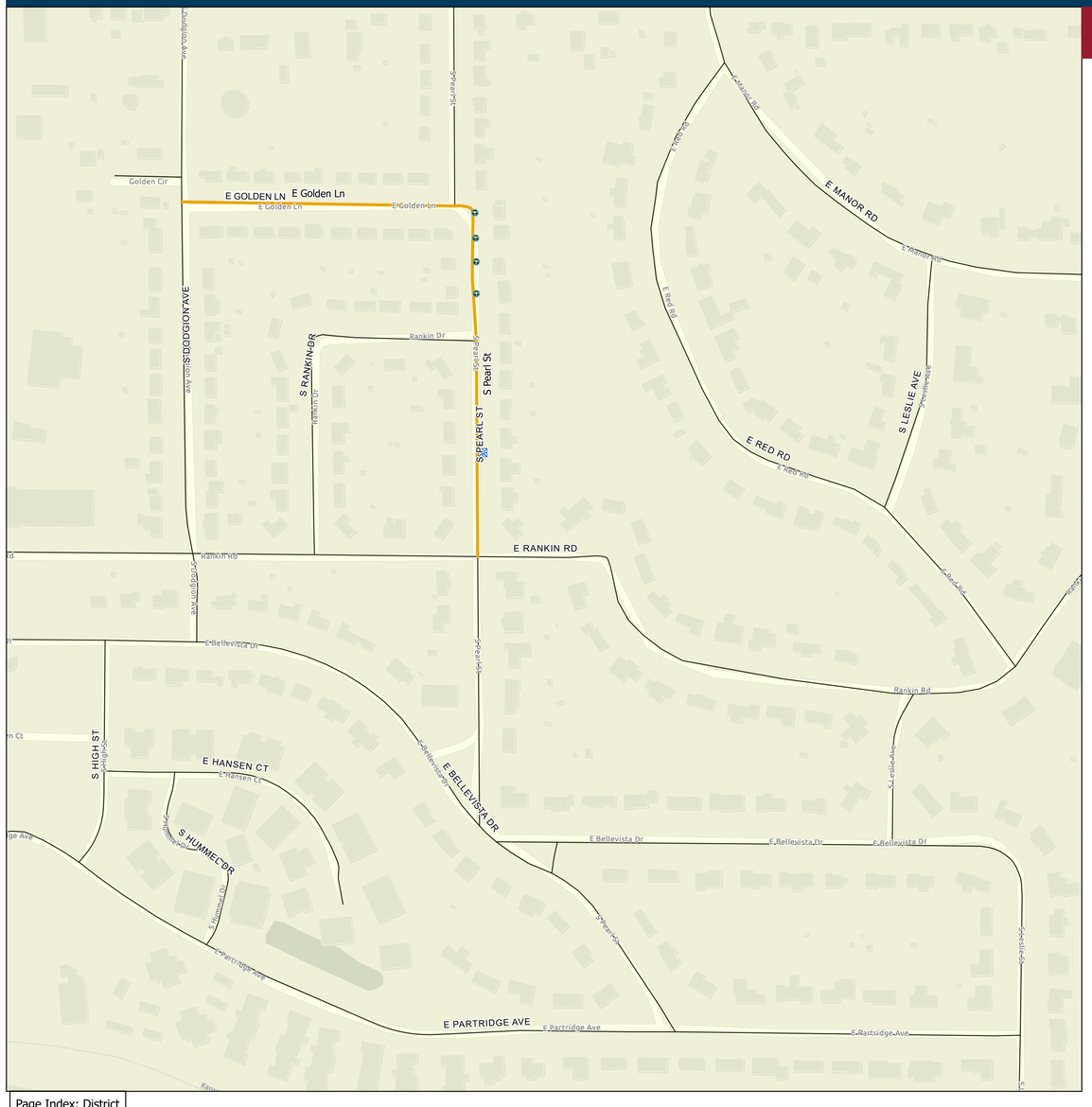
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 3 District 4 - 42

0 0.1 0.2 0.4 Miles

Map Grid M5B, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
371	10010	District 3	S PEARL ST	S RANKIN DR	E GOLDEN LN	347.85
1836	4795	District 3	S PEARL ST	E RANKIN RD	S RANKIN DR	501.44
3936	5717	District 3	E GOLDEN LN	S DODGION AVE	S PEARL ST	634.9

Legend

- Storm Water Structures (1)
- Water Taps (4)
- District 3
- SEAL
- Streets

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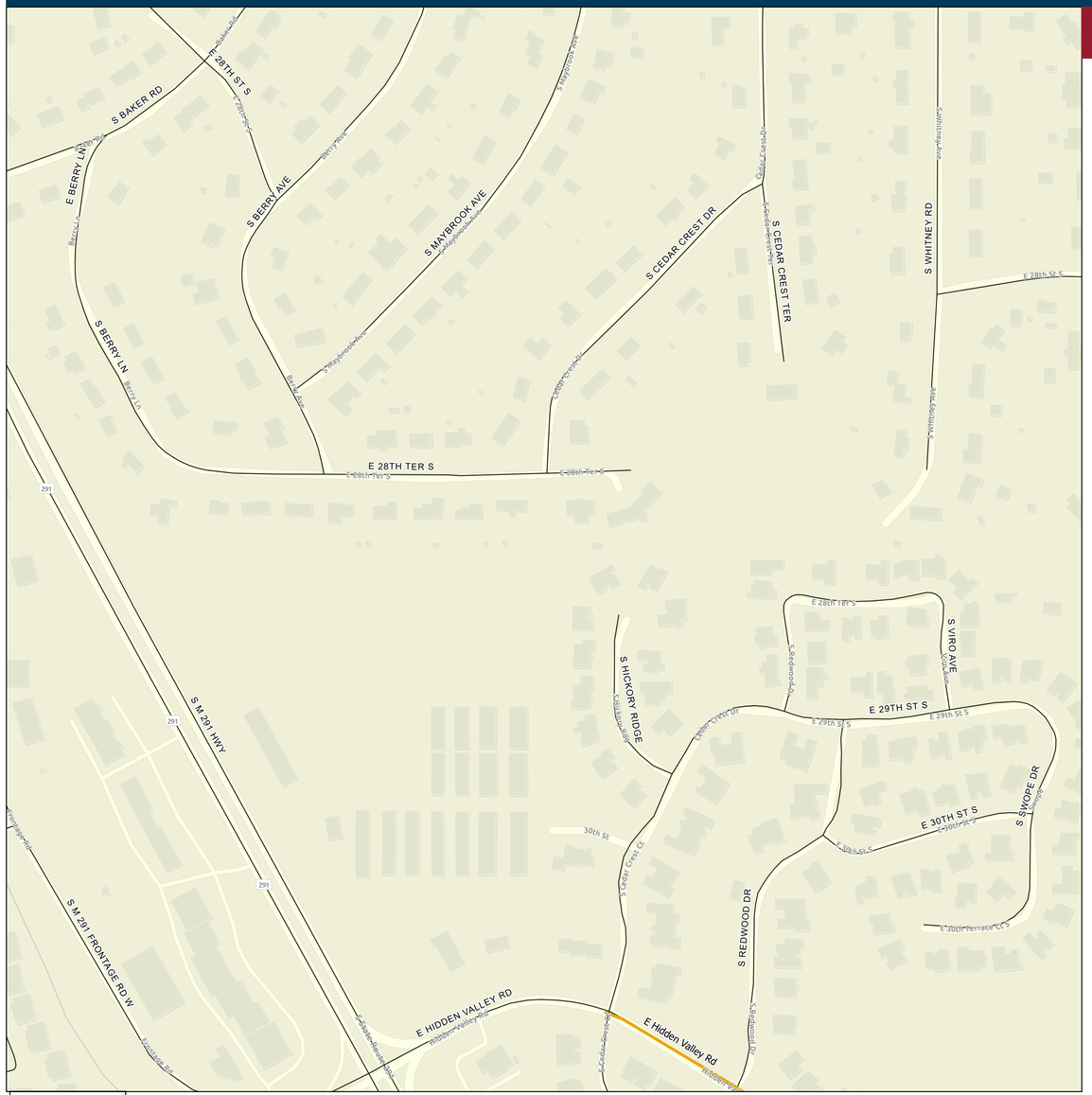
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



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0 0.1 0.2 0.4 Miles

Map Grid M7B, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
2573	9422	District 3	E HIDDEN VALLEY RD	S CEDAR CREST DR	S REDWOOD DR	351.84
4538	2456	District 3	E HIDDEN VALLEY RD	S REDWOOD DR	E 31ST TERRACE DR S	922.54

Legend

- District 3
- SEAL
- Streets

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INDEPENDENCE
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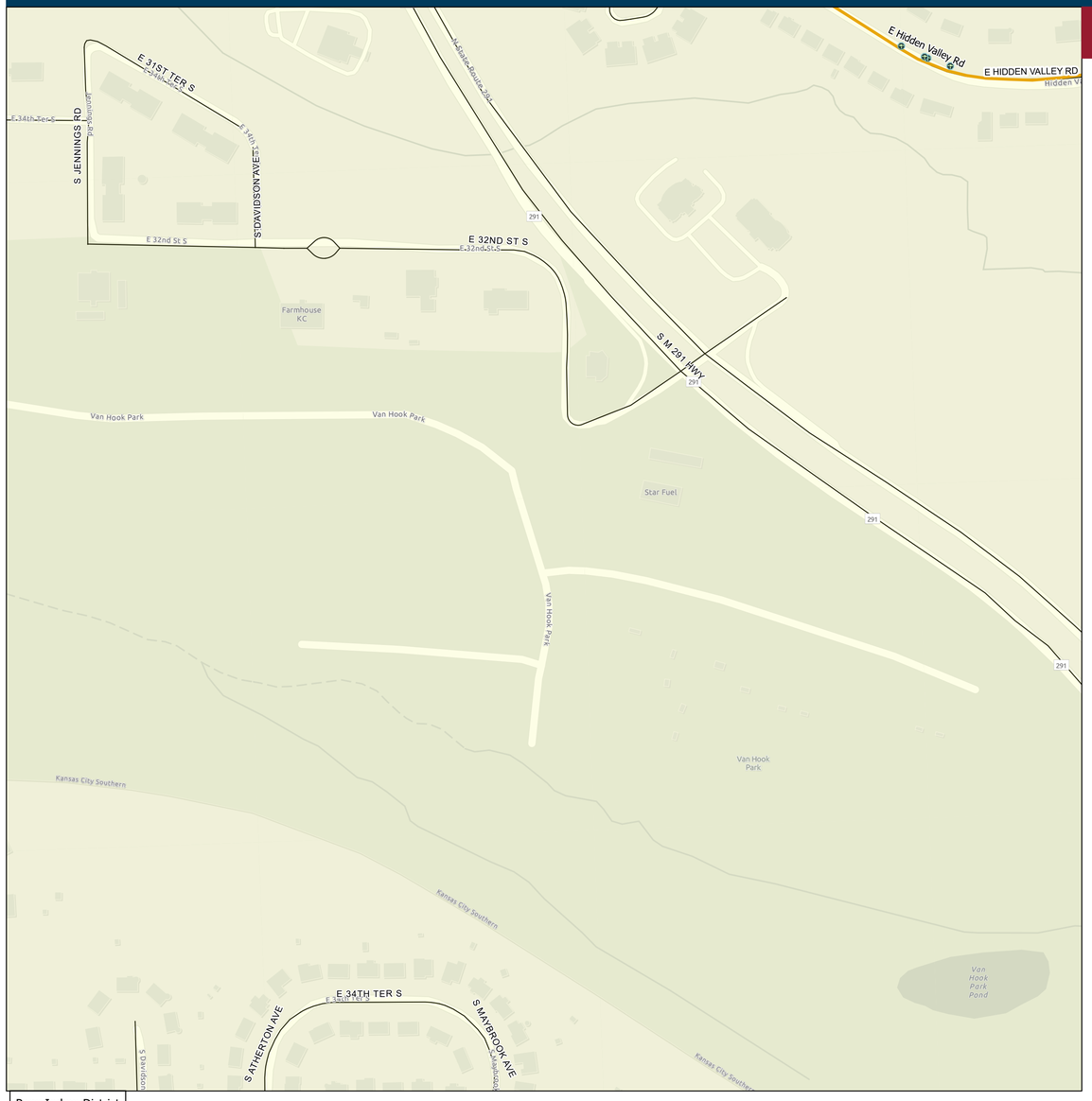
FY24 Pavement Maintenance - Seals



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Map Grid M7C, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
4538	2456	District 3	E HIDDEN VALLEY RD	S REDWOOD DR	E 31ST TERRACE DR S	922.54

Legend

- Water Taps (4)
- District 3
- SEAL
- Streets

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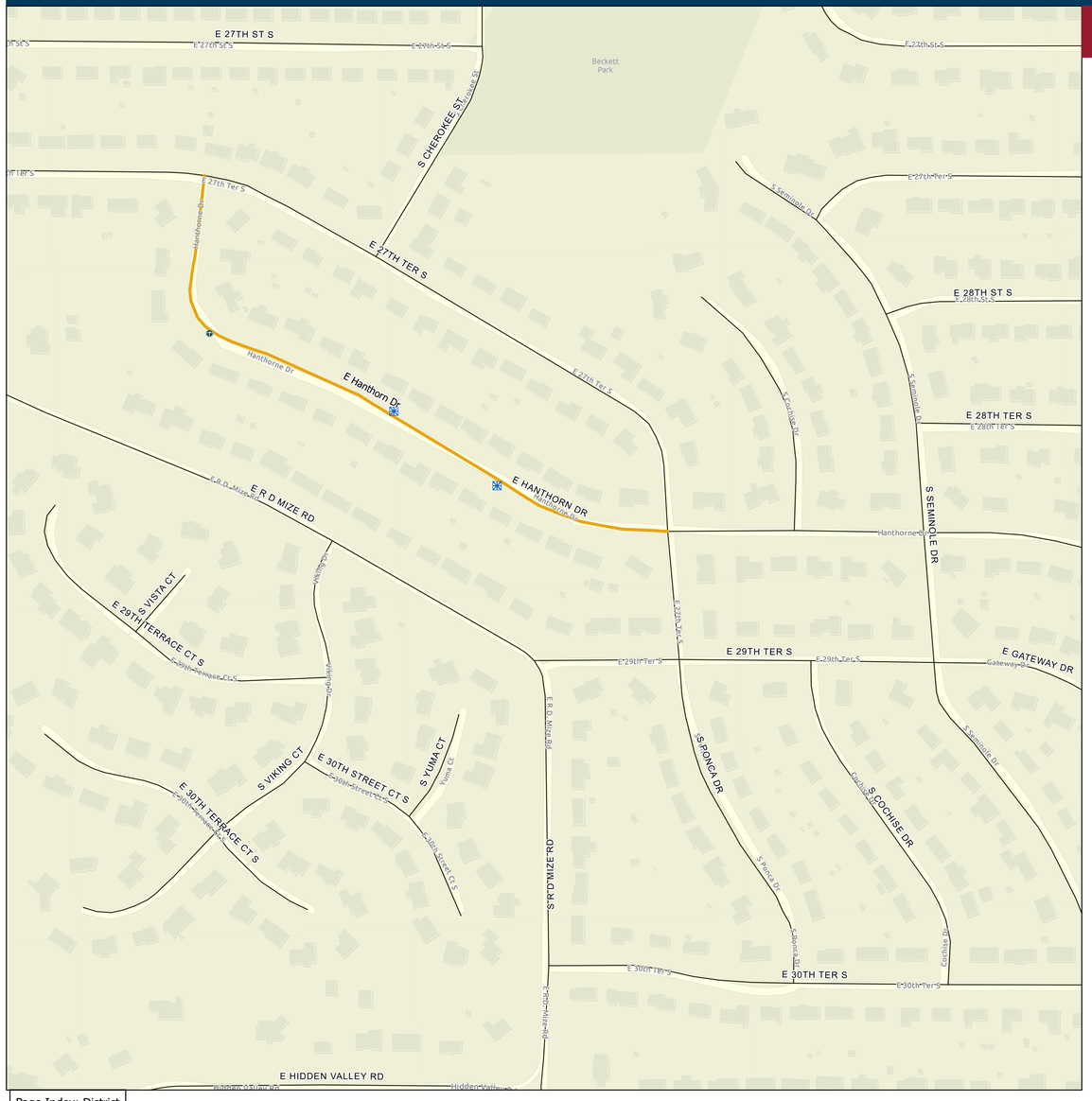
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals



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Map Grid M8A, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
5740	2850	District 3	E HANTHORN DR	E 27TH TERR S	S PONCA DR	1554.13

Legend

- Storm Water Structures (2)
- Water Taps (1)
- District 3
- SEAL
- Streets

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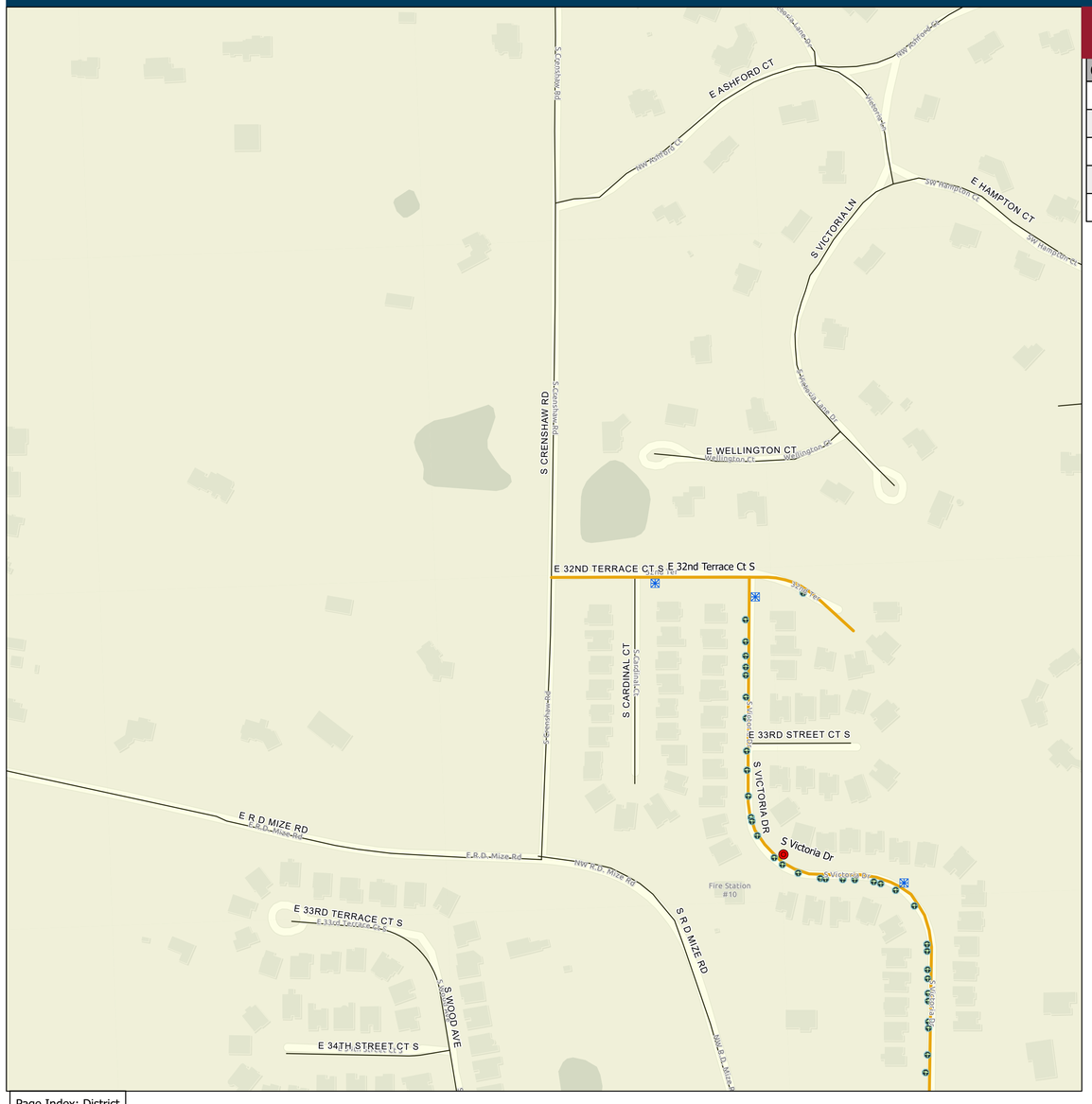
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



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Map Grid M10C, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
1153	1388	District 3	S VICTORIA DR	E PINK HILL RD	E 33RD STREET CT S	1142.66
1458	9661	District 3	E 32ND TERRACE CT S	S VICTORIA DR	CUL-DE-SAC	283.98
1860	4808	District 3	S VICTORIA DR	E 33RD STREET CT S	E 32ND TERRACE CT S	386.66
2950	9031	District 3	E 32ND TERRACE CT S	S CRENSHAW RD	S CARDINAL CT	194.26
2951	5279	District 3	E 32ND TERRACE CT S	S CARDINAL CT	S VICTORIA DR	266.05

Legend

- Storm Water Structures (3)
- Water Taps (35)
- Sanitary Manholes (1)
- District 3
- SEAL
- Streets

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INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals

Map Grid M10D, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
5970	2875	District 3	E R D MIZE RD	S NECESSARY RD	E EUREKA RD	2244.11
6707	7507	District 3	E R D MIZE RD	E EUREKA RD	S BROOK RIDGE CT	565.39

Legend

- Sanitary Manholes (1)
- District 3
- SEAL
- Streets

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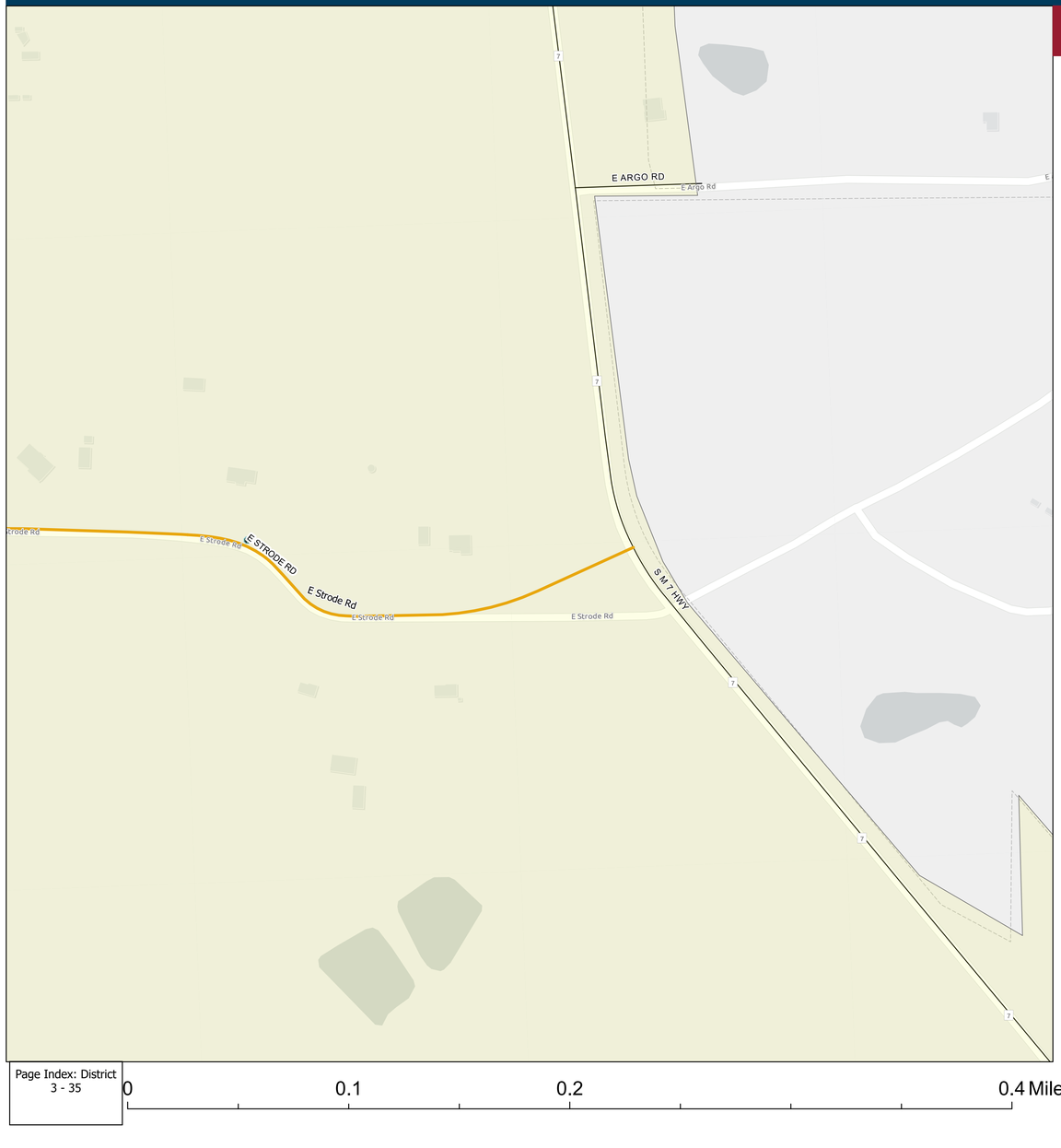
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals



Page Index: District 3 - 35

0 0.1 0.2 0.4 Miles

Map Grid M12B, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
2588	1824	District 3	E STRODE RD	S LOBB CEMETERY RD	S M 7 HWY	1659.65

Legend

- Water Taps (1)
- District 3
- SEAL
- Streets

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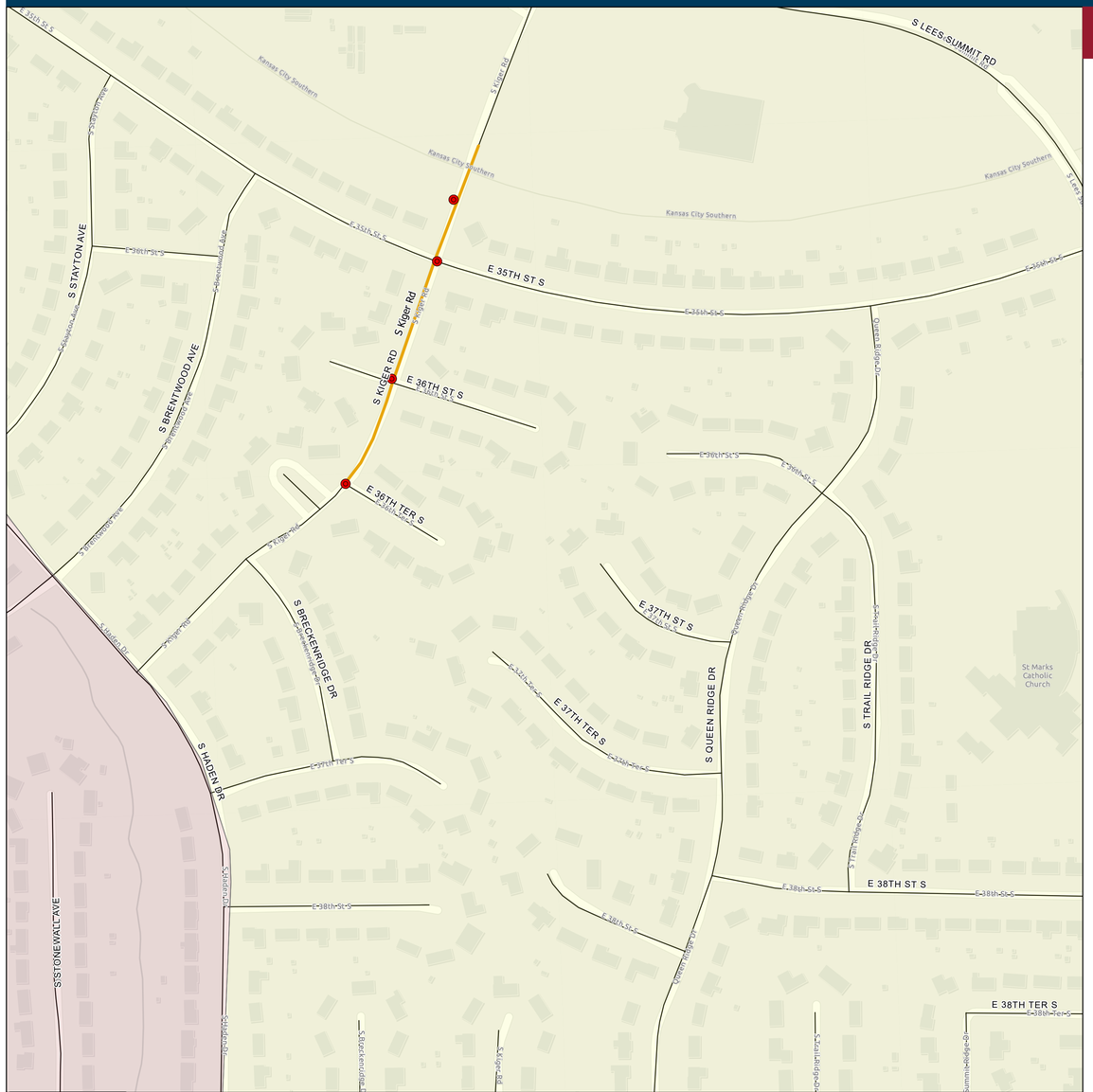
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals



Page Index: District 3 District 4 - 58

0 0.1 0.2 0.4 Miles

Map Grid N6B, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
2134	9338	District 3	S KIGER RD	E 36TH TERR S	E 36TH ST S	261.39
5068	6232	District 3	S KIGER RD	E 36TH ST S	E 35TH ST S	299.99
6048	6647	District 3	S KIGER RD	E 35TH ST S	282 FT FROM E 35TH ST S	285.73

Legend

- Sanitary Manholes (4)
- District 3
- District 4
- SEAL
- Streets

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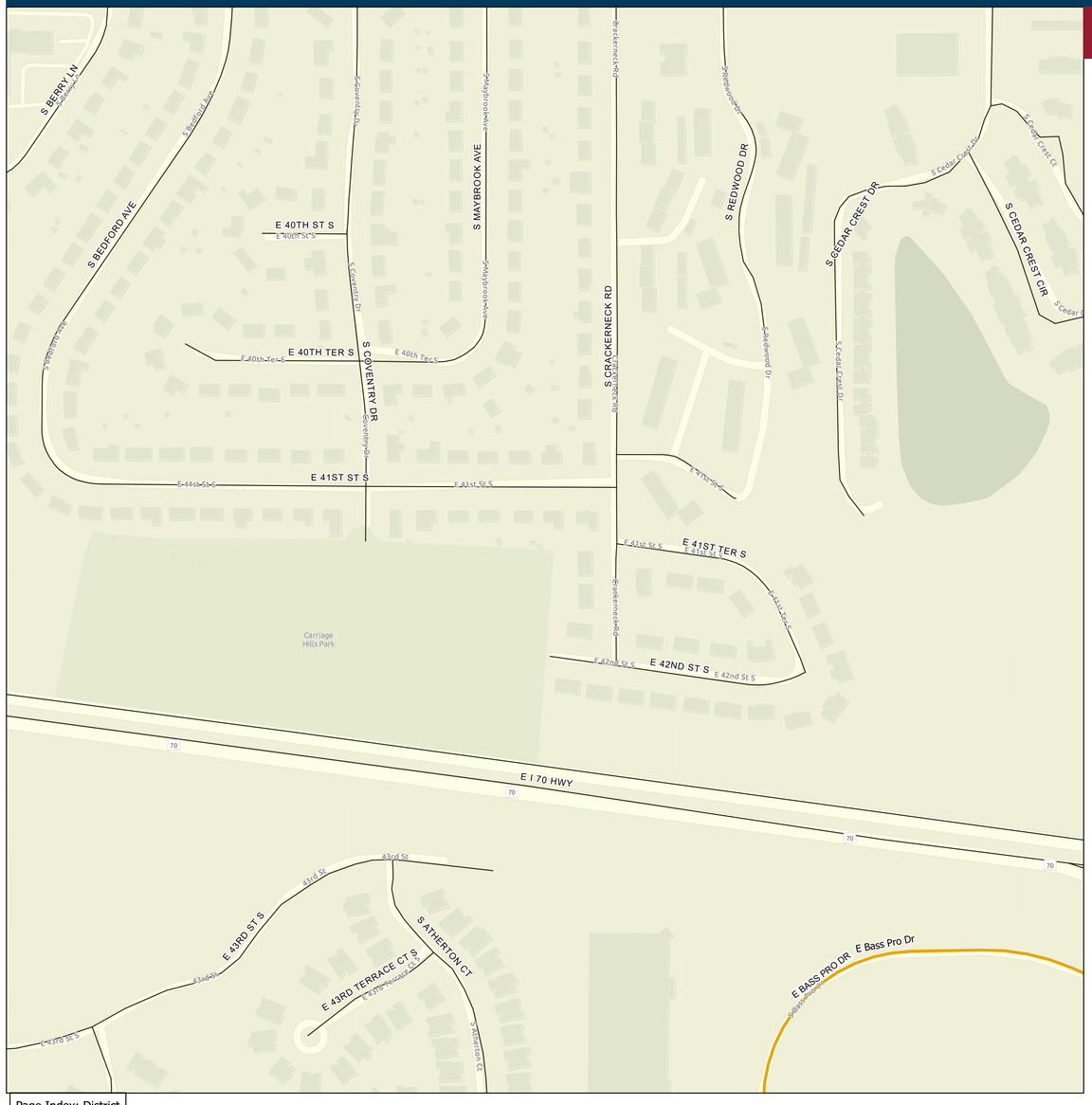
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 3 - 59

0 0.1 0.2 0.4 Miles

Map Grid N7C, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
5960	2936	District 3	E BASS PRO DR	S BASS PRO DR	S BASS PRO DR	2385.88

Legend

- District 3
- SEAL
- Streets

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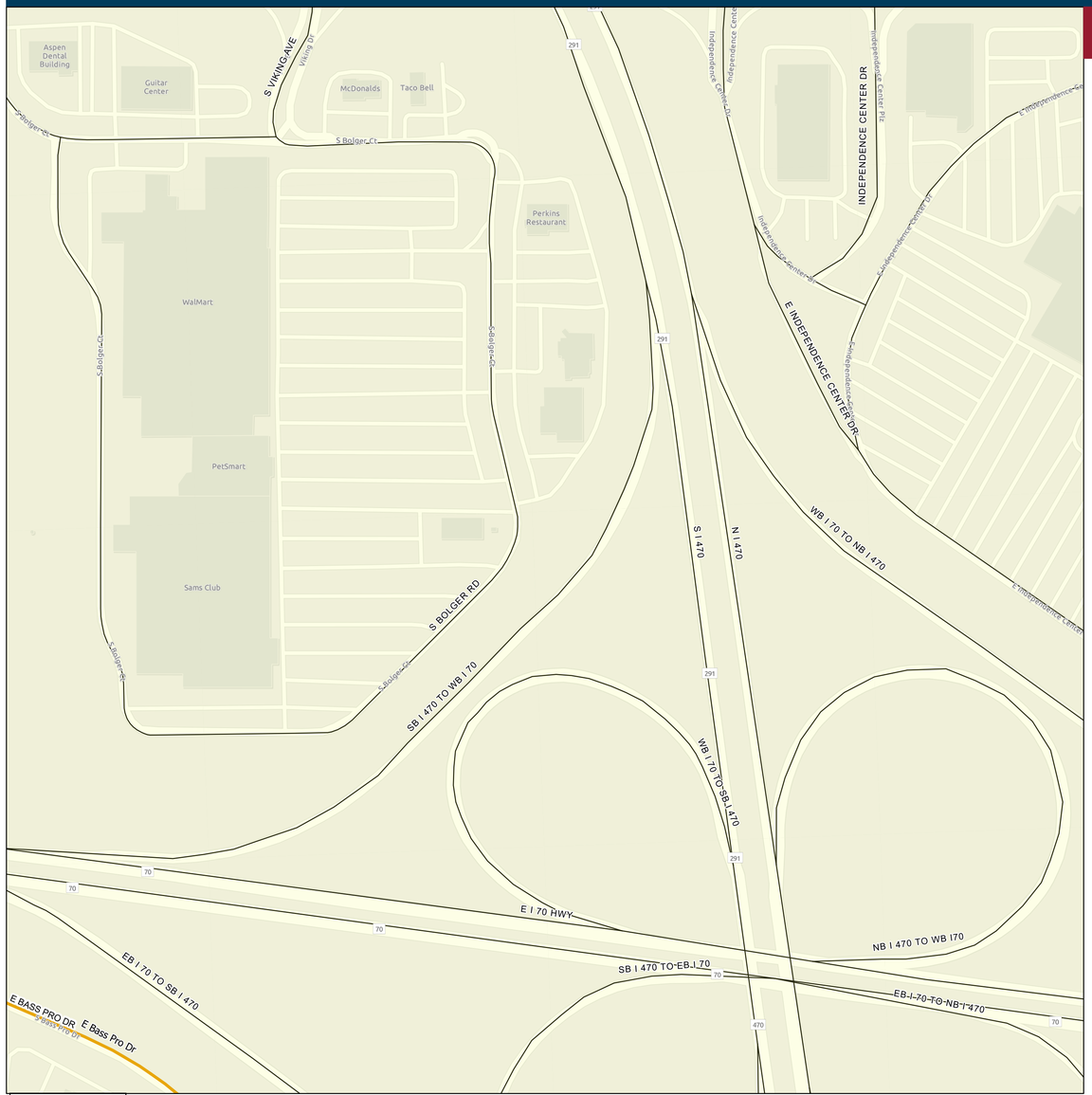
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals



Page Index: District 3 - 60

0 0.1 0.2 0.4 Miles

Map Grid N8D, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
5960	2936	District 3	E BASS PRO DR	S BASS PRO DR	S BASS PRO DR	2385.88

Legend

- District 3
- SEAL
- Streets

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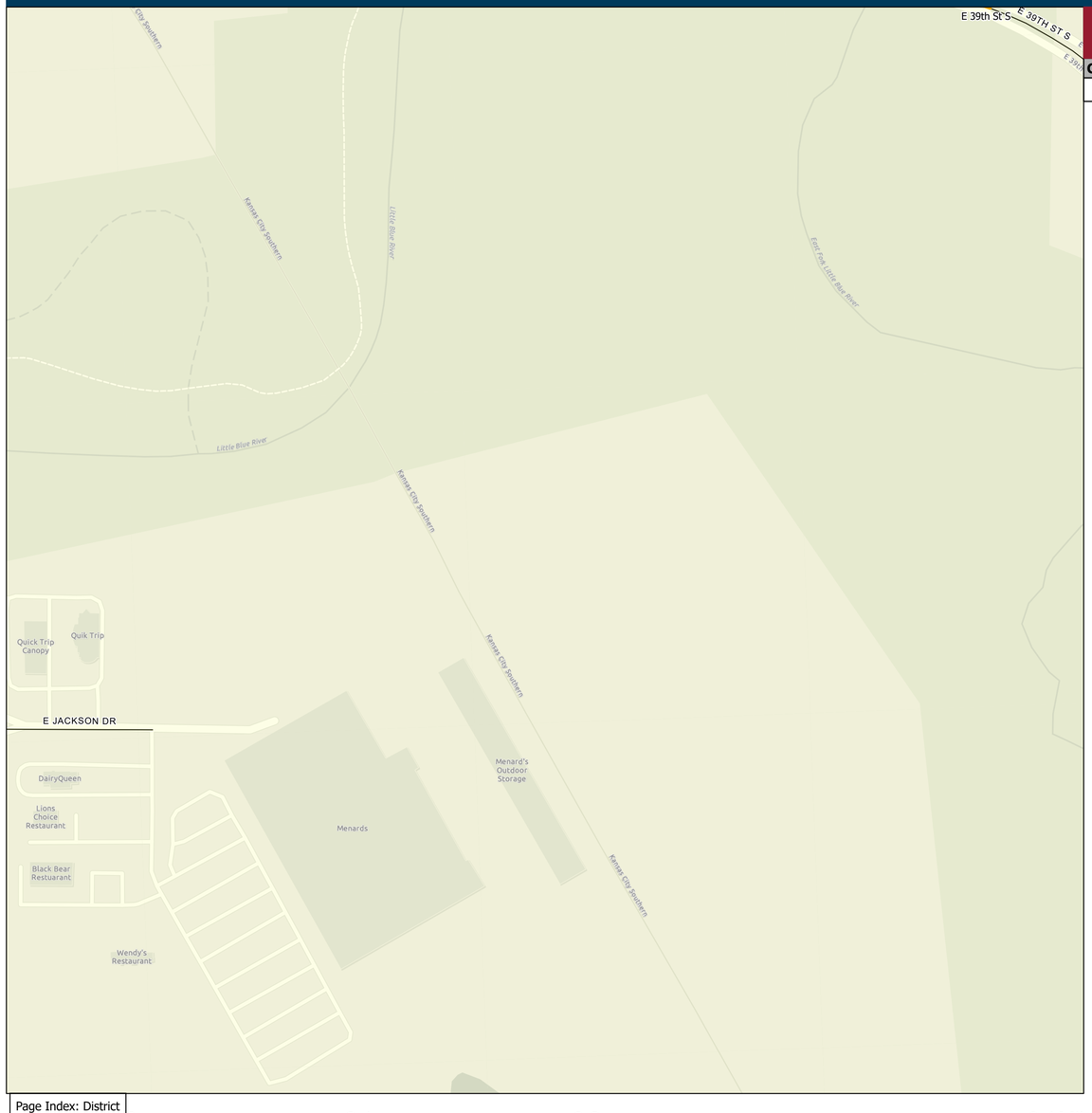
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 3 - 61

0 0.1 0.2 0.4 Miles

Map Grid N9C, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
3212	2055	District 3	E 39TH ST S	S SELSA RD - START BEFORE AND AFTER CONCRETE BRIDGE	E PINK HILL RD	1593.16

Legend

- District 3
- SEAL
- Streets

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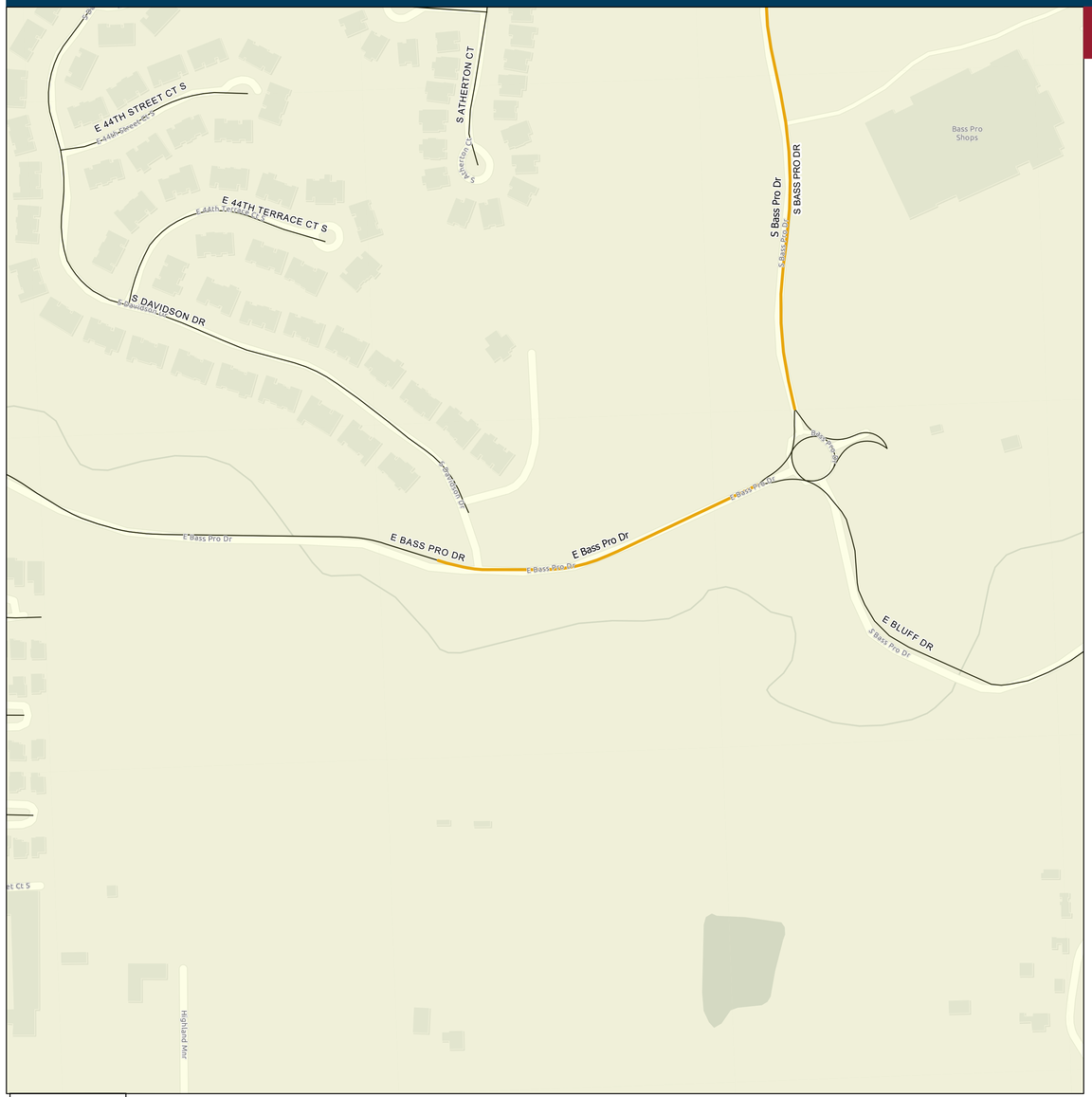
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 3 - 66

0 0.1 0.2 0.4 Miles

Map Grid O7B, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
3030	2012	District 3	E BASS PRO DR	S LEES SUMMIT RD	S BASS PRO DR	787.35
5797	2866	District 3	S BASS PRO DR	E BASS PRO DR	E BASS PRO DR	1045.63

Legend

- District 3
- SEAL
- Streets

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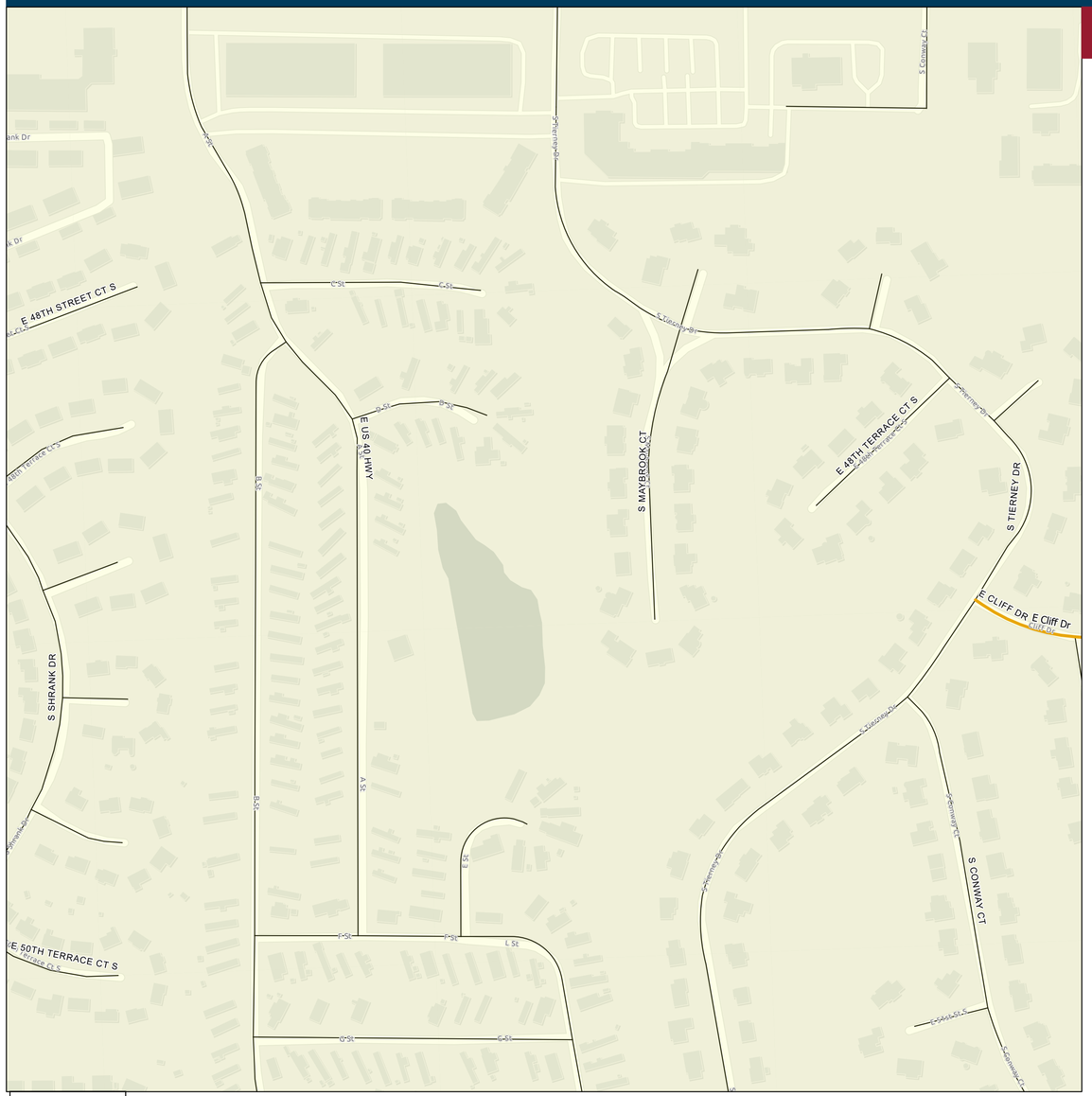
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Map Grid O7C, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
5580	8027	District 3	E CLIFF DR	S TIERNEY DR	S CEDAR CREST AVE	250.32
5583	8026	District 3	E CLIFF DR	S CEDAR CREST AVE	S WHITNEY DR	321.94

Legend

- District 3
- SEAL
- Streets

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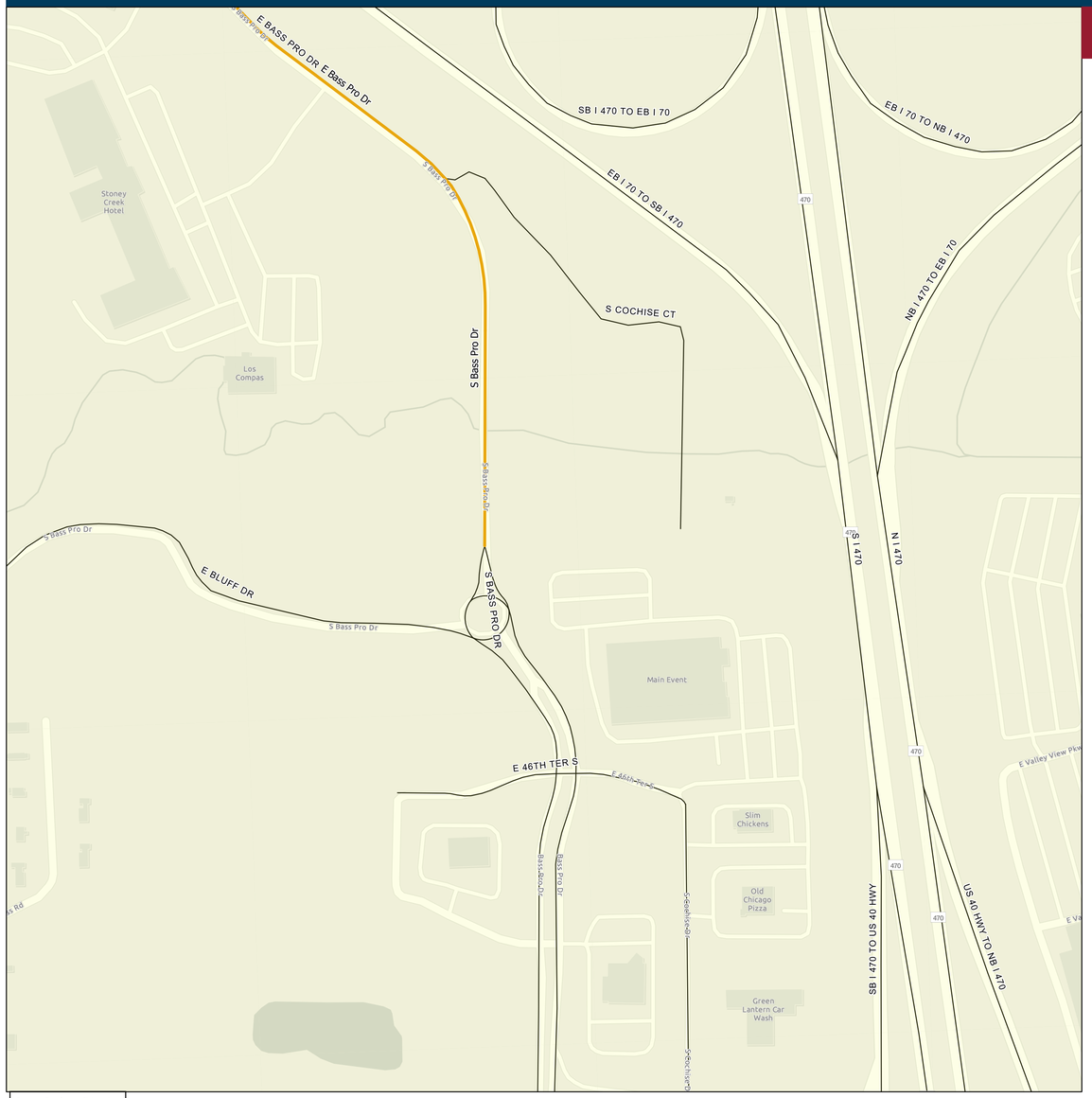
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 3 - 68

0 0.1 0.2 0.4 Miles

Map Grid O8A, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
1654	1517	District 3	S BASS PRO DR	E BLUFF DR	E BASS PRO DR	873.7
5960	2936	District 3	E BASS PRO DR	S BASS PRO DR	S BASS PRO DR	2385.88

Legend

- District 3
- SEAL
- Streets

N W E S

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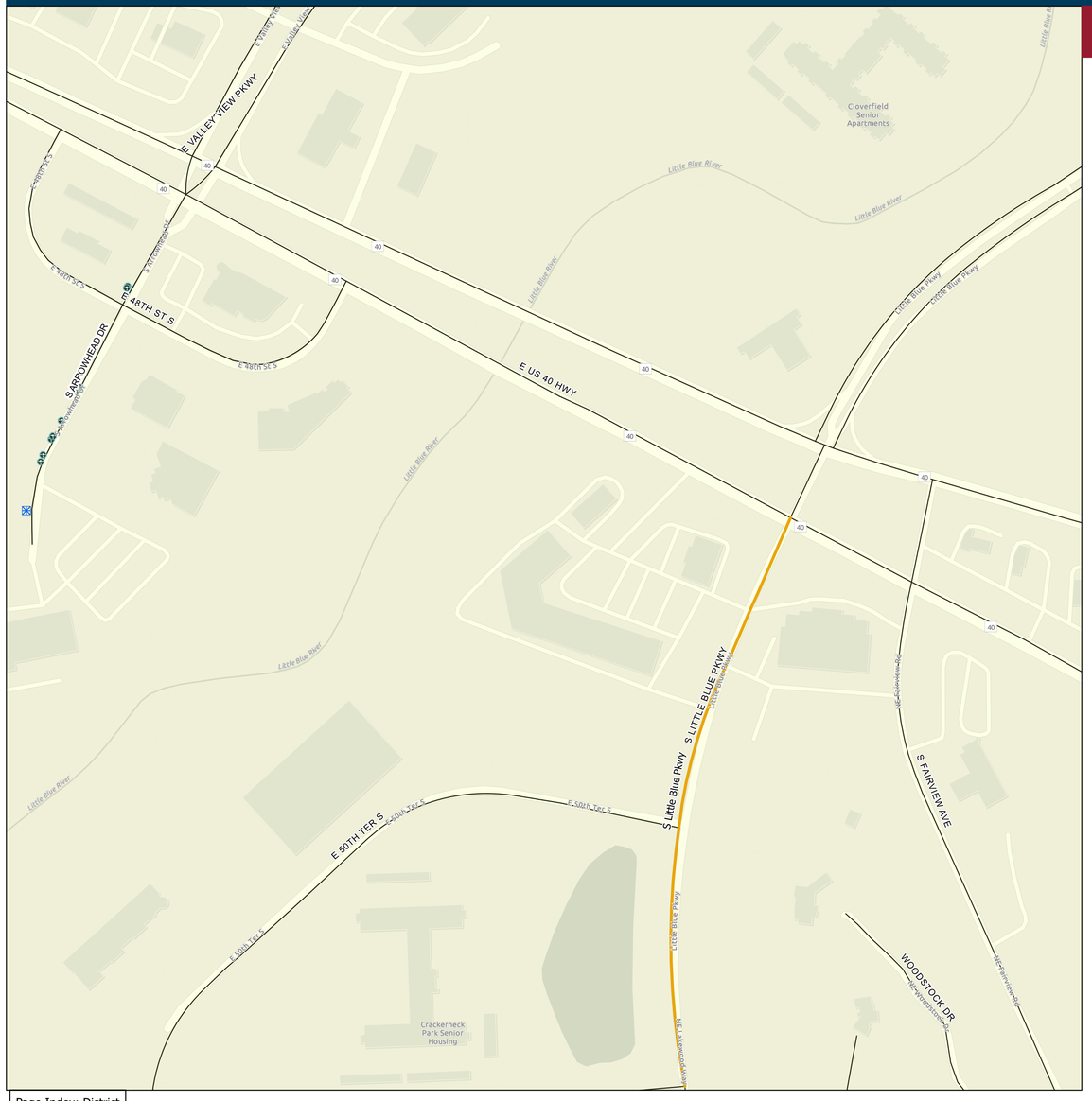
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Map Grid O8C, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_
922	9801	District 3	S LITTLE BLUE PKWY	E 51ST ST S
923	9800	District 3	S LITTLE BLUE PKWY	E 50TH TERR S
2556	5107	District 3	S ARROWHEAD DR	E 48TH ST S
2557	9204	District 3	E 48TH ST S	E US 40 HWY
4123	8578	District 3	E VALLEY VIEW PKWY (EB)	DS@400FT START AT ROAD ENTRANCE TO EXPRESS OIL CHANGE
4678	8350	District 3	E 48TH ST S	S ARROWHEAD DR
5931	7865	District 3	S ARROWHEAD DR	EOP
6848	7422	District 3	E VALLEY VIEW PKWY (WB)	DS@630FT BEFORE E US 40 HWY / STOP AT ROAD LEADING TO CHIPOTLE
6850	7420	District 3	E VALLEY VIEW PKWY (EB)	E US 40 HWY
6851	7419	District 3	E VALLEY VIEW PKWY (WB)	E EASTLAND CENTER CT (EB)
6947	7349	District 3	S LITTLE BLUE PKWY	DS@543FT - START AT ROAD ENTRANCE TO FROM THE EARTH

Legend

- Storm Water Structures (1)
- Water Taps (9)
- District 3
- SEAL
- Streets

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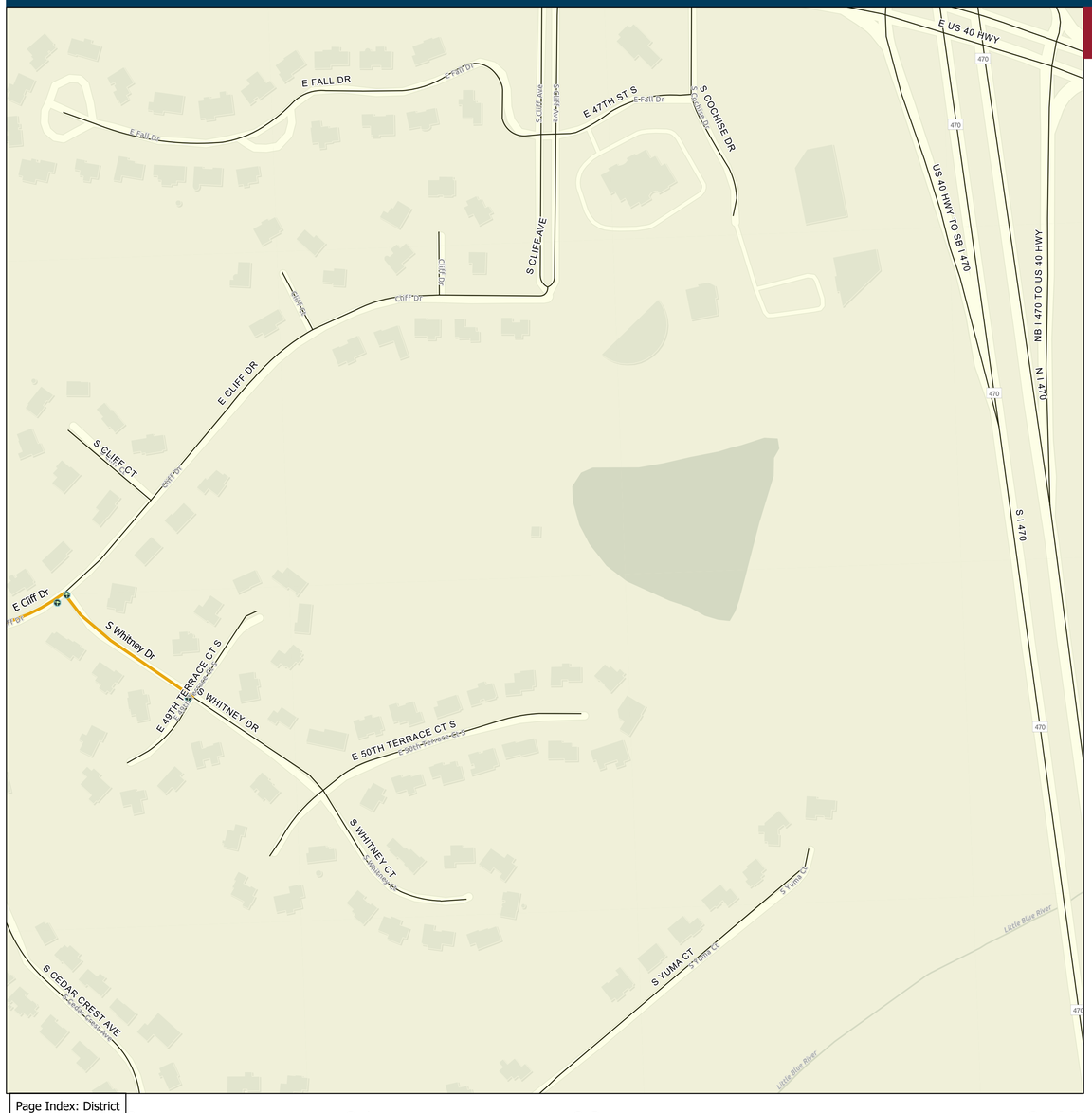
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 3 - 70

0 0.1 0.2 0.4 Miles

Map Grid O8D, District 3

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
5583	8026	District 3	E CLIFF DR	S CEDAR CREST AVE	S WHITNEY DR	321.94
5717	7974	District 3	S WHITNEY DR	E 49TH TERRACE CT S	E CLIFF DR	386.58

Legend

- Water Taps (3)
- District 3
- SEAL
- Streets

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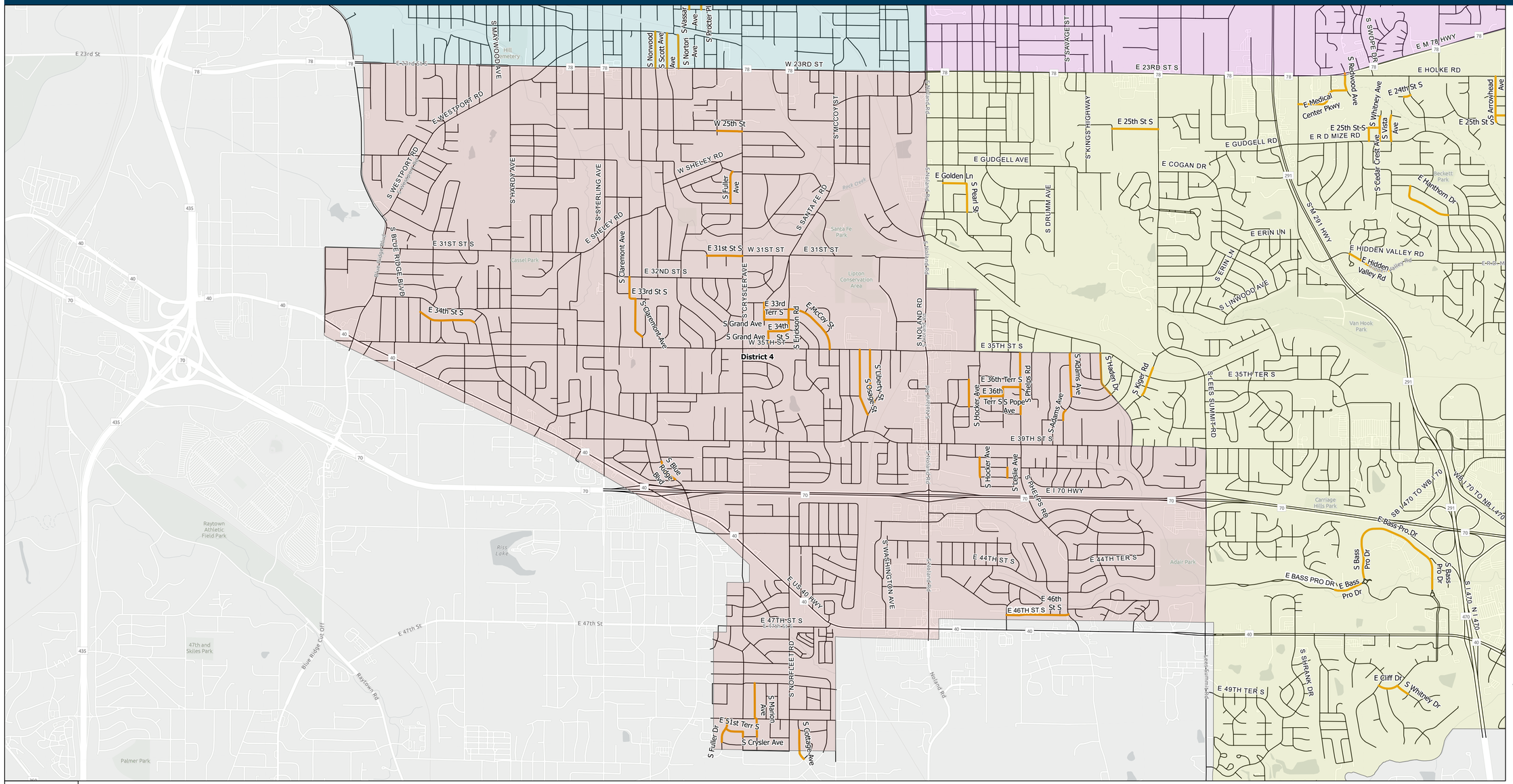
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals District 4



Legend

Districts
- District 1
- District 2
- District 3
- District 4
- SEAL
- Streets

N W E S

Page Index:
District4 - 5

0 0.75 1.5 3 Miles

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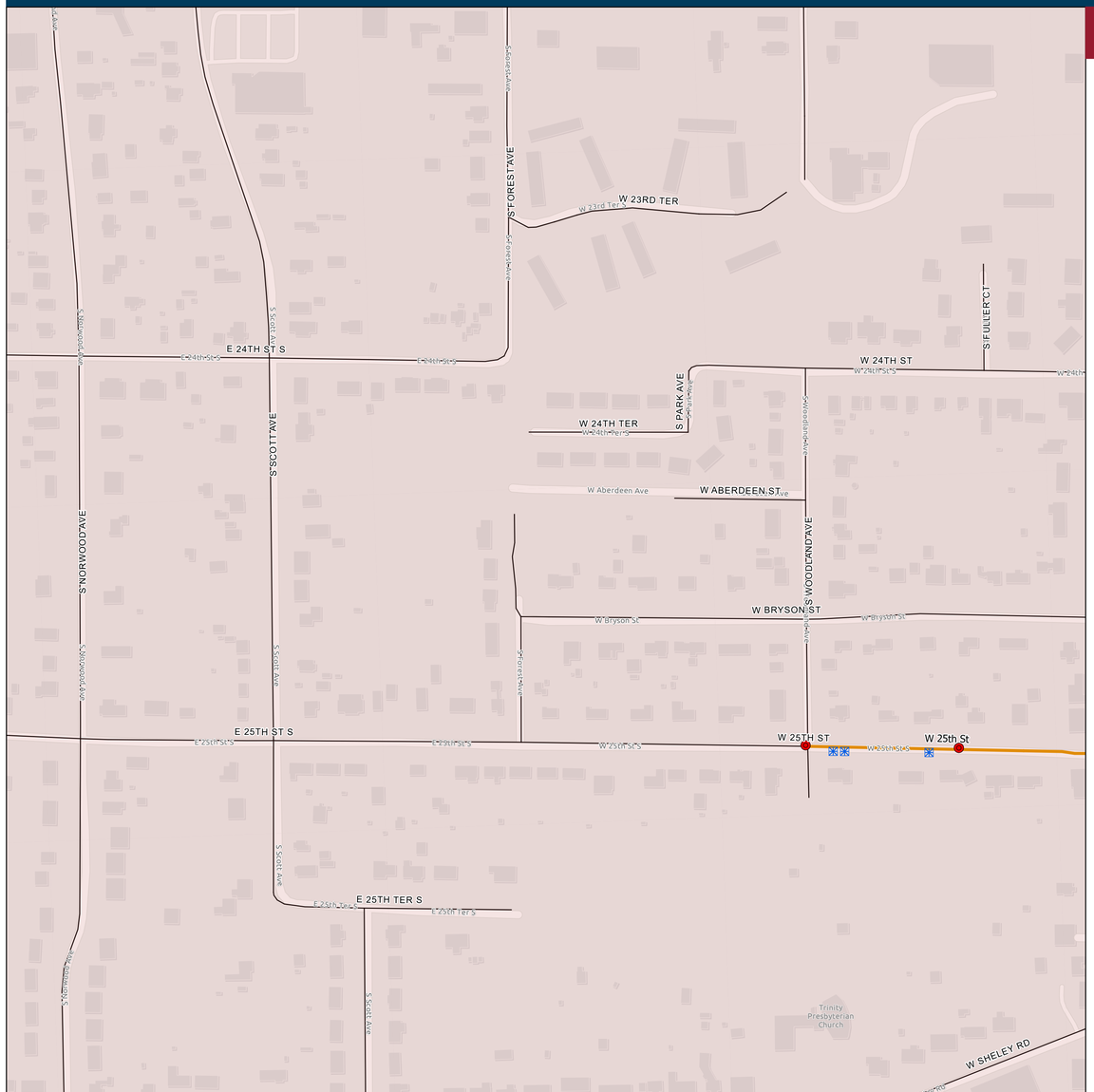
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 4 District 1 - 26

0 0.1 0.2 0.4 Miles

Map Grid L4D, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
4261	2402	District 4	W 25TH ST	S WOODLAND AVE	S CRYSLER AVE	716.95

Legend

- Storm Water Structures (3)
- Sanitary Manholes (2)
- District 4
- SEAL
- Streets

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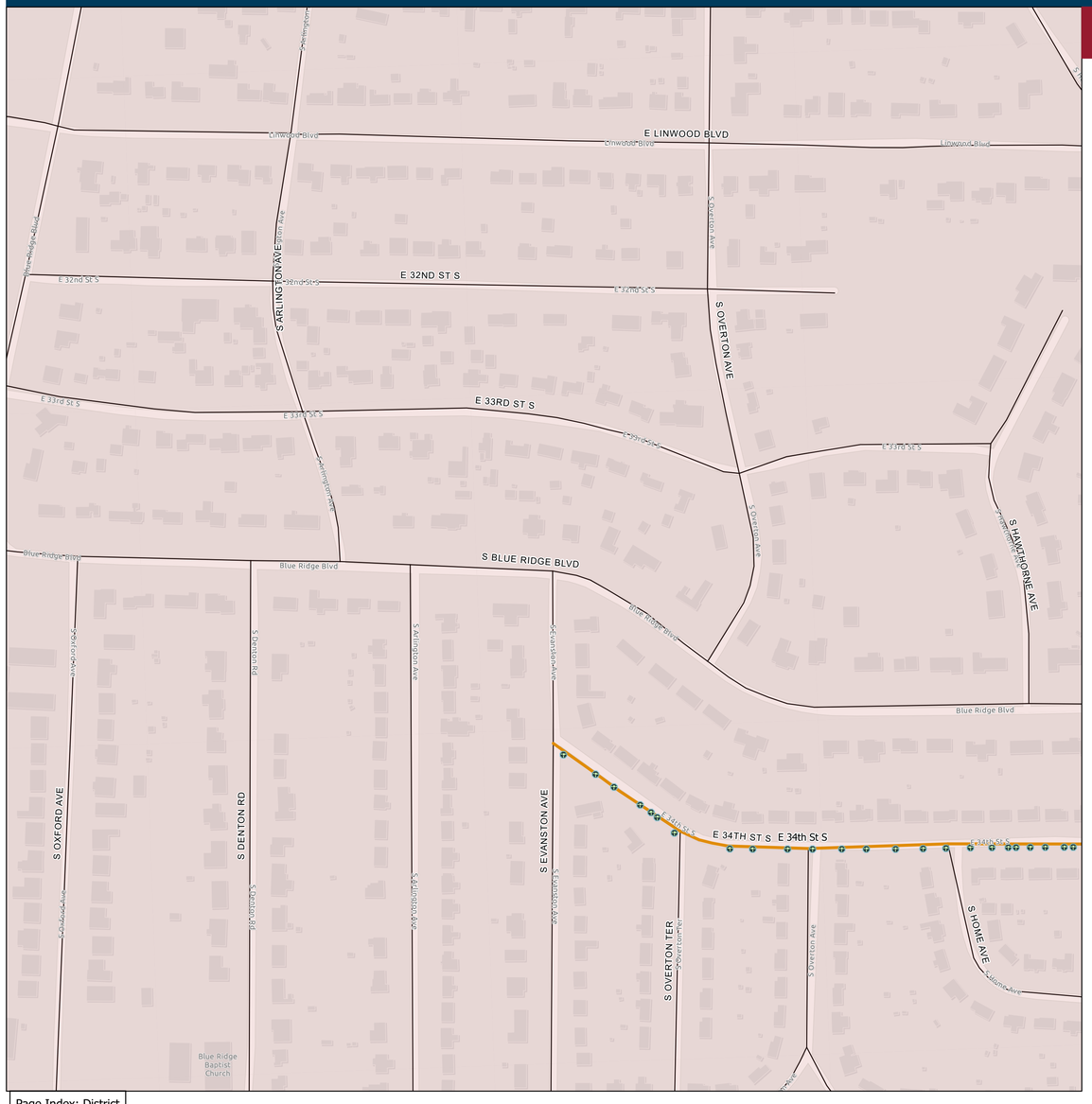
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals



Page Index: District 4 - 36

0 0.1 0.2 0.4 Miles

Map Grid M2C, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
937	9792	District 4	E 34TH ST S	S OVERTON TERR	S OVERTON AVE	304.04
938	4382	District 4	E 34TH ST S	S OVERTON AVE	S HOME AVE	324.53
1007	9762	District 4	E 34TH ST S	S HOME AVE	S CEDAR AVE	630.62
3619	8774	District 4	E 34TH ST S	S EVANSTON AVE	S OVERTON TERR	359

Legend

- Water Taps (24)
- District 4
- SEAL
- Streets

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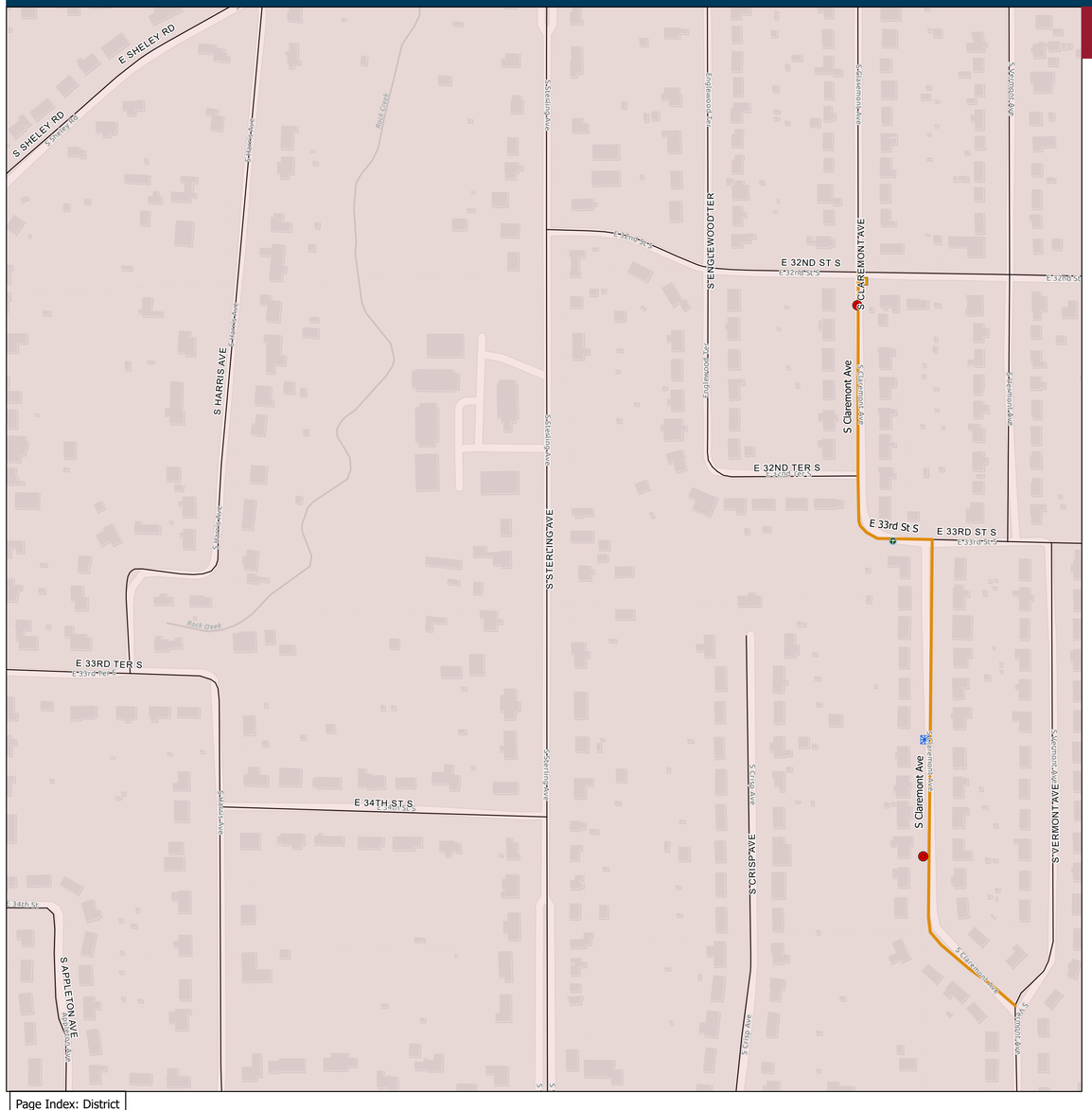
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals



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Map Grid M3C, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
2565	1822	District 4	S CLAREMONT AVE	S VERMONT AVE	E 33RD ST S	1174.44
4841	8417	District 4	E 33RD ST S	S CLAREMONT AVE	S CLAREMONT AVE	188.75
5111	6250	District 4	S CLAREMONT AVE	E 33RD ST S	E 32ND TERR S	105.03
5902	6596	District 4	S CLAREMONT AVE	E 32ND TERR S	E 32ND ST S	473.83

Legend

- Storm Water Structures (1)
- Water Taps (1)
- Sanitary Manholes (2)
- Curb Ramps (1)
- District 4
- SEAL
- Streets

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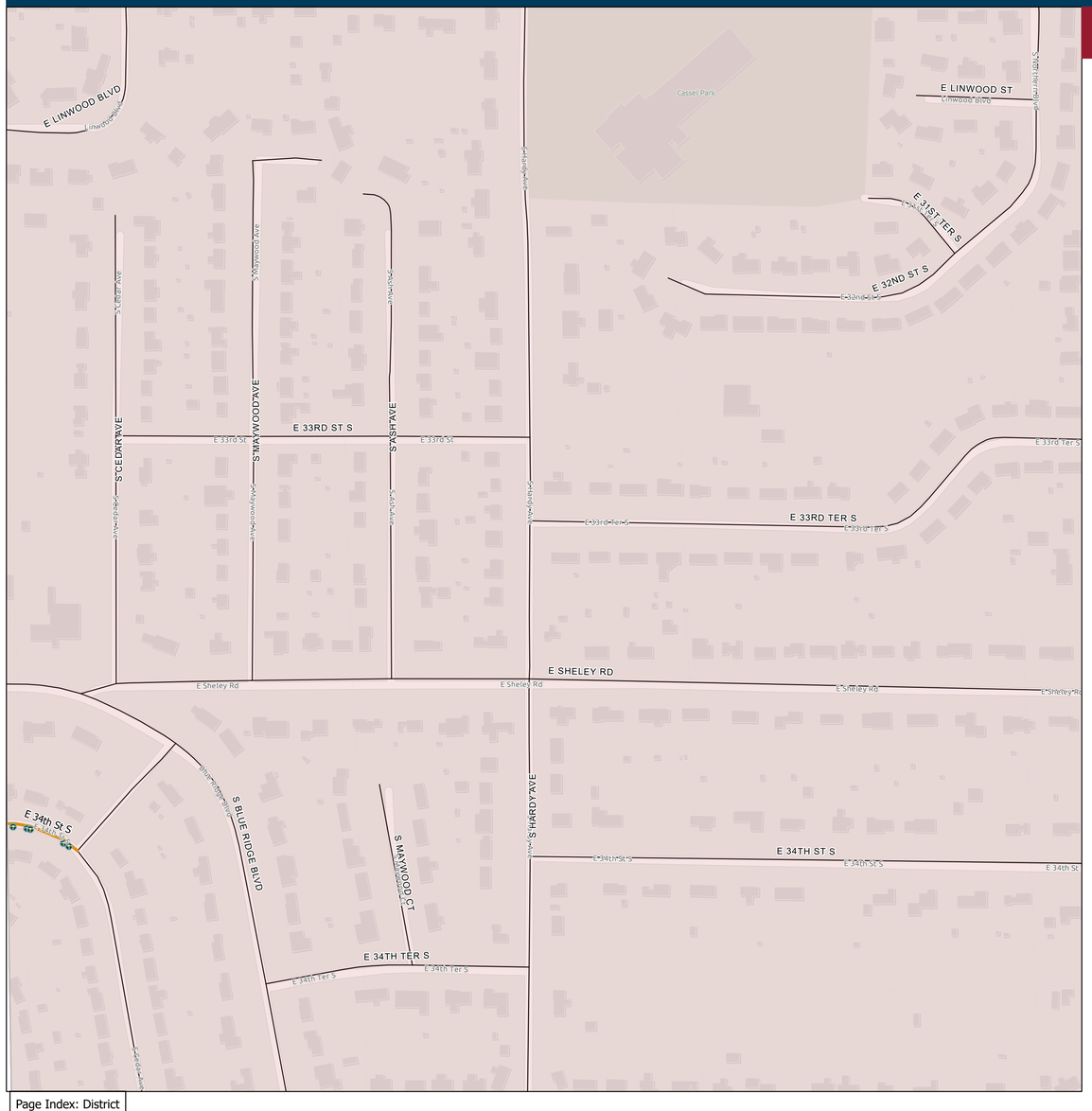
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 4 - 38

0 0.1 0.2 0.4 Miles

Map Grid M3D, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
1007	9762	District 4	E 34TH ST S	S HOME AVE	S CEDAR AVE	630.62

Legend

- Water Taps (5)
- District 4
- SEAL
- Streets

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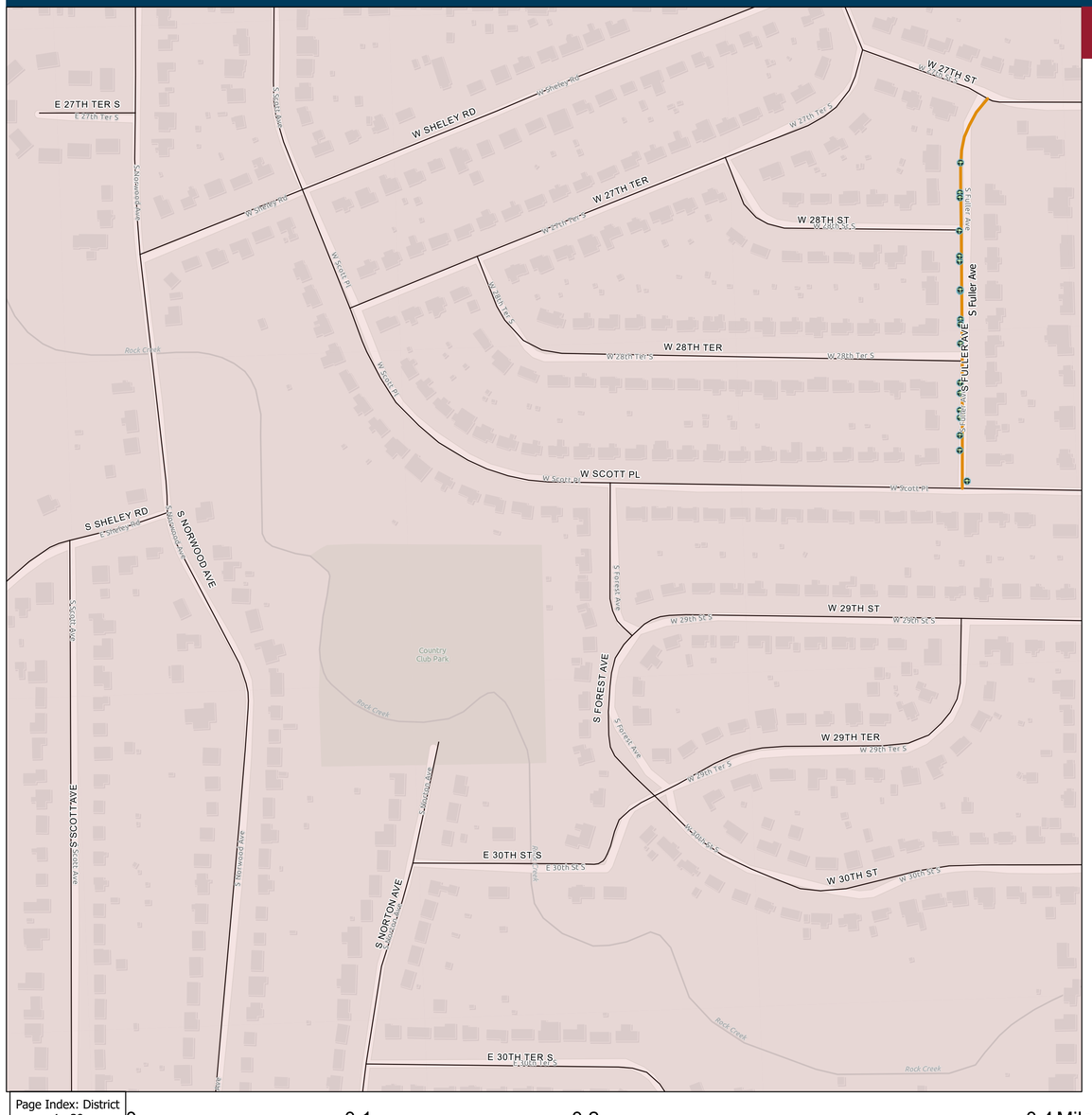
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals



Page Index: District 4 - 39

0 0.1 0.2 0.4 Miles

Map Grid M4A, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
849	4341	District 4	S FULLER AVE	W SCOTT PL	W 28TH TERR	295.86
3939	5719	District 4	S FULLER AVE	W 28TH TERR	W 28TH ST	304.48
6077	7809	District 4	S FULLER AVE	W 28TH ST	W 27TH ST	322.03

Legend

- Water Taps (18)
- District 4
- SEAL
- Streets

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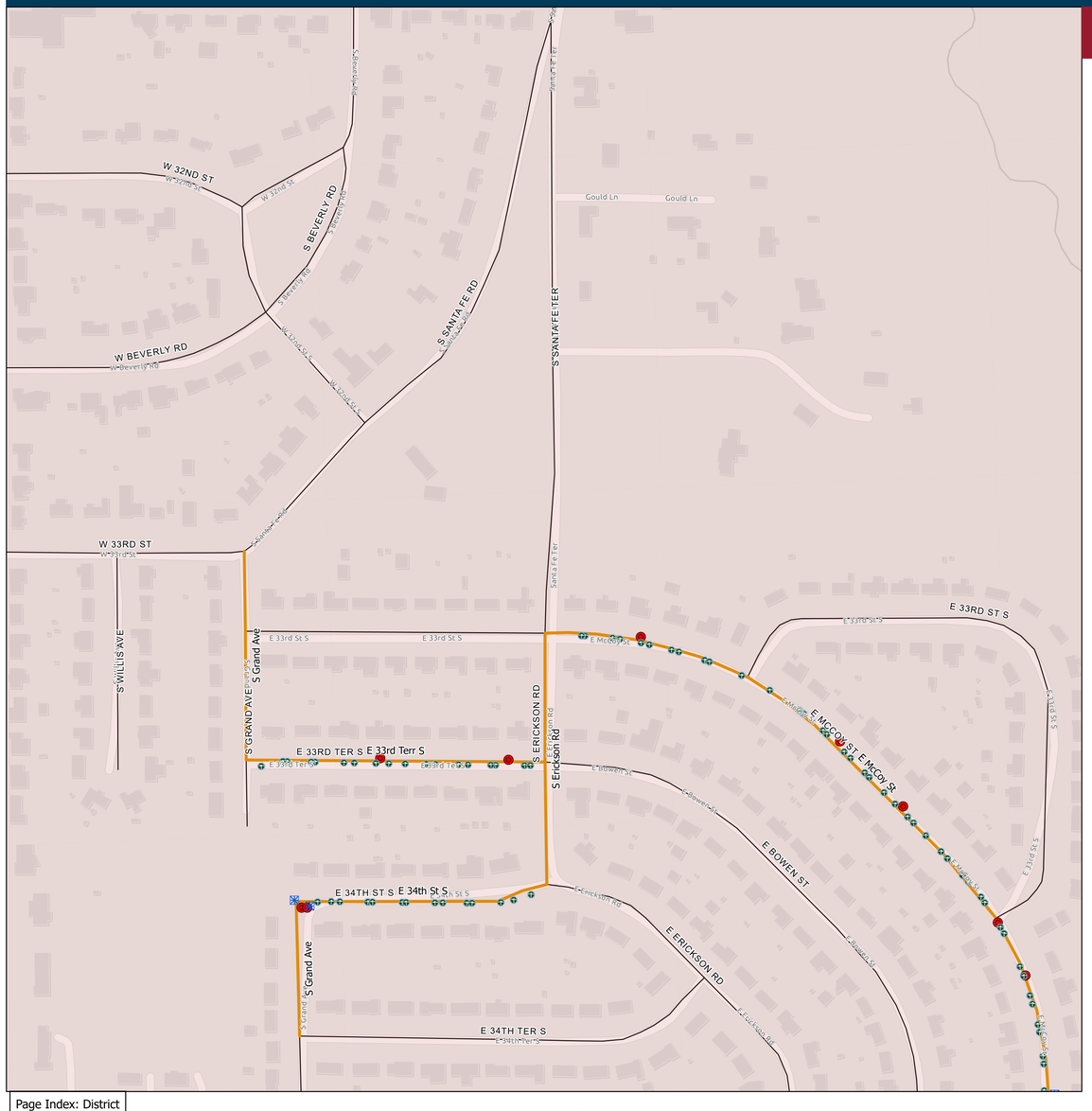
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



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Map Grid M4C, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
936	4381	District 4	S GRAND AVE	E 33RD ST S	S SANTA FE RD & W 33RD ST	186.09
1225	1405	District 4	E MCCOY ST	E 33RD ST S	E 33RD ST S	808.12
1867	4812	District 4	S GRAND AVE	E 33RD TERR S	E 33RD ST S	299.31
1873	4814	District 4	S ERICKSON RD	E BOWEN ST	E 33RD ST S	299.54
1874	4815	District 4	E 33RD TERR S	S GRAND AVE	S ERICKSON RD	694.78
1935	9657	District 4	E MCCOY ST	E 33RD ST S	E 35TH ST S	498.34
2346	5012	District 4	S GRAND AVE	E 34TH TERR S	E 34TH ST S	312.65
2563	9201	District 4	E 34TH ST S	S GRAND AVE	S ERICKSON RD	589.65
3620	8773	District 4	E MCCOY ST	S SANTA FE TERR	E 33RD ST S	486.76
6247	6713	District 4	S ERICKSON RD	E ERICKSON RD	E BOWEN ST	284.61

Legend

- Storm Water Structures (3)
- Water Taps (75)
- Sanitary Manholes (9)
- District 4
- SEAL
- Streets

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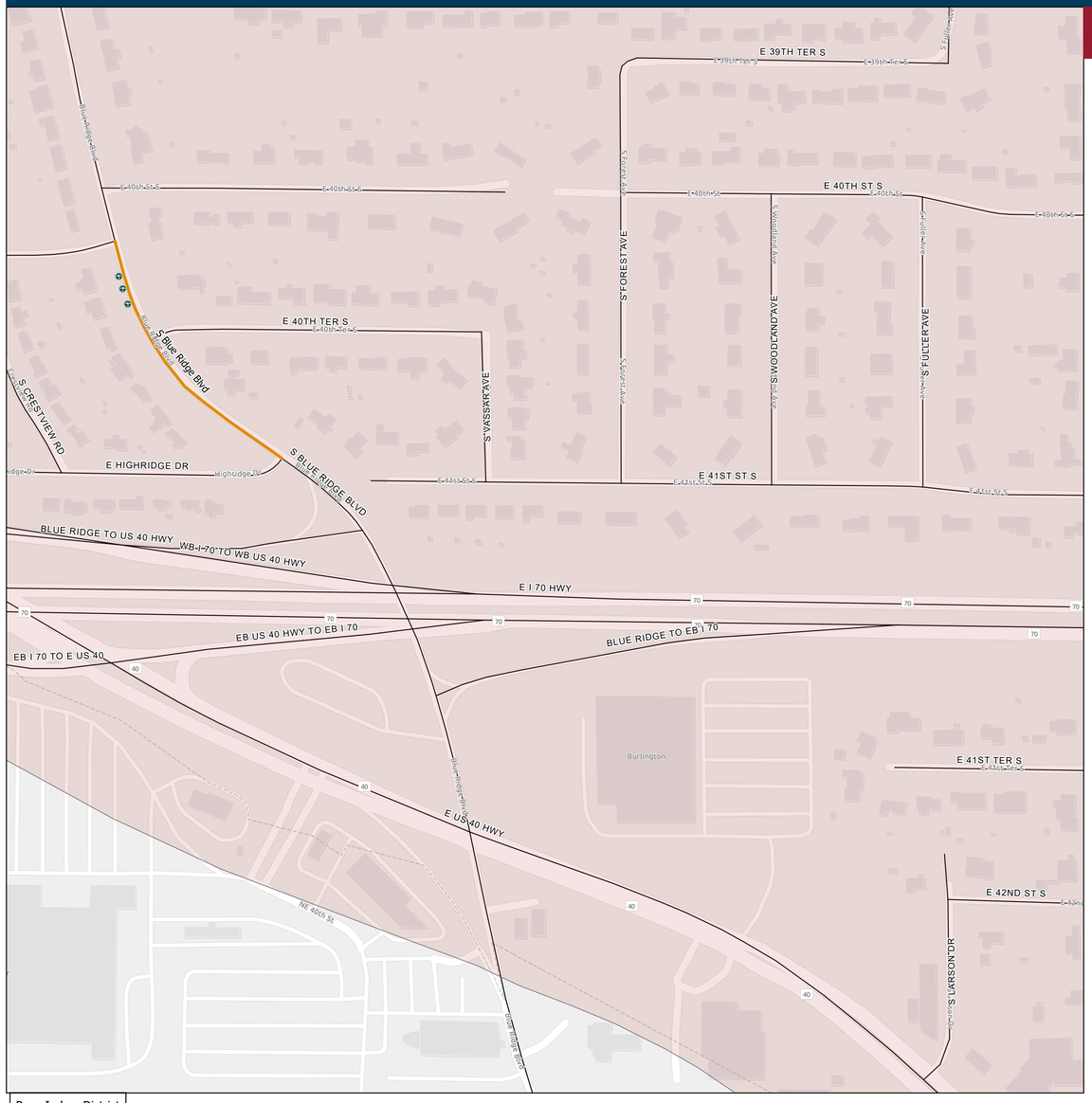
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 4 - 53

0 0.1 0.2 0.4 Miles

Map Grid N4D, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
1632	9539	District 4	S BLUE RIDGE BLVD	E HIGHRIDGE DR	E 40TH TERR S	414.66
5897	7883	District 4	S BLUE RIDGE BLVD	E 40TH TERR S	E 40TH ST S	245.35

Legend

- Water Taps (3)
- District 4
- SEAL
- Streets

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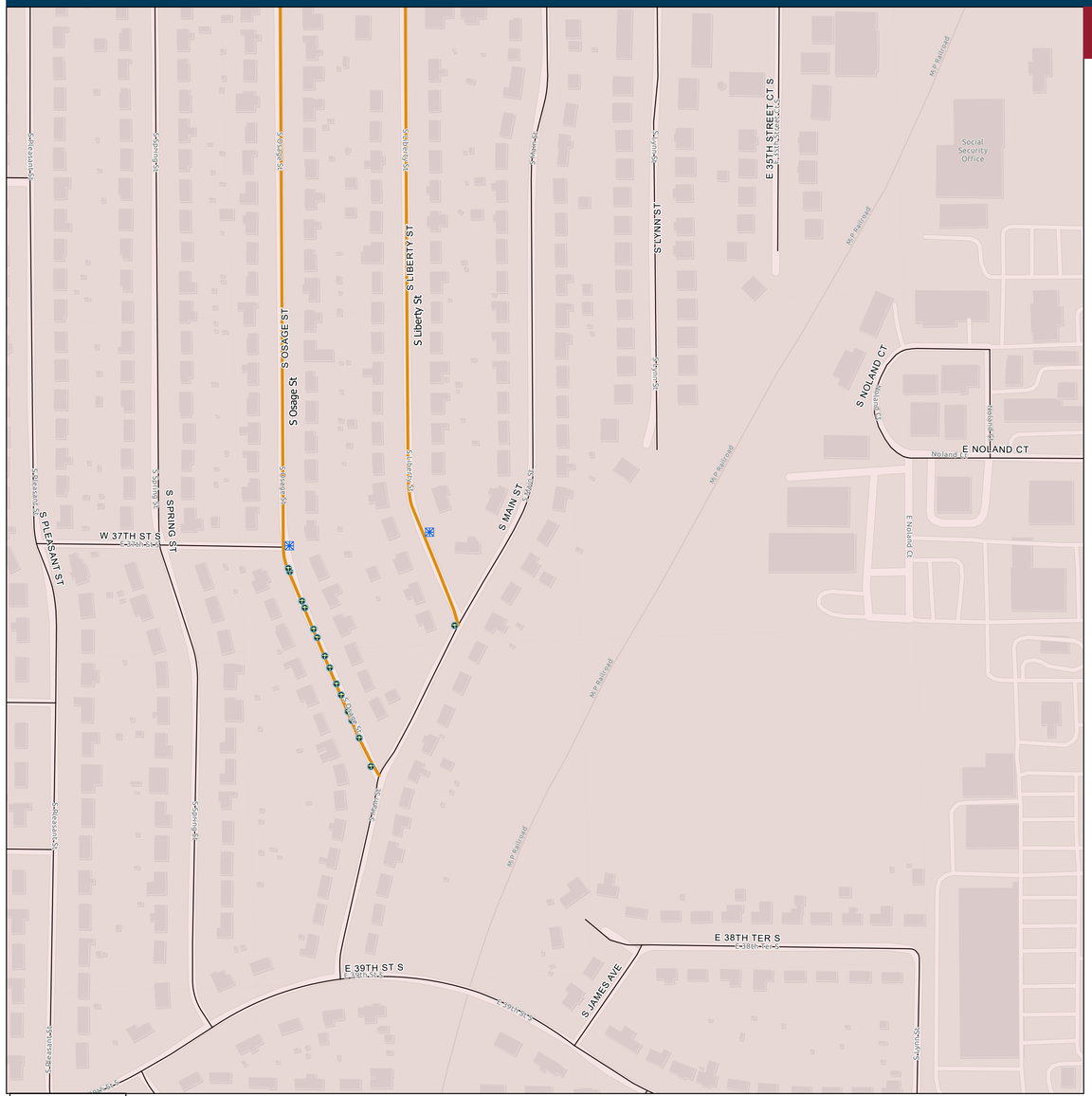
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 4 - 54

Map Grid N5A, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
3900	2291	District 4	S LIBERTY ST	S MAIN ST	E 35TH ST S	1516.43
6060	7820	District 4	S OSAGE ST	S MAIN ST	W 37TH ST S	576.32
6392	3377	District 4	S OSAGE ST	W 37TH ST S	E 35TH ST S	1318.75

Legend

- Storm Water Structures (2)
- Water Taps (15)
- District 4
- SEAL
- Streets

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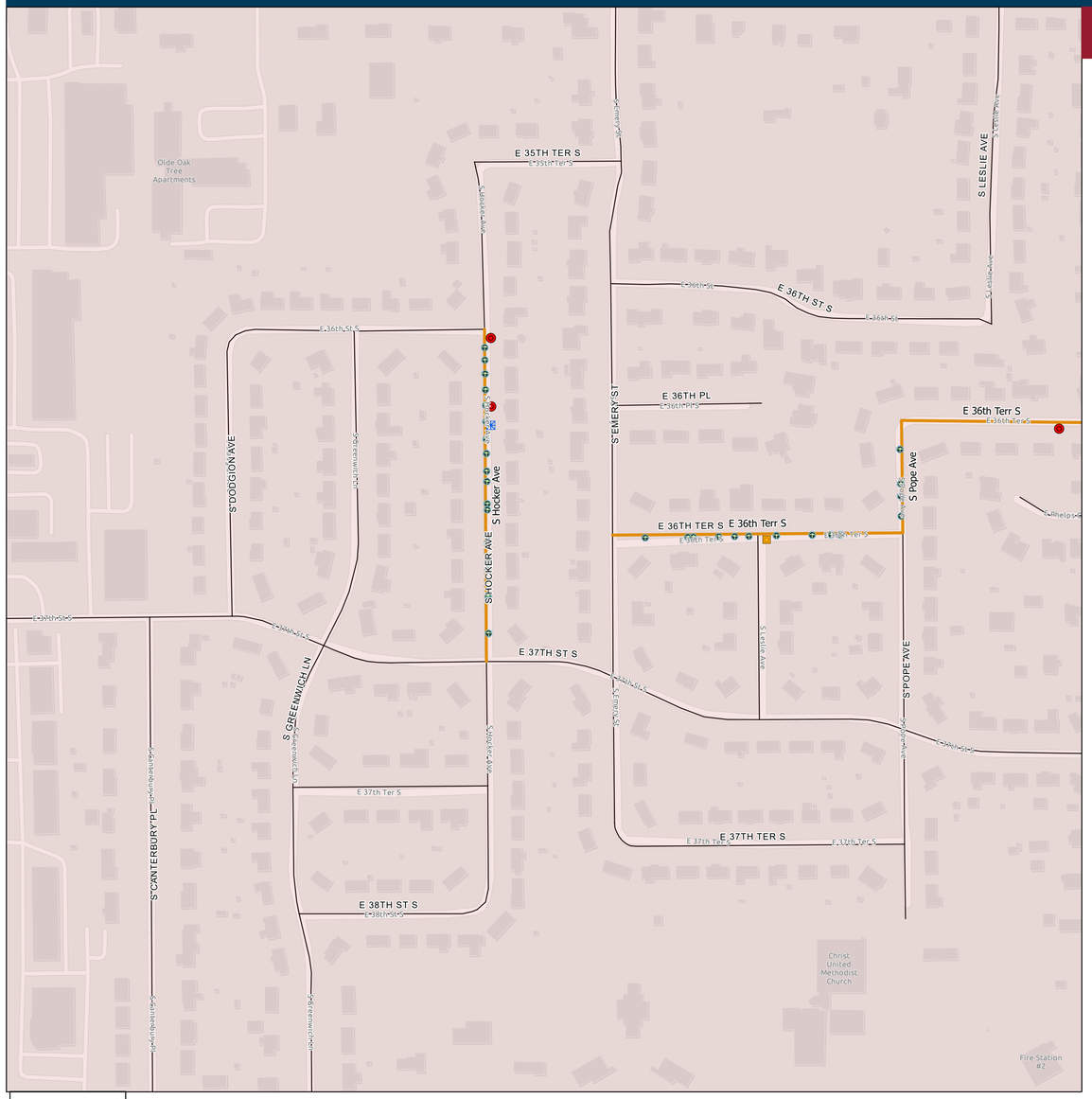
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 4 - 55

Map Grid N5B, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
316	4139	District 4	E 36TH TERR S	S POPE AVE	S PHELPS RD	494.9
2112	3739	District 4	S HOCKER AVE	E 37TH ST S	E 36TH ST S	771.93
3587	5573	District 4	S POPE AVE	E 36TH TERR S	E 36TH TERR S	261.28
3588	5574	District 4	E 36TH TERR S	S LESLIE AVE	S POPE AVE	337.01
4802	6091	District 4	E 36TH TERR S	S EMERY ST	S LESLIE AVE	337.9

Legend

- Storm Water Structures (1)
- Water Taps (33)
- Sanitary Manholes (3)
- Curb Ramps (1)
- District 4
- SEAL
- Streets

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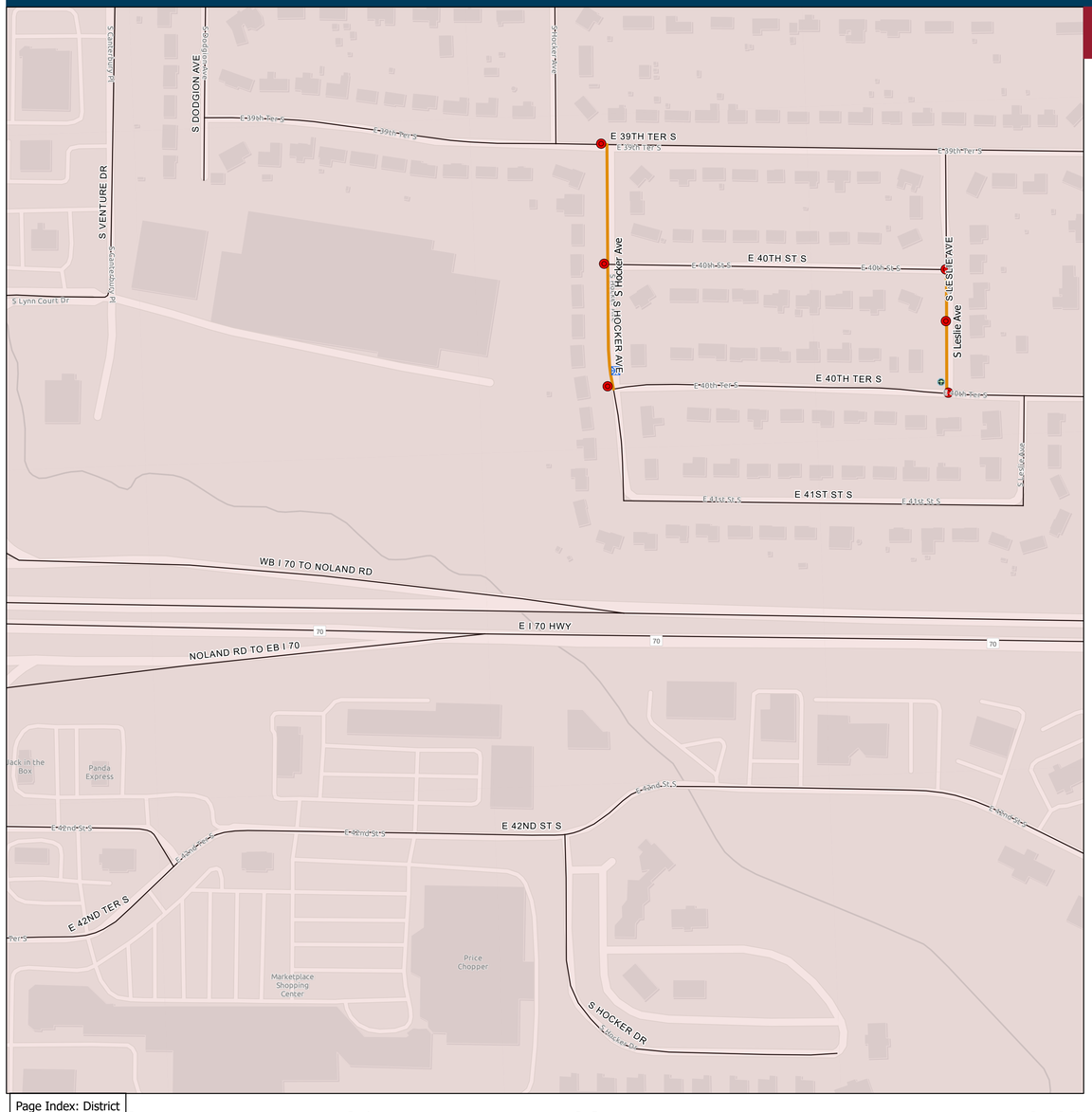
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 4 - 56

0 0.1 0.2 0.4 Miles

Map Grid N5C, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
2336	5008	District 4	S LESLIE AVE	E 40TH TERR S	E 40TH ST S	287.43
2359	5018	District 4	S HOCKER AVE	E 40TH ST S	E 39TH TERR S	278.01
3556	8813	District 4	S HOCKER AVE	E 40TH TERR S	E 40TH ST S	290.21

Legend

- Storm Water Structures (1)
- Water Taps (1)
- Sanitary Manholes (6)
- District 4
- SEAL
- Streets

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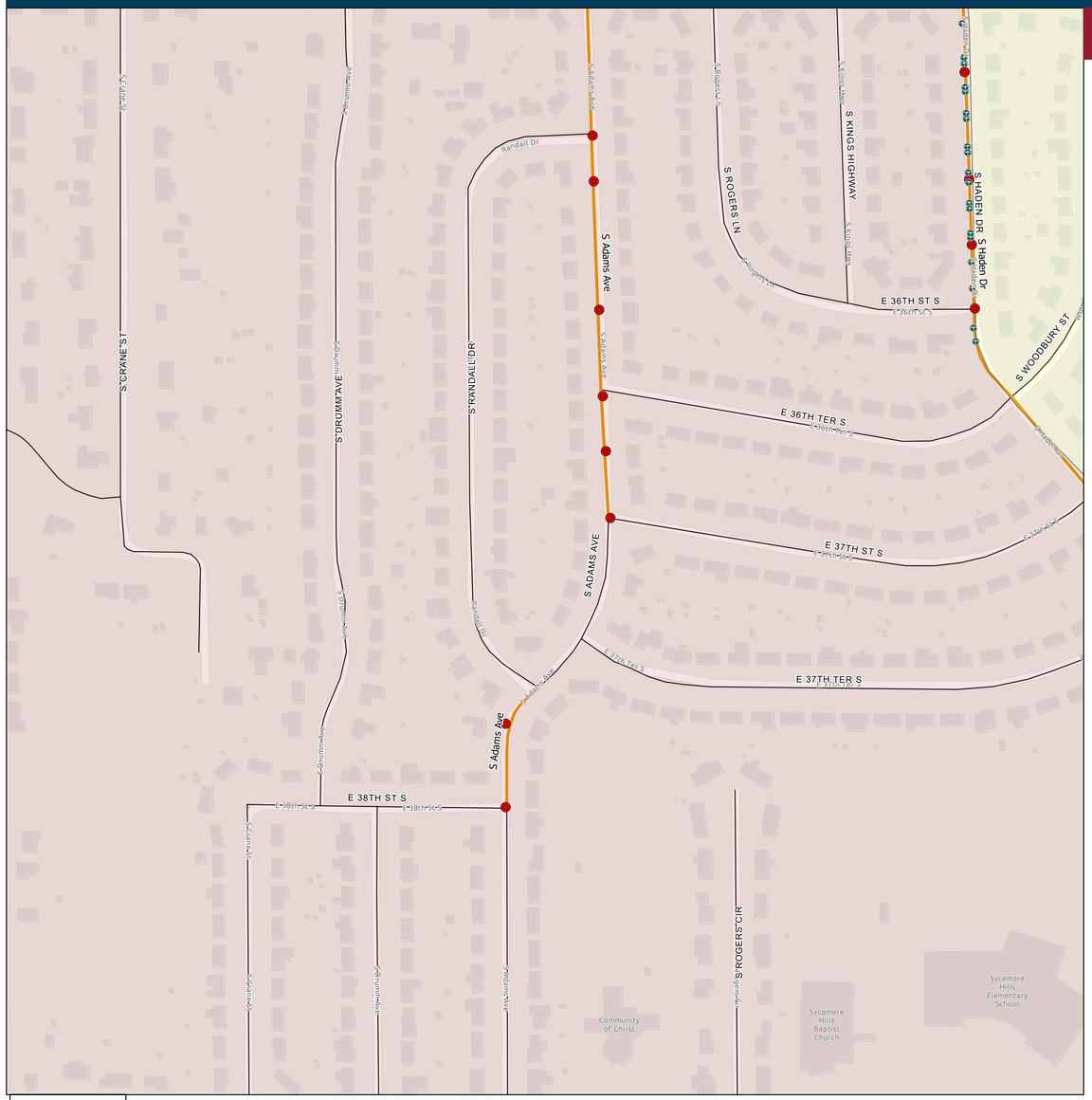
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Map Grid N6A, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
2143	4930	District 3	S HADEN DR	E 37TH ST S	E 36TH TERR S	294.42
2145	4931	District 4	S ADAMS AVE	E 37TH ST S	E 36TH TERR S	298.29
2709	9152	District 4	S ADAMS AVE	E 38TH ST S	S RANDALL DR	304.92
3826	8702	District 4	S ADAMS AVE	S RANDALL DR	E 35TH ST S	356.81
4974	8267	District 3	S HADEN DR	E 36TH TERR S	E 36TH ST S	230.24
5571	6449	District 4	S ADAMS AVE	E 36TH TERR S	S RANDALL DR	594.01
6054	3402	District 3	S HADEN DR	E 36TH ST S	E 35TH ST S	750.36

Legend

- Water Taps (19)
- Sanitary Manholes (12)
- District 3
- District 4
- SEAL
- Streets

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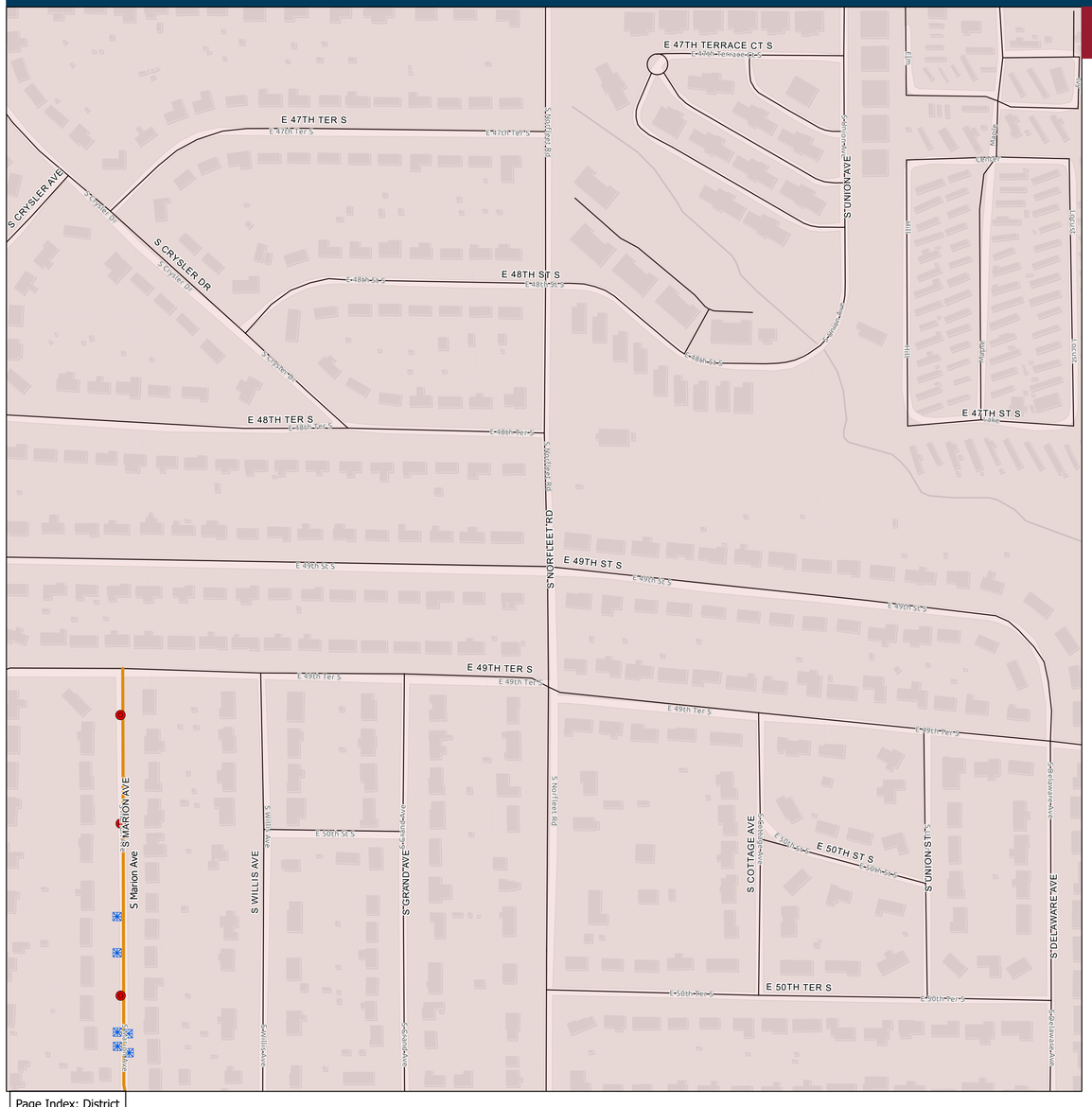
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals



Map Grid O4C, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
5712	2842	District 4	S MARION AVE	E 51ST ST S	E 49TH TERR S	1048.93

Legend

- Storm Water Structures (6)
- Sanitary Manholes (3)
- District 4
- SEAL
- Streets

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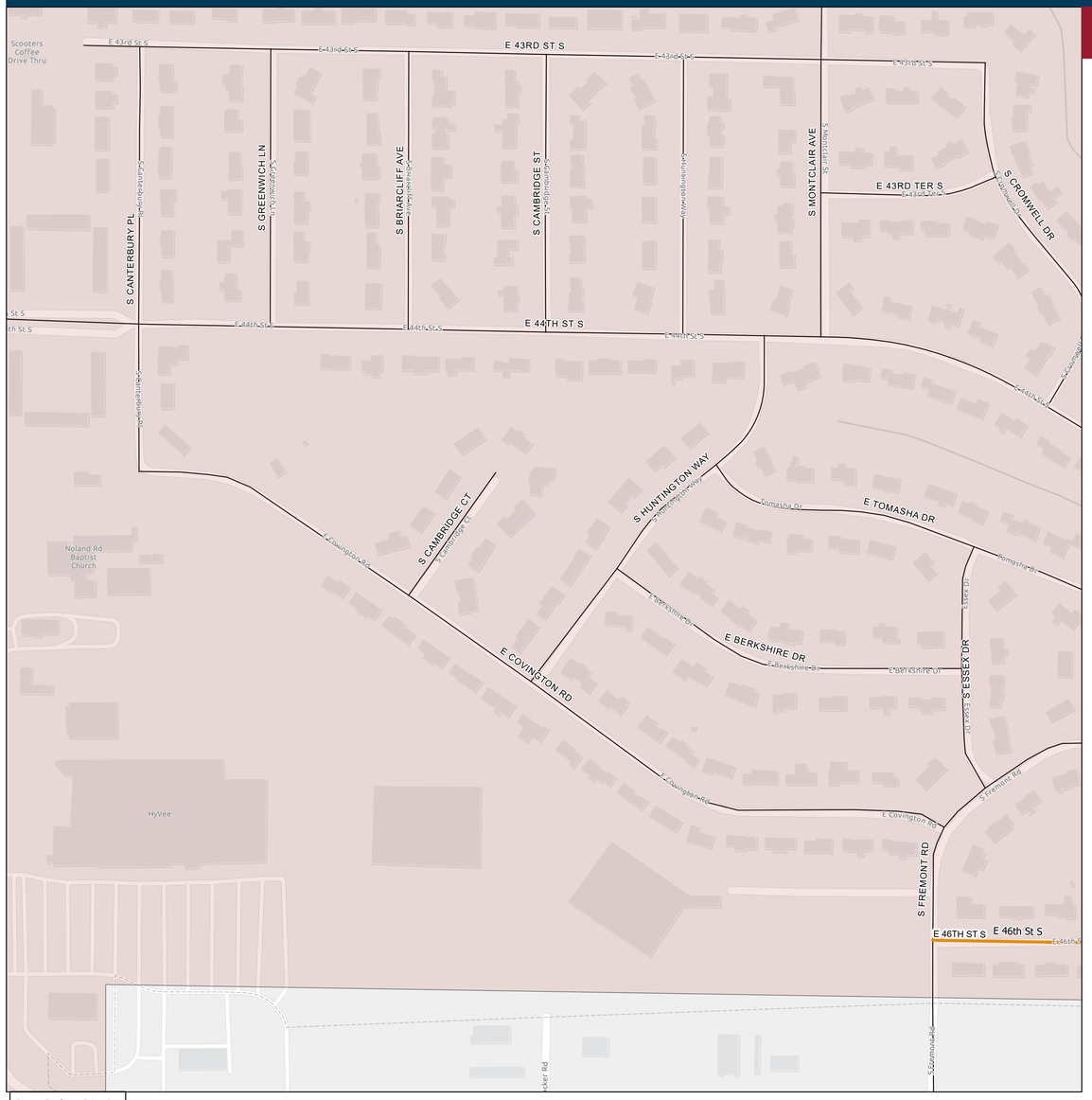
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 4 - 64

0 0.1 0.2 0.4 Miles

Map Grid O5B, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
5921	2917	District 4	E 46TH ST S	S FREMONT RD	E 46TH STREET CT S	1253.77

Legend

- District 4
- SEAL
- Streets

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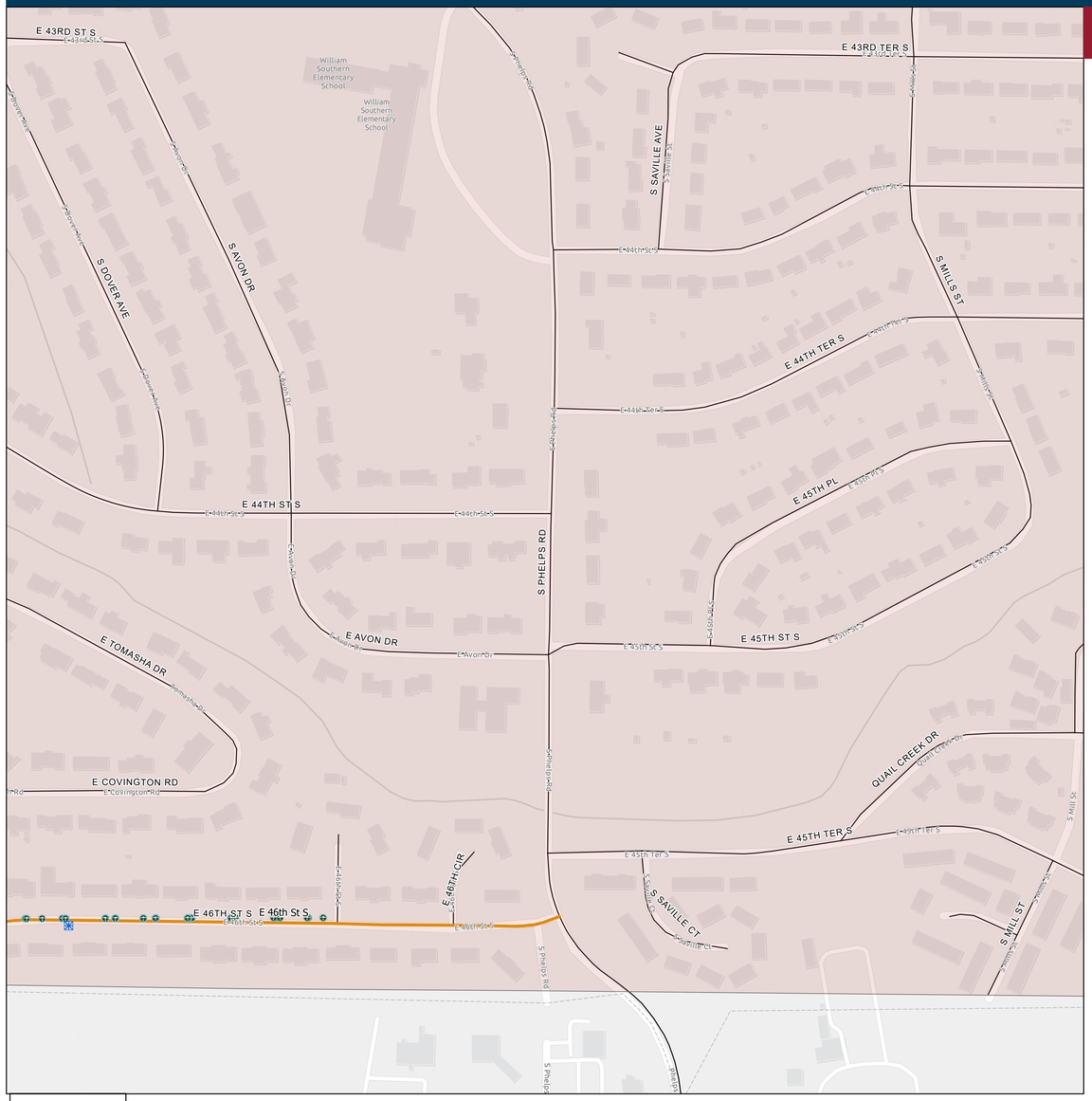
INDEPENDENCE
★MUNICIPAL SERVICES★

FY24 Pavement Maintenance - Seals



Page Index: District 4 - 65

Map Grid O6A, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
5921	2917	District 4	E 46TH ST S	S FREMONT RD	E 46TH STREET CT S	1253.77
5922	7872	District 4	E 46TH ST S	E 46TH STREET CT S	E 46TH CIR	269.52
6536	7577	District 4	E 46TH ST S	E 46TH CIR	S PHELPS RD	249.73

Legend

- Storm Water Structures (1)
- Water Taps (32)
- District 4
- SEAL
- Streets

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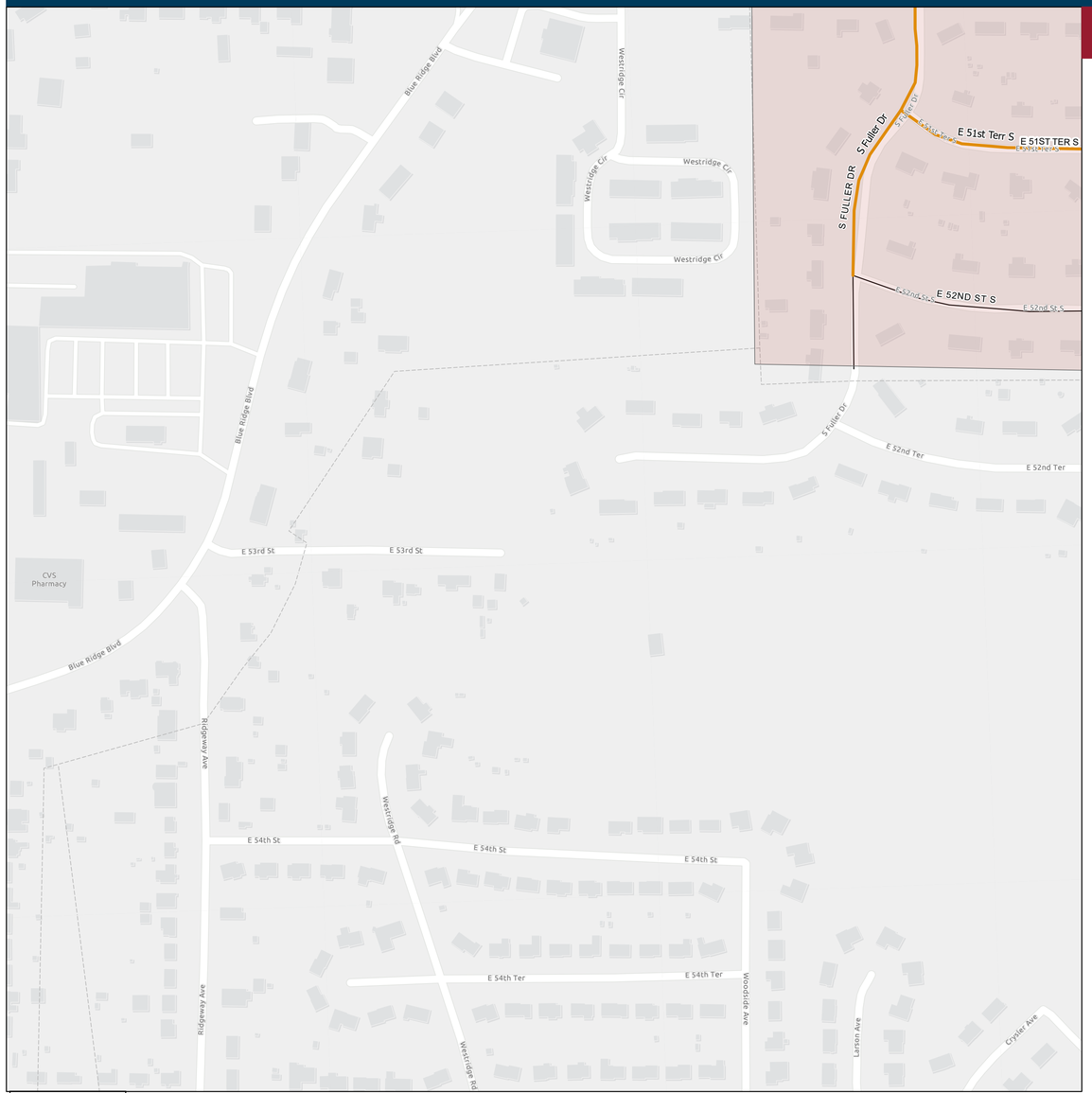
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals



Page Index: District 4 - 71

0 0.1 0.2 0.4 Miles

Map Grid P4A, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
4050	8615	District 4	S FULLER DR	E 52ND ST S	E 51ST TERR S	412.84
4096	8591	District 4	S FULLER DR	E 51ST TERR S	E 51ST ST S	294.28
5719	7973	District 4	E 51ST TERR S	S CRYSLER AVE	S FULLER DR	511.37

Legend

- District 4
- SEAL
- Streets

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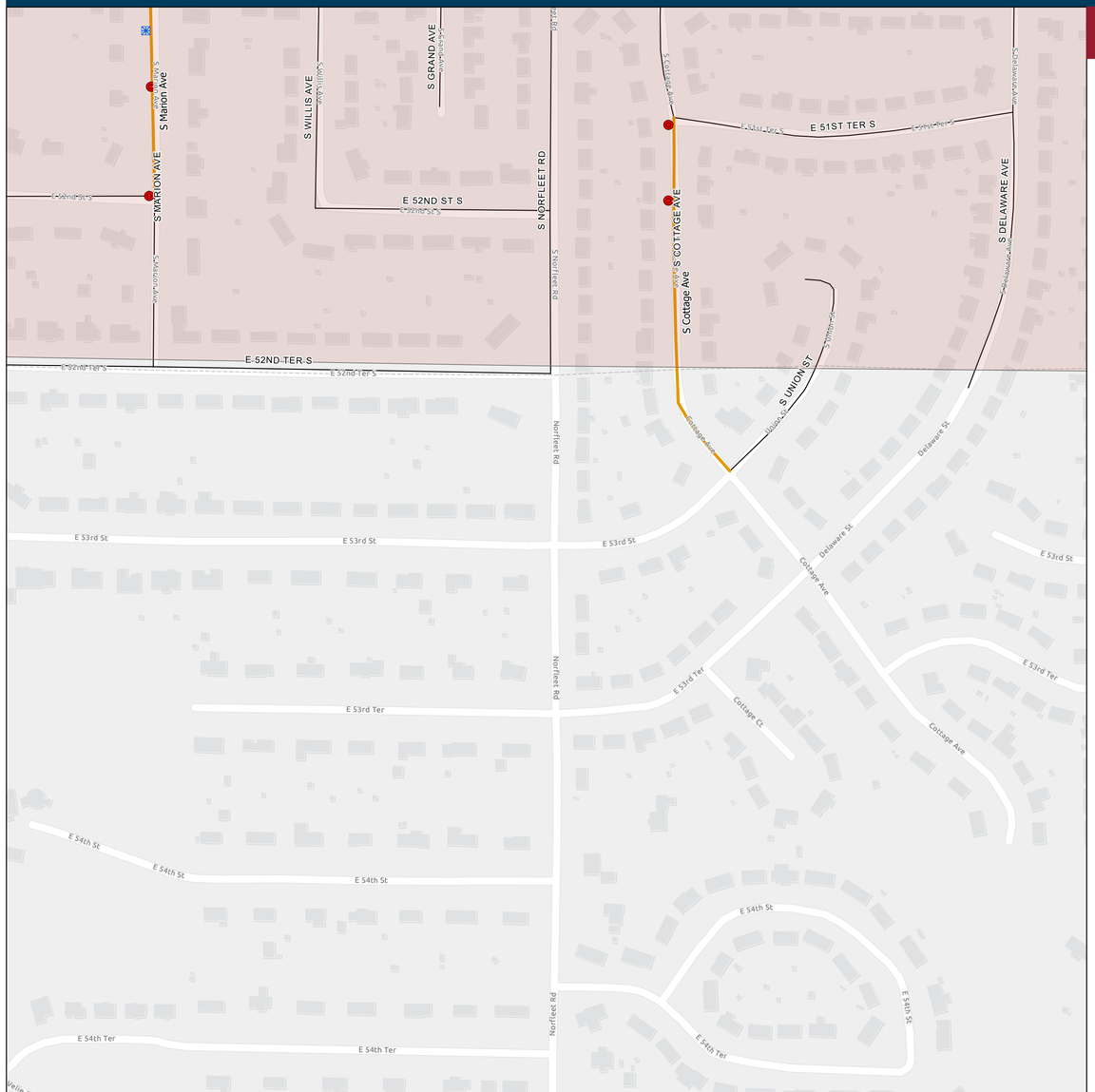
INDEPENDENCE
MUNICIPAL SERVICES

FY24 Pavement Maintenance - Seals



Page Index: District 4 - 72

0 0.1 0.2 0.4 Miles

Map Grid P4B, District 4

Centerline ID	GISID_1	DISTRICT	Street_Name	From_	To	Street Length
2016	1649	District 4	S COTTAGE AVE	CITY LIMIT	E 51ST TERR S	859.15
3960	5728	District 4	S MARION AVE	E 52ND ST S	E 51ST ST S	506.97

Legend

- Storm Water Structures (1)
- Sanitary Manholes (4)
- District 4
- SEAL
- Streets

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City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 24-721

Agenda Title:

24-721 A Resolution reappointing Robert Pruente to the Heritage Commission

Department:	**Contact Person:**

REVIEWERS:

Department	**Action**
City Clerk Department	Approved

Council Action:	**Council Action:**

ATTACHMENTS:

	Description	**Type**
🗋	Resolution reappointing Robert Pruente to Heritage Commission	Ordinance

Heritage Commission

Reappt. Pruente

5/6/24 SH

BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION REAPPOINTING ROBERT PRUENTE AS A MEMBER OF THE HERITAGE COMMISSION OF THE CITY OF INDEPENDENCE, MISSOURI

WHEREAS, the City Council of the City of Independence, Missouri did, pursuant to Ordinance No. 3183, passed on the 7th day of May 1973, create the Heritage Commission within and for the City of Independence, Missouri; and

WHEREAS, the City Council of the City of Independence, Missouri, did, in subsequent ordinances and resolutions, change the appointing authority provisions, adjust term rotations and the composition of the Commission, and,

WHEREAS, Robert Pruente was a member of the Heritage Commission, and their term has expired, and

WHEREAS, the City Council deems it advisable to reappoint Robert Pruente to said Heritage Commission because of their qualities of leadership, temperance, judgment, and interest in fostering good personnel administration for employees of the City of Independence and

WHEREAS, said individual is qualified to serve, according to the Charter and ordinances of this City, and the Council does hereby affirm the individual appointments made by each Councilmember,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council of the City of Independence, Missouri, hereby reappoints the following individual to the Heritage Commission of the City of Independence, Missouri, each to serve without compensation for the indicated term or until duly succeeded by another person properly appointed and qualified:

Name	Address	Term Expires
Robert Pruente	610 N. River Blvd.	April 1, 2027

PASSED THIS _____ DAY OF MAY, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

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

ATTEST:

_____
City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
City Counselor

REVIEWED BY:

_____
City Manager

City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 24-722

Agenda Title:

24-722 A Resolution reappointing Brent Schondelmeyer to the Land Trust of Jackson County

Department:

Contact Person:

REVIEWERS:

Department	Action
City Clerk Department	Approved

Council Action:

Council Action:

ATTACHMENTS:

	Description	Type
🗋	Resolution Reappointing Schondelmeyer to Land Trust of Jackson County	Ordinance

Jackson County Land Trust

Reappointment Schondelmeyer

5/6/24 SH

BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION REAPPOINTING BRENT SCHONDELMEYER TO THE LAND TRUST OF JACKSON COUNTY, MISSOURI

WHEREAS Section 141.720 RSMo governs appointments of trustees to the Land Trust of Jackson County, Missouri, and

WHEREAS the Jackson County Executive's Office has determined that the City of Independence, Missouri, is an appointing authority, and

WHEREAS, the Mayor, with the advice and consent of the City Council, deems it advisable to reappoint Brent Schondelmeyer to represent the City of Independence as a Trustee on the Land Trust of Jackson County, Missouri, and

WHEREAS said individual is duly qualified to serve, according to the Charter and ordinances of this City;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council of the City of Independence, Missouri, hereby appoints the following individual(s) to the Land Trust of Jackson County, to serve without compensation for the indicated term or until duly succeeded by another person properly appointed and qualified:

Name	Address	Term Expires
Brent Schondelmeyer	3704 S. Grand	2/1/2026

PASSED THIS _____ DAY OF MAY 2024 BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

_____

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

ATTEST:

_____
City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
City Counselor

REVIEWED BY:

_____
City Manager

City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 24-723

Agenda Title:

24-723 A Resolution reappointing Ronald Bruch to the Jackson County Board of Equalization

Department: **Contact Person:**

REVIEWERS:

Department	Action
City Clerk Department	Approved

Council Action: **Council Action:**

ATTACHMENTS:

	Description	Type
🗋	Resolution Reappt Ronald Bruch to Jackson Co Board of Equalization	Ordinance

Jackson County Board of Equalization

Reappointment Bruch

5/6/2024 SH

BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION REAPPOINTING 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

WHEREAS pursuant to Section 138.015 RSMo, the City Council of the City of Independence, Missouri, has the authority to appoint a representative of the Board of Equalization of Jackson County when the Board considers the assessment of property within the City of Independence and,

WHEREAS, the City Council deems it advisable to reappoint Ronald Bruch as the Alternate-City Representative to serve on the Jackson County Board of Equalization; and,

WHEREAS, said individual(s) are duly qualified to serve, according to the Charter and ordinances of this City;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council of the City of Independence, Missouri, hereby reappoints the following individual(s) to the Jackson County Board of Equalization for the indicated term or until duly succeeded by another person properly appointed and qualified:

Name	Address	Term Expires
Ronald Bruch	3024 Viking Ct.	4/30/2026

PASSED THIS _____ DAY OF MAY 2024 BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

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

ATTEST:

_____
City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
City Counselor

REVIEWED BY:

_____
City Manager

City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 24-724

Agenda Title:

24-724 A Resolution establishing a temporary moratorium on accepting, processing and consideration of applications, permits and licenses for tobacco stores, liquor stores and small box variety retail stores.

Recommendations:

Staff recommends approval of the resolution.

Executive Summary:

This resolution would establish a six (6) month temporary moratorium on accepting, processing and the consideration of applications, permits and licenses for tobacco stores, liquor stores and small box variety retail stores. Staff continues to see increased interest in these uses and has concerns that these uses could have the potential impact of creating land use conflicts and altering the character of commercial corridors. The temporary moratorium would allow staff time to research and develop an amendment to the UDO.

Background:

The City's Unified Development Ordinance (UDO) has regulated tobacco stores for several years. However, small box variety retail stores (i.e., dollar stores) and liquor stores are allowed by right in office and commercial zoning districts.

Currently, the City has a total of approximately twenty (20) dollar stores, six (6) liquor stores and eight (8) tobacco stores. Staff has seen a trend of continued interest in these uses and has concerns that these uses could have the potential impact of creating land use conflicts and altering the character of commercial corridors.

The research, drafting and approval of an appropriate UDO amendment may take approximately six (6) months to accomplish. The temporary moratorium for these uses would allow for the adoption of amended regulations and would expire upon the City Council adopting a UDO amendment.

Department: Community

Development		**Contact Person:**	Tom Scannell

REVIEWERS:

Department	**Action**
Community Development Department	Approved
City Clerk Department	Approved
Finance Department	Approved
City Managers Office	Approved
City Clerk Department	Approved

Council Action:	**Council Action:**

ATTACHMENTS:

	Description	**Type**
🗋	Draft Resolution	Resolution

BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING A TEMPORARY MORATORIUM ON ACCEPTING, PROCESSING AND CONSIDERATION OF APPLICATIONS, PERMITS AND LICENSES FOR TOBACCO STORES, LIQUOR STORES AND SMALL BOX VARIETY RETAIL STORES.

WHEREAS, the City's Unified Development Ordinance (UDO) has regulated tobacco stores for several years and generally allowed by right small box variety retail stores (i.e., dollar stores) and liquor stores; and,

WHEREAS, the City would like to review its current UDO regulations and consider revisions which addresses the impacts associated with tobacco stores, liquor stores and dollar stores; and,

WHEREAS, these revisions are necessary to promote the health, safety, morals and general welfare of the community; and,

WHEREAS, the City Council would like to have an adequate amount of time to formulate these regulations prior to considering or approving the operation or development of any new small box variety retail stores, tobacco stores and liquor within the City; and,

WHEREAS, the City has approximately 20 dollar stores, 6 liquor stores and 8 tobacco stores within the City; and,

WHEREAS, the City has seen a trend of increased interest in tobacco stores, liquor stores and dollar stores and has concerns that these uses could have the potential impact of creating land use conflicts and altering the character of commercial corridors; and,

WHEREAS, the City Council desires to amend the UDO to provide for an appropriate regulatory approach for addressing potential impacts of these uses within the City; and,

WHEREAS, the research, drafting and approval of an appropriate UDO amendment may take several months to properly accomplish; and,

WHEREAS, it is appropriate to address the impacts to the public health, safety, and general welfare to enact a reasonable and temporary moratorium until the amended regulations can be enacted and effective; and,

WHEREAS, the City Council finds that it is necessary and reasonable to establish a temporary moratorium on the establishment of any new uses in the City and the issuance of any new licenses for the same for six (6) months or until the City has enacted the amendment to the UDO.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That a temporary six (6) month moratorium is hereby imposed on the acceptance, processing and consideration of applications, development, permits and licenses for tobacco stores, small box variety retail stores and liquor stores in the City. No applications for development, permits, zoning approval and/or business license shall be accepted until six (6) months has elapsed, or the City Council has adopted a UDO amendment pertaining to said uses, whichever occurs earlier.

SECTION 2. That for the purposes of this moratorium the term liquor store means any retail establishment which sells exclusively or primarily intoxicating liquor. Such term does not include other establishments which sells both intoxicating liquor and other items where the sales of intoxicating liquor is less and 50% of total retail sales.

SECTION 3. That for the purposes of this moratorium the term small box variety store means a store of 15,000 square feet or less which sells at retail an assortment of physical goods, products, or merchandise directly to the consumer, including food or beverages for off-premises consumption, household products, personal grooming and health products, and other consumer goods.

SECTION 3. That for the purposes of this moratorium the term tobacco store shall be as defined in the UDO.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

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

ATTEST:

_____
City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
City Counselor

REVIEWED BY:

_____
City Manager

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

A public hearing for the formation of the Fairmount Community Improvement District. **Full Public Hearing.**

Department:	Community Development	**Contact Person:**	Tom Scannell

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REVIEWERS:

Department	**Action**
Community Development Department	Approved
City Clerk Department	Approved

Council Action:	**Council Action:**

City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 24-015 2R

Agenda Title:

24-015 2R An Ordinance vacating an existing right-of-way of all that part of Coon Road beginning at 7 Hwy and heading West approximately 631 feet and reserving the same as a general utility easement, Independence, Jackson County, Missouri.

Recommendations:

Council approval is recommended.

Executive Summary:

City Staff have received an application to vacate Coon Road west of MO-7 Highway. This application has been found to meet all requirements set by City Code. Staff are recommending the approval of this vacation.

Fiscal Impact:

There is no fiscal impact to the City.

Department: Municipal Services **Contact Person:** Lisa Reynolds

REVIEWERS:

Department	Action
City Clerk Department	Approved

Council Action: **Council Action:**

ATTACHMENTS:

Description	Type
Coon Road Vacation and Easement Application	Exhibit
Ordinance - Coon Road Vacation	Ordinance

LETTER OF PURPOSE

Municipal Services
City of Independence, Missouri

CC: Timothy Olah
900 S M 7 Hwy
Independence, MO 64056

Subject: Letter of Purpose for Right-of-Way Vacation of E. Coon Road

Dear Municipal Services,

We provide this Letter of Purpose for the Right-of-Way Vacation of Coon Road as proposed by Timothy Olah. E. Coon Road is a roughly 630' length of dead-end roadway accessed off MO 7 Highway, east of the highway near Lake City Army Ammunition Plant. Mr. Olah's properties border the entire length of Coon Road on both north and south sides of the street. Coon Road provides access his properties exclusively, and the road is not used by any other property owners or users.

Mr. Olah would ask that the road be vacated so that he can assume maintenance of the road as a private drive. The city provides little to no maintenance of Coon Road, and the road has fallen into disrepair. Vacation of the road would allow Mr. Olah to improve the drive and address maintenance issues as they arise.

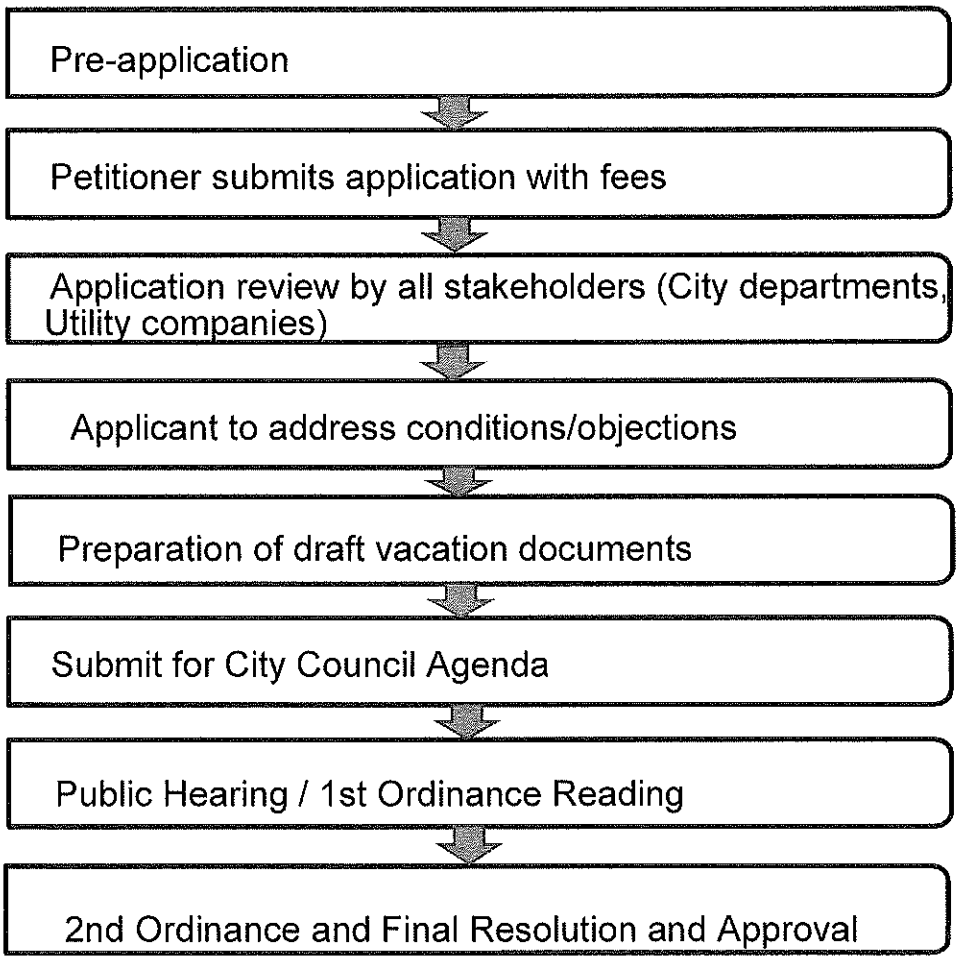
Please find attached the Right-of-Way Vacation Application, and legal description and right-of-way map exhibits prepared by Atlas Land Consulting.

Sincerely,
Ryan Hunter, AIA

July 17, 2023

INDEPENDENCE
★MUNICIPAL SERVICES★

RIGHT-OF-WAY VACATION PROCESS AND TIMELINE



Right-Of-Way Vacation or Plat Application

City of Independence Municipal Services – Right-of-Way Division
111 E. Maple Ave., Independence, MO 64050 (816) 325-7617

(Note: The applicant may be required to administer a petition if vacation is determine to impact multiple properties)

1. CONTACT INFORMATION

Applicant Tim Olah Company _____
Address 900 S M 7 Hwy City & State Independence, MO Zip 64056
Telephone (816) 985.2308 Email tim.olah@kcstructural.com

Property Owner(s) (if different from applicant) _____
Address _____ City & State _____ Zip _____
Telephone (____) _____ Email _____

Agent/Contact Ryan Hunter Company Hermanos Design
Address 812B W 17th St City & State Kansas City, MO Zip 64108
Telephone (816) 914.5919 Email rhunter@hermanosdesign.com

All correspondence should be sent to (check ONE):

☐ Applicant's Property ☐ Owner ☒ Agent

2. VACATION LOCATION / ADDRESS

E Coon Road (east of S MO-7 Hwy)

3. REQUIRED ATTACHMENTS

☐ Letter of Purpose – Please submit a letter addressed to Municipal Services briefly explaining the purpose of the requested vacation.
☐ Completed Application
☐ $300.00 fee (Payable to City of Independence)
☐ Map showing right-of-way to be vacated
☐ Legal description may be required if an easement is to be reserved.

4. **PUBLIC UTILITIES**: An easement must be reserved in the vacation for an; public utility existing within the vacation area. If the applicant chooses to clear the area of these utilities, it is the responsibility of the applicant to make arrangements with the utility companies for the relocation prior to completion of the vacation. All costs in connection with the relocation of these facilities must be borne by the applicant.

5. The information presented with this application is true and correct to the best of the undersigned's knowledge and consists of the required items as listed above, necessary for a complete application.

Signature _____

Printed Name Ryan Hunter **Date** 07.17.2023

Official Use Only – Do Not Write in this Area

☐ Approved ☐ Not Approved
Vacation Approved by _____ Date _____
Notes:

EXHIBIT A

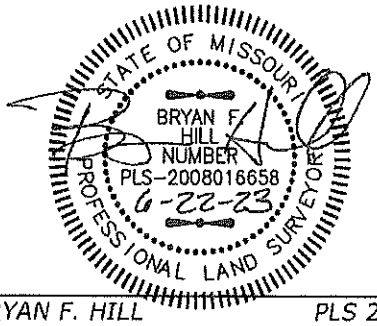
SHEET 1 OF 2

ROAD TO BE VACATED DESCRIPTION:

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 01, TOWNSHIP 49 NORTH, RANGE 31 WEST, OF THE 5TH P.M., IN THE CITY OF INDEPENDENCE, JACKSON COUNTY, MISSOURI, PREPARED BY BRYAN F. HILL PLS 2008016658 DATED JUNE 21ST, 2023; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 01°59'14" WEST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, 1293.15 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 87°39'24" WEST, 26.10 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MISSOURI 7 HIGHWAY AS IT NOW EXISTS, ALSO TO BE KNOWN AS THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE SOUTH 01°59'14" WEST, ALONG SAID WEST RIGHT OF WAY LINE, 25.00 FEET; THENCE NORTH 87°39'24" WEST, 630.71 FEET; THENCE NORTH 02°03'11" EAST, 25.00 FEET; THENCE SOUTH 87°39'24" EAST, 630.68 FEET TO THE POINT OF BEGINNING.
CONTAINING 15,767.47 SQUARE FEET MORE OR LESS.

I DECLARE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.



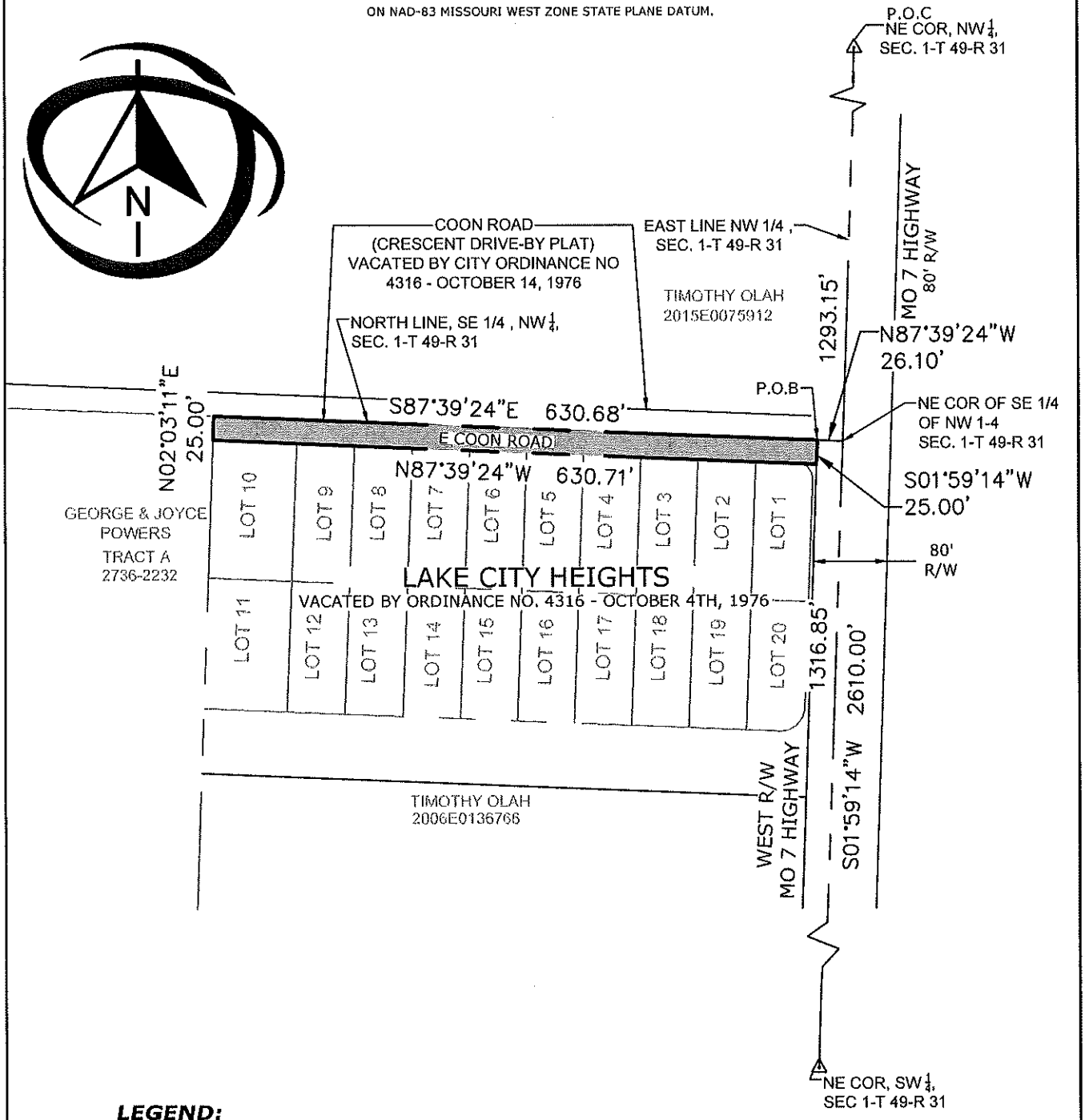
BRYAN F. HILL *PLS 2008016658*

ALC	*E COON ROAD* *INDEPENDENCE, MO*		
	COUNTY	*TRACT NO.*	PAD. NO. *23-135*
	JACKSON COUNTY		DATE *CHANGE*

EXHIBIT A

SHEET 2 OF 2

THIS SKETCH HAS BEEN PREPARED FOR EASEMENT EXHIBIT PURPOSES ONLY AND DOES NOT CONSTITUTE A BOUNDARY SURVEY. DISTANCES AND BEARINGS ARE BASED ON NAD-83 MISSOURI WEST ZONE STATE PLANE DATUM.



LEGEND:

- ROAD R/W LINE
- PROPERTY LINE
- ROAD TO BE VACATED
- P.O.C POINT OF COMMENCEMENT
- P.O.B POINT OF BEGINNING

150 75 0 150

SCALE IN FEET

ALC
ATLAS LAND CONSULTING

E COON ROAD INDEPENDENCE, MO		
COUNTY	TRACT NO.	PROJ NO: 23-135
JACKSON COUNTY		DATE: JUNE 21ST, 2023

EXHIBIT A

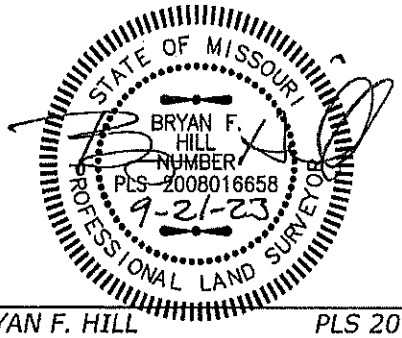
SHEET 1 OF 2

UTILITY EASEMENT DESCRIPTION:

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 01, TOWNSHIP 49 NORTH, RANGE 31 WEST, OF THE 5TH P.M., IN THE CITY OF INDEPENDENCE, JACKSON COUNTY, MISSOURI, PREPARED BY BRYAN F. HILL PLS 2008016658 DATED SEPTEMBER 20TH, 2023; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 01°59'14" WEST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, 1293.15 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 87°39'24" WEST, 26.10 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MISSOURI 7 HIGHWAY AS IT NOW EXISTS, ALSO TO BE KNOWN AS THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE SOUTH 01°59'14" WEST, ALONG SAID WEST RIGHT OF WAY LINE, 25.00 FEET; THENCE NORTH 87°39'24" WEST, 630.71 FEET; THENCE NORTH 02°03'11" EAST, 25.00 FEET; THENCE SOUTH 87°39'24" EAST, 630.68 FEET TO THE POINT OF BEGINNING.
CONTAINING 15,767.47 SQUARE FEET MORE OR LESS.

I DECLARE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.



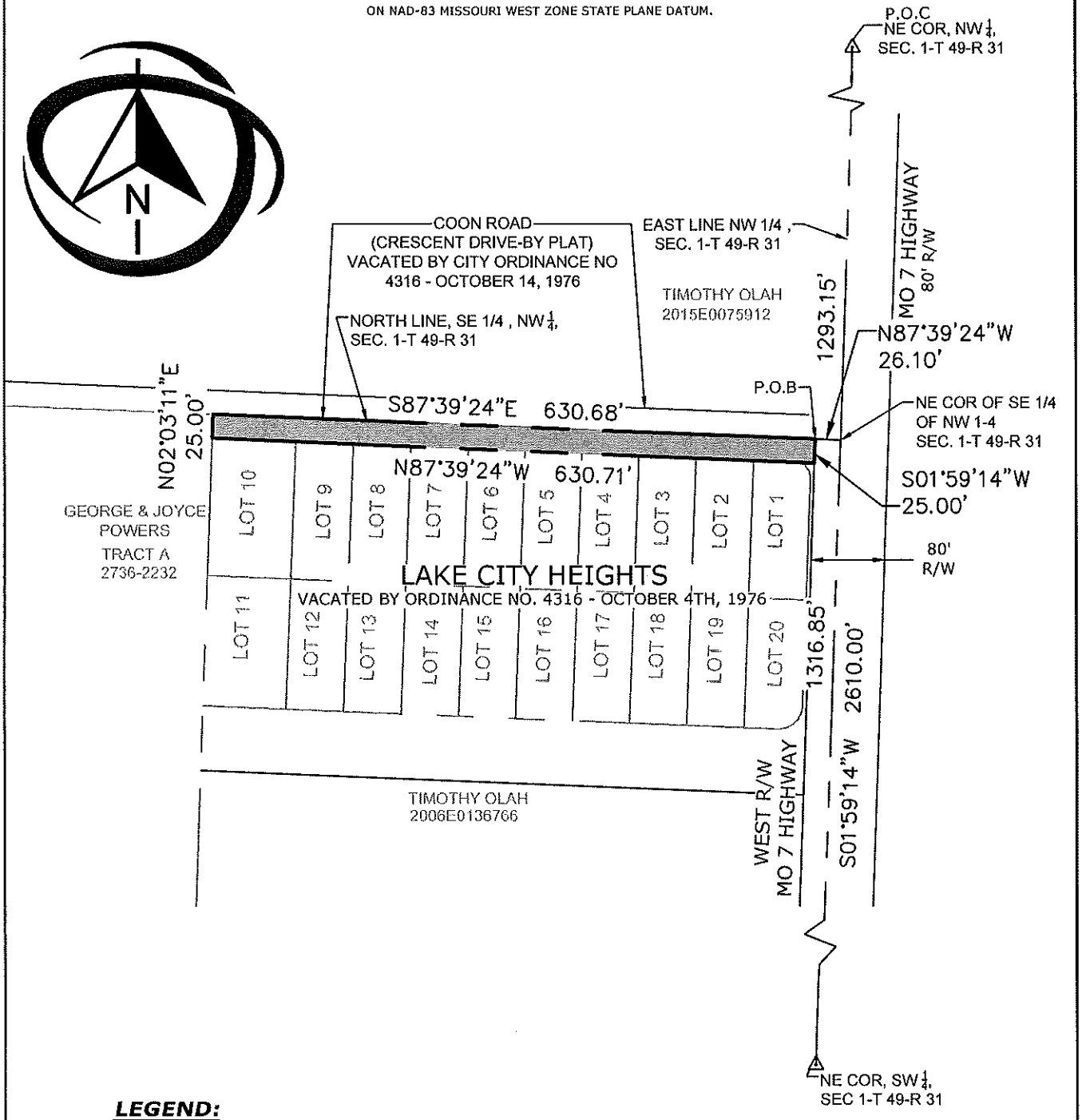
BRYAN F. HILL *PLS 2008016658*

ALC	*E COON ROAD* *INDEPENDENCE, MO*		
	COUNTY	*TRACT NO.*	PROJECT: *23-135*
	JACKSON COUNTY		DATE: *SEPTEMBER 20, 2023*

EXHIBIT A

SHEET 2 OF 2

THIS SKETCH HAS BEEN PREPARED FOR EASEMENT EXHIBIT PURPOSES ONLY AND DOES NOT CONSTITUTE A BOUNDARY SURVEY. DISTANCES AND BEARINGS ARE BASED ON NAD-83 MISSOURI WEST ZONE STATE PLANE DATUM.



LEGEND:

- ROAD R/W LINE
- PROPERTY LINE
- UTILITY EASEMENT
- P.O.C POINT OF COMMENCEMENT
- P.O.B POINT OF BEGINNING

150 75 0 150

SCALE IN FEET

ALC
ATLAS LAND CONSULTING

E COON ROAD INDEPENDENCE, MO		
COUNTY	TRACT NO.	PROJ NO: 23-135
JACKSON COUNTY		DATE: SEPTEMBER 20, 2023

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE VACATING AN EXISTING RIGHT-OF-WAY OF ALL THAT PART OF COON ROAD BEGINNING AT 7 HWY AND HEADING WEST APPROXIMATELY 631 FEET AND RESERVING THE SAME AS A GENERAL UTILITY EASEMENT, INDEPENDENCE, JACKSON COUNTY, MISSOURI.

WHEREAS the entirety of the vacated Right-of-way will become a General Utility Easement; and,

WHEREAS the vacation of the Right-Of-Way will support additional development of the property; and,

WHEREAS, the City has received a request for vacation from the property owner of 4 of the adjacent, 5 parcels.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council of the City of Independence, Missouri does hereby vacate the Right-Of-Way, described as follows:

DESCRIPTION OF RIGHT-OF-WAY TO BE VACATED

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 01, TOWNSHIP 49 NORTH, RANGE 31 WEST, OF THE 5TH P.M., IN THE CITY OF INDEPENDENCE, JACKSON COUNTY, MISSOURI, PREPARED BY BRYAN F. HILL PLS 2008016658 DATED JUNE 21ST, 2023; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 01059'14" WEST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, 1293.15 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID NORTHWEST QUARTER; THENCE NORTH 87039'24" WEST, 26.10 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF MISSOURI 7 HIGHWAY AS IT NOW EXISTS, ALSO TO BE KNOWN AS THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE SOUTH 01059114" WEST, ALONG SAID WEST RIGHT OF WAY LINE, 25.00 FEET; THENCE NORTH 87039124" WEST, 630.71 FEET; THENCE NORTH 02003111" EAST, 25.00 FEET; THENCE SOUTH 87039124" EAST, 630.68 FEET TO THE POINT OF BEGINNING.
CONTAINING 15,767.47 SQUARE FEET MORE OR LESS.

SECTION 2. That the Municipal Services Department is directed to file for record a certified copy of this ordinance in the Office of the Division of Property Records, in and for the County of Jackson, State of Missouri, at Independence.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

ATTEST:

_____
City Clerk

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

APPROVED - FORM AND LEGALITY:

_____
City Counselor

REVIEWED BY:

_____
City Manager

_____
Director of Finance and Administration
City of Independence, Missouri

City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 24-030 2R

Agenda Title:

24-030 2R 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 of Independence Police Department's Law Enforcement School-Based Initiative called S.T.E.P.

Recommendations:

The Police Department recommends accepting this agreement and funding from COMBAT.

Background:

The Independence Police Department applied for and has received a $225,000.00 Cooperative Agreement from Jackson County's Community Backed Anti-Drug Tax (COMBAT). This funding will be used to assist the City in defraying the cost of its Law Enforcement School Based Initiative called S.T.E.P. (Students Transitioning Exceptionally Prepared). This program is taught by IPD's School Resource Officers to students in the 5th and 8th grades in the Independence School District. STEP is designed to assist students in transition from elementary to middle school, and middle school to high school. Topics discussed with students include negative affects of bullying, drug, alcohol, and smoking/vaping prevention; managing conflict resolution; and cyber crimes. The intent is to help students obtain the skills to cope with stresses and trauma, help build strong decision making and communication skills, and to empower youth with the ability to value their own perceptions and feelings.

The $225,000.00 will be used to fund two School Resource Officers. The Agreement is for calendar year 2024 and reimbursements will be made in two payments throughout the year, upon submission of the necessary invoices and reports.

Fiscal Impact:

The fiscal impact to the City is $225,000.00. This is revenue that was already anticipated and included in the 2023/24 FY budget and the 2024/25 FY proposed

budget. The revenue will be deposited in account 002-3274 in the General Fund. The School Resource Officers are budgeted in the 2023-24 FY Approved Budget on page 226, within the Salary and Benefits line items for Community Services.

Department:	Police	**Contact Person:**	Chief Adam Dustman

REVIEWERS:

Department	**Action**
City Clerk Department	Approved

Council Action:	**Council Action:**

ATTACHMENTS:

	Description	**Type**
1	Ordinance for 2024 COMBAT LESBI Award	Ordinance
2	2024 COMBAT LESBI Contract	Contract

Pol.COMBAT
2024 LESBI Initiative
3-25-24 dl

BILL NO. _____

ORDINANCE NO. _____

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.

WHEREAS, Jackson County has offered to provide funding to the City of Independence out of the County's Anti-Drug Sales Tax Funds and by County Resolution No. 21520 did authorize funding in the amount of Two Hundred Twenty-Five Thousand and NO/100 Dollars ($225,000.00) to assist in defraying the costs of the Independence Police Department's S.T.E.P. program; and,

WHEREAS, the City Council does wish to accept the Agreement for the purpose stated.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the City Council hereby directs the City Manager to sign a Cooperative Agreement, and related documents, from Jackson County, Missouri in the amount of Two Hundred Twenty-Five Thousand and NO/100 Dollars ($225,000.00) to partially fund the Independence Police Department's S.T.E.P. (Students Transitioning Exceptionally Prepared) program, a copy of which is attached hereto, incorporated by reference thereto, and made a part hereof as though fully set out herein.

SECTION 2. That the City Manager is further authorized to approve future change orders, extensions, amendments or addendums to this agreement without Council approval, or an extension of time for completing the terms of the agreement or for the receipt of additional funding for this same project, provided there are no changes in the terms and/or conditions or responsibilities to the City and provided each and every such change order, extension, amendment or addendum is approved by the City Manager, does not add more than 90% to the length of time of the program or more than 50% to the original funding, is identified as being authorized by this ordinance and a copy is filed with the City Clerk.

SECTION 3. That the City Manager is hereby authorized to increase appropriations by the amount of any increased agreements authorized by change order, extension, amendment or addendum for any increased funding under the terms of the previous section provided a copy of that action is also provided to the Finance Department.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

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

Pol.COMBAT
2024 LESBI Initiative
3-25-24 dl

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance, otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, sufficient to meet the obligation hereby incurred.

Source is: As indicated above

Director of Finance
City of Independence, Missouri

R. 21520

AGREEMENT

(2024 COMBAT Law Enforcement School Based Initiative (LESBI))

AN AGREEMENT by and between Jackson County, Missouri, hereinafter referred to as “County”, and, **City of Independence, 223 N. Memorial Dr., Independence, MO 64050,** hereinafter referred to as "the City" made and entered into this _____ day of _____, 2024.

WHEREAS, the City has requested funding from County’s Anti-Crime Sales Tax Funds to assist the City in defraying certain costs of its Law Enforcement School Based Initiatives (LESBI) or similar anti-drug; and anti-violence programs and,

WHEREAS, the County’s Jackson County Drug Commission recommended and the County Legislature approved the City’s request as an appropriate expenditure of Anti-Crime Sales Tax Funds; and,

WHEREAS, this Agreement provides a suitable mechanism by which the designated County funds shall be disbursed to the City;

NOW THEREFORE it is agreed by and between the parties as follows:

1. The County agrees to pay to the City a total amount not to exceed **$225,000.00**. Upon execution of this Agreement, City may submit an invoice for 50% of the award. Prior to September 30, 2024, and upon receipt and approval of the previous LESBI Semester Report, the final payment shall be made. This award is contingent upon collection of sales taxes as budgeted at the time of the contract award. If COMBAT funds are reduced, contractor will be informed of necessary contract revisions, as provided for in this Agreement. City agrees to submit semester program reports on forms provided by COMBAT Administration. All payments will be processed within 45 days of receipt of invoice, if the invoice is complete and accurate. Payments will be withheld until the semester program reports are received and accurate. Any reports that are incorrect will delay payment.

2. The County agrees and acknowledges that the City shall use the proceeds of this Agreement, together with City funds and any federal or state grant funds which may have been awarded, to cover certain expenses of its LESBI or similar anti-drug and anti-violence programs, all as is more fully set out in the funding request and other documents attached hereto as Exhibit A, Program Budget Page attached hereto.

3. The City agrees that all proceeds of this Agreement shall be subject to audit by the County's Legislative Auditor or such other auditor as the County may designate. Additionally, the City agrees to contract for the performance of a comprehensive audit in conformance with the Single Audit Act of 1984, and to forward two copies of the audit report to the Jackson County COMBAT Commission, one of which will be forwarded to the County's Department of Finance and Purchasing.

4. The City shall provide an annual program report at the end of each calendar year summarizing all activities of its LESBI or similar anti-drug and anti-violence programs to the Jackson County COMBAT Commission containing such particulars as said Commission might specify.

5. City must follow COMBAT on Twitter and Facebook.

6. City must provide a high-resolution version of its logo.

7. City must provide a minimum of two (2) "success stories" of clients served through the COMBAT-funded services the City provides. These success stories can come in the form of an article, first-person stories/letters, videos, poems, a link to a story posted on the agency's website, etc.

8. The organization must have a representative participate in the regularly scheduled monthly COMBAT STRIVIN Hub meeting that is near their funded program(s).

9. Chapter 93, section 9304 of the Jackson County Code provides "Any proceeds from the Anti-Drug Sales Tax creating jobs and employment shall have a twenty percent goal for minority hiring and employment." City recognizes this goal and shall use its best efforts to achieve it.

10. City agrees that evaluative outcomes shall be given priority status. COMBAT Administration or its designee will monitor the Organization to assure that not only are the terms of this Agreement being fulfilled, but also to monitor the treatment program's impact on drug use. City agrees to participate in an effectiveness evaluation of the City's program objectives and an overall evaluation of specific core items, as required by COMBAT Administration. City further agrees to utilize an agency specific evaluation document. City agrees to participate in and respond to periodic COMBAT Administration evaluations, assessments, and data inquiries.

    The COMBAT Administration will evaluate City's performance periodically based on the City's semester performance reports and compliance with contractual provisions. The County reserves the right to terminate this Agreement pursuant to paragraph 17 if the City does not meet stated performance measures and

contractual requirements. COMBAT will conduct unannounced site visits to any and all agencies.

11. If the City receives or obtains any media attention because of this project, the City is required to acknowledge that funding for the project is from COMBAT funds. Printed material involving this program shall contain the COMBAT logo and a COMBAT sign shall be posted at the program site(s) for the duration of the contract.

12. This Agreement shall be effective as of January 1, 2024, and extend through December 31, 2024, for expenses incurred during the same time period.

13. The City shall indemnify, defend, and hold the County harmless from any and all claims, liabilities, damages, and costs (including reasonable attorney's fees directly related thereto) to the extent allowable by law caused by the negligence or willful misconduct of the City or its employees, agents or representatives.

14. If the City shall default in the performance or observation of any term or condition herein, the County shall give the City ten (10) days' written notice setting forth the default. If said default shall continue for ten (10) days after the City receives written notice thereof, the County may at its election terminate the Agreement and withhold any payments not yet made to the City. Said election shall not in any way limit the County's or the City's right to sue for breach of contract.

15. The City warrants that no officer or employee of the County, whether elected or appointed, shall in any manner whatsoever be interested in or receive any benefit from the profits or emoluments of this Agreement.

16. Pursuant to §285.530.1, RSMo, City assures that it does not knowingly employ, hire for employment, or continue to employ an undocumented immigrants to perform work within the State of Missouri and/or Jackson County, and shall affirm, by sworn affidavit and provision of documentation, its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Further, City shall sign an affidavit, attached hereto and incorporated herein as Exhibit A, affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services.

17. This Agreement may be terminated for any reason or no reason by either of the parties upon thirty (30) days written notice to the party's designated fiscal representative. All services and payments shall continue through the effective date of termination. Termination of this Agreement shall not constitute a waiver of the rights or obligations which the County or the City may be entitled to receive as provided in this Agreement, or be obligated to perform under this Agreement for services prior to the date of termination. Should this Agreement terminate, all

County written materials of any kind must be delivered and returned by the City to the County within ten (10) days of the termination of this Agreement.

IN WITNESS WHEREOF, this Agreement has been executed this _____ day of _____, 2024.

APPROVED AS TO FORM:

_____
Bryan O. Covinsky
County Counselor

JACKSON COUNTY, MISSOURI

By: _____
Jean Peters Baker
Prosecuting Attorney

ATTEST:

_____
Mary Jo Spino
Clerk of the County Legislature

City of Independence

By: _____

Title: _____

REVENUE CERTIFICATE

I hereby certify that there is a balance otherwise unencumbered to the credit of the appropriation to which this contract is chargeable, and a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made, each sufficient to meet the obligation of **$225,000.00** which is hereby authorized.

_____
Date

_____
Director of Finance and Purchasing
Account No.008-4407-56007

Exhibit A - LESBI Program Budget

CITY OF INDEPENDENCE PD

(January 1, 2024– December 31, 2024)

NOTE: The budget categories listed below are examples only. The categories should be changed as needed to appropriately reflect spending based on the proposed scope of work.

Budget Categories	COMBAT Program Budget
Personnel – Salaries	$ 140,000
Fringe Benefits	$ 85,000
Supplies	
Consumables	
Postage	
Printing	
Meeting Expense	
Mileage (Local Travel)	
Training (local)	
Memberships	
Insurance	
Total Direct Costs	$ 225,000
Indirect Administration (max 7% of total)	$ -
TOTAL BUDGET	**$ 225,000**

Funds may not be used:

***To purchase, improve, refurbish, or repair land, building, or capital equipment (Sec. 9304).**

***For capital improvements (Article 6, Section 23 of the Mo. Constitution).**

***For functions that have traditionally been performed by volunteers.**

***Computers.**

***Alcoholic Beverages.**

R. 21520
Exhibit B

WORK AUTHORIZATION AFFIDAVIT

As a condition for any service provided to the County, a business entity shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services.

Business entity, as defined in section 285.525, RSMo pertaining to section 285.530, RSMo, is any person or group of persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood. The term "business entity" shall include but not be limited to self-employed individuals, partnerships, corporations, contractors, and subcontractors. The term "business entity" shall include any business entity that possesses a business permit, license, or tax certificate issued by the state, any business entity that is exempt by law from obtaining such a business permit, and any business entity that is operating unlawfully without such a business permit.

Every such business entity shall complete the following affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services. The completed affidavit must be returned as a part of the contract documentation.

This affidavit affirms that **City of Independence,** is enrolled in, and is currently participating in, E-verify or any other equivalent electronic verification of work authorization operated by the United States Department of Homeland Security under the Immigration Reform and Control Act of 1986 (IRCA); and, **City of Independence**, does not knowingly employ any person who is an undocumented immigrant in conjunction with the contracted services.

In Affirmation thereof, the facts stated above are true and correct. (The undersigned understands that false statements made in this filing are subject to the penalties provided under section 575.040, RSMo.)

_____	_____
Authorized Representative's Signature	Printed Name
_____	_____
Title	Date

Subscribed and sworn before me this _____ day of _____, 2024. I am commissioned as a notary public within the County of _____, State of _____, and my commission expires on _____.

_____	_____
Signature of Notary	Date

City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 24-031 1R

Agenda Title:

24-031 1R An Ordinance amending Chapter 9 (Fire Code) of the Independence City Code by adding a new Article 2 to add Lift Assist cost recovery and non-resident mitigation fees

Recommendations:

Staff recommends approval of the ordinance.

Executive Summary:

Council action is requested to approve a 'Lift Assist Cost Recovery and Non-Resident Mitigation Fees' Ordinance that would create the ability to charge any staffed nursing home, assisted living facility, any facility adequately staffed and any for profit agency requesting assistance from the Independence Fire Department to lift a patient/citizen in a non-emergency situation.

Non-Resident Mitigation Fees

The Fire Department may charge mitigation fees for the delivery of emergency and non-emergency services to non-city residents by the Independence Fire Department for personnel, supplies, and equipment to the scene of emergency and non-emergency incidents as listed in the Schedule of Fees. Some of these fees will include, but not limited to motor vehicle incidents, vehicle/machinery extrication, multiple responses to illegal burns and other incidents as determined by the Fire Chief as mitigation efforts for non-residents of the City of Independence. The mitigation fees shall be based on actual costs of the services and that which is usual, customary, and reasonable (UCR) as outlined in the Schedule of Fees, which may include any services, personnel, supplies, and equipment.

Background:

The City of Independence Fire Department has historically been called to provide lifting assistance for all emergency and non-emergency calls within the fire and emergency response area of the City. These lifting assistance calls have historically come with liability to our Fire Fighters in the form of physical injury to include, but not limited to, back injuries, shoulder and arm injuries, hip, knee and leg injuries and neck injuries. From 2020 to date, the Independence Fire Department has experienced injury

to 16 Fire Fighters due to responding on lift assist calls. The cost of these injury exposures is $200,000.00 for this period alone, with some cases still open. This ordinance would limit the injury exposure by the reduction of sending our personnel to non-emergency lift assist calls for assistance to all nursing homes, assisted living facilities or other agencies that request non-emergency response that does not require emergency medical treatment. This ordinance does not pertain to any single or multi-family residential home that does not have in home care.

The non-residential fee program will address the fire/emergency services provided to those who Independence Fire Department responds to for services in our community. Some of these services would include, but not limited to vehicle accidents, patient extrication, vehicle fires and/or other associated types of emergency calls. The intent is to bill the patient/vehicle owner's insurance company for services rendered to nonresidents of the City of Independence. This helps to share the costs of emergency services rendered to non-residents, that the citizens of Independence already pay. This does not include any mutual agreements.

There was much research that went into the methodology for the determination of the appropriate billing fees. Billing for the Independence Fire Department incident response cost recovery must represent actual cost of operations. The costs are typically based on the actual response time (the time the apparatus leaves the station until it is response ready or ready to go back in full service).

The rates should follow the national standard for fire department billing, which is based on recommendations per information gathered during a FEMA commissioned study, as well as other relevant industry research. Fully calculated rates, using preset charges/values for each component involved, can include variables such as cost for vehicles and equipment, repairs and maintenance, useful life, contractors and billing and collections.

If approved all fees will be added to the City of Independence Fee Schedule, which is schedule to update May 2024.

Fiscal Impact:

The fiscal impact to the City of Independence is in the form of risk reduction and avoidance. It is the hope that there will not be any dollars coming in the City due to this ordinance, but there will be a significant reduction in the worker's compensation exposure due to the reduction of risks during these calls for service. All funds will be directed to project line # 0024622-5313.

Department: Fire Dept **Contact Person:** Charles Lauss

REVIEWERS:

Department	Action
Fire Department	Approved
Finance Department	Approved
City Managers Office	Approved
City Managers Office	Rejected
City Managers Office	Approved
City Managers Office	Approved

Council Action: **Council Action:**

ATTACHMENTS:

Description	Type
Draft ordinance adding Lift-Assist	Ordinance
Fee Schedule	Ordinance

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9 (FIRE CODE) OF INDEPENDENCE CITY CODE BY ADDING A NEW ARTICLE 2 TO ADD LIFT ASSIST COST RECOVERY AND NON-RESIDENT MITIGATION FEES.

WHEREAS, Chapter 9 of the City Code regards Fire Codes; and

WHEREAS, the cost of emergency and non-emergency fire department and rescue response services continues to increase throughout the United States; and

WHEREAS, the Independence Fire Department has investigated various methods of controlling increased costs while continuing to provide effective and efficient response to emergency and non-emergency incidents; and

WHEREAS, it has been determined that imposing user fees for non-residents who require fire rescue response services and non-emergency transport assistance to those living in assisted-living or nursing home facilities to be a fair, equitable, and prudent way to control increasing costs while also maintaining a high-quality Fire Department response; and

WHEREAS, procedures and regulations need to be added regarding cost recovery for the Independence Fire Department for non -resident user fees and charges to assist in physically moving a person who does not require emergency medical treatment or transportation in assisted living or nursing home facilities; and

WHEREAS, the City Council desires to add Article 2 to Chapter 9 to the City Code to enact these procedures and regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Article 2 is hereby added to Chapter 9 of the City Code as follows:

ARTICLE 2. - Cost Recovery and Mitigation

Division 1 - LIFT ASSIST COST RECOVERY
Sec. 9.02.001. – Definitions

For the purpose of this Division, the following terms, phrases, words, and their derivations shall have the meaning given:

(a) Assisted-living facility; Assisted-living facility means a residential setting that provides assisted-living services for remuneration to four or more persons who reside in such residential setting and are not related to the owner of the residential setting and, except as provided in subdivision (b) of this subdivision, includes a home, an apartment or a facility; assisted-living does not include a home, an apartment or a facility in which (1) casual care is provided at irregular intervals or (ii) a competent person residing in such

home, apartment or facility provides for or contracts for his or her own personal or professional services, if no more than 50 percent of the persons residing in such home, apartment or facility receive such services.

(b) Emergency medical treatment: For purposes of this article, emergency medical treatment shall mean treatment beyond an initial assessment routinely performed by the Independence Fire Department.

(c) Lift Assist: Lift assist shall mean a response by the Independence Fire Department to assist in physically moving a person who does not require emergency medical treatment or transportation in an assisted-living facility and or nursing care facility.

(d) Nursing care facility: Nursing care facility shall mean a facility where medical care, nursing care, rehabilitation, or related services and associated treatment are provided for a period of more than twenty-four (24) consecutive hours to persons residing at such facility who are ill, injured or disabled.

(e) Other agencies: agencies that request lift assistance by the Independence Fire Department for a non-emergency incident that does not require emergency medical treatment.

Sec. 9.02.02 - Lift assist cost recovery; fee schedule; records; billing and collection

(a) **The city shall charge a fee to assisted- living facilities and nursing care facilities or other agencies for services provided by the City of Independence Fire Department in connection with providing a lift assist to any person.**

(b) **The fees for providing lift assist shall be outlined in the Schedule of Fees approved by the City Council.**

(c) **A facility or agency is allowed three (3) non-emergency lift assist calls for the first calendar year (2024) at no charge. Any subsequent non-emergency lift assists in 2024 will be charged the fees within the City's Fee Schedule. Beginning January 1, 2025 and going forward all non-emergency lift assist calls will be charged in accordance with City Fee Schedule.**

(d) **The Fire Department shall maintain records in connection with services provided pursuant to this article and shall forward the records to the Finance Department, which shall be responsible for the billing and collection of accounts due and owing, including the right to contract for billing and collection, subject to the approval of the City Council.**

Sec. 9.02.03 – Appeals

Any assisted-living facility or nursing care facility or agency requesting like services subject to a fee under this article may, within ten (10) days of the issuance of such a bill, submit an appeal to the Fire Chief or their designee; no subsequent administrative appeals are permitted.

Secs. 9.02.04-9.02.499

Division 2 - NON-RESIDENT MITIGATION FEES
Sec. 9.02.500 - Mitigation Fees

(a) The Fire Department may charge mitigation fees for the delivery of emergency and non-emergency services to non-city residents by the Fire Department for personnel, supplies, and equipment to the scene of emergency and non-emergency incidents as listed in the Schedule of Fees.

(b) The mitigation fees shall be based on actual costs of the services and that which is usual, customary, and reasonable (UCR) as outlined in the Schedule of Fees, which may include any services, personnel, supplies, and equipment.

(c) The City Clerk shall retain a copy of the detailed description of services provided for each mitigation fee on the Schedule of Fees.

Sec. 9.02.501 - Insurance

A claim shall be filed to the responsible party(s) through their applicable insurance carrier for payment of mitigation fees. All claims shall be approved by the Fire Chief or their designee.

Sec. 9.02.502 - City Manager Authorized To Make Rules and Regulations

The City Manager is authorized to make, amend, revoke, or add rules and regulations consistent with this section deemed necessary to provide for the accurate billing and collection of mitigation fees.

SECTION 2. That all other parts and provisions of the City Code shall be in full force and effect unless previously or subsequently amended or repealed.

SECTION 3. That correction of any scriveners' errors identified within these articles are hereby authorized by this Ordinance.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

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

ATTEST:

_____
City Clerk

APPROVED - FORM AND LEGALITY:

_____
City Counselor

REVIEWED BY

_____
City Manager

NOTE: Words struck through and bolded are being removed by this ordinance and words underscored and bolded are being added by this ordinance.

Lift assist cost recovery; fee schedule; records; billing and collection

(a) The city shall charge a fee to staffed assisted- living facilities and nursing care facilities or other agencies for services provided by the City of Independence Fire Department in connection with providing a lift assist to any person.

(b) The fee for providing such lift assist could be $540.45, which is the FEMA reimbursement rate of a disaster response for the apparatus of $375.00 plus $165.45 (which is the hourly rate of a three-member crew $112.30 x 1.5) for the cost of the average of 3 Fire Fighter hourly wage and benefits (x 1.5). The City of Independence shall implement a charge of $432.36 per lift assist call, which is 80% of the FEMA reimbursement rate allowable. A facility or agency shall be allowed three (3) non-emergency lift assist calls per calendar year, after three (3) lift asst calls then the cost of the non-emergency lift assist calls will be at 100% of the FEMA reimbursement rate ($540.45) and any non-emergency lift assist calls after five (5) per calendar year the rate will be doubled (2) times the original rate to be $1,080.90 per non-emergency lift assist.

(c) The Independence Fire Department shall maintain records in connection with services provided pursuant to this article and shall forward the records to the City finance department, which shall be responsible for the billing and collection of accounts due and owing, including the right to contract for billing and collection, subject to the approval of the City of Independence City Council.

Non-Resident Response Fees Schedule

(a) Motor Vehicle Accidents

Level 1
Provide hazardous materials assessment and scene stabilization. This will be the most common "billing level". This occurs almost every time the fire department responds to an accident/incident.

Level 2
Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 3 – CAR FIRE
Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.

All the above services will be at the rate of $540.45 per apparatus per incident.

Vehicle/Machinery Extrication - $1,621.00
Includes heavy rescue tools, ropes, airbags, cribbing etc. This charge will be added if the fire department must free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

MITIGATION RATE NOTES

The mitigation rates above are average “billing levels” for one hour of service, and are typical for the incident responses listed, however, when a claim is submitted, it may be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department’s “actual personnel expense” and not just a firefighter's basic wage). The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.

The billing rate for extrication incidents is taking into account multiple apparatus response and use of specialized extrication tools and expertise.

City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 24-032 1R

Agenda Title:

24-032 1R An ordinance amending the Unified Development Ordinance, Chapter 14, of the City Code pertaining to Data Center use in I-1. ***This addresses item 2.1.c of the 2023-2024 Independence Action Plan.***

Recommendations:

Commissioner L. Wiley made a motion to recommend approval of case 24-175-02, UDO Amendment #65 Data Center Use in I-1.
A second to the motion was made by Commissioner Ferguson. The Independence Planning Commission voted as follows:
Commissioner Ashbaugh – Yes
Commissioner Ferguson – Yes
Commissioner Nesbitt – Yes
Commissioner O'Neil – Yes
Commissioner L. Wiley – Yes

The motion passed and the application is forwarded to the City Council for its consideration. Staff recommends approval of this application.

Background:

In March 2021, the City proposed an amendment to the UDO dealing with Business Parks to include defined performance standards, added allowed uses, setback modifications, landscaping and screening requirements, and inclusion to the Planned Unit Development specifications of the code. As part of this amendment, the Data Center use was added to the UDO and allowed only in the BP/PUD District.

The City proposes to add the Data Center use to the I-1 District. This use is appropriate for the I-1 district and would further meet the goals of the Comprehensive Plan as it could promote the retention of and expansion of new industrial development opportunities. Further, this amendment meets one of the stated purposes of the UDO by retaining and expanding the City's business and employment base.

Draft Planning Commission minutes:

"**Case 24-175-02 – UDO Amendment #65 – Data Center Use**

Staff Presentation

Rick Arroyo stated in March 2021, the City proposed an amendment to the UDO dealing with Business Parks to include defined performance standards, added allowed uses, setback modifications, landscaping and screening requirements, and inclusion to the Planned Unit Development specifications of the code. As part of this amendment, the Data Center use was added to the UDO and allowed only in the BP/PUD District.

Mr. Arroyo said the City proposes to add the Data Center use to the I-1 District. This use is appropriate for the I-1 district and would further meet the goals of the Comprehensive Plan as it could promote the retention of and expansion of new industrial development opportunities. Further, this amendment meets one of the stated purposes of the UDO by retaining and expanding the City's business and employment base.

In response Vice-Chair Nesbitt's question, Mr. Arroyo described examples of different types of Data Centers and further explained that they are for business with multiple servers or computer systems in place and people there to manage that system.

In response to Commissioner Ashbaugh's question, Mr. Arroyo explained the landscaping use would fall under industrial use and further outlined the differences between BP & I-1 Districts.

Public Comments

No public comments.

Motion

Commissioner L. Wiley made a motion to approve Case 24-175-02 – UDO Amendment #65 – Data Center Use. Commissioner Ferguson seconded the motion. The motion was approved with five affirmative votes."

Department: Community Development **Contact Person:** Tom Scannell

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REVIEWERS:

Department	Action
Community Development Department	Approved
Finance Department	Approved
City Managers Office	Approved
City Clerk Department	Approved

Council Action:	Council Action:

ATTACHMENTS:

Description	Type
Draft Ordinance	Ordinance
Staff Report	Backup Material
City Code Changes	Backup Material

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, CHAPTER 14, OF THE CITY CODE PERTAINING TO DATA CENTER USE IN I-1.

WHEREAS, the Unified Development Ordinance was approved by the City Council on June 15, 2009, by Ordinance No. 17339 and became effective on July 1, 2009; and,

WHEREAS, after its adoption, policy issues to be addressed were discovered, and it was decided to revise these items; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the request on April 9, 2024, and rendered a report to the City Council recommending the text amendment to the UDO be approved by a vote of 5-0; and,

WHEREAS, City Council has authority under RSMo. Ch. 89.020 to enact and amend zoning ordinances to promote health, safety, morals, and the general welfare of the community; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on May 20, 2024, and rendered a decision to approve the changes to the Unified Development Ordinance; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the request is consistent with the review criteria in Section 14-701-01-F.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 14-302-03 of Chapter 14, Unified Development Ordinance, is hereby amended to read as follows:

14-302-03 Uses

14-302-03-A. Use Table. Uses are allowed in I zoning districts in accordance with Table 302-1, below.

14-302-03-B. Use Classification System. For the purpose of this development ordinance, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in Article 14-200. The first column of Table 302-1 lists the groups, categories and types allowed in one or more I districts.

14-302-03-C. Permitted Uses. Uses identified with a "P" in Table 302-1 are permitted as-of-right in the subject zoning district, subject to compliance with all other applicable standards of this development ordinance.

14-302-03-D. Permitted Uses with Minimum Use Standards. Uses identified with a "C" in Table 302-1 are permitted as-of-right in the subject zoning district, subject to compliance with the

Use Standards referenced in the right column of Table 302-1, and all other applicable standards of this development ordinance.

14-302-03-E. Special Uses. Uses identified with an "S" in Table 302-1 may be allowed if reviewed and approved in accordance with the special use procedures of Article 14-704.

14-302-03-F. Prohibited Uses. Uses not listed and those identified with a "—" are expressly prohibited.

14-302-03-G. Use Standards. The "use standards" column of Table 302-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required. Variances to use standards are prohibited.

Table 302-1 Industrial Districts Use Table				
P: Permitted S: Special Use Permit Required C: Conditional Uses —: Not Allowed				
Use ***Category***	Zoning District			Use Standards
Specific use type	B-P/PUD	I-1	I-2	
COMMERCIAL				
Data Processing and Hosting	P	**—P**	—	

SECTION 2. That all other parts and provisions of the City Code shall be in full force and effect unless previously or subsequently amended or repealed.

SECTION 3. That correction of any scriveners' errors identified within these articles are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

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

ATTEST:

_____
City Clerk

APPROVED - FORM AND LEGALITY:

_____
City Counselor

REVIEWED BY:

_____
City Manager

NOTE: Words struck through are being removed from this ordinance and words underscored and bolded are being added to this ordinance.

INDEPENDENCE
★ COMMUNITY DEVELOPMENT ★

Planning Commission
Staff Report

MEETING DATE: April 9, 2024

STAFF: Tom Scannell, Community Development Director

PROJECT NAME: UDO Amendment #65

CASE NUMBER / REQUEST: **Case 24-175-02 – UDO Amendment #65 – Data Center Use –** The City proposes Amendment #65 of the Unified Development Ordinance to allow the data center use to District I-1.

APPLICANT: City of Independence

PUBLIC NOTICE:

- Public notice published in Independence Examiner – March 23, 2024

FURTHER ACTION:
Following action by the Planning Commission, this UDO Amendment is scheduled for first reading by City Council on May 6th and the public hearing/second reading on May 20th.

RECOMMENDATION

Staff recommends **APPROVAL** of the proposed amendment to the Unified Development Ordinance.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:
The City proposes Amendment #65 to the Unified Development Ordinance (UDO) to allow the Data Center use to District I-1.

BACKGROUND & HISTORY:
In March 2021, the City proposed an amendment to the UDO dealing with Business Parks to include defined performance standards, added allowed uses, setback modifications, landscaping and screening requirements, and inclusion to the Planned Unit Development specifications of the code. As part of this amendment, the Data Center use was added to the UDO and allowed only in the BP/PUD District.

The City proposes to add the Data Center use to the I-1 District. This use is appropriate for the I-1 district and would further meet the goals of the Comprehensive Plan as it could promote the retention of and expansion of new industrial development opportunities. Further, this amendment meets one of the stated purposes of the UDO by retaining and expanding the City's business and employment base.

EXHIBITS

1. Proposed Amendments to 14-302-03

14-302 INDUSTRIAL DISTRICTS

14-302-03 Uses

14-302-03-A.Use Table. Uses are allowed in I zoning districts in accordance with Table 302-1, below.

14-302-03-B.Use Classification System. For the purpose of this development ordinance, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in Article 14-200. The first column of Table 302-1 lists the groups, categories and types allowed in one or more I districts.

14-302-03-C.Permitted Uses. Uses identified with a "P" in Table 302-1 are permitted as-of-right in the subject zoning district, subject to compliance with all other applicable standards of this development ordinance.

14-302-03-D.Permitted Uses with Minimum Use Standards. Uses identified with a "C" in Table 302-1 are permitted as-of-right in the subject zoning district, subject to compliance with the Use Standards referenced in the right column of Table 302-1, and all other applicable standards of this development ordinance.

14-302-03-E.Special Uses. Uses identified with an "S" in Table 302-1 may be allowed if reviewed and approved in accordance with the special use procedures of Article 14-704.

14-302-03-F.Prohibited Uses. Uses not listed and those identified with a "—" are expressly prohibited.

14-302-03-G.Use Standards. The "use standards" column of Table 302-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required. Variances to use standards are prohibited.

Table 302-1 Industrial Districts Use Table

P: Permitted S: Special Use Permit Required C: Conditional Uses —: Not Allowed

Use Category *Specific use type*	Zoning District			Use Standards
	B-P/PUD	I-1	I-2	
COMMERCIAL				
Data Processing and Hosting	P	—**P**	—	

City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 24-033 1R

Agenda Title:

24-033 1R An ordinance repealing Chapter 5, Article 1, adding a new Chapter 5, Article 1 of the City Code and renaming Chapter 5 to "Business Licenses." ***This addresses item 2.1.a of the 2023-2024 Independence Action Plan.***

Recommendations:

Staff recommends approval.

Executive Summary:

Background:

This amendment to the City Code seeks to update the occupation license code, to align the City's occupation license code with the Missouri State Statutes, and to clarify the regulations.

The business license regulations date back to the 1930s with the last major update occurring in 1970. Since then, there were several amendments most of which addressed a singular issue.

For this amendment, staff comprehensively reviewed this Chapter, compared the regulations to peer municipalities, and compared the regulations to State Statutes.

This ordinance amendment:

Reorganized the Chapter. The Chapter has been reorganized to consolidate the definitions and general requirements into one section for ease of use. In some instances, there were duplicate regulations and sometimes contradicting regulations in different sections; those regulations were consolidated and corrected.

Updated regulations to match State Statutes. Several of our requirements conflicted with State Statutes or directed users to incorrect RSMo sections. These areas were changed to match the language contained in State Statute and added

reference to the specific State Statute section.

Modified Process – Business License Appeal. The current ordinance requires business license appeals to be heard by the City Council. The City has several other appeals that are directed to Circuit Court as specified in RSMo Section 536. The proposed amendment would change the process for an appeal to go before Circuit Court thus mirroring other appeal processes.

Enforcement and Compliance. Clarifies the process for gaining compliance for businesses operating without a license and the enforcement of prohibited businesses operating illegally.

Payment of financial obligation prerequisite to issuance of license. The amendment adds the requirement that all financial obligations which are due and owing to the City have been paid.

Department:	Community Development	**Contact Person:**	Tom Scannell

REVIEWERS:

Department	Action
Community Development Department	Approved
Finance Department	Approved
City Managers Office	Approved
City Clerk Department	Approved

Council Action:	**Council Action:**

ATTACHMENTS:

Description	Type
Draft Ordinance	Ordinance
City Code Changes	Backup Material

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE REPEALING CHAPTER 5 ARTICLE 1 AND ADDING A NEW CHAPTER 5, ARTICLE 1 OF THE CITY CODE AND RENAMING CHAPTER 5 TO "BUSINESS LICENSES."

WHEREAS, the City has had some form of business license regulations dating back to the 1930s; and,

WHEREAS, the last major update to Chapter 5 of the City Code occurred in 1970; and,

WHEREAS, since the adoption, there have been numerous amendments to the Business and Occupation Licenses chapter mostly dealing with singular topics; and,

WHEREAS, the City seeks to update the business licensing regulations to align the City's regulations with the Missouri State Statutes, and to clarify the City's regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Chapter 5, Article 1 "of the Code of the City of Independence, Missouri, is hereby repealed in its entirety as of the effective date of this ordinance.

SECTION 2. That a new Chapter 5, Article 1, attached hereto and made part of hereof is hereby added to the Independence City Code, to read as follows:

"**ARTICLE 1. ADMINISTRATION OF LICENSES IN GENERAL, AND REQUIREMENTS THEREOF**

Sec. 5.01.001. Applicability.

The provisions of this article shall apply to all corporations, companies, associations, joint stock associations, partnerships, co-partnerships and persons and their lessees, duly constituted trustees or receivers, heirs, administrators or assigns, who shall engage in any business, trade, vocation, profession or occupation including manufacturing, within the City limits.

Sec. 5.01.002. Definitions.

A. For the purposes of this chapter:

ADMINISTER means the direct application of marijuana to a qualifying patient by way of any of the following methods:

i. Ingestion of capsules, teas, oils, and other marijuana-infused products;

ii. Vaporization or smoking of dried flowers, buds, plant material, extracts, or oils;

iii. Application of ointments or balms;

iv. Transdermal patches and suppositories; or

v. Consuming marijuana-infused food products.

APPLICANT means a duly authorized officer or person of a business applying for a business license, either new or renewal.

***BUSINESS, TRADE, VOCATION, PROFESSION, OCCUPATION* shall mean the selling or providing of any goods, wares, merchandise, or services or as a practice in the conduct of such business, trade, vocation, profession or occupation, the making or causing to be made, any wholesale or retail sales of goods, wares, merchandise or services to any person or association of persons, whether such sales are accommodation sales, made from a stock of goods on hand, or by ordering from another source, or by listing, and whether the subject of such sales or services is similar or different than the type, if any, regularly offered or performed by the seller.**

CITY means the City of Independence, Missouri.

***CITY INSPECTOR* shall mean anyone authorized by the City to make inspections for the purpose of enforcing the provisions of this article.**

COMMISSARY means a commissary as defined in Chapter 11 of this Code.

COMPREHENSIVE FACILITY means a comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, or a comprehensive marijuana-infused products manufacturing facility.

COMPREHENSIVE MARIJUANA CULTIVATION FACILITY means a facility licensed by the department to acquire, cultivate, process, package, store on site or off site, transport to or from, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones) to a medical facility, comprehensive facility, or marijuana testing facility. A comprehensive marijuana cultivation facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana. A comprehensive marijuana cultivation facility's authority to process marijuana shall include the creation of prerolls, but shall not include the manufacture of marijuana-infused products.

COMPREHENSIVE MARIJUANA DISPENSARY FACILITY means a facility licensed by the Department to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a qualifying patient or primary caregiver, as those terms are defined in section I of Article XIV, or to a consumer, anywhere on the licensed property or to any address as directed by the patient, primary caregiver, or consumer and consistent with the limitations of this Article and as otherwise allowed by law, to a comprehensive facility, a marijuana testing facility, or a medical facility. Comprehensive dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet including from a third party. A comprehensive marijuana dispensary facility need not segregate or account for its marijuana products as either non-medical

marijuana or medical marijuana, but shall collect all appropriate tangible personal property sales tax for each sale, as set forth in this Article and provided for by general or local law. A comprehensive marijuana dispensary facility's authority to process marijuana shall include the creation of prerolls.

COMPREHENSIVE MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY means a facility licensed by the Department to acquire, process, package, store, manufacture, transport to or from a medical facility, comprehensive facility, or marijuana testing facility, and sell marijuana-infused products, prerolls, and infused prerolls to a marijuana dispensary facility, a marijuana testing facility, or another marijuana-infused products manufacturing facility. A comprehensive marijuana-infused products manufacturing facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana.

CONSTITUTION shall mean the Constitution of the State of Missouri.

CONSUMER means a person who is at least 21 years of age.

DEPARTMENT means the Department of Health and Senior Services, or its successor agency.

FINE when used herein shall mean a monetary fine imposed by the Municipal Court for this City.

FOOD TRUCK means a vehicle mounted mobile food unit.

GROSS BUSINESS ACTIVITY means the gross value of all goods, wares, merchandise, chattel and all other personal and commercial property of every kind and description bought, sold, leased, manufactured or exchanged by the business or person during the preceding calendar or fiscal year consistent with the reporting and accounting basis adopted for Federal taxation purposes.

GROSS COMMISSIONS means the gross amount of commissions, fees, charges or compensation earned from the business during the preceding calendar or fiscal year consistent with the reporting and accounting basis adopted for Federal taxation purposes.

GROSS RECEIPTS shall mean the gross receipts or revenues earned from the receipt of cash, credits and property of any kind for any act or service by a business or person in the preceding calendar or fiscal year consistent with the reporting and accounting basis adopted for Federal taxation purposes.

INSIGNIA or its singular number, insigne, means any tag, plate badge, emblem, sticker or any other kind of device which may be required for use in connection with any license.

LANDLORD means any person firm or corporation who rents or leases dwelling units owned by such person, firm or corporation.

LICENSE OR LICENSEE means specifically, a certificate holder of a business license or permit, or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this chapter or other law or ordinance.

LICENSE YEAR is the 12-month period beginning the first day of the month in which a license is issued for or renewed.

MAINTAINING A BUSINESS OFFICE means conducting the activities of one's occupation at a given place, phone or address within the physical boundaries of the City of Independence.

MANAGING OFFICER means the person who is in active management and control who may be designated by a corporation as the managing officer, and who may be eligible as an individual to receive a license under the provisions of this chapter.

MARIJUANA or MARIHUANA means Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. 'Marijuana' or 'Marihuana' do not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis, or commodities or products manufactured from industrial hemp.

MARIJUANA BUSINESS means any marijuana facility or facility licensed by Department of Health and Senior Services under the authority granted by Article XIV of the Construction.

MARIJUANA DISPENSARY means either a Medical Marijuana Dispensary, a Comprehensive Marijuana Dispensary, or a Micro-Business as those terms are defined in Article XIV of the Constitution.

MARIJUANA FACILITY means a medical marijuana facility or a comprehensive facility as that term is defined by Article XIV Section 2 of the Constitution, a microbusiness wholesale facility, microbusiness dispensary facility, or any other type of marijuana related facility or business licensed or certified by the Department pursuant to Section 2 of Article XIV

MARIJUANA-INFUSED PRODUCTS means products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.

MARIJUANA MICROBUSINESS FACILITY means a facility licensed by the Department as a microbusiness dispensary facility or microbusiness wholesale facility, as defined in this section.

MARIJUANA TESTING FACILITY means a facility certified by the Department to acquire, test, certify, and transport marijuana, including those originally certified as a medical marijuana testing facility including those originally certified as a medical marijuana testing facility.

MEDICAL MARIJUANA CULTIVATION FACILITY means a facility licensed by the Department, to acquire, cultivate, process, store, transport, and sell marijuana to a Medical Marijuana Dispensary Facility, Medical Marijuana Testing Facility, or to a Medical Marijuana-Infused Products Manufacturing Facility and shall also mean a Comprehensive Marijuana Cultivation Facility, as that term is defined in Article XIV of the Constitution.

MEDICAL MARIJUANA DISPENSARY FACILITY means a facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer marijuana as provided in this section to a qualifying patient, a primary caregiver, another licensed medical marijuana dispensary facility, a licensed medical marijuana testing facility, or a licensed medical marijuana infused products manufacturing facility.

MEDICAL MARIJUANA FACILITY means a medical marijuana dispensary, medical marijuana cultivation facility, medical marijuana testing facility, medical marijuana infused products manufacturing facility and medical marijuana transportation facility licensed by the State of Missouri.

MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY means a facility licensed by the Department to acquire, store, manufacture, transport, and sell marijuana-infused products to a medical marijuana dispensary facility, a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.

MEDICAL MARIJUANA TRANSPORTATION FACILITY means a facility certified by the State of Missouri to transport marijuana to a qualifying patient, a primary caregiver, a medical marijuana cultivation facility, a medical marijuana-infused products manufacturing facility, a medical marijuana dispensary facility, a medical marijuana testing facility, or another medical marijuana transportation facility.

MICROBUSINESS DISPENSARY FACILITY means a facility licensed by the department to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a consumer, qualifying patient, as that term is defined in section I of this Article XIV of the Constitution, or primary caregiver, as that term is defined in section I of this Article XIV of the Constitution, anywhere on the licensed property or to any address as directed by the consumer, qualifying patient, or primary caregiver and, consistent with the limitations of this Article and as otherwise allowed by law, a microbusiness wholesale facility, or a marijuana testing facility. Microbusiness dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet, including from a third party. A microbusiness dispensary facility's authority to process marijuana shall include the creation of prerolls.

MICROBUSINESS WHOLESALE FACILITY means a facility licensed by the Department to acquire, cultivate, process, package, store on site or off site, manufacture, transport to or from, deliver, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), and marijuana infused products to a microbusiness dispensary facility, other microbusiness wholesale facility, or marijuana testing facility. A microbusiness wholesale facility may cultivate up to 250 flowering marijuana plants at any given time. A microbusiness wholesale facility's authority to process marijuana shall include the creation of prerolls and infused prerolls.

MOBILE FOOD UNIT means a mobile food unit as defined in Chapter 11 of this Code.

BUSINESS LICENSE means the license that every person must obtain from the City before engaging in or continuing to engage in any business, non-exempted profession or occupation in the City.

PERSON means person, partnership, society, association, club, trustee, trust or corporation; or any officer, agent, employee, factor or any kind of personal representative under either personal appointment or pursuant to law.

PREMISES means to include all lands, structures, places and also any equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to or is otherwise used in connection with any such business conducted on such premises.

PRIMARY CAREGIVER means a person designated as such by the Department.

PUSHCART means a non-self-propelled mobile food unit.

QUALIFYING PATIENT means a person designated as such by the Department.

B. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Sec. 5.01.003. Business license required.

A. Every person, whether or not located in the City, desiring to engage in any business, profession or occupation in the City shall be required to obtain a business license before engaging in such activity as specified in this chapter. Business licenses are not transferable.

B. Any person shall be deemed to be in business or engaging in non-profit enterprise and thus subject to the requirements of this chapter when any selling, manufacturing. soliciting, transfer, bartering or offering of any goods, wares, real, intangible and tangible personal property or services takes place. One act thereof shall constitute doing business.

C. Every agent, general contractor, sub-contractor, or representative of any person desiring to engage in or to continue to engage in any business, profession or occupation shall be responsible for the compliance of such person in acquiring an business license as required by this chapter.

D. No license shall be required of any person for any delivery in the City of any property purchased or acquired in good faith from any person at any regular place of business outside the City where no intent by such person is shown to exist to evade the provisions of this chapter.

E. In order for customers to obtain utility service to an office, commercial and industrial establishment, a valid business license shall be issued by the City of Independence for that property address for any use, and if the business operates as a Limited Liability

Company (LLC), said business shall file with the City of Independence a valid LLC registration in accordance with RSMo 347.048.

Sec. 5.01.004. Business license exemption.

A. Those professions or callings specifically exempted from license fees or taxes by virtue of RSMo 71.620, which are as follows: Minister of the gospel, duly accredited Christian Science practitioner, teacher, professor in a college, priest, lawyer, certified public accountant, dentist, chiropractor, optometrist, chiropodist or physician or surgeon in the State;

B. As provided in RSMo 71.620, those professions of insurance agent or broker, veterinarian, architect, professional engineer, land surveyor, auctioneer, or real estate broker or salesman in this State shall be specifically exempted unless that person maintains a business office within the City.

C. Specifically farmers or producers, for the sale of produce raised by him, her or them when sold from his, her or their wagon, cart or vehicle or from any person in the employ of such farmers or producers in the City, as provided in RSMo 71.630, shall be exempted from any such licenses and fees imposed by this article.

D. In accordance with RSMo 345.055, as amended, clinical audiologist and speech-language pathologist, are exempt from the licensing and fee provisions of this article.

E. In accordance with RSMo 324.1114, as amended, private investigators are exempt from the licensing and fee provisions of this article.

F. In accordance with RSMo 337.070, as amended, a psychologist licensed by the State of Missouri is exempt from the licensing and fee provisions of this article.

Sec. 5.01.005. Administration and enforcement.

A. *Enforcement.* It shall be the duty of the Community Development Department, together with duly authorized deputies and agents, to enforce the provisions of this article within the confines of the City, to report violations to the proper municipal authority and to prosecute the alleged violators in the Municipal Court of the City.

B. *Additional duties.* The Community Development Department shall:

1. Prepare a complete record of all licenses issued under this article, showing the nature of the license, its date of issuance, to whom issued and the amount of or exemption of the fee collected therefor;

2. Recommend appropriate license fees in conformity with this Code, provided that any applicant or licensee in disagreement with such decision may pay the license fee under protest and appeal such decision as provided in this article;

3. Conduct or cause to be conducted periodic inspections of the premises and necessary records of any licensee in order that compliance or noncompliance with the provisions of this article may be ascertained;

4. Submit to the Council suggestions and recommendations with respect to the amendments and updates to this Chapter.

Sec. 5.01.006. Applications for license.

A. All applications for licenses provided for in this article shall be filed with the Community Development Department. All applications shall be reviewed by the applicable departments to certify that the premises, the business and business operations meet minimum code standards and zoning regulations as established by the City before issuance of such license.

B. The Community Development Department shall refer to the Police Department for review all applications for business licenses for security operations or those involved in investigation, bonding, security or related fields.

C. At the time the application is submitted, the Community Development Department shall issue a receipt to the applicant for the money paid in advance. Such receipt shall not be construed as the approval for the issuance of a license, nor shall it entitle or authorize the applicant to open or maintain any business contrary to the provisions of this chapter.

D. Every business that permits members of the public on its business premises or that performs services on premises other than its own business premise, shall certify that the business has a minimum of $500,000.00 of general liability insurance for bodily injury and property damage per occurrence.

E. Contractors in the construction industry shall submit a certificate of insurance for workers' compensation in accordance with RSMo 287.061 or an affidavit signed by the applicant attesting that the contractor is exempt from the requirements of RSMo Chapter 287.

Sec. 5.01.007. License fees for certain trades, vocations, professions, occupations.

A. Generally. Unless otherwise provided by this article or elsewhere in the Code, for each trade, vocation, profession or occupation a person is engaged in within the City, that person shall procure and pay for a license, as established in the City's Schedule of Fees and Charges.

B. In accordance with RSMo 148.440, as amended, the business and occupation license fee for every insurance company or insurance agent providing insurance which includes coverage for any property loss or damage caused by a fire shall not exceed $200.00 per year. The business and occupation license fee for every other type of insurance company shall not exceed $100.00 per year.

C. Individuals serving as their own general contractor to build a dwelling for their own personal use shall not be required to pay the license fee contained in this section.

Sec. 5.01.008. Payment of financial obligation prerequisite to issuance of license.

It shall be unlawful for any person to operate a business or manufacturing facility, engage in a trade, vocation, profession or occupation unless and until all financial obligations

which are due and owing to the City have been paid. No license provided for or required under this article or by any other ordinance of the City shall be issued by any department until compliance with this Section shall have been fulfilled.

Sec. 5.01.009. Separate license required for each place of business.

A separate license shall be obtained for each place of business conducted, operated, maintained or carried on by every person engaged in any occupation, calling, trade or enterprise for which a license is required by this chapter.

Sec. 5.01.010. More than one occupation at the same address.

Whenever any person making application for a license under the provisions of this article is engaged in more than one (1) business, not operated as a separate business entity, at the same address, such person shall combine the information for all businesses conducted at the same address, as required for the purpose of determining the license fee.

Sec. 5.01.011. Missouri Retail Sales License required prior to issuance of license.

A. All applicants with possession of a retail sales license are required to submit a statement from the Missouri Department of Revenue that the licensee owes no tax due under RSMo 144.010 to 144.510. The date of issuance on the statement shall not be more than ninety (90) days before the date of submission of the application or renewal of the license. A licensee who is required by state law or RSMo 144.010—144.510 to have a retail sales license shall not operate a business in the city without a state sales tax number or a valid retail sales license. In addition to other penalties set forth in this chapter, the business license of a licensee who fails to comply with provisions of this section shall be subject to revocation proceedings as set forth in this chapter.

B. The city's business license of any person shall be null and void upon the director of revenue of the state giving the city notice that the person's retail sales license has been revoked in accordance with procedures set forth in RSMo 144.083.

C. The city license may be reinstated for a fee of $5.00 for the remainder of the original term upon satisfactory proof presented to the City that the licensee has secured the needed state retail license or that it has been reinstated by the department of revenue of the state.

Sec. 5.01.012. Marijuana business licensing.

A. Marijuana businesses shall be required to have a city license as required in Chapter 5.

B. Premises Requirements. No license shall be granted or retained under this chapter for a marijuana business if the applicant has not submitted and maintained a security plan, operation and management plan, and emergency response plan in accordance with this chapter.

1. *Security Plan.* A written security plan shall be submitted with the business license application for the marijuana business. The plan shall detail security measures for

the site and the transportation of marijuana and marijuana products to and from off-site premises to ensure the safety of employee and the public and to protect the property from theft or other criminal activity. Each facility shall comply with the security requirements established by the State of Missouri and include, but not limited to, the following elements in the security plan:

a. ***Cameras.*** **The marijuana business shall install and use security cameras to monitor and record all areas of the premises, except in restrooms and consultation rooms while a patient is undressed. Such security cameras shall specifically include all areas where a person may gain or attempt to gain access to marijuana or cash maintained by the marijuana business. Cameras shall be of sufficient resolution to record operations of the marijuana business to an off-site location and shall also include any parking lots or areas near the marijuana business and all potential areas of ingress or egress to the marijuana business with sufficient detail to identify facial features and clothing. Recordings from security cameras shall be maintained for a minimum of 40 days in a secure off-site location in the City or through a service over a network that provides on-demand access, commonly referred to as a "cloud." The off-site location shall be identified in the security plan submitted to the City and access to recordings maintained must be provided to the Independence Police Department upon request. Any change in location of the off-site location shall be updated within 72 hours of any such change.**

b. ***Use of Safe for Storage.*** **The marijuana business shall install and use a secure safe for storage of all processed marijuana and cash on the premises when the business is closed to the public. The safe shall be incorporated into the building structure or securely attached thereto. For marijuana-infused products or marijuana being tested in a testing facility that must be kept refrigerated or frozen, the business may lock the refrigerated container or freezer in a manner authorized by the City in place of use of a safe, so long as the container is affixed to the building structure and secure from intrusion.**

c. ***Alarm System.*** **The marijuana business shall install and use an alarm system that is monitored by a company that is staffed 24 hours a day, seven days a week. The security plan submitted to the City shall identify the company monitoring the alarm, including contact information, and must be updated within 72 hours of any change of monitoring company. If the alarm system includes a panic alarm, an operable dedicated phone for law enforcement to respond to the alarm shall remain on the premises at all times.**

d. ***Lighting System.*** **The marijuana business shall have sufficient exterior lighting for security purposes and shall otherwise comply with applicable city code requirements.**

2. ***Operation and Management Plan.*** **A written operation and management plan shall be submitted with the business license application for the marijuana business. The operation and management plan shall include, but not be limited to, the following**

elements: organizational structure, location, property description, proof that facilities are wheelchair accessible, proof that facilities comply with the Americans with Disabilities Act, hours of operation and staffing, description of proposed operations, list of any hazardous materials used as part of its operations, distribution practices, employee safety procedures and guidelines, fire mitigation and prevention systems in compliance with the International Fire Code as adopted by the City of Independence, sanitation requirements and waste management processes, ventilation system and air quality controls showing how odor emission will not be detectable off the premises, and proposed water system and utility demand. The operation and management plan must also meet the minimum facility standards established by the State of Missouri and comply with the City Code.

3. *Emergency Response Plan.* A written emergency response plan shall be submitted with the business license application for the marijuana business. The plan shall identify emergency plans and contingency plans that would be executed in the event of an emergency arising from the site's usage as a marijuana business. The emergency response plan must meet any minimum standards established by the State of Missouri and comply with the City Code.

C. Application. Any person desiring a license to operate a marijuana business shall submit an application for issuance or renewal of such license to the City. The application shall include the following:

1. Written statements upon forms provided by the City as necessary to determine:

a. The gross receipts, gross business activity or gross commission of the applicant.

b. Every business that permits members of the public on its business premises or that performs services on premises other than its own business premise, shall certify that the business has a minimum of $500,000.00 of general liability insurance for bodily injury and property damage per occurrence.

d. That an applicant has sworn to the truthfulness and accuracy of the information provided on all forms and will abide by the provisions of this chapter. The applicant must provide positive identification as the person applying for such license.

e. The location, place, or premises for which a license is sought.

f. The type of license for which the application is made.

2. The application shall be accompanied by a complete security plan, operation and management plan, and emergency plan.

3. The application shall be accompanied by proof of a valid and current license or certificate issued by the DHSS for each medical marijuana facility type for which a license is sought.

4. The full amount of the fees chargeable for such license.

Sec. 5.01.013. Determination of gross annual receipts.

A. For new applicants of new businesses the phrase "gross receipts", or "gross commissions" or "gross business activity" shall be based on an estimated gross receipts, gross business activity or gross commissions subject to adjustment upon renewal. Such fee shall be adjusted when the actual amount of gross receipts, gross business activity or gross commission is reported on the first renewal.

B. For businesses located outside the City limits of Independence, gross receipts, gross business activity or gross commissions shall be reported for business activities which occur within the City limits.

C. For residential and commercial builders, gross receipts means all monies received from construction or sale of a residential or commercial structure. Therefore, the sales price or contract price of the residential or commercial structure is the "gross receipts", not the profit from the sale. This applies to both contract or speculative construction.

Sec. 5.01.014. Statement of gross annual receipts.

Every person required to obtain a license under the provisions of this chapter where the fee for such license is based on gross receipts, gross business activity or commissions shall at the time of application and renewal, furnish the City with a statement in writing showing the amount of gross receipts activities, gross business or commissions for the preceding calendar or fiscal year.

Sec. 5.01.015. Examination of applicant's books and records.

A. The City shall have the right at all reasonable times after due notification during regular business hours to audit or examine the books, records and tax returns of the applicant or licensee for any license provided by this chapter for the purpose of determining the accuracy of any statement made by the applicant or licensee for such license.

Sec. 5.01.016. License year, when fees are paid, expiration.

A. Except as otherwise specifically provided by this chapter, all licenses provided for in this article shall expire one (1) year from the date of issuance. Such fees shall be payable upon filing of a new application and upon renewal annually as further set out in this section. Special licenses to nonprofit businesses shall be effective for five (5) years renewable on the last day prior to the anniversary date of such license(s).

B. Any person applying for a business license whose fiscal year does not coincide with its license year under this chapter, shall be permitted to report and pay the license fee based upon such fiscal year.

C. License fees for renewals shall be due and payable on or before the last day of the first month of each license year.

D. All licenses, except as otherwise specifically provided for in this chapter, shall expire if the renewal fee is not paid in full within the period provided for in Paragraph "C" above. A license which is not paid in full by such date is delinquent and such business or

occupation will be deemed unlicensed and fall under the strict enforcement of this chapter.

E. All license fees required to be paid pursuant to the provisions of this chapter of the City Code shall be deemed delinquent if not paid on the date such payment is due. All persons delinquent in the payment of such fees, in addition to the fees found to be due, shall be required to pay the license fee, plus an additional ten percent penalty of the license fee for the first month or fraction thereof past due and an additional two percent of the license fee due for each additional month such delinquency shall thereafter continue. The penalty provided for in this section shall be in addition to any other penalty prescribed by ordinance.

Sec. 5.01.017. Pro-rating license fees.

Business license fees shall not be pro-rated but shall be charged on a license year basis.

Sec. 5.01.018. License to be prominently displayed.

All licenses issued by the City under this article shall be carefully preserved and prominently displayed in a conspicuous manner in the place of business authorized to be conducted by such license.

Sec. 5.01.019. Change of ownership or location.

A. Any licensee shall have the right to change the location of a licensed business provided that:

1. The licensee submits an application on forms provided by the City for such change in location of the licensed business prior to making such change in location.
2. The proposed location meets the requirements of all Health, Zoning, Fire, Building and other codes of the City of Independence.
3. The licensee pays a transfer fee as outlined in the Schedule of Fees.

B. A license issued to any person under the provisions of this article shall not be transferable from one (1) person to another person in the event of the change of ownership.

Sec. 5.01.020. Liquor.

Nothing in this article shall be construed as authorizing any person to sell intoxicating liquor by virtue of a business license without holding a valid alcoholic beverage license.

Sec. 5.01.021. Compliance with other ordinances.

All licensees shall comply in every respect with the Unified Development Ordinance and all other ordinances of the City, including a health inspection if the business is of a type requiring such inspection.

Sec. 5.01.022. Claim procedure for refund of fees.

A. New applicants for business licenses which never open, or which close or move during the license year or any person making a claim for a refund because of alleged overpayment of license fees as required by this chapter shall file with the City satisfactory proof in support of such claim. Upon presentation of such satisfactory proof, the City shall refund an appropriate portion of any previously paid license fee. However, a minimum fee of $40.00 shall be retained in any case to cover administrative and material costs of the application.

B. Time limitations on credit or refund. A claim for credit or refund of an overpayment of any fee imposed by this chapter shall be filed by the licensee within two years from the time the fee was paid.

C. Notwithstanding any other provision of this chapter, in the case of any overpayment of any license tax under this chapter, the commissioner may, instead of granting a refund, credit and apply the amount of such overpayment against any uncontested delinquent tax liability of any type whatsoever owed by the taxpayer to the city, and within the period of limitations for collection.

Sec. 5.01.023. License denial, suspension or revocation.

A. *Denial.*

1. *Basis for Denial.* The City may deny a business license application, for any of the following reasons:

a. Any reviewing department, division or agency of the City has denied the application pursuant to any applicable provisions of the City Code;

b. Applicant is delinquent in the payment of any taxes or fees due the City under this chapter;

c. The application contains false or incomplete information;

d. Noncompliance with (a) any requirement or condition set by the City Council, Planning Commission, or Community Development Department or, (b) a conditional use permit, if applicable, granting a variance or special exceptions;

e. Noncompliance with any City, State or Federal law, code or statute;

f. Any other reason expressly provided for in this chapter; or

g. The Missouri Department of Revenue cannot issue to the applicant a Certificate of No Tax Due.

2. *Procedures—Cease Operations Order.*

a. When a business license application is denied, written notice will be provided by first class mail to the applicant by mailing a cease operations order to the applicant address on file. The cease operations order will identify the reason(s) for denial of the application and inform the applicant they must cease all business activity at the described location. The cease operation order will identify the available appeal process.

b. The applicant is deemed to have received written notification three business days after the date of mailing of the cease operations order.

c. The City may serve a cease operation order in person by delivery of the order to any management employee at the licensed premises or by posting on the main entrance by tacking, each followed by mailing as set out herein. When tacked or delivered in person to the premises, the cease operations order is effective immediately.

d. The City will immediately notify the Police Department of every cease operations order issued. The Police Department will assist in the enforcement of cease operations orders.

B. *Suspension or Revocation:*

1. *Basis for Suspension or Revocation.* Any business license issued by the City pursuant to this chapter of the City Code may be suspended or revoked for good cause by the issuing authority upon a finding that one or more of the following conditions exist:

a. The licensee fails to provide the City the retail sales license from the State of Missouri or a Certificate of No Tax Due as provide in this Chapter;

b. The renewal document contains false or incomplete information;

c. The licensee obtained or aided another person to obtain a license by fraud or deceit;

d. The licensee is delinquent in the payment of any taxes or fees due the City;

e. The licensee refused to allow, or interfered with, inspection of the licensed premises by authorized representatives of the City;

f. Violations of this chapter of the City Code by agents or employees of a licensee and/or violations of any other laws by agents or employees committed while acting as an agent or employee of the licensee;

g. The existence of chronic unsanitary conditions, noise, disturbances or other conditions at, in, or attributable to the premises of a licensee, that causes or tends to create a public nuisance, which may injuriously affect the public health, safety, or welfare of others, or which unnecessarily affects the adequate allocation of public safety resources;

h. Repeatedly or purposefully permitting, allowing, or causing any business activity in violation of any ordinance, rule or law of the City, State or Federal government:

i. Fraudulent practices or misrepresentation in the operation of the business:

j. Concealment or misrepresentation in the application of a business license;

k. The business operation becomes unlawful or is prohibited by any code, rule or law of the City, State or Federal government;

l. The issuance of the license was in error or in violation of the provision of the Code;

m. The business premises is condemned, declared a fire hazard, or declared unsafe for business occupancy pursuant to applicable City Code Chapters;

n. Wrongful behavior creating a safety issue based on business activity;

o. Failure to remain current in the payment of taxes owed the Missouri Department of Revenue; or

p. Any other reason expressly provided for in this chapter of the City Code.

2. *Procedures to Suspend or Revoke a Business License.*

a. The City is empowered, through an Administrative Hearing, to revoke or suspend a license issued under the provisions of this chapter of the Code.

b. The hearing(s) shall follow the Administrative Hearing Procedures for Revocation or Suspension of Business and Other Business Licenses established and amended from time to time by the Community Development Department and in effect at the time of the hearing.

c. When the City suspends or revokes a business license, the City will provide written notice by first class mail to the licensee by mailing a cease operations order to the last address on file. The cease operation order will include a copy of the City's formal written ruling and inform the applicant they must cease all business activity at the specified location. The cease operation order will identify the appeal process available.

d. The Licensee is deemed to have received written notification of the cease operations order three business days after the date of mailing of the order to the last address on file with the Business Licensing Division.

e. The City may serve a cease operation order in person by delivery of the order to any management employee at the licensed premises or by posting on the main entrance by tacking, each followed by mailing as set out herein. When tacked or delivered in person to the premises, the cease operations order is effective immediately.

f. The City will immediately notify the Police Department of every cease operation notice issued. The Police Department will assist in the enforcement of cease operations orders.

3. *Licensing After Revocation.* A person whose license is revoked under this chapter may not apply for another business license under this chapter for a period of 12 months after the final decision in the administrative appeals process or an appeal period runs without an appeal, whichever is later.

C. *Penalty.* Any person or business violating a cease operations order under this chapter shall be subject to a fine of not more than $500.00 per day upon conviction. Each day of violation is a separate offence.

D. Nothing contained in this chapter shall preclude the informal disposition of contested cases by stipulation, agreed settlement, consent order, or default.

Sec. 5.01.024. Appeal procedure.

An applicant may appeal the decision of the City made in accordance with Section 5.01.023 to Circuit Court as established under RSMo 536. All decisions of the City shall be final decisions 30 days after the mailing or personal service of the decision.

Sec. 5.01.025. Operations of business without a license.

When a business operates without a license, the following procedure shall apply:

A. The City shall issue to the affected person a provisional order to correct such violation.

B. The provisional order and all other notices issued in compliance with this chapter shall be in writing, personally served or left with the affected person's agent or employee. The notice shall apprise the person affected of the specific violations. In the absence of such person affected or the agent or employee, a copy of such notice shall be affixed to some structure on the premises. Mailing such notice to the last known address of the person affected shall constitute service thereof.

C. The provisional order shall require compliance within five days of personal service on the affected person and within ten days of affixing such notice to the licensee's premises or depositing such notice in the United States mail.

D. Upon the failure or refusal of the violator to comply with the provisional order, any person or business violating a provisional order under this chapter shall be subject to a fine of not more than $500.00 per day upon conviction. Each day of violation is a separate offence.

E. The continued operation of a business without a current and valid business license shall be deemed a nuisance, and, as such, shall be actionable in accordance with the Independence City Code, and all of the provisions of the City Code are applicable to the nuisance and it's abatement.

Sec. 5.01.026. Operations of business that is not allowed.

When a business that is not allowed operates without a license, the following procedure shall apply:

A. Written notice will be provided by first class mail to the applicant by mailing a cease operations order to the applicant address on file. The cease operations order will identify the City Code provisions said business activity is in violation of and inform the applicant they must cease all business activity at the described location.

B. The applicant is deemed to have received written notification three business days after the date of mailing of the cease operations order.

C. The City may serve a cease operation order in person by delivery of the order to any management employee at the licensed premises or by posting on the main entrance by tacking, each followed by mailing as set out herein. When tacked or delivered in person to the premises, the cease operations order is effective immediately.

D. Upon the failure or refusal of the violator to comply with the cease operations order, any person or business violating a cease operations order under this chapter shall be subject to a fine of not more than $500.00 per day upon conviction. Each day of violation is a separate offence.

E. The Licensing Division will immediately notify the Police Department of every cease operations order issued. The Police Department will assist in the enforcement of cease operations orders.

F. The continued operation of a business without a current and valid business license shall be deemed a nuisance, and, as such, shall be actionable in accordance with the Independence City Code, and all of the provisions of the City Code are applicable to the nuisance and it's abatement.

Sec. 5.01.027. Mobile food units allowed.

A. Separate business licenses are required for mobile food units of businesses operating as self-contained food preparation units or out of a commissary not located within the City.

B. Separate business licenses are not required for mobile food units of businesses operating out of a licensed commissary located within the City.

C. Mobile food units licensed under this chapter shall:

1. obtain any other permits and comply with all other applicable regulations under Chapter 11 or other chapters of this Code;

2. obtain and be able to produce upon request, written permission of the property owner;

3. obtain written permission, in the case of property owned by the City of Independence, as follows:

i. operating in City parks only with permission from the Director of Parks and Recreation or his designee;

ii. operating in City parking lots, other than lots in use as the Farmers' Market, only with permission from the Director of Public Works or his designee. In the Independence Square retail area and Englewood Arts District, the Director of Public Works will designate by signage pre-approved parking locations. Vendors will be able to operate in these designated areas on a first-come first-served basis;

4. obtain consent of the owner or occupant of the property immediately abutting the parked food truck when parking in a residential district;

5. operate upon City rights-of-way (streets or sidewalks) so as not to obstruct the flow of vehicular or pedestrian traffic;

6. restrict operations to paved surfaces;

7. not block any street or alley;

8. be attended at all times, whether serving or not;

9. limit operations to the period between 6:30 a.m. and 9:00 p.m.;

10. not sell food items within 50 feet of the front facing façade, and the side facing façade if adjacent to a public road, of a restaurant, deli, cafeteria, or other eating establishment selling food items during the time it is open for business, except that food items may be sold from pushcarts within this 50-foot zone, if owned and operated by a restaurant located within that 50-foot zone; and

11. comply with special event vending requirements for street fairs, parades and block parties, which have been approved by the City.

Sec. 5.01.028. Video surveillance camera requirements.

A. This section is enacted to reduce the potential for situations where employees of certain hotels/motels, convenience stores, with and without fuel sales, or tobacco stores are exposed to potential death and/injuries because of actions of people with criminal intent, and retrieving an image and/or video to assist in criminal offender identification, apprehension and prosecution.

B. Definitions.

1. "Hotel/Motel" are as defined by Section 14-200-05-M.2 of the Unified Development Ordinance.

2. "Convenience stores, with and without fuel sales, or tobacco stores" are as defined by Section 14-201 of the Unified Development Ordinance.

3. "Video surveillance system" or "VSS" means a continuous digital surveillance system including cameras, cabling and/or remotes, monitors, and digital video recorders that records in color with cameras and lens. The system shall be capable of producing a retrievable and identifiable images and video recordings on media that can be enlarged through projection or other means, and can be made a permanent record for use in criminal investigation.

C. VSS Required. Hotel/motels, convenience stores, with and without fuel sales, or tobacco stores shall be equipped with a VSS capable of recording and retrieving an image to assist in offender identification, apprehension and prosecution. At a minimum, hotel/motels, convenience stores, with and without fuel sales, or tobacco stores shall:

1. **Have two color digital high-resolution surveillance cameras inside the hotel/motel, convenience store, with and without fuel sales, or tobacco store. One surveillance camera shall have an overall view of the counter/register area and the other surveillance camera shall have a view of the main entrance/exit area. The entrance/exit area surveillance camera shall be placed to provide a clear and identifiable full frame of the filmed individuals face and all cameras shall remain unobstructed by any display sign or other item; and**

2. **Have at least two digital high-resolution surveillance camera outside the establishment.**

   The surveillance cameras shall have an overall view of:

   a. **The parking areas and/or fuel pump areas for convenience stores, with and without fuel sales, or tobacco stores; and**

   b. **The entrances to the parking areas for hotels/motels; and**

3. **Have a VSS showing the correct date and time of the recording; and**

4. **Have a VSS operated at all times, including hours when the hotel/motel, convenience store, with and without fuel sales, or tobacco store is not open for business; and**

5. **Have a VSS maintained on a routine basis, not to exceed every six months to ensure that the VSS is working properly at all times; verification of such maintenance, including test digital images produced when the VSS is installed or maintained, retained on the premises and made available for periodic inspection by the business license department or the police department during all hours in which the hotel/motel, convenience store, with and without fuel sales, or tobacco store is open; and**

6. **Provide the police department with access to the VSS upon request in connection with crime investigations; and**

7. **Have one or more digital video recording devices used to record images from each surveillance camera in the hotel/motel, convenience store, with and without fuel sales, or tobacco store. Each recording device shall be kept in a secured location that is remote from the surveillance cameras. The owner shall maintain a library of the recorded digital images for not less than seven days; and**

8. **Have posted at all public entrance/exit signs or decals indicating that surveillance cameras are in use.**

D. Exterior Lighting Required. All exterior areas of hotels/motels, convenience stores, with and without fuel sales, or tobacco stores shall be lighted in accordance with Section 14-508 of the Unified Development Ordinance.

E. Exemption. A hotel/motel, convenience store, with and without fuel sales, or tobacco store may apply to the Chief of Police, or designee, for exemption from the provisions of this section if that hotel/motel, convenience store, with and without fuel sales, or

tobacco store has undertaken alternate measures which are substantially equal to or more effective in preventing criminal activity and assisting in the apprehension of the perpetrator and for protecting employees. If the Chief of Police, or designee, approves such alternative measures submitted by the hotel/motel, convenience store, with and without fuel sales, or tobacco stores, then the hotel/motel, convenience store, with and without fuel sales, or tobacco store shall not be required to comply with the provisions of this section for as long as the approval of the Chief of Police or designee is effective. If the application for exemption is denied by the Chief of Police or designee, the hotel/motel, convenience store, with and without fuel sales, or tobacco store may then appeal to the City Council for further review of the application for exemption and the decision of the City Council shall be final, except, to such extent the same may be changed by judicial review.

F. Effective Date of Requirements. All hotels/motels, convenience stores, with and without fuel sales, or tobacco stores commencing operations from and after the effective date of the ordinance codified in this section shall immediately comply with all the provision upon opening its doors to the public. All convenience store, with and without fuel sales, or tobacco stores in operation (doors open to the public on a regular and continuous basis) prior to the effective date of the ordinance codified in this section shall comply with all provisions of this chapter no later than January 1, 2017. All hotels/motels in operation (doors open to the public on a regular and continuous basis) prior to the effective date of the ordinance codified in this section shall comply with all provisions of this chapter no later than July 1, 2018.

Secs. 5.01.029—5.01.999. Reserved."

SECTION 3. That the title of Chapter 5 is hereby amended as follows:

"Chapter 5
BUSINESS ~~**AND OCCUPATION**~~ LICENSES"

SECTION 4. That all other parts and provisions of the City Code shall be in full force and effect unless previously or subsequently amended or repealed.

SECTION 5. That correction of any scriveners' errors identified within these articles are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

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

ATTEST:

_____

City Clerk

APPROVED - FORM AND LEGALITY:

_____

City Counselor

REVIEWED BY

_____

City Manager

NOTE: Words struck through and bolded are being removed by this ordinance and words underscored and bolded are being added by this ordinance.

Chapter 5

BUSINESS LICENSES

ARTICLE 1. ADMINISTRATION OF LICENSES IN GENERAL, AND REQUIREMENTS THEREOF

Sec. 5.01.001. Applicability.

The provisions of this article shall apply to all corporations, companies, associations, joint stock associations, partnerships, co-partnerships and persons and their lessees, duly constituted trustees or receivers, heirs, administrators or assigns, who shall engage in any business, trade, vocation, profession or occupation including manufacturing, within the City limits.

Sec. 5.01.002. Definitions.

A. For the purposes of this chapter:

ADMINISTER means the direct application of marijuana to a qualifying patient by way of any of the following methods:

i. Ingestion of capsules, teas, oils, and other marijuana-infused products;

ii. Vaporization or smoking of dried flowers, buds, plant material, extracts, or oils;

iii. Application of ointments or balms;

iv. Transdermal patches and suppositories; or

v. Consuming marijuana-infused food products.

APPLICANT means a duly authorized officer or person of a business applying for a business license, either new or renewal.

BUSINESS, TRADE, VOCATION, PROFESSION, OCCUPATION shall mean the selling or providing of any goods, wares, merchandise, or services or as a practice in the conduct of such business, trade, vocation, profession or occupation, the making or causing to be made, any wholesale or retail sales of goods, wares, merchandise or services to any person or association of persons, whether such sales are accommodation sales, made from a stock of goods on hand, or by ordering from another source, or by listing, and whether the subject of such sales or services is similar or different than the type, if any, regularly offered or performed by the seller.

CITY means the City of Independence, Missouri.

CITY INSPECTOR shall mean anyone authorized by the City to make inspections for the purpose of enforcing the provisions of this article.

COMMISSARY means a commissary as defined in Chapter 11 of this Code.

COMPREHENSIVE FACILITY means a comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, or a comprehensive marijuana-infused products manufacturing facility.

COMPREHENSIVE MARIJUANA CULTIVATION FACILITY means a facility licensed by the department to acquire, cultivate, process, package, store on site or off site, transport to or from, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones) to a medical facility, comprehensive facility, or marijuana testing facility. A comprehensive marijuana cultivation facility need not segregate or account for its marijuana

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products as either non-medical marijuana or medical marijuana. A comprehensive marijuana cultivation facility's authority to process marijuana shall include the creation of prerolls, but shall not include the manufacture of marijuana-infused products.

COMPREHENSIVE MARIJUANA DISPENSARY FACILITY means a facility licensed by the Department to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a qualifying patient or primary caregiver, as those terms are defined in section I of Article XIV, or to a consumer, anywhere on the licensed property or to any address as directed by the patient, primary caregiver, or consumer and consistent with the limitations of this Article and as otherwise allowed by law, to a comprehensive facility, a marijuana testing facility, or a medical facility. Comprehensive dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet including from a third party. A comprehensive marijuana dispensary facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana, but shall collect all appropriate tangible personal property sales tax for each sale, as set forth in this Article and provided for by general or local law. A comprehensive marijuana dispensary facility's authority to process marijuana shall include the creation of prerolls.

COMPREHENSIVE MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY means a facility licensed by the Department to acquire, process, package, store, manufacture, transport to or from a medical facility, comprehensive facility, or marijuana testing facility, and sell marijuana-infused products, prerolls, and infused prerolls to a marijuana dispensary facility, a marijuana testing facility, or another marijuana-infused products manufacturing facility. A comprehensive marijuana-infused products manufacturing facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana.

CONSTITUTION shall mean the Constitution of the State of Missouri.

CONSUMER means a person who is at least 21 years of age.

DEPARTMENT means the Department of Health and Senior Services, or its successor agency.

FINE when used herein shall mean a monetary fine imposed by the Municipal Court for this City.

FOOD TRUCK means a vehicle mounted mobile food unit.

GROSS BUSINESS ACTIVITY means the gross value of all goods, wares, merchandise, chattel and all other personal and commercial property of every kind and description bought, sold, leased, manufactured or exchanged by the business or person during the preceding calendar or fiscal year consistent with the reporting and accounting basis adopted for Federal taxation purposes.

GROSS COMMISSIONS means the gross amount of commissions, fees, charges or compensation earned from the business during the preceding calendar or fiscal year consistent with the reporting and accounting basis adopted for Federal taxation purposes.

GROSS RECEIPTS shall mean the gross receipts or revenues earned from the receipt of cash, credits and property of any kind for any act or service by a business or person in the preceding calendar or fiscal year consistent with the reporting and accounting basis adopted for Federal taxation purposes.

INSIGNIA or its singular number, insigne, means any tag, plate badge, emblem, sticker or any other kind of device which may be required for use in connection with any license.

LANDLORD means any person firm or corporation who rents or leases dwelling units owned by such person, firm or corporation.

LICENSE OR LICENSEE means specifically, a certificate holder of a business license or permit, or the holder for any use or period of time of any similar privilege, wherever relevant to any provision of this chapter or other law or ordinance.

LICENSE YEAR is the 12-month period beginning the first day of the month in which a license is issued for or renewed.

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MAINTAINING A BUSINESS OFFICE means conducting the activities of one's occupation at a given place, phone or address within the physical boundaries of the City of Independence.

MANAGING OFFICER means the person who is in active management and control who may be designated by a corporation as the managing officer, and who may be eligible as an individual to receive a license under the provisions of this chapter.

MARIJUANA or MARIHUANA means Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. 'Marijuana' or 'Marihuana' do not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis, or commodities or products manufactured from industrial hemp.

MARIJUANA BUSINESS means any marijuana facility or facility licensed by Department of Health and Senior Services under the authority granted by Article XIV of the Construction.

MARIJUANA DISPENSARY means either a Medical Marijuana Dispensary, a Comprehensive Marijuana Dispensary, or a Micro-Business as those terms are defined in Article XIV of the Constitution.

MARIJUANA FACILITY means a medical marijuana facility or a comprehensive facility as that term is defined by Article XIV Section 2 of the Constitution, a microbusiness wholesale facility, microbusiness dispensary facility, or any other type of marijuana related facility or business licensed or certified by the Department pursuant to Section 2 of Article XIV

MARIJUANA-INFUSED PRODUCTS means products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.

MARIJUANA MICROBUSINESS FACILITY means a facility licensed by the Department as a microbusiness dispensary facility or microbusiness wholesale facility, as defined in this section.

MARIJUANA TESTING FACILITY means a facility certified by the Department to acquire, test, certify, and transport marijuana, including those originally certified as a medical marijuana testing facility including those originally certified as a medical marijuana testing facility.

MEDICAL MARIJUANA CULTIVATION FACILITY means a facility licensed by the Department, to acquire, cultivate, process, store, transport, and sell marijuana to a Medical Marijuana Dispensary Facility, Medical Marijuana Testing Facility, or to a Medical Marijuana-Infused Products Manufacturing Facility and shall also mean a Comprehensive Marijuana Cultivation Facility, as that term is defined in Article XIV of the Constitution.

MEDICAL MARIJUANA DISPENSARY FACILITY means a facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer marijuana as provided in this section to a qualifying patient, a primary caregiver, another licensed medical marijuana dispensary facility, a licensed medical marijuana testing facility, or a licensed medical marijuana infused products manufacturing facility.

MEDICAL MARIJUANA FACILITY means a medical marijuana dispensary, medical marijuana cultivation facility, medical marijuana testing facility, medical marijuana infused products manufacturing facility and medical marijuana transportation facility licensed by the State of Missouri.

MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY means a facility licensed by the Department to acquire, store, manufacture, transport, and sell marijuana-infused products to a medical marijuana dispensary facility, a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.

MEDICAL MARIJUANA TRANSPORTATION FACILITY means a facility certified by the State of Missouri to transport marijuana to a qualifying patient, a primary caregiver, a medical marijuana cultivation facility, a medical marijuana-infused products manufacturing facility, a medical marijuana dispensary facility, a medical marijuana testing facility, or another medical marijuana transportation facility.

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MICROBUSINESS DISPENSARY FACILITY means a facility licensed by the department to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a consumer, qualifying patient, as that term is defined in section I of this Article XIV of the Constitution, or primary caregiver, as that term is defined in section I of this Article XIV of the Constitution, anywhere on the licensed property or to any address as directed by the consumer, qualifying patient, or primary caregiver and, consistent with the limitations of this Article and as otherwise allowed by law, a microbusiness wholesale facility, or a marijuana testing facility. Microbusiness dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet, including from a third party. A microbusiness dispensary facility's authority to process marijuana shall include the creation of prerolls.

MICROBUSINESS WHOLESALE FACILITY means a facility licensed by the Department to acquire, cultivate, process, package, store on site or off site, manufacture, transport to or from, deliver, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), and marijuana infused products to a microbusiness dispensary facility, other microbusiness wholesale facility, or marijuana testing facility. A microbusiness wholesale facility may cultivate up to 250 flowering marijuana plants at any given time. A microbusiness wholesale facility's authority to process marijuana shall include the creation of prerolls and infused prerolls.

MOBILE FOOD UNIT means a mobile food unit as defined in Chapter 11 of this Code.

BUSINESS LICENSE means the license that every person must obtain from the City before engaging in or continuing to engage in any business, non-exempted profession or occupation in the City.

PERSON means person, partnership, society, association, club, trustee, trust or corporation; or any officer, agent, employee, factor or any kind of personal representative under either personal appointment or pursuant to law.

PREMISES means to include all lands, structures, places and also any equipment and appurtenances connected or used therewith in any business, and also any personal property which is either affixed to or is otherwise used in connection with any such business conducted on such premises.

PRIMARY CAREGIVER means a person designated as such by the Department.

PUSHCART means a non-self-propelled mobile food unit.

QUALIFYING PATIENT means a person designated as such by the Department.

B. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Sec. 5.01.003. Business license required.

A. Every person, whether or not located in the City, desiring to engage in any business, profession or occupation in the City shall be required to obtain a business license before engaging in such activity as specified in this chapter. Business licenses are not transferable.

B. Any person shall be deemed to be in business or engaging in non-profit enterprise and thus subject to the requirements of this chapter when any selling, manufacturing. soliciting, transfer, bartering or offering of any goods, wares, real, intangible and tangible personal property or services takes place. One act thereof shall constitute doing business.

C. Every agent, general contractor, sub-contractor, or representative of any person desiring to engage in or to continue to engage in any business, profession or occupation shall be responsible for the compliance of such person in acquiring an business license as required by this chapter.

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D. No license shall be required of any person for any delivery in the City of any property purchased or acquired in good faith from any person at any regular place of business outside the City where no intent by such person is shown to exist to evade the provisions of this chapter.

E. In order for customers to obtain utility service to an office, commercial and industrial establishment, a valid business license shall be issued by the City of Independence for that property address for any use, and if the business operates as a Limited Liability Company (LLC), said business shall file with the City of Independence a valid LLC registration in accordance with RSMo 347.048.

Sec. 5.01.004. Business license exemption.

A. Those professions or callings specifically exempted from license fees or taxes by virtue of RSMo 71.620, which are as follows: Minister of the gospel, duly accredited Christian Science practitioner, teacher, professor in a college, priest, lawyer, certified public accountant, dentist, chiropractor, optometrist, chiropodist or physician or surgeon in the State;

B. As provided in RSMo 71.620, those professions of insurance agent or broker, veterinarian, architect, professional engineer, land surveyor, auctioneer, or real estate broker or salesman in this State shall be specifically exempted unless that person maintains a business office within the City.

C. Specifically farmers or producers, for the sale of produce raised by him, her or them when sold from his, her or their wagon, cart or vehicle or from any person in the employ of such farmers or producers in the City, as provided in RSMo 71.630, shall be exempted from any such licenses and fees imposed by this article.

D. In accordance with RSMo 345.055, as amended, clinical audiologist and speech-language pathologist, are exempt from the licensing and fee provisions of this article.

E. In accordance with RSMo 324.1114, as amended, private investigators are exempt from the licensing and fee provisions of this article.

F. In accordance with RSMo 337.070, as amended, a psychologist licensed by the State of Missouri is exempt from the licensing and fee provisions of this article.

Sec. 5.01.005. Administration and enforcement.

A. *Enforcement.* It shall be the duty of the Community Development Department, together with duly authorized deputies and agents, to enforce the provisions of this article within the confines of the City, to report violations to the proper municipal authority and to prosecute the alleged violators in the Municipal Court of the City.

B. *Additional duties.* The Community Development Department shall:

1. Prepare a complete record of all licenses issued under this article, showing the nature of the license, its date of issuance, to whom issued and the amount of or exemption of the fee collected therefor;

2. Recommend appropriate license fees in conformity with this Code, provided that any applicant or licensee in disagreement with such decision may pay the license fee under protest and appeal such decision as provided in this article;

3. Conduct or cause to be conducted periodic inspections of the premises and necessary records of any licensee in order that compliance or noncompliance with the provisions of this article may be ascertained;

4. Submit to the Council suggestions and recommendations with respect to the amendments and updates to this Chapter.

Sec. 5.01.006. Applications for license.

A. All applications for licenses provided for in this article shall be filed with the Community Development Department. All applications shall be reviewed by the applicable departments to certify that the premises,

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the business and business operations meet minimum code standards and zoning regulations as established by the City before issuance of such license.

B. The Community Development Department shall refer to the Police Department for review all applications for business licenses for security operations or those involved in investigation, bonding, security or related fields.

C. At the time the application is submitted, the Community Development Department shall issue a receipt to the applicant for the money paid in advance. Such receipt shall not be construed as the approval for the issuance of a license, nor shall it entitle or authorize the applicant to open or maintain any business contrary to the provisions of this chapter.

D. Every business that permits members of the public on its business premises or that performs services on premises other than its own business premise, shall certify that the business has a minimum of $500,000.00 of general liability insurance for bodily injury and property damage per occurrence.

E. Contractors in the construction industry shall submit a certificate of insurance for workers' compensation in accordance with RSMo 287.061 or an affidavit signed by the applicant attesting that the contractor is exempt from the requirements of RSMo Chapter 287.

Sec. 5.01.007. License fees for certain trades, vocations, professions, occupations.

A. Generally. Unless otherwise provided by this article or elsewhere in the Code, for each trade, vocation, profession or occupation a person is engaged in within the City, that person shall procure and pay for a license, as established in the City's Schedule of Fees and Charges.

B. In accordance with RSMo 148.440, as amended, the business and occupation license fee for every insurance company or insurance agent providing insurance which includes coverage for any property loss or damage caused by a fire shall not exceed $200.00 per year. The business and occupation license fee for every other type of insurance company shall not exceed $100.00 per year.

C. Individuals serving as their own general contractor to build a dwelling for their own personal use shall not be required to pay the license fee contained in this section.

Sec. 5.01.008. Payment of financial obligation prerequisite to issuance of license.

It shall be unlawful for any person to operate a business or manufacturing facility, engage in a trade, vocation, profession or occupation unless and until all financial obligations which are due and owing to the City have been paid. No license provided for or required under this article or by any other ordinance of the City shall be issued by any department until compliance with this Section shall have been fulfilled.

Sec. 5.01.009. Separate license required for each place of business.

A separate license shall be obtained for each place of business conducted, operated, maintained or carried on by every person engaged in any occupation, calling, trade or enterprise for which a license is required by this chapter.

Sec. 5.01.010. More than one occupation at the same address.

Whenever any person making application for a license under the provisions of this article is engaged in more than one (1) business, not operated as a separate business entity, at the same address, such person shall combine the information for all businesses conducted at the same address, as required for the purpose of determining the license fee.

Sec. 5.01.011. Missouri Retail Sales License required prior to issuance of license.

A. All applicants with possession of a retail sales license are required to submit a statement from the Missouri Department of Revenue that the licensee owes no tax due under RSMo 144.010 to 144.510. The date of issuance on the statement shall not be more than ninety (90) days before the date of submission of the

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application or renewal of the license. A licensee who is required by state law or RSMo 144.010—144.510 to have a retail sales license shall not operate a business in the city without a state sales tax number or a valid retail sales license. In addition to other penalties set forth in this chapter, the business license of a licensee who fails to comply with provisions of this section shall be subject to revocation proceedings as set forth in this chapter.

B. The city's business license of any person shall be null and void upon the director of revenue of the state giving the city notice that the person's retail sales license has been revoked in accordance with procedures set forth in RSMo 144.083.

C. The city license may be reinstated for a fee of $5.00 for the remainder of the original term upon satisfactory proof presented to the City that the licensee has secured the needed state retail license or that it has been reinstated by the department of revenue of the state.

Sec. 5.01.012. Marijuana business licensing.

A. Marijuana businesses shall be required to have a city license as required in Chapter 5.

B. Premises Requirements. No license shall be granted or retained under this chapter for a marijuana business if the applicant has not submitted and maintained a security plan, operation and management plan, and emergency response plan in accordance with this chapter.

1. *Security Plan.* A written security plan shall be submitted with the business license application for the marijuana business. The plan shall detail security measures for the site and the transportation of marijuana and marijuana products to and from off-site premises to ensure the safety of employee and the public and to protect the property from theft or other criminal activity. Each facility shall comply with the security requirements established by the State of Missouri and include, but not limited to, the following elements in the security plan:

    a. *Cameras.* The marijuana business shall install and use security cameras to monitor and record all areas of the premises, except in restrooms and consultation rooms while a patient is undressed. Such security cameras shall specifically include all areas where a person may gain or attempt to gain access to marijuana or cash maintained by the marijuana business. Cameras shall be of sufficient resolution to record operations of the marijuana business to an off-site location and shall also include any parking lots or areas near the marijuana business and all potential areas of ingress or egress to the marijuana business with sufficient detail to identify facial features and clothing. Recordings from security cameras shall be maintained for a minimum of 40 days in a secure off-site location in the City or through a service over a network that provides on-demand access, commonly referred to as a "cloud." The off-site location shall be identified in the security plan submitted to the City and access to recordings maintained must be provided to the Independence Police Department upon request. Any change in location of the off-site location shall be updated within 72 hours of any such change.

    b. *Use of Safe for Storage.* The marijuana business shall install and use a secure safe for storage of all processed marijuana and cash on the premises when the business is closed to the public. The safe shall be incorporated into the building structure or securely attached thereto. For marijuana-infused products or marijuana being tested in a testing facility that must be kept refrigerated or frozen, the business may lock the refrigerated container or freezer in a manner authorized by the City in place of use of a safe, so long as the container is affixed to the building structure and secure from intrusion.

    c. *Alarm System.* The marijuana business shall install and use an alarm system that is monitored by a company that is staffed 24 hours a day, seven days a week. The security plan submitted to the City shall identify the company monitoring the alarm, including contact information, and must be updated within 72 hours of any change of monitoring company. If the alarm system includes a panic alarm, an operable dedicated phone for law enforcement to respond to the alarm shall remain on the premises at all times.

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d. *Lighting System.* The marijuana business shall have sufficient exterior lighting for security purposes and shall otherwise comply with applicable city code requirements.

2. *Operation and Management Plan.* A written operation and management plan shall be submitted with the business license application for the marijuana business. The operation and management plan shall include, but not be limited to, the following elements: organizational structure, location, property description, proof that facilities are wheelchair accessible, proof that facilities comply with the Americans with Disabilities Act, hours of operation and staffing, description of proposed operations, list of any hazardous materials used as part of its operations, distribution practices, employee safety procedures and guidelines, fire mitigation and prevention systems in compliance with the International Fire Code as adopted by the City of Independence, sanitation requirements and waste management processes, ventilation system and air quality controls showing how odor emission will not be detectable off the premises, and proposed water system and utility demand. The operation and management plan must also meet the minimum facility standards established by the State of Missouri and comply with the City Code.

3. *Emergency Response Plan.* A written emergency response plan shall be submitted with the business license application for the marijuana business. The plan shall identify emergency plans and contingency plans that would be executed in the event of an emergency arising from the site's usage as a marijuana business. The emergency response plan must meet any minimum standards established by the State of Missouri and comply with the City Code.

C. Application. Any person desiring a license to operate a marijuana business shall submit an application for issuance or renewal of such license to the City. The application shall include the following:

1. Written statements upon forms provided by the City as necessary to determine:

a. The gross receipts, gross business activity or gross commission of the applicant.

b. Every business that permits members of the public on its business premises or that performs services on premises other than its own business premise, shall certify that the business has a minimum of $500,000.00 of general liability insurance for bodily injury and property damage per occurrence.

d. That an applicant has sworn to the truthfulness and accuracy of the information provided on all forms and will abide by the provisions of this chapter. The applicant must provide positive identification as the person applying for such license.

e. The location, place, or premises for which a license is sought.

f. The type of license for which the application is made.

2. The application shall be accompanied by a complete security plan, operation and management plan, and emergency plan.

3. The application shall be accompanied by proof of a valid and current license or certificate issued by the DHSS for each medical marijuana facility type for which a license is sought.

4. The full amount of the fees chargeable for such license.

Sec. 5.01.013. Determination of gross annual receipts.

A. For new applicants of new businesses the phrase "gross receipts", or "gross commissions" or "gross business activity" shall be based on an estimated gross receipts, gross business activity or gross commissions subject to adjustment upon renewal. Such fee shall be adjusted when the actual amount of gross receipts, gross business activity or gross commission is reported on the first renewal.

B. For businesses located outside the City limits of Independence, gross receipts, gross business activity or gross commissions shall be reported for business activities which occur within the City limits.

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C. For residential and commercial builders, gross receipts means all monies received from construction or sale of a residential or commercial structure. Therefore, the sales price or contract price of the residential or commercial structure is the "gross receipts", not the profit from the sale. This applies to both contract or speculative construction.

Sec. 5.01.014. Statement of gross annual receipts.

Every person required to obtain a license under the provisions of this chapter where the fee for such license is based on gross receipts, gross business activity or commissions shall at the time of application and renewal, furnish the City with a statement in writing showing the amount of gross receipts activities, gross business or commissions for the preceding calendar or fiscal year.

Sec. 5.01.015. Examination of applicant's books and records.

A. The City shall have the right at all reasonable times after due notification during regular business hours to audit or examine the books, records and tax returns of the applicant or licensee for any license provided by this chapter for the purpose of determining the accuracy of any statement made by the applicant or licensee for such license.

Sec. 5.01.016. License year, when fees are paid, expiration.

A. Except as otherwise specifically provided by this chapter, all licenses provided for in this article shall expire one (1) year from the date of issuance. Such fees shall be payable upon filing of a new application and upon renewal annually as further set out in this section. Special licenses to nonprofit businesses shall be effective for five (5) years renewable on the last day prior to the anniversary date of such license(s).

B. Any person applying for a business license whose fiscal year does not coincide with its license year under this chapter, shall be permitted to report and pay the license fee based upon such fiscal year.

C. License fees for renewals shall be due and payable on or before the last day of the first month of each license year.

D. All licenses, except as otherwise specifically provided for in this chapter, shall expire if the renewal fee is not paid in full within the period provided for in Paragraph "C" above. A license which is not paid in full by such date is delinquent and such business or occupation will be deemed unlicensed and fall under the strict enforcement of this chapter.

E. All license fees required to be paid pursuant to the provisions of this chapter of the City Code shall be deemed delinquent if not paid on the date such payment is due. All persons delinquent in the payment of such fees, in addition to the fees found to be due, shall be required to pay the license fee, plus an additional ten percent penalty of the license fee for the first month or fraction thereof past due and an additional two percent of the license fee due for each additional month such delinquency shall thereafter continue. The penalty provided for in this section shall be in addition to any other penalty prescribed by ordinance.

Sec. 5.01.017. Pro-rating license fees.

Business license fees shall not be pro-rated but shall be charged on a license year basis.

Sec. 5.01.018. License to be prominently displayed.

All licenses issued by the City under this article shall be carefully preserved and prominently displayed in a conspicuous manner in the place of business authorized to be conducted by such license.

Sec. 5.01.019. Change of ownership or location.

A. Any licensee shall have the right to change the location of a licensed business provided that:

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1. The licensee submits an application on forms provided by the City for such change in location of the licensed business prior to making such change in location.

2. The proposed location meets the requirements of all Health, Zoning, Fire, Building and other codes of the City of Independence.

3. The licensee pays a transfer fee as outlined in the Schedule of Fees.

B. A license issued to any person under the provisions of this article shall not be transferable from one (1) person to another person in the event of the change of ownership.

Sec. 5.01.020. Liquor.

Nothing in this article shall be construed as authorizing any person to sell intoxicating liquor by virtue of a business license without holding a valid alcoholic beverage license.

Sec. 5.01.021. Compliance with other ordinances.

All licensees shall comply in every respect with the Unified Development Ordinance and all other ordinances of the City, including a health inspection if the business is of a type requiring such inspection.

Sec. 5.01.022. Claim procedure for refund of fees.

A. New applicants for business licenses which never open, or which close or move during the license year or any person making a claim for a refund because of alleged overpayment of license fees as required by this chapter shall file with the City satisfactory proof in support of such claim. Upon presentation of such satisfactory proof, the City shall refund an appropriate portion of any previously paid license fee. However, a minimum fee of $40.00 shall be retained in any case to cover administrative and material costs of the application.

B. Time limitations on credit or refund. A claim for credit or refund of an overpayment of any fee imposed by this chapter shall be filed by the licensee within two years from the time the fee was paid.

C. Notwithstanding any other provision of this chapter, in the case of any overpayment of any license tax under this chapter, the commissioner may, instead of granting a refund, credit and apply the amount of such overpayment against any uncontested delinquent tax liability of any type whatsoever owed by the taxpayer to the city, and within the period of limitations for collection.

Sec. 5.01.023. License denial, suspension or revocation.

A. *Denial.*

1. *Basis for Denial.* The City may deny a business license application, for any of the following reasons:

a. Any reviewing department, division or agency of the City has denied the application pursuant to any applicable provisions of the City Code;

b. Applicant is delinquent in the payment of any taxes or fees due the City under this chapter;

c. The application contains false or incomplete information;

d. Noncompliance with (a) any requirement or condition set by the City Council, Planning Commission, or Community Development Department or, (b) a conditional use permit, if applicable, granting a variance or special exceptions;

e. Noncompliance with any City, State or Federal law, code or statute;

f. Any other reason expressly provided for in this chapter; or

g. The Missouri Department of Revenue cannot issue to the applicant a Certificate of No Tax Due.

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2. *Procedures—Cease Operations Order.*

   a. When a business license application is denied, written notice will be provided by first class mail to the applicant by mailing a cease operations order to the applicant address on file. The cease operations order will identify the reason(s) for denial of the application and inform the applicant they must cease all business activity at the described location. The cease operation order will identify the available appeal process.

   b. The applicant is deemed to have received written notification three business days after the date of mailing of the cease operations order.

   c. The City may serve a cease operation order in person by delivery of the order to any management employee at the licensed premises or by posting on the main entrance by tacking, each followed by mailing as set out herein. When tacked or delivered in person to the premises, the cease operations order is effective immediately.

   d. The City will immediately notify the Police Department of every cease operations order issued. The Police Department will assist in the enforcement of cease operations orders.

B. *Suspension or Revocation:*

1. *Basis for Suspension or Revocation.* Any business license issued by the City pursuant to this chapter of the City Code may be suspended or revoked for good cause by the issuing authority upon a finding that one or more of the following conditions exist:

   a. The licensee fails to provide the City the retail sales license from the State of Missouri or a Certificate of No Tax Due as provide in this Chapter;

   b. The renewal document contains false or incomplete information;

   c. The licensee obtained or aided another person to obtain a license by fraud or deceit;

   d. The licensee is delinquent in the payment of any taxes or fees due the City;

   e. The licensee refused to allow, or interfered with, inspection of the licensed premises by authorized representatives of the City;

   f. Violations of this chapter of the City Code by agents or employees of a licensee and/or violations of any other laws by agents or employees committed while acting as an agent or employee of the licensee;

   g. The existence of chronic unsanitary conditions, noise, disturbances or other conditions at, in, or attributable to the premises of a licensee, that causes or tends to create a public nuisance, which may injuriously affect the public health, safety, or welfare of others, or which unnecessarily affects the adequate allocation of public safety resources;

   h. Repeatedly or purposefully permitting, allowing, or causing any business activity in violation of any ordinance, rule or law of the City, State or Federal government:

   i. Fraudulent practices or misrepresentation in the operation of the business:

   j. Concealment or misrepresentation in the application of a business license;

   k. The business operation becomes unlawful or is prohibited by any code, rule or law of the City, State or Federal government;

   l. The issuance of the license was in error or in violation of the provision of the Code;

   m. The business premises is condemned, declared a fire hazard, or declared unsafe for business occupancy pursuant to applicable City Code Chapters;

   n. Wrongful behavior creating a safety issue based on business activity;

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o. Failure to remain current in the payment of taxes owed the Missouri Department of Revenue; or

p. Any other reason expressly provided for in this chapter of the City Code.

2. *Procedures to Suspend or Revoke a Business License.*

a. The City is empowered, through an Administrative Hearing, to revoke or suspend a license issued under the provisions of this chapter of the Code.

b. The hearing(s) shall follow the Administrative Hearing Procedures for Revocation or Suspension of Business and Other Business Licenses established and amended from time to time by the Community Development Department and in effect at the time of the hearing.

c. When the City suspends or revokes a business license, the City will provide written notice by first class mail to the licensee by mailing a cease operations order to the last address on file. The cease operation order will include a copy of the City's formal written ruling and inform the applicant they must cease all business activity at the specified location. The cease operation order will identify the appeal process available.

d. The Licensee is deemed to have received written notification of the cease operations order three business days after the date of mailing of the order to the last address on file with the Business Licensing Division.

e. The City may serve a cease operation order in person by delivery of the order to any management employee at the licensed premises or by posting on the main entrance by tacking, each followed by mailing as set out herein. When tacked or delivered in person to the premises, the cease operations order is effective immediately.

f. The City will immediately notify the Police Department of every cease operation notice issued. The Police Department will assist in the enforcement of cease operations orders.

3. *Licensing After Revocation.* A person whose license is revoked under this chapter may not apply for another business license under this chapter for a period of 12 months after the final decision in the administrative appeals process or an appeal period runs without an appeal, whichever is later.

C. *Penalty.* Any person or business violating a cease operations order under this chapter shall be subject to a fine of not more than $500.00 per day upon conviction. Each day of violation is a separate offence.

D. Nothing contained in this chapter shall preclude the informal disposition of contested cases by stipulation, agreed settlement, consent order, or default.

Sec. 5.01.024. Appeal procedure.

An applicant may appeal the decision of the City made in accordance with Section 5.01.023 to Circuit Court as established under RSMo 536. All decisions of the City shall be final decisions 30 days after the mailing or personal service of the decision.

Sec. 5.01.025. Operations of business without a license.

When a business operates without a license, the following procedure shall apply:

A. The City shall issue to the affected person a provisional order to correct such violation.

B. The provisional order and all other notices issued in compliance with this chapter shall be in writing, personally served or left with the affected person's agent or employee. The notice shall apprise the person affected of the specific violations. In the absence of such person affected or the agent or employee, a copy of such notice shall be affixed to some structure on the premises. Mailing such notice to the last known address of the person affected shall constitute service thereof.

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C. The provisional order shall require compliance within five days of personal service on the affected person and within ten days of affixing such notice to the licensee's premises or depositing such notice in the United States mail.

D. Upon the failure or refusal of the violator to comply with the provisional order, any person or business violating a provisional order under this chapter shall be subject to a fine of not more than $500.00 per day upon conviction. Each day of violation is a separate offence.

E. The continued operation of a business without a current and valid business license shall be deemed a nuisance, and, as such, shall be actionable in accordance with the Independence City Code, and all of the provisions of the City Code are applicable to the nuisance and it's abatement.

Sec. 5.01.026. Operations of business that is not allowed.

When a business that is not allowed operates without a license, the following procedure shall apply:

A. Written notice will be provided by first class mail to the applicant by mailing a cease operations order to the applicant address on file. The cease operations order will identify the City Code provisions said business activity is in violation of and inform the applicant they must cease all business activity at the described location.

B. The applicant is deemed to have received written notification three business days after the date of mailing of the cease operations order.

C. The City may serve a cease operation order in person by delivery of the order to any management employee at the licensed premises or by posting on the main entrance by tacking, each followed by mailing as set out herein. When tacked or delivered in person to the premises, the cease operations order is effective immediately.

D. Upon the failure or refusal of the violator to comply with the cease operations order, any person or business violating a cease operations order under this chapter shall be subject to a fine of not more than $500.00 per day upon conviction. Each day of violation is a separate offence.

E. The Licensing Division will immediately notify the Police Department of every cease operations order issued. The Police Department will assist in the enforcement of cease operations orders.

F. The continued operation of a business without a current and valid business license shall be deemed a nuisance, and, as such, shall be actionable in accordance with the Independence City Code, and all of the provisions of the City Code are applicable to the nuisance and it's abatement.

Sec. 5.01.027. Mobile food units allowed.

A. Separate business licenses are required for mobile food units of businesses operating as self-contained food preparation units or out of a commissary not located within the City.

B. Separate business licenses are not required for mobile food units of businesses operating out of a licensed commissary located within the City.

C. Mobile food units licensed under this chapter shall:

1. obtain any other permits and comply with all other applicable regulations under Chapter 11 or other chapters of this Code;

2. obtain and be able to produce upon request, written permission of the property owner;

3. obtain written permission, in the case of property owned by the City of Independence, as follows:

i. operating in City parks only with permission from the Director of Parks and Recreation or his designee;

ii. operating in City parking lots, other than lots in use as the Farmers' Market, only with permission from the Director of Public Works or his designee. In the Independence Square retail area and Englewood Arts District, the Director of Public Works will designate by signage pre-approved parking locations. Vendors will be able to operate in these designated areas on a first-come first-served basis;

4. obtain consent of the owner or occupant of the property immediately abutting the parked food truck when parking in a residential district;

5. operate upon City rights-of-way (streets or sidewalks) so as not to obstruct the flow of vehicular or pedestrian traffic;

6. restrict operations to paved surfaces;

7. not block any street or alley;

8. be attended at all times, whether serving or not;

9. limit operations to the period between 6:30 a.m. and 9:00 p.m.;

10. not sell food items within 50 feet of the front facing façade, and the side facing façade if adjacent to a public road, of a restaurant, deli, cafeteria, or other eating establishment selling food items during the time it is open for business, except that food items may be sold from pushcarts within this 50-foot zone, if owned and operated by a restaurant located within that 50-foot zone; and

11. comply with special event vending requirements for street fairs, parades and block parties, which have been approved by the City.

Sec. 5.01.028. Video surveillance camera requirements.

A. This section is enacted to reduce the potential for situations where employees of certain hotels/motels, convenience stores, with and without fuel sales, or tobacco stores are exposed to potential death and/injuries because of actions of people with criminal intent, and retrieving an image and/or video to assist in criminal offender identification, apprehension and prosecution.

B. Definitions.

1. "Hotel/Motel" are as defined by Section 14-200-05-M.2 of the Unified Development Ordinance.

2. "Convenience stores, with and without fuel sales, or tobacco stores" are as defined by Section 14-201 of the Unified Development Ordinance.

3. "Video surveillance system" or "VSS" means a continuous digital surveillance system including cameras, cabling and/or remotes, monitors, and digital video recorders that records in color with cameras and lens. The system shall be capable of producing a retrievable and identifiable images and video recordings on media that can be enlarged through projection or other means, and can be made a permanent record for use in criminal investigation.

C. VSS Required. Hotel/motels, convenience stores, with and without fuel sales, or tobacco stores shall be equipped with a VSS capable of recording and retrieving an image to assist in offender identification, apprehension and prosecution. At a minimum, hotel/motels, convenience stores, with and without fuel sales, or tobacco stores shall:

1. Have two color digital high-resolution surveillance cameras inside the hotel/motel, convenience store, with and without fuel sales, or tobacco store. One surveillance camera shall have an overall view of the counter/register area and the other surveillance camera shall have a view of the main entrance/exit area. The entrance/exit area surveillance camera shall be placed to provide a clear and identifiable full frame of the filmed individuals face and all cameras shall remain unobstructed by any display sign or other item; and

2. Have at least two digital high-resolution surveillance camera outside the establishment.

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The surveillance cameras shall have an overall view of:

a. The parking areas and/or fuel pump areas for convenience stores, with and without fuel sales, or tobacco stores; and

b. The entrances to the parking areas for hotels/motels; and

3. Have a VSS showing the correct date and time of the recording; and

4. Have a VSS operated at all times, including hours when the hotel/motel, convenience store, with and without fuel sales, or tobacco store is not open for business; and

5. Have a VSS maintained on a routine basis, not to exceed every six months to ensure that the VSS is working properly at all times; verification of such maintenance, including test digital images produced when the VSS is installed or maintained, retained on the premises and made available for periodic inspection by the business license department or the police department during all hours in which the hotel/motel, convenience store, with and without fuel sales, or tobacco store is open; and

6. Provide the police department with access to the VSS upon request in connection with crime investigations; and

7. Have one or more digital video recording devices used to record images from each surveillance camera in the hotel/motel, convenience store, with and without fuel sales, or tobacco store. Each recording device shall be kept in a secured location that is remote from the surveillance cameras. The owner shall maintain a library of the recorded digital images for not less than seven days; and

8. Have posted at all public entrance/exit signs or decals indicating that surveillance cameras are in use.

D. Exterior Lighting Required. All exterior areas of hotels/motels, convenience stores, with and without fuel sales, or tobacco stores shall be lighted in accordance with Section 14-508 of the Unified Development Ordinance.

E. Exemption. A hotel/motel, convenience store, with and without fuel sales, or tobacco store may apply to the Chief of Police, or designee, for exemption from the provisions of this section if that hotel/motel, convenience store, with and without fuel sales, or tobacco store has undertaken alternate measures which are substantially equal to or more effective in preventing criminal activity and assisting in the apprehension of the perpetrator and for protecting employees. If the Chief of Police, or designee, approves such alternative measures submitted by the hotel/motel, convenience store, with and without fuel sales, or tobacco stores, then the hotel/motel, convenience store, with and without fuel sales, or tobacco store shall not be required to comply with the provisions of this section for as long as the approval of the Chief of Police or designee is effective. If the application for exemption is denied by the Chief of Police or designee, the hotel/motel, convenience store, with and without fuel sales, or tobacco store may then appeal to the City Council for further review of the application for exemption and the decision of the City Council shall be final, except, to such extent the same may be changed by judicial review.

F. Effective Date of Requirements. All hotels/motels, convenience stores, with and without fuel sales, or tobacco stores commencing operations from and after the effective date of the ordinance codified in this section shall immediately comply with all the provision upon opening its doors to the public. All convenience store, with and without fuel sales, or tobacco stores in operation (doors open to the public on a regular and continuous basis) prior to the effective date of the ordinance codified in this section shall comply with all provisions of this chapter no later than January 1, 2017. All hotels/motels in operation (doors open to the public on a regular and continuous basis) prior to the effective date of the ordinance codified in this section shall comply with all provisions of this chapter no later than July 1, 2018.

Secs. 5.01.029—5.01.999. Reserved.

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City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 24-034 1R

Agenda Title:

24-034 1R An ordinance approving a rezoning from District C-2 (General Commercial) and District R-12 (Two-Family Residential) to District R-6 (Single-Family Residential) for the property at 9519 E. Truman Road.

Recommendations:

Commissioner Nesbitt made a motion to recommend approval of case 24-100-08, the rezoning of 9519 E. Truman Road. A second to the motion was made by Commissioner O'Neil. The Independence Planning Commission voted as follows:
Commissioner Ashbaugh – Yes
Commissioner Ferguson – Yes
Commissioner McClain – Yes
Commissioner Nesbitt – Yes
Commissioner O'Neil – Yes
Commissioner H. Wiley – Yes
Commissioner L. Wiley – Absent
The motion was approved, and the application is forwarded to the City Council for its consideration. Staff recommends approval of this application.

Background:

A request by April Mote to rezone the property from C-2 (General Commercial) and R-12 (Two-Family Residential) to R-6 (Single-Family Residential).

The applicant recently purchased this dilapidated and vacant commercial/residential property and wishes to rezone to allow the property to be rehabilitated for residential use. The north 225 feet of this 570-foot-deep lot is zoned C-2 (General Commercial), and the remainder is zoned R-12 (Two-Family Residential). The vacant house, a usable accessory structure, and a portion of a dilapidated commercial structure is on the commercially zoned portion of the property. The remainder of that commercial structure and four other dilapidated accessory structures are on the southern residentially zoned portion of the property. It is believed in the past, a machine shop existed on the property. In contemporary times, the site has been used to store

assorted junk and vehicles.

NECESSARY IMPROVEMENTS FOR A BUILDING PERMIT:

The applicant will need to take care of three major issues before any building permits are issued. First, the property will need to be rezoned from two to one single zoning district (being addressed with this application). Second, the gravel driveway must be paved, and any portion of the driveway (dirt or gravel) not improved must be eliminated. Third, except for the northern most accessory building, all other accessory structures (which are dilapidated and/or commercial in nature) will need to be removed. Additionally, all code violation issues need to be addressed or enforcement actions may be initiated.

PHYSICAL CHARACTERISTICS OF PROPERTY:

The subject property sets on higher ground to the south of Truman Road. At the top of the embankment, approximately 50 feet back from the roadway, sets the two-story pink house. Access to the property is via an existing gravel driveway along the east side of the property passing the house and leading to a loop that is not only unimproved, but simply dirt in place and is flanked by dilapidated commercial/industrial/buildings and sheds. Large shade trees are spaced throughout the property.

CHARACTERISTICS OF THE AREA:

The Truman Road corridor across the street to the north and going eastward along the street have long been commercial. (There is a high school property as well). Many of the brick and wood buildings, most with very little setback from the road, have been there for decades. The buildings to the north were either built or modified for automotive uses. The blocks immediate to the west and northwest along Truman Road have been either undeveloped or contain single-family residences. Single-family lots flank the south and most of the east and west sides of the property.

REQUEST:

The applicant seeks to have this property rezoned to R-6 (Single-Family Residential) so that this property containing a house with two zonings can be rehabilitated for single-family residential use.

ANALYSIS:

Consistency with *Independence for All*, Strategic Plan:

Rezoning this property is consistent with the *Independence for All,* Strategic Plan. The application is within keeping with the Measures for Success for, “Improved housing conditions.”

Comprehensive Plan Guiding Land Use Principles:

The Comprehensive plan envisions the future land use of this property and the surrounding area to be Mixed Use.

Zoning:

If rezoned, the single-residential zoning would be consistent with the surrounding single-family uses neighboring to the west, south and east.

Historic and Archeological Sites:

There are no apparent historic or archeological sites located on these properties.

Public Utilities:

All utilities are present in the adjacent rights-of-way.

CIP Investments:
Currently there are no CIP investments in this area.
REVIEW CRITERIA:
Recommendations and decisions on rezoning applications must be based on consideration of all of the following criteria:
1. Conformance of the requested zoning with the comprehensive plan.
The Comprehensive Plan envisions this area to be Mixed Use. However, rezoning would support a continued attempt to reverse the creation of "stripped-out" commercial along the corridor and instead encourage commercial to be concentrated in nodes at major intersections.
2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.
This property is located within the Truman-Winner Road sub-area plan area. This purpose of this plan was to explore ways to incorporate amenities and infrastructure to support multiple transportation options including enhanced vehicular, bus, bicycle, and pedestrian transportation. Of particular importance was enhancing pedestrian transportation.
3. The compatibility of the proposed zoning with the zoning and use of the nearby property, including any overlay zoning.
If rezoned, the property would be congruent with the neighboring R-6 area to the east, west and south.
4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.
The existing character of the surrounding neighborhood is that of a single-family residential neighborhood.
5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.
With the current zoning in place, the existing single-family home along Truman Road is not permitted. By rezoning the entirety of the property to R-6, the applicant will be able to use the property for residential uses.
6. The length of time the subject property has remained vacant as zoned.
The property (residential and commercial) has sat vacant for a number of years.
7. The extent of which approving the rezoning will detrimentally affect nearby properties.
Rezoning this property to R-6 will not have a detrimental effect on the nearby properties. This is because the residential use of the property will not be different from what has already existed there before and currently exists in the surrounding neighborhoods.
8. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, because of denial of the application.
Denial of this rezoning will prevent this property from being used at all because you cannot have two zonings on the same property.

Draft Planning Commission minutes:
"Case 24-100-08 – Rezoning – 9519 E. Truman Road
Staff Presentation

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

In response to Commissioner Nesbitt's question, Mr. Arroyo stated he would have to review the CIP to see if there are any projects off Truman.

Mr. Harker responded to Commissioner Ashbaugh's question regarding necessary improvements for a building permit and conditions to zoning not made at that time stating they cannot legally condition zoning.

Applicant Comments

Dan Steiner, 404 NE Fox Trail Drive, Blue Springs, stated the property is split between residential and commercial and would like to have it all zoned for residential so he can complete repairs.

Public Comments

Brian Kearney, 9725 E. Winner Road, stated his support for rezoning to a residential zoning and how it will help improve the neighborhood.

Motion

Commissioner Nesbitt made a motion to approve Case 24-100-08 – Rezoning – 9519 E. Truman Road. Commissioner O'Neill seconded the motion. The motion was approved with six affirmative votes."

Department: Community Development **Contact Person:** Tom Scannell

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REVIEWERS:

Department	**Action**
Community Development Department	Approved
Finance Department	Approved
City Managers Office	Approved
City Clerk Department	Approved

Council Action: **Council Action:**

ATTACHMENTS:

Description	Type
Draft Ordinance	Ordinance
Staff Report	Backup Material
Letter from Applicant	Backup Material
Application	Backup Material
Notification Information	Backup Material
Notification Area Map	Backup Material
Aerial Photograph	Backup Material
Site Plan	Backup Material
Comp Plan Map	Backup Material
Zoning Map	Backup Material

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-2 (GENERAL COMMERCIAL) AND DISTRICT R-12 (TWO-FAMILY RESIDENTIAL) TO DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) FOR THE PROPERTY AT 9519 E. TRUMAN ROAD.

WHEREAS, an application submitted by April Mote is requesting approval of a rezoning from District C-2 (General Commercial) and District R-12 (Two-Family Residential) to District R-6 (Single-Family Residential) for the property at 9519 E. Truman Road was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning following public hearings by the Planning Commission and City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the request on March 26, 2024, and rendered a report to the City Council recommending the rezoning be approved by a vote of 6-0; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on May 20, 2024, and rendered a decision to approve the rezoning of the said property; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the rezoning was consistent with the review criteria in Section 14-701-02; and,

WHEREAS, no legal protests were signed, acknowledged, and presented for the application.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the following legally described property is hereby rezoned from District C-2 (General Commercial) and District R-12 (Two-Family Residential) to District R-6 (Single-Family Residential) and shall be subject to the regulations of said district:

Twyman Estate; Block 1; Lot 6 and 7

SECTION 2. Nonseverability. All provisions of this ordinance are so essentially, and inseparable connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgement on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgement.

SECTION 3. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Counselor, may be corrected with the endorsement of the City Manager without the need to come before City Council.

SECTION 4. That failure to comply with all the provisions contained in this ordinance shall

constitute violations of both this ordinance and Chapter 14, the Unified Development Ordinance, of the Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

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

ATTEST:

_____
City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
City Counselor

REVIEWED BY:

_____
City Manager

INDEPENDENCE
★ COMMUNITY DEVELOPMENT ★

Planning Commission
Staff Report

MEETING DATE: March 26, 2024 **STAFF:** Brian Harker, Senior Planner

PROJECT NAME: Rezoning to R-6 Single-Family Residential

CASE NUMBER/REQUEST: **Case 24-100-08 – Rezoning – 9519 E. Truman Road** – A request by Elevated Spaces LLC to rezone the property from C-2 (General Commercial) and R-12 (Two Family Residential) to R-6 (Single Family Residential).

APPLICANT/OWNER: April Mote

PROPERTY ADDRESS: 9519 E. Truman Road

SURROUNDING ZONING/LAND USE:

North: C-2…automotive repair

East: C-2 and R-12…restaurant and single-family residences

South: R-12…single-family residences

West: C-2 and R-12…undeveloped lot and single-family residences

PUBLIC NOTICE

- Letters to property owners within 185 feet – February 26, 2024
- Public Notice published in the Independence Examiner – March 6, 2024
- Sign posted on property – March 8, 2024

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on May 6, 2024, and the public hearing/second reading on May 20, 2024.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: A request by April Mote to rezone the property from C-2 (General Commercial) and R-12 (Two-Family Residential) to R-6 (Single-Family Residential).

Current Zoning: C-2 (General Commercial) and R-12 (Two-Family Residential)
Prior to 2009: R-12 was R-2 (Two-Family Residential)
Prior to 1980: C-2 was C-3 (Commercial)

Proposed Zoning: R-6 (Single-Family Residential)

Current Use: Single-Family Home

Proposed Use: Single-Family Home

Acreage: 1.89-acres

Building Square Footage: 1,368-square feet

BACKGROUND:

The applicant recently purchased this dilapidated and vacant commercial/residential property and wants to rezone to permit the property to be rehabilitated for residential use. The north 225 feet of this 570-foot-deep lot is zoned C-2 (General Commercial) and the remainder is zoned R-12 (Two-Family Residential). The vacant house, a usable accessory structure, and a portion of a dilapidated commercial structure is on the commercially zoned portion of the property. The remainder of that commercial structure and four other dilapidated accessory structures are on the southern residentially zoned portion of the property. It is believed in the past, a machine shop existed on the property. In contemporary times, the site has been used to store assorted junk and vehicles.

NECESSARY IMPROVEMENTS FOR A BUILDING PERMIT:

The applicant will need to take care of three major issues before any building permits are issued. First, the property will need to be rezoned from two to one single zoning district (being addressed with this application). Second, the gravel driveway must be paved, and any portion of the driveway (dirt or gravel) not improved must be eliminated. Third, except for the northern most accessory building, all other accessory structures (which are dilapidated and/or commercial in nature) will need to be removed.

Additionally, all code violation issues need to be addressed or enforcement actions may be initiated.

PHYSICAL CHARACTERISTICS OF THE PROPERTY:

The subject property sets on higher ground to the south of Truman Road. At the top of the embankment, approximately 50 feet back from the roadway, sets the two-story pink house. Access to the property is via an existing gravel driveway along the east side of the property passing the house and leading to a loop that is not only unimproved, but simply dirt in place and is flanked by dilapidated commercial/industrial/buildings and sheds. Large shade trees are spaced throughout the property.

CHARACTERISTICS OF THE AREA:

The Truman Road corridor across the street to the north and going eastward along the street have long been commercial. (There is a high school property as well). Many of the brick and wood buildings, most with very little setback from the road, have been there for decades. The buildings to the north were either built or modified for automotive uses. The blocks immediate to the west and northwest along Truman Road have been either undeveloped or contain single-family residences. Single-family lots flank the south and most of the east and west sides of the property.

REQUEST:

The applicant seeks to have this property rezoned to R-6 (Single-Family Residential) so that this property containing a house with two zonings can be rehabilitated for single-family residential use.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

Rezoning this property is consistent with the *Independence for All,* Strategic Plan. The application is

within keeping with the Measures for Success for, "Improved housing conditions."

Comprehensive Plan Guiding Land Use Principles:
The Comprehensive plan envisions the future land use of this property and the surrounding area to be Mixed Use.

Zoning:
If rezoned, the single-residential zoning would be consistent with the surrounding single-family uses neighboring to the west, south and east.

Historic and Archeological Sites:
There are no apparent historic or archeological sites located on these properties.

Public Utilities:

All utilities are present in the adjacent rights-of-way.

CIP Investments:
Currently there are no CIP investments in this area.

REVIEW CRITERIA

Recommendations and decisions on rezoning applications must be based on consideration of all the following criteria:

1. **Conformance of the requested zoning with the comprehensive plan.**

   The Comprehensive Plan envisions this area to be Mixed Use. However, rezoning would support a continued attempt to reverse the creation of "stripped-out" commercial along the corridor and instead encourage commercial to be concentrated in nodes at major intersections.

2. **Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.**

   This property is located within the Truman-Winner Road sub-area plan area. This purpose of this plan was to explore ways to incorporate amenities and infrastructure to support multiple transportation options including enhanced vehicular, bus, bicycle, and pedestrian transportation. Of particular importance was enhancing pedestrian transportation.

3. **The compatibility of the proposed zoning with the zoning and use of the nearby property, including any overlay zoning.**

   If rezoned, the property would be congruent with the neighboring R-6 area to the east, west and south.

4. **The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.**

   The existing character of the surrounding neighborhood is that of a single-family residential neighborhood.

5. **The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.**

   With the current zoning in place, the existing single-family home along Truman Road is not permitted. By rezoning the entirety of the property to R-6, the applicant will be able to use the property for residential uses.

6. **The length of time the subject property has remained vacant as zoned.**

   The property (residential and commercial) has sat vacant for a number of years.

7. **The extent of which approving the rezoning will detrimentally affect nearby properties.**

   Rezoning this property to R-6 will not have a detrimental effect on the nearby properties. This is because the residential use of the property will not be all that different from what has already existed there before and currently exists in the surrounding neighborhoods.

8. **The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, because of denial of the application.**

   Denial of this rezoning will prevent this property from being used at all because you cannot have two zonings on the same property.

EXHIBITS

1. Narrative
2. Application
3. Notification/Addresses/Affidavit
4. Aerial Photo
5. Site Plan
6. Comp Plan Map
7. Zoning Map

I am trying to turn the house into Residential zoning so I can rehab the house and then sell the entire property as one parcel.

Currently mix-zoned.

2023-03018

INDEPENDENCE
MISSOURI

Planning and Zoning
Application Form

Community Development
111 E. Maple Avenue
Independence, MO 64050
(816) 325-7421
cdplanning@indepmo.org

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☒ Rezoning ☐ PUD Rezoning	☐ Preliminary Plat ☐ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business ☐ Short-Term Rental	☐ Admin. Adjustment ☐ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

Residential
Project Name

9519 E Truman Road
Project Address/Location

Sq. Ft. of Building	Acreage	Number of Lots/Tracts	Steam Buffer (Yes or No)
1368 S/F	1.89	1	

Existing Zoning	Proposed Zoning	Existing Land Use	Proposed Land Use
C-2/R-12	R-6	House; Storage	House; Residential accessory building

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

- ☒ Completed & Signed Application Form
- ☐ Application Fee
- ☐ Cover Letter Describing Details of Project
- ☐ One 24" x 36" set of plans for Land Sub. & Site Dev.
- ☐ One PDF copy of a plat map or site plan
- ☐ Legal Description of the property in question

Contact Information

Applicant

Name	Company
Apnl Mote	Elevated Spaces LLC

17200 E 23rd St S
Address

Phone	Email
816-527-6037	Purposednrndesign kc@gmail.com

Owner

Name	Company
[redacted]	D+S Investing LLC

404 NE Fox Trail Blvd 64064
Address

Phone	Email
816 888 9798	Simonauto LLC @ gmail.com

Architect/Engineer/Surveyor/Other: _____

Name	Company

Address

Phone	Email

Architect/Engineer/Surveyor/Other: _____

Name	Company

Address

Phone	Email

The applicant hereby agrees that the information provided above is accurate.

Applicant's Signature	Date	Owner's Signature	Date
	2/8/2023		

Property Owner Notification Letter

City of Independence, Missouri

Date: 2/26/24

Case No. 24-100-08

Dear Property Owner:

This letter is to notify you that an application has been submitted for consideration by the Planning Commission and City Council. A full public hearing will be held by the Planning Commission and the City Council will consider new information on the dates and times below.

Proposed Case Type (Check One):

☒ Rezoning ☐ Rezoning/PUD ☐ Special Use Permit

☐ Preliminary Development Plan

Proposed project description: Change the house from Commercial Zoning to Residential Zoning

Applicant: D4S Investing llc

Location of Property: 9519 E Truman Rd Ind MO 64052

Planning Commission Meeting Date: March 26, 2024, at 6:00 p.m.

City Council Meeting Date: MAY 20, 2024, at 6:00 p.m.

Location of public hearings: City Council Chambers, City Hall
111 E Maple Ave, Independence, Missouri, 64050

All interested persons are invited to attend and will have an opportunity to be heard at the full public hearing (Planning Commission).

REZONINGS ONLY: You may file a protest petition with the Community Development Department. For more information or to get copies of a petition, please contact Planning staff at 816-325-7421.

Aubrey E Stiner

Applicant (or Owner/Agent)

For more information, contact the Community Development Department at 816-325-7421.

Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 24-100-08

I, Auburn Stiner, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

These notices were mailed on the 26 day of February, 2024.

Auburn E Stiner

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 26 day of February, 2024.

annabelle McGee

Notary Public

ANNABELLE MCGEE
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
Commission Number 23982960
My Commission Expires May 16, 2027

May 16th, 2027

Commission Expiration Date

Brian Harker

From: Auburn Stiner <dandsinvesting@gmail.com>
Sent: Friday, March 15, 2024 5:00 PM
To: Brian Harker
Subject: Re: rezoning letters

You don't often get email from dandsinvesting@gmail.com. Learn why this is important

[EXTERNAL EMAIL] CAUTION: This email originates from an EXTERNAL source. Do not reply, click links, scan QR codes, or open attachments unless you trust the source and know the content is safe. Report suspicious messages using the PAB or forward to phish-report@indepmo.org

John Parks
1215 & 1217 S Glenwood Ave
Indep, Mo 64052

Ana Garcia for 1219 S Glenwood Ave
1329 W 30th St S
Indep, Mo 64052

Sandra Vieria
1221 S Glenwood Ave
Indep, Mo 64052

Ronny Britain
1223 S Glenwood Ave
Indep, Mo 64052

Elizabeth Jaeger
1225 S Glenwood Ave
Indep, Mo 64052

Shawn Sood for 1227 S Glenwood Ave
14008 W 72nd St
Shawnee, KS 66216

Diana Sanchez
1229 S Glenwood Ave
Indep, Mo 64052

Timothy Sevart
9508 E 13th St
Indep, Mo 64052

Racheal Seek
9510 E 13th St
Indep, Mo 64052

Paul Cooper Jr & Evelyn Cooper
9516 E 13th St
Indep, Mo 64052

Chris Daniel
9753 Winner Rd
Indep, Mo 64052

Randall Pyle
9751 Winner Rd
Indep, Mo 64052

Dionne Peterson & Brian Schneider
9735 E Winner Rd
Indep, Mo 64052

Tracy Leavey
9733 E Winner Rd
Indep, Mo 64052

Brian & Peggy Kearney
9725 E Winner Rd
Indep, Mo 64052

Jamisha Hattley
9717 E Winner Rd
Indep, Mo 64052

Be Independence LLC for 9541 E Truman Rd
9665 Wilshire Blvd Ste 200
Beverly Hills, CA 90212

Donald Mann for 9520, 9510, 9514 E Truman Rd
3722 Davidson Rd
Indep, Mo 64055

Brandon Fryer for 9508 & 9510 E Truman Rd
16514 E Mechanic Ave
Indep, Mo 64050

Isaac & Sara Mayfield for 9420 E Truman Rd
10016 E Truman Rd
Indep, Mo 64052

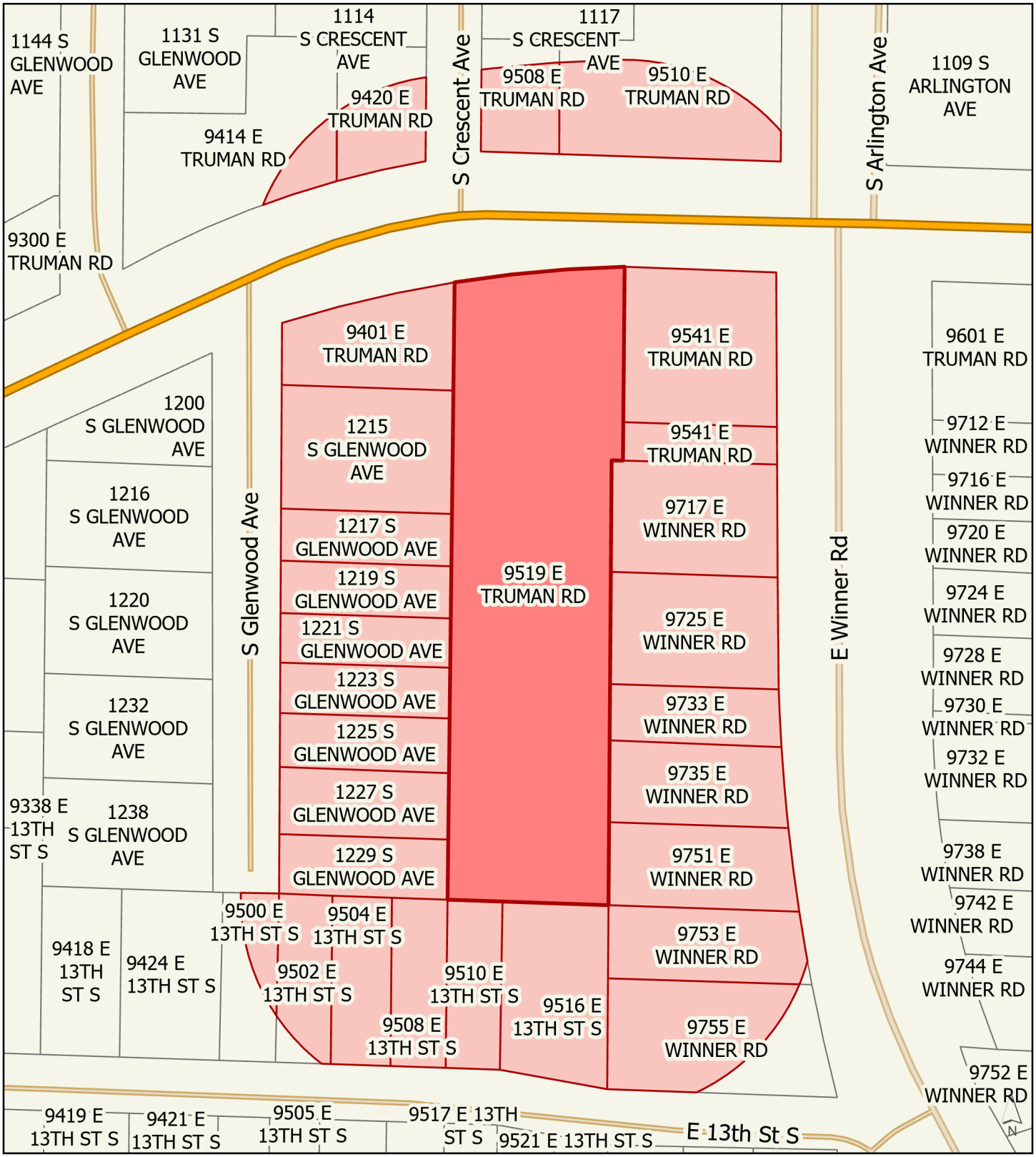
Church of God
9414 E Truman Rd
Indep, Mo 64052

Francene Eubanks for 9401 E Truman Rd
1525 S Arlington Ave
Indep, Mo 64052

Notification Area

24-100-08

9519 E Truman Road, Independence, MO 64052



Subject Property

185 ft Buffer Area

0 50 100 200 Feet

Prepared by Joshua Garrett, Community Development
Date: 3/18/2024

2/8/2024, 3:48:20 PM

Municipal Boundaries 2023

1:3,400

0 0.0275 0.055 0.11 mi

0 0.045 0.09 0.18 km

City of Inde

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Community Development Front Counter Map

3/15/2024, 3:44:07 PM

Parcels

Municipal Boundaries 2023

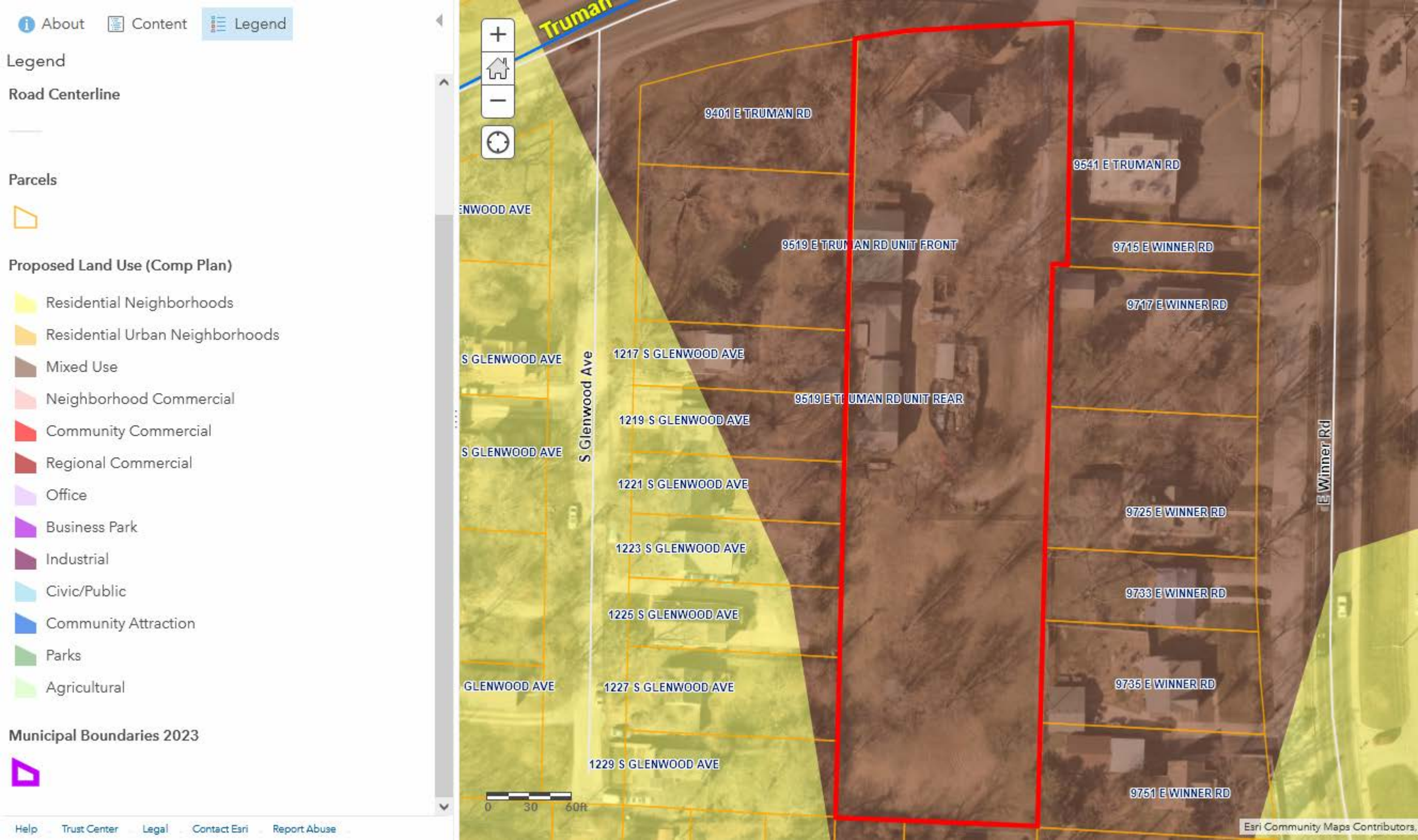
1:1,690

0 0.0125 0.025 0.05 mi

0 0.0225 0.045 0.09 km

City of Independence

h, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS | Jackson County, MO GIS Department | See web site for license constraints. | Bill Reynolds | Finance & Administration - Tech Services - Bill Reynolds | Comm Dev | Jackson County created and maintained |

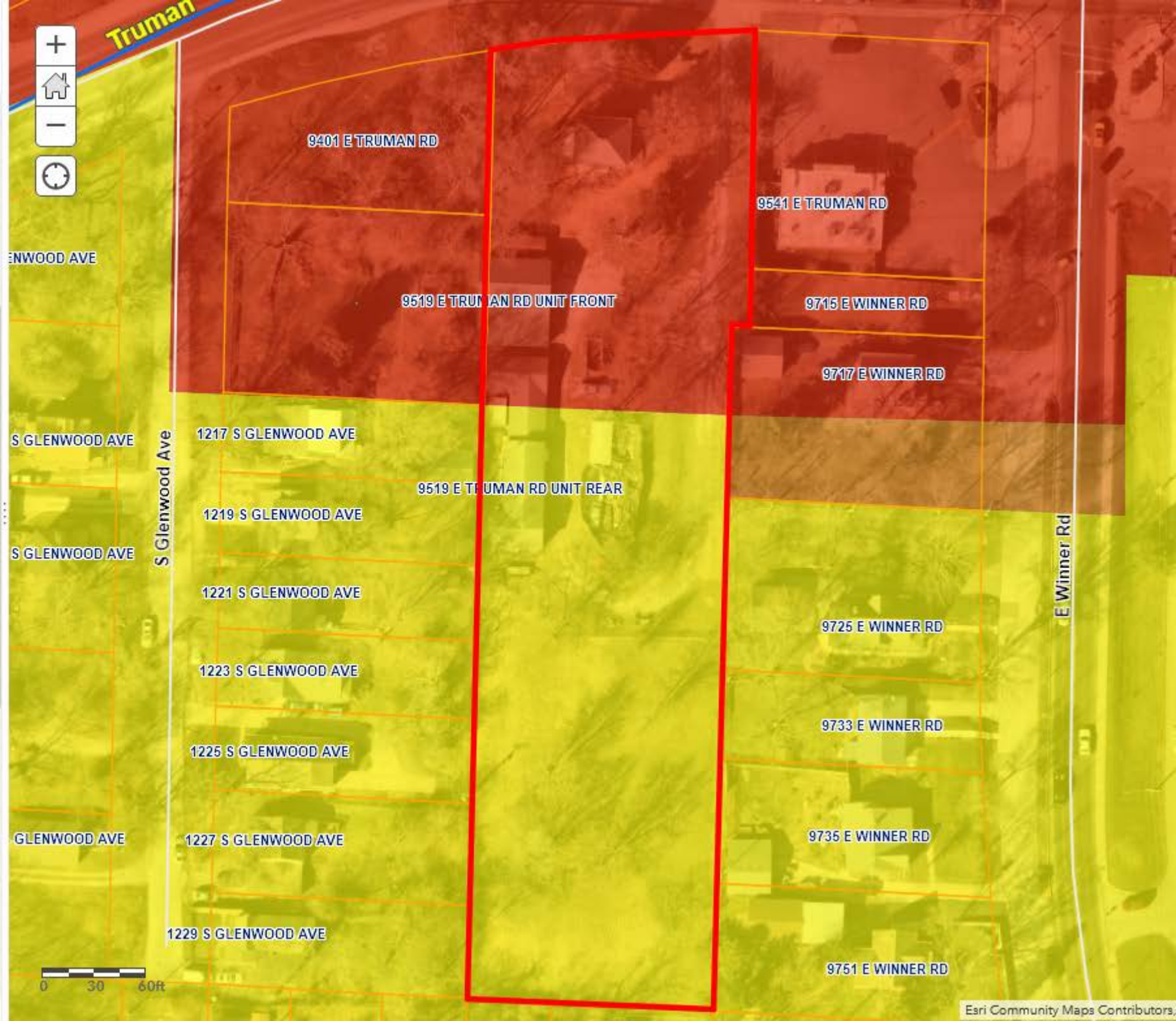

About
Content
Legend
Legend
Road Centerline
Parcels
Proposed Land Use (Comp Plan)
Residential Neighborhoods
Residential Urban Neighborhoods
Mixed Use
Neighborhood Commercial
Community Commercial
Regional Commercial
Office
Business Park
Industrial
Civic/Public
Community Attraction
Parks
Agricultural
Municipal Boundaries 2023
Help
Trust Center
Legal
Contact Esri
Report Abuse
Truman
9401 E TRUMAN RD
9541 E TRUMAN RD
ENWOOD AVE
9519 E TRUMAN RD UNIT FRONT
9715 E WINNER RD
9717 E WINNER RD
S GLENWOOD AVE
1217 S GLENWOOD AVE
S Glenwood Ave
9519 E TRUMAN RD UNIT REAR
1219 S GLENWOOD AVE
S GLENWOOD AVE
1221 S GLENWOOD AVE
E Winner Rd
9725 E WINNER RD
1223 S GLENWOOD AVE
9733 E WINNER RD
1225 S GLENWOOD AVE
GLENWOOD AVE
1227 S GLENWOOD AVE
9735 E WINNER RD
1229 S GLENWOOD AVE
9751 E WINNER RD
0
30
60ft
Esri Community Maps Contributors,

About | Content | Legend

Legend

Zoning Districts view

- ARTS
- BP
- BP/PUD
- C-1
- C-2
- C-2/HL
- C-2/I-1/U
- C-2/PUD
- C-3
- DFD
- I-1
- I-1/HL
- I-1/U
- I-2
- O-1
- O-1/PUD
- R-1
- R-12
- R-12/HL
- R-12/PUD
- R-18/PUD
- R-2



City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 24-035 1R

Agenda Title:

24-035 1R An ordinance approving a rezoning from District R-30/PUD (High Density Residential) to R-6 (Single Family Residential) for the property at 120 E. College Street.

Recommendations:

Commissioner Ashbaugh made a motion to recommend approval of case 24-100-10, the rezoning of 120 E. College Street. A second to the motion was made by Commissioner Ferguson. The Independence Planning Commission voted as follows:
Commissioner Ashbaugh – Yes
Commissioner Ferguson – Yes
Commissioner McClain – Absent
Commissioner Nesbitt – Yes
Commissioner O'Neil – Yes
Commissioner H. Wiley – Absent
Commissioner L. Wiley – Yes
The motion was approved, and the application is forwarded to the City Council for its consideration. Staff recommends approval of this application.

Background:

A request by Rob Scarborough to rezone the subject property from R-30/PUD (High Density Residential) to R-6 (Single-Family Residential).

The applicant has submitted an application to operate a Short-Term Rental on the property. The Unified Development Ordinance requires limits STRs in residential zones to R-6 (Single-Family Residential) and R-12 (Two-Family Residential) districts. The current zoning for the property is R-30/PUD (High-Density Residential). Despite the multifamily zoning, the property has always been a single-family residence since the home was built in 1890.

PROPERTY HISTORY:
The residential lot was platted in October of 1873 and the home on the property was built in 1890. In 1965, it was zoned R-4 (Apartments). In 1980 the zoning was

updated to be R-4 (High Density Residential) and in 2009, when the current version of the UDO was adopted, the zoning was updated to R-30/PUD (High Density Residential). The zoning of the property has remained unchanged since this update in 2009.

PHYSICAL CHARACTERISTICS OF PROPERTY:

The home sets on a 0.31-acre lot. It is a single-story home with a newly paved driveway on the east side. The house has three bedrooms, a living room, kitchen, dining room, and a bathroom.

CHARACTERISTICS OF THE AREA:

An apartment building lies to the east of the subject property. Other Single-Family style homes lie to the North and West. South of the property, across College Street, are a few businesses and a smaller apartment complex.

REQUEST:

The applicant seeks to have this property rezoned to R-6 (Single-Family Residential) so that the property can be used for a Short-Term Rental.

ANALYSIS:

Consistency with *Independence for All*, Strategic Plan:

Rezoning this property is consistent with the *Independence for All,* Strategic Plan. One of the objectives of the plan is to "stabilize and revitalize neighborhoods." Rezoning this property to R-6 will ensure that the essential character of the neighborhood is preserved.

Comprehensive Plan Guiding Land Use Principles:

The Comprehensive plan envisions the future land use of this property and the surrounding area to be residential neighborhoods. Rezoning the property to match the existing land-use will ensure the property continues to be single-family residential in nature, which aligns with the vision of the comprehensive plan.

Zoning:

Section 14-300-02 of the Unified Development Ordinance outlines the purpose of Independence's zoning districts by stating that they "are intended to create, maintain, and promote a variety of hosing opportunities for individual households and to maintain the desired physical character of existing neighborhoods." By rezoning this property to R-6 (Single-Family Residential), the zoning will match the existing land-use of the property.

Historic and Archeological Sites:

There are no apparent historic or archeological sites located on these properties.

Public Utilities:

All utilities are present in on the property.

CIP Investments:

Currently there are no CIP investments in this area.

REVIEW CRITERIA:

Recommendations and decisions on rezoning applications must be based on consideration of all of the following criteria.

1. Conformance of the requested zoning with the comprehensive plan.

The Comprehensive Plan envisions this area to be Residential Neighborhoods.
2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.
There are no recent neighborhood or sub-area plans for this area.
3. The compatibility of the proposed zoning with the zoning and use of the nearby property, including any overlay zoning.
The surrounding area is a mix of several zoning districts, including R-30/PUD (High Density Residential) and C-1 (Neighborhood Commercial). While this arrangement of zoning districts may be unusual for new development. Rezoning this property to match its existing land use is preferable continuing it's legal-nonconforming status in its current zone.
4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.
Rezoning to R-6 (Single-Family Residential) will ensure the character of the neighborhood is retained.
5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.
With the current zoning in place, single-family homes are not permitted. The existing home on the property is currently legal-nonconforming. This property is much more suited for single-family homes than high density apartments.
6. The length of time the subject property has remained vacant as zoned.
The property is not vacant. The single-family home has been on the property since 1890.
7. The extent of which approving the rezoning will detrimentally affect nearby properties.
Rezoning this property to R-6 will not have a detrimental affect on the nearby properties. If anything, the affect will be positive.
8. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, because of denial of the application.
Denial of the rezoning will likely mean that the property remains legal-nonconforming and may in the future prevent this property from being used for single-family purposes.
Draft Planning Commission minutes:
"Case 24-100-10 – Rezoning – 120 E. College Street
Continued Case 24-400-04 – Short-Term Rental – 120 E. College Street
Staff Presentation

Josh Garrett presented the case. Mr. Garrett presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses. Mr. Garrett outlined the following conditions for the Short-Term Rental application:

1. The property shall be rezoned prior to a business license being issued and the short-term rental operating.
2. The Short-Term Rental shall obtain a business license in accordance

with the City Code and comply with Article 3, Chapter 5 of the City Code. The occupation license number shall be listed on all advertisements and online platforms.
3. The business must comply with all safety and other standards established by Section 14-420 of the City Code.
4. The maximum occupancy of the premises shall be limited eight (8) persons total.
5. The maximum number of bedrooms shall be three (3).
6. The noise monitoring system shall be installed and activated, the Good Neighbor Guidelines, evacuation plan and other notices must be properly posted, prior to approval of the business license.

Applicant Comments

Robb Scarborough, 603 Quincy Blvd., Smithville, explained the location of the air mattress and when not in use, it will be zipped up and stored in an area in the living room.

In response to Commissioner Wiley's comment, Mr. Garret clarified that the applicant could host six (6) adults and two (2) children. Mr. Scarborough noted and agreed to the requirement.

In response to Vice-Chair Nesbitt's question, Mr. Scarborough stated he was told the property line ended at the fence line and not sure who maintains the property to the west of them.

Public Comments

No public comments.

Motions

Commissioner Ashbaugh made a motion to approve Case 24-100-10 – Rezoning – 120 E. College Street. Commissioner L. Wiley seconded the motion. The motion was approved with five affirmative votes."

Department:	Community Development	**Contact Person:**	Tom Scannell

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REVIEWERS:

Department	**Action**
Community Development Department	Approved
Finance Department	Approved

City Managers Office	Approved
City Clerk Department	Approved

Council Action: **Council Action:**

ATTACHMENTS:

Description	Type
Draft Ordinance	Ordinance
Staff Report	Backup Material
Letter from Applicant	Backup Material
Application	Backup Material
Notification Letter	Backup Material
Notification Information	Backup Material
Notification Affidavit	Backup Material
Notification Area Map	Backup Material
Comp Plan Map	Backup Material
Zoning Map	Backup Material

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT R-30/PUD (HIGH DENSITY RESIDENTIAL) TO R-6 (SINGLE FAMILY RESIDENTIAL) FOR THE PROPERTY AT 120 E. COLLEGE STREET.

WHEREAS, an application submitted by Rob Scarborough is requesting approval of a rezoning from District R-30/PUD (High Density Residential) to District R-6 (Single-Family Residential) for the property at 120 E. College Street was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning following public hearings by the Planning Commission and City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the request on April 9, 2024, and rendered a report to the City Council recommending the rezoning be approved by a vote of 5-0; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on May 20, 2024, and rendered a decision to approve the rezoning of the said property; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the rezoning was consistent with the review criteria in Section 14-701-02; and,

WHEREAS, no legal protests were signed, acknowledged, and presented for the application.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the following legally described property is hereby rezoned from District R-30/PUD (High Density Residential) to District R-6 (Single-Family Residential) and shall be subject to the regulations of said district:

Flournoy' Addition – The East 91 feet of Lot 31.

SECTION 2. Nonseverability. All provisions of this ordinance are so essentially, and inseparable connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgement on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgement.

SECTION 3. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Counselor, may be corrected with the endorsement of the City Manager without the need to come before City Council.

SECTION 4. That failure to comply with all the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 14, the Unified Development Ordinance, of the

Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

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

ATTEST:

_____
City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
City Counselor

REVIEWED BY:

_____
City Manager

INDEPENDENCE
★ COMMUNITY DEVELOPMENT ★

Planning Commission
Staff Report

MEETING DATE: March 26, 2024 **STAFF:** Joshua Garrett, Planner

PROJECT NAME: Rezoning to R-6 Single-Family Residential

CASE NUMBER/REQUEST: **Case 24-100-10 – Rezoning – 120 E. College Street** – A request by Rob Scarborough to rezone the subject property from R-30/PUD (High Density Residential) to R-6 (Single-Family Residential).

APPLICANT/OWNER: Rob Scarborough

PROPERTY ADDRESS: 120 E. College Street, Independence, MO 64050

SURROUNDING ZONING/LAND USE:

N/E: R-30/PUD (High-Density Residential) – Apartments

South: C-2 (General Commerical) – Commercial Properties

West: C-1 (General Commerical) – Single Family Residences

PUBLIC NOTICE

- Letters to property owners within 185 feet – March 6, 2024
- Public Notice published in the Independence Examiner – March 6, 2024
- Sign posted on property – March 6, 2024

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on May 6, 2024, and the public hearing/second reading on May 20, 2024.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: A request by Rob Scarborough to rezone the property from R-30/PUD (High-Density Residential) to R-6 (Single-Family Residential).

Current Zoning:
R-30/PUD (High Density Residential)

Proposed Zoning:
R-6 (Single-Family Residential)

Current Use: Single-Family Home

Proposed Use: Single-Family Home

Acreage: 0.31 Acres

Building Square Footage: ≈ 1,488 sq feet

BACKGROUND:

The applicant has submitted an application to operate a Short-Term Rental on the property. The Unified Development Ordinance requires limits STRs in residential zones to R-6 (Single-Family Residential) and R-12 (Two-Family Residential) districts. The current zoning for the property is R-

30/PUD (High-Density Residential). Despite the multifamily zoning, the property has always been a single-family residence since the home was built in 1890.

PROPERTY HISTORY:

The residential lot was platted in October of 1873 and the home on the property was built in 1890. In 1965, it was zoned R-4 (Apartments). In 1980 the zoning was updated to be R-4 (High Density Residential) and in 2009, when the current version of the UDO was adopted, the zoning was updated to R-30/PUD (High Density Residential). The zoning of the property has remained unchanged since this update in 2009.

PHYSICAL CHARACTERISTICS OF THE PROPERTY:

The home sets on a 0.31-acre lot. It is a single-story home with a newly paved driveway on the east side. The house has three bedrooms, a living room, kitchen, dining room, and a bathroom.

CHARACTERISTICS OF THE AREA:

An apartment building lies to the east of the subject property. Other Single-Family style homes lie to the North and West. South of the property, across College Street, are a few businesses and a smaller apartment complex.

PROPOSAL:

The applicant seeks to have this property rezoned to R-6 (Single-Family Residential) so that the property can be used for a Short-Term Rental.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

Rezoning this property is consistent with the *Independence for All,* Strategic Plan. One of the objectives of the plan is to "stabilize and revitalize neighborhoods." Rezoning this property to R-6 will ensure that the essential character of the neighborhood is preserved.

Comprehensive Plan Guiding Land Use Principles:

The Comprehensive plan envisions the future land use of this property and the surrounding area to be residential neighborhoods. Rezoning the property to match the existing land-use will ensure the property continues to be single-family residential in nature, which aligns with the vision of the comprehensive plan.

Zoning:

Section 14-300-02 of the Unified Development Ordinance outlines the purpose of Independence's zoning districts by stating that they "are intended to create, maintain, and promote a variety of hosing opportunities for individual households and to maintain the desired physical character of existing neighborhoods." By rezoning this property to R-6 (Single-Family Residential), the zoning will match the existing land-use of the property.

Historic and Archeological Sites:

There are no apparent historic or archeological sites located on these properties.

Public Utilities:

All utilities are present in on the property.

CIP Investments:

Currently there are no CIP investments in this area.

REVIEW CRITERIA

Recommendations and decisions on rezoning applications must be based on consideration of all the following criteria:

1. **Conformance of the requested zoning with the comprehensive plan.**

   The Comprehensive Plan envisions this area to be Residential Neighborhoods.

2. **Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.**

   There are no recent neighborhood or sub-area plans for this area.

3. **The compatibility of the proposed zoning with the zoning and use of the nearby property, including any overlay zoning.**

   The surrounding area is a mix of several zoning districts, including R-30/PUD (High Density Residential) and C-1 (Neighborhood Commercial). While this arrangement of zoning districts may be unusual for new development. Rezoning this property to match its existing land use is preferable continuing it's legal-nonconforming status in its current zone.

4. **The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.**

   Rezoning to R-6 (Single-Family Residential) will ensure the character of the neighborhood is retained.

5. **The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.**

   With the current zoning in place, single-family homes are not permitted. The existing home on the property is currently legal-nonconforming. This property is much more suited for single-family homes than high density apartments.

6. **The length of time the subject property has remained vacant as zoned.**

   The property is not vacant. The single-family home has been on the property since 1890.

7. **The extent of which approving the rezoning will detrimentally affect nearby properties.**

   Rezoning this property to R-6 will not have a detrimental affect on the nearby properties. If anything, the affect will be positive.

8. **The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, because of denial of the application.**

   Denial of the rezoning will likely mean that the property remains legal-nonconforming and may in the future prevent this property from being used for single-family purposes.

EXHIBITS

1. Narrative
2. Application
3. Notification Letter
4. Mailing List
5. Affidavit
6. Notice Area Map
7. Comp Plan Map
8. Zoning Map

Planning & Zoning Application Cover Letter

To whom it may concern:

I am requesting the property at 120 E College Street in Independence, MO 64050, be rezoned from R-30 to R-6. This single-family home was built in 1890. It was initially incorrectly zoned R-30.
This request would correct this mistake.

Sincerely,

Robert M Scarborough
Managing Member
Scarborough Real Estate Investments, LLC

INDEPENDENCE
MISSOURI

Planning and Zoning
Application Form

Community Development
111 E. Maple Avenue
Independence, MO 64050
(816) 325-7421
cdplanning@indepmo.org

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☒ Rezoning ☐ PUD Rezoning	☐ Preliminary Plat ☐ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business ☐ Short-Term Rental	☐ Admin. Adjustment ☐ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

Project Name: 120 E College St

Project Address/Location: 1488

Sq. Ft. of Building	Acreage	Number of Lots/Tracts	Steam Buffer (Yes or No)
.31	1		
Existing Zoning	Proposed Zoning	Existing Land Use	Proposed Land Use
R-30	R-6	SFR	SFR

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

☒ Completed & Signed Application Form	☐ One 24" x 36" set of plans for Land Sub. & Site Dev.
☒ Application Fee	☐ One PDF copy of a plat map or site plan
☒ Cover Letter Describing Details of Project	☒ Legal Description of the property in question

Contact Information

Applicant

Name	Company
Robert M Scarborough	Scarborough Real Estate In
Address	
603 Quincy Boulevard	
Phone	Email
8162630849	scarborough.rei@gmail.com

Owner

Name	Company
Same	
Address	
Same	
Phone	Email
Same	

Architect/Engineer/Surveyor/Other: _____

Name	Company
Address	
Phone	Email

Architect/Engineer/Surveyor/Other: _____

Name	Company
Address	
Phone	Email

The applicant hereby agrees that the information provided above is accurate.

Applicant's Signature	Date	Owner's Signature	Date
	3/5/2024		3/5/2024

Property Owner Notification Letter

City of Independence, Missouri

Date: _____ Case No. _____

Dear Property Owner:
This letter is to notify you that an application has been submitted for consideration by the Planning Commission and City Council. A full public hearing will be held by the Planning Commission and the City Council will consider new information on the dates and times below.

Proposed Case Type (Check One):
☐ Rezoning ☐ Rezoning/PUD ☐ Special Use Permit
☐ Preliminary Development Plan

Proposed project description: _____

_____

Applicant: _____

Location of Property: _____

Planning Commission Meeting Date: _____, 20____, at 6:00 p.m.

City Council Meeting Date: _____, 20____, at 6:00 p.m.

Location of public hearings: City Council Chambers, City Hall
111 E Maple Ave, Independence, Missouri, 64050

All interested persons are invited to attend and will have an opportunity to be heard at the full public hearing (Planning Commission).

REZONINGS ONLY: You may file a protest petition with the Community Development Department. For more information or to get copies of a petition, please contact Planning staff at 816-325-7421.

_____
Applicant (or Owner/Agent)

For more information, contact the Community Development Department at 816-325-7421.

Owner	Address	City	State	Zip Code
ALBERTS MIKKA ROSHAY	623 N MAIN ST	INDEPENDENCE	MO	64050
BOLINGER ERWIN L & ANN M	715 N MAIN ST	INDEPENDENCE	MO	64050
CRUMBAUGH STANLEY W & MICHELE	117 E COLLEGE	INDEPENDENCE	MO	64050
LESH JUDITH L TRUSTEE	137 E COLLEGE ST	INDEPENDENCE	MO	64050
LIVING YOUNG INVESTMENTS LLC	1120 S BUCKNER TARSNEY RD	BUCKNER	MO	64016
LONDRIE KELLY SUE	619 N MAIN	INDEPENDENCE	MO	64050
PELED GROUP LLC	2847 S INGRAM MILL RD STE A100	SPRINGFIELD	MO	65804
ROB & JON ENTERPRISES LLC	2515 MOONLIGHT GLEN	ESCANDIDO	CA	92026
SAMANTHA HEIGHTS LP	250 NE MULBERRY ST STE 201	LEES SUMMIT	MO	64086
UNITED CHURCH OF CHRIST	727 N MAIN	INDEPENDENCE	MO	64050

Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF ~~JACKSON~~ Clay

Case No. 24-100-10

I, Robert M Scarborough, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

These notices were mailed on the 6th day of March, 2024.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 6 day of March, 2024.

Tamara Elaine Johnson
Notary Public

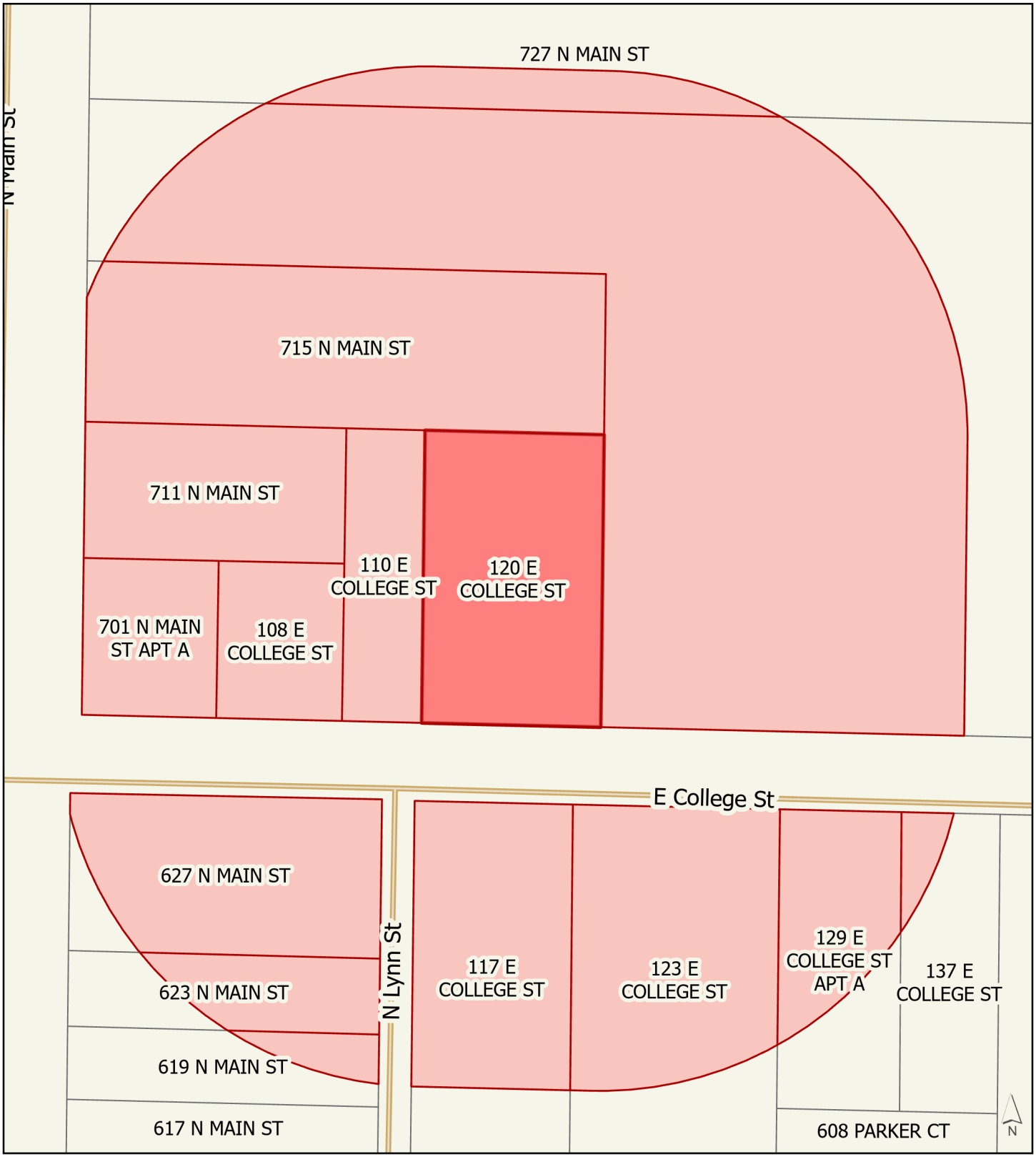
TAMARA ELAINE JOHNSON
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES AUGUST 10, 2027
CLAY COUNTY
COMMISSION #15133356

8-10-2027
Commission Expiration Date

Notification Area

24-100-10

120 E College Street, Independence, MO 64050

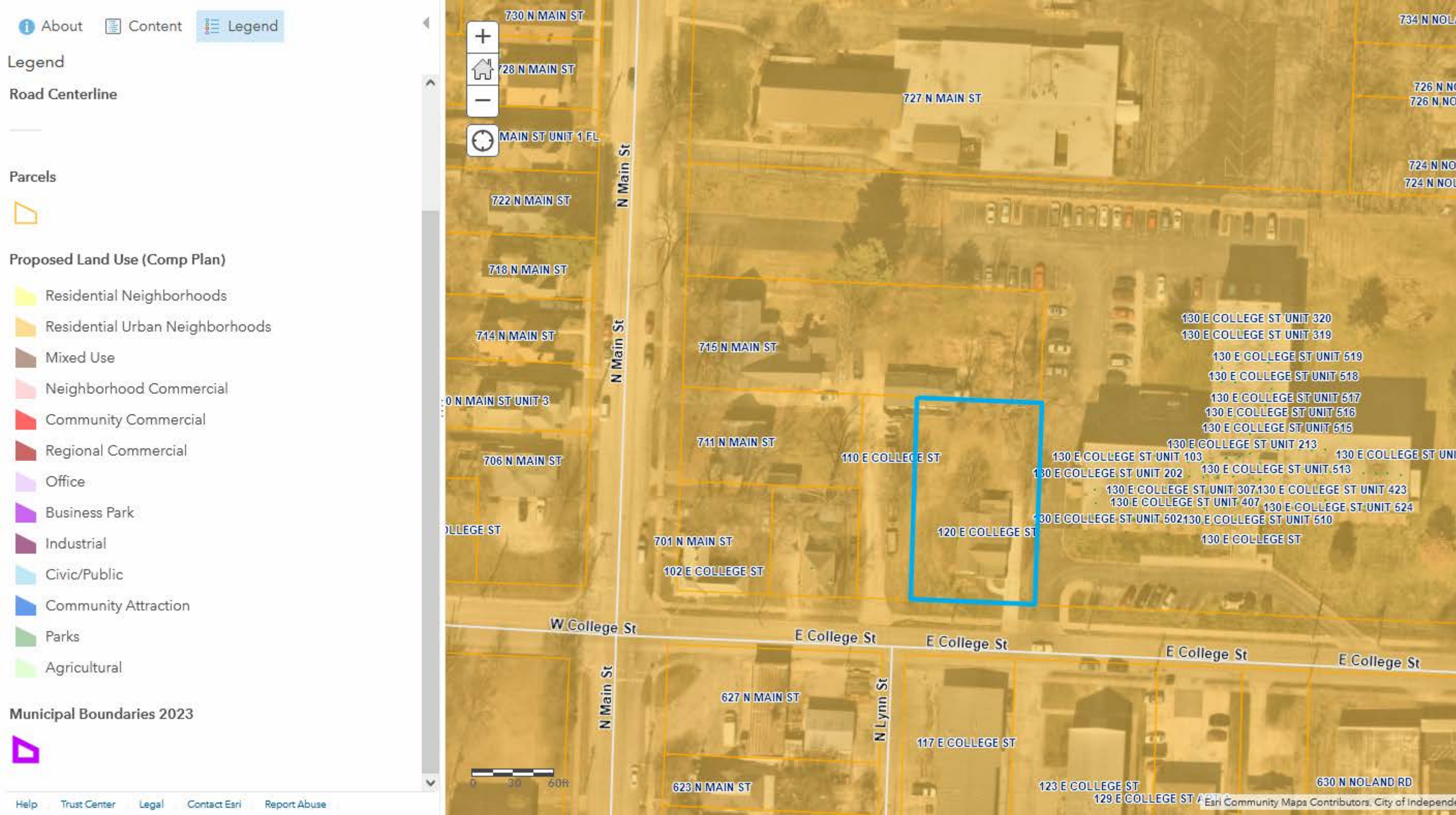


Subject Property

185 ft Buffer Area

0 25 50 100 Feet

Prepared by Joshua Garrett, Community Development
Date: 3/14/2024


About
Content
Legend
Legend
Road Centerline
Parcels
Proposed Land Use (Comp Plan)
Residential Neighborhoods
Residential Urban Neighborhoods
Mixed Use
Neighborhood Commercial
Community Commercial
Regional Commercial
Office
Business Park
Industrial
Civic/Public
Community Attraction
Parks
Agricultural
Municipal Boundaries 2023
Help
Trust Center
Legal
Contact Esri
Report Abuse
730 N MAIN ST
728 N MAIN ST
MAIN ST UNIT 1 FL
722 N MAIN ST
718 N MAIN ST
714 N MAIN ST
0 N MAIN ST UNIT 3
706 N MAIN ST
LLEGE ST
727 N MAIN ST
715 N MAIN ST
711 N MAIN ST
701 N MAIN ST
102 E COLLEGE ST
627 N MAIN ST
623 N MAIN ST
N Main St
N Main St
N Main St
N Lynn St
110 E COLLEGE ST
120 E COLLEGE ST
117 E COLLEGE ST
123 E COLLEGE ST
129 E COLLEGE ST
W College St
E College St
E College St
E College St
E College St
130 E COLLEGE ST UNIT 320
130 E COLLEGE ST UNIT 319
130 E COLLEGE ST UNIT 519
130 E COLLEGE ST UNIT 518
130 E COLLEGE ST UNIT 517
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130 E COLLEGE ST UNIT 515
130 E COLLEGE ST UNIT 213
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130 E COLLEGE ST UNIT 202
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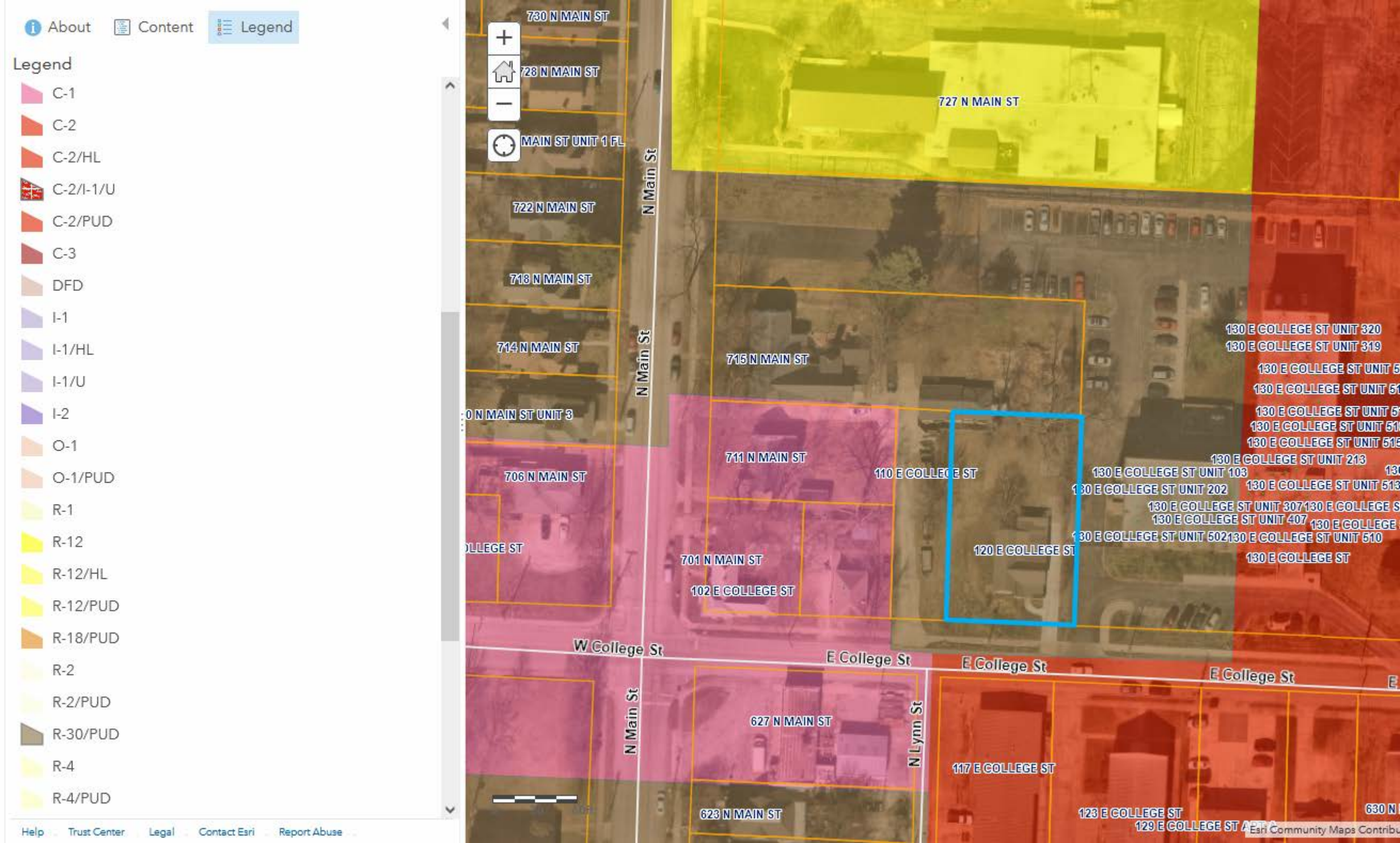
130 E COLLEGE ST UNIT 407
130 E COLLEGE ST UNIT 524
130 E COLLEGE ST UNIT 502
130 E COLLEGE ST UNIT 510
130 E COLLEGE ST
630 N NOLAND RD
0
30
60ft
Esri Community Maps Contributors, City of Independe


About
Content
Legend
Legend
C-1
C-2
C-2/HL
C-2/I-1/U
C-2/PUD
C-3
DFD
I-1
I-1/HL
I-1/U
I-2
O-1
O-1/PUD
R-1
R-12
R-12/HL
R-12/PUD
R-18/PUD
R-2
R-2/PUD
R-30/PUD
R-4
R-4/PUD
730 N MAIN ST
728 N MAIN ST
MAIN ST UNIT 1 FL
722 N MAIN ST
718 N MAIN ST
714 N MAIN ST
0 N MAIN ST UNIT 3
706 N MAIN ST
LLEGE ST
727 N MAIN ST
715 N MAIN ST
711 N MAIN ST
701 N MAIN ST
102 E COLLEGE ST
627 N MAIN ST
623 N MAIN ST
N Main St
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N Lynn St
110 E COLLEGE ST
120 E COLLEGE ST
130 E COLLEGE ST UNIT 320
130 E COLLEGE ST UNIT 319
130 E COLLEGE ST UNIT 213
130 E COLLEGE ST UNIT 103
130 E COLLEGE ST UNIT 202
130 E COLLEGE ST UNIT 307
130 E COLLEGE ST UNIT 407
130 E COLLEGE ST UNIT 502
130 E COLLEGE ST UNIT 510
130 E COLLEGE ST
W College St
E College St
E College St
E College St
117 E COLLEGE ST
123 E COLLEGE ST
129 E COLLEGE ST
Help
Trust Center
Legal
Contact Esri
Report Abuse
Esri Community Maps Contrib

City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 24-036 1R

Agenda Title:

24-036 1R An ordinance approving a rezoning from District C-2 (General Commercial) to District R-6 (Single Family Residential) for the property at 908 N. Liberty Street.

Recommendations:

Commissioner Dan O'Neil made a motion to recommend approval of case 24-100-09, the rezoning of 908 N. Liberty Street. A second to the motion was made by Commissioner Virginia Ferguson. The Independence Planning Commission voted as follows:
Commissioner Ashbaugh – Yes
Commissioner Ferguson – Yes
Commissioner McClain – Absent
Commissioner Nesbitt – Yes
Commissioner O'Neil – Yes
Commissioner H. Wiley – Absent
Commissioner L. Wiley – Yes

The motion was approved, and the application is forwarded to the City Council for its consideration. Staff recommends approval of this application.

Background:

A request by Bobby Anderson to rezone the property from C-2 (General Commercial) to R-6 (Single-Family Residential).
PROPOSAL:
The applicant seeks to rezone the property at 908 N. Liberty Street from C-2 (General Commercial) to R-6 (Single-Family Residential) so that he can more easily get a loan to remodel the residence. In the future, it could also be difficult to obtain a mortgage for the property and its legal nonconforming status would be an encumbrance to its reconstruction if necessary.
PROPERTY HISTORY:
The addition was annexed into the city in 1851. The residential lot, in Wulfekrammer Place, was platted in August of 1936. In 1965, it was zoned C-3 (Commercial). In 1980 the zoning was updated to be C-2 (General Commercial). The zoning of the

property has remained unchanged to the present.

PHYSICAL CHARACTERISTICS OF PROPERTY:

The small brick bungalow sets on a 0.19-acre lot. It is a 1½-story home with a single-car wide gravel driveway to the south.

CHARACTERISTICS OF THE AREA:

The house sets one lot south of a corner property that contains a multiple family-residence. A strip center lays across Liberty Street to the East. The remainder of the adjacent and surrounding properties are occupied by homes of similar size and age.

ANALYSIS:

Consistency with *Independence for All*, Strategic Plan:

Rezoning this property is consistent with the *Independence for All,* Strategic Plan. One of the objectives of the plan is to "stabilize and revitalize neighborhoods." Rezoning this property to R-6 will ensure that the essential character of the neighborhood is preserved.

Comprehensive Plan Guiding Land Use Principles:

The Comprehensive plan envisions the future land use of this property and the surrounding area to be Residential Neighborhoods. Rezoning the property to match the existing land-use will ensure the property continues to be single-family residential in nature, which aligns with the vision of the Comprehensive Plan.

Zoning:

Section 14-300-02 of the Unified Development Ordinance outlines the purpose of Independence's zoning districts by stating that they "are intended to create, maintain, and promote a variety of housing opportunities for individual households and to maintain the desired physical character of existing neighborhoods." By rezoning this property to R-6 (Single-Family Residential), the zoning will match the existing land-use of the property and the surrounding single-family uses.

Historic and Archeological Sites:

There are no apparent historic or archeological sites located on these properties.

Public Utilities:

All utilities are present in on the property.

CIP Investments:

Currently there are no CIP investments in this area.

REVIEW CRITERIA:

Recommendations and decisions on rezoning applications must be based on consideration of all of the following criteria:

1. Conformance of the requested zoning with the comprehensive plan.

The Comprehensive Plan envisions this area to be Residential Neighborhoods.

2. Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.

The property is located within the Downtown Revitalization area.

3. The compatibility of the proposed zoning with the zoning and use of the nearby property, including any overlay zoning.

The existing zoning and uses of the surrounding neighborhood is that of a single-family residential neighborhood.

4. The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.
The existing character of the vicinity is that of a single-family residential neighborhood.
5. The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.
With the current zoning in place, the single-family home is nonconforming. By rezoning the property to R-6, the applicant will be able to rehabilitate the property.
6. The length of time the subject property has remained vacant as zoned.
The property has not been vacant.
7. The extent of which approving the rezoning will detrimentally affect nearby properties.
Rezoning this property to R-6 will not have a detrimental effect on the nearby properties. This is because the residential use will be similar to that which currently exists in the surrounding neighborhood.
8. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, because of denial of the application.
Denial of this zoning will inhibit the ability of the applicant to get future building permits, mortgages, and refinancing.

Draft Planning Commission minutes:
"Case 24-100-09 – Rezoning – 908 N. Liberty Street
Staff Presentation
Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Applicant Comments
Bobby Anderson, 908 N. Liberty Street, stated he was unaware of its zoning when he purchased the property and would like it corrected.

Public Comments
No public comments.

Commissioner Comments
In response to Commissioner L. Wiley's question, Mr. Harker stated this area's zoning should be reviewed and eventually updated to its correct zoning.

Motion
Commissioner O'Neill made a motion to approve Case 24-100-09 – Rezoning – 908 N. Liberty Street. Commissioner Ferguson seconded the motion. The motion was approved with five affirmative votes."

Department: Community

Development **Contact Person:** Tom Scannell

REVIEWERS:

Department	Action
Community Development Department	Approved
Finance Department	Approved
City Managers Office	Approved
City Clerk Department	Approved

Council Action: **Council Action:**

ATTACHMENTS:

Description	Type
Draft Ordinance	Ordinance
Staff Report	Backup Material
Letter from Applicant	Backup Material
Application	Backup Material
Notification Letter	Backup Material
Notification Information	Backup Material
Notification Affidavit	Backup Material
Plot Plan	Backup Material
Comp Plan Map	Backup Material
Zoning Map	Backup Material

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REZONING FROM DISTRICT C-2 (GENERAL COMMERCIAL) TO DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) FOR THE PROPERTY AT 908 N. LIBERTY STREET.

WHEREAS, an application submitted by Bobby Anderson is requesting approval of a rezoning from District C-2 (General Commercial) to District R-6 (Single-Family Residential) for the property at 908 N. Liberty Street was referred to the Planning Commission as required by the Unified Development Ordinance; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning following public hearings by the Planning Commission and City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the request on April 9, 2024, and rendered a report to the City Council recommending the rezoning be approved by a vote of 5-0; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on May 20, 2024, and rendered a decision to approve the rezoning of the said property; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the rezoning was consistent with the review criteria in Section 14-701-02; and,

WHEREAS, no legal protests were signed, acknowledged, and presented for the application.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That the following legally described property is hereby rezoned from District C-2 (General Commercial) to District R-6 (Single-Family Residential) and shall be subject to the regulations of said district:

Wulfekammer Place – Lot 2 and the East 130-feet of the North 14-feet of Lot 3

SECTION 2. Nonseverability. All provisions of this ordinance are so essentially, and inseparable connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgement on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgement.

SECTION 3. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this ordinance, as determined by the City Clerk and City Counselor, may be corrected with the endorsement of the City Manager without the need to come before City Council.

SECTION 4. That failure to comply with all the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 14, the Unified Development Ordinance, of the

Code of the City of Independence, Missouri.

PASSED THIS _____ DAY OF _____, 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

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

ATTEST:

_____
City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
City Counselor

REVIEWED BY:

_____
City Manager

INDEPENDENCE
★ COMMUNITY DEVELOPMENT ★

Planning Commission
Staff Report

MEETING DATE: April 9, 2024 **STAFF:** Brian Harker, Senior Planner

PROJECT NAME: Rezoning to R-6 Single-Family Residential

CASE NUMBER/REQUEST: **Case 24-100-09 – Rezoning – 908 N. Liberty Street** – A request by Bobby Anderson to rezone the subject property from C-2 (General Commercial) to R-6 (Single-Family Residential).

APPLICANT/OWNER: Bobby Anderson

PROPERTY ADDRESS: 908 N. Liberty Street, Independence, MO 64050

SURROUNDING ZONING/LAND USE:

North: C-2 (General Commercial) …multiple-family residence
South: R-6 (Single-Family Residential)…single-family residence
East: C-2 (General Commercial)…strip shopping center
West: C-2 (General Commercial)…single-family residence

PUBLIC NOTICE

- Letters to property owners within 185 feet – February 28, 2024
- Public Notice published in the Independence Examiner – March 19, 2024
- Sign posted on property – March 22, 2024

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on May 6, 2024, and the public hearing/second reading on May 20, 2024.

RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning request.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: A request by Bobby Anderson to rezone the property from C-2 (General Commercial) to R-6 (Single-Family Residential).

Current Zoning: C-2 (General Commercial)
Prior to 1980: C-2 was C-3 (Commercial)

Proposed Zoning: R-6 (Single-Family Residential)

Current Use: Single-Family Home

Proposed Use: Single-Family Home

Lot Square Footage: 8,119-square feet

Proposed Use: Single-Family Home

Building Square Footage: 1,470-square feet

PROPOSAL:

The applicant seeks to rezone the property at 908 N. Liberty Street from C-2 (General Commercial) to R-6 (Single-Family Residential) so that he can more easily get a loan to remodel the residence. In the

future, it could also be difficult to obtain a mortgage for the property and its legal nonconforming status would be an encumbrance to its reconstruction if necessary.

PROPERTY HISTORY:

The addition was annexed into the city in 1851. The residential lot, in Wulfekrammer Place, was platted in August of 1936. In 1965, it was zoned C-3 (Commercial). In 1980 the zoning was updated to be C-2 (General Commercial). The zoning of the property has remained unchanged to the present.

PHYSICAL CHARACTERISTICS OF THE PROPERTY:

The small brick bungalow sets on a 0.19-acre lot. It is a 1½-story home with a single-car wide gravel driveway to the south.

CHARACTERISTICS OF THE AREA:

The house sets one lot south of a corner property that contains a multiple family-residence. A strip center lays across N. Liberty Street to the East. The remainder of the adjacent and surrounding properties are occupied by homes of similar size and age.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

Rezoning this property is consistent with the *Independence for All,* Strategic Plan. One of the objectives of the plan is to "stabilize and revitalize neighborhoods." Rezoning this property to R-6 will ensure that the essential character of the neighborhood is preserved.

Comprehensive Plan Guiding Land Use Principles:

The Comprehensive Plan envisions the future land use of this property and the surrounding area to be Residential Neighborhoods. Rezoning the property to match the existing land-use will ensure the property continues to be single-family residential in nature, which aligns with the vision of the Comprehensive Plan.

Zoning:

Section 14-300-02 of the Unified Development Ordinance (UDO) outlines the purpose of Independence's zoning districts by stating that they "are intended to create, maintain, and promote a variety of housing opportunities for individual households and to maintain the desired physical character of existing neighborhoods." By rezoning this property to R-6 (Single-Family Residential), the zoning will match the existing land-use of the property and the surrounding single-family uses.

Historic and Archeological Sites:

There are no apparent historic or archeological sites located on this property.

Public Utilities:

All utilities are present in on the property.

CIP Investments:

Currently there are no CIP investments along N. Liberty Street.

REVIEW CRITERIA

Recommendations and decisions on rezoning applications must be based on consideration of all the following criteria:

1. **Conformance of the requested zoning with the comprehensive plan.**
   The Comprehensive Plan envisions this area to be Residential Neighborhoods.
2. **Conformance of the requested zoning with any adopted neighborhood or sub-area plans in which the property is located or abuts.**
   This property is located within the Downtown Revitalization Plan area.
3. **The compatibility of the proposed zoning with the zoning and use of the nearby property, including any overlay zoning.**
   The existing zoning and uses of the surrounding neighborhood is that of a single-family residential neighborhood.
4. **The compatibility of the proposed zoning and allowed uses with the character of the neighborhood.**
   The existing character of the vicinity is that of a single-family residential neighborhood.
5. **The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations.**
   With the current zoning in place, the existing single-family home is nonconforming. By rezoning the property to R-6, the applicant will be able to rehabilitate the property.
6. **The length of time the subject property has remained vacant as zoned.**
   The property has not been vacant.
7. **The extent of which approving the rezoning will detrimentally affect nearby properties.**
   Rezoning this property to R-6 will not have a detrimental effect on the nearby properties. This is because the residential use will be similar to that which currently exists in the surrounding neighborhood.
8. **The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, because of denial of the application.**
   Denial of this zoning will inhibit the ability of the applicant to get future building permits, mortgages and refinancing.
9.

EXHIBITS

1. Narrative
2. Application
3. Notification Letter
4. Mailing List
5. Affidavit
6. Plot Plan
7. Comp Plan Map
8. Zoning Map

I Bobby Anderson would like my house at 908 N Liberty st rezoned to Residential so I can get a Loan on my house for repairs on my house

Thank You

Bobby Anderson

INDEPENDENCE
MISSOURI

Planning and Zoning
Application Form

Community Development
111 E. Maple Avenue
Independence, MO 64050
(816) 325-7421
cdplanning@indepmo.org

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☒ Rezoning ☐ PUD Rezoning	☐ Preliminary Plat ☐ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business ☐ Short-Term Rental	☐ Admin. Adjustment ☐ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

Project Name: Rezoning

Project Address/Location: 908 N. Liberty St

Sq. Ft. of Building	Acreage	Number of Lots/Tracts	Steam Buffer (Yes or No)
1200		Lot 2	IL-130'A3

Existing Zoning	Proposed Zoning	Existing Land Use	Proposed Land Use
C-2	R-1c	Single Family Home	Same.

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

- ☐ Completed & Signed Application Form
- ☐ Application Fee
- ☐ Cover Letter Describing Details of Project
- ☐ One 24" x 36" set of plans for Land Sub. & Site Dev.
- ☐ One PDF copy of a plat map or site plan
- ☐ Legal Description of the property in question

Contact Information

Applicant

Name: Bobby Anderson
Company:
Address: 908 N. Liberty St, Independence
Phone: 816-807-8916
Email: Bobby-A9243@ATT.NET

Owner

Name: Same
Company:
Address:
Phone:
Email:

Architect/Engineer/Surveyor/Other:

Name:
Company:
Address:
Phone:
Email:

Architect/Engineer/Surveyor/Other:

Name:
Company:
Address:
Phone:
Email:

The applicant hereby agrees that the information provided above is accurate.

Applicant's Signature: Bobby Anderson — Date: 2-16-24

Owner's Signature: Bobby Anderson — Date: 2-16-24

Property Owner Notification Letter

City of Independence, Missouri

Date: 2-16-24 Case No. 24-100-09

Dear Property Owner:
This letter is to notify you that an application has been submitted for consideration by the Planning Commission and City Council. A full public hearing will be held by the Planning Commission and the City Council will consider new information on the dates and times below.

Proposed Case Type (Check One):

☒ Rezoning ☐ Rezoning/PUD ☐ Special Use Permit

☐ Preliminary Development Plan

Proposed project description: Rezoning from C-2 (General Commercial) to R-6 (Single Family Residential)

Applicant: Bobby Anderson

Location of Property: 908 N. Liberty St

Planning Commission Meeting Date: 4/9/24, 2024, at 6:00 p.m.

City Council Meeting Date: May 6, 2024, at 6:00 p.m.

Location of public hearings: City Council Chambers, City Hall
111 E Maple Ave, Independence, Missouri, 64050

All interested persons are invited to attend and will have an opportunity to be heard at the full public hearing (Planning Commission).

REZONINGS ONLY: You may file a protest petition with the Community Development Department. For more information or to get copies of a petition, please contact Planning staff at 816-325-7421.

Applicant (or Owner/Agent)

For more information, contact the Community Development Department at 816-325-7421.

Owner	Address	City	State	Zip Code
ARF 2 LLC	16657 E 23RD ST S STE 370	INDEPENDENCE	MO	64055
C-DAR LLC	29003 E 116TH ST	LEES SUMMIT	MO	64086
GERMOSEN JOANNA	910 N LIBERTY ST	INDEPENDENCE	MO	64050
GUILLEN MAURICIO A GUERRA	902 N LIBERTY	INDEPENDENCE	MO	64050
HAGELIN AH SHIA	904 N LIBERTY ST	INDEPENDENCE	MO	64050
LEWIS DELBERT RAYMON	212 W US 24 HWY	INDEPENDENCE	MO	64050
LYNN NANCY J	903 N LIBERTY ST	INDEPENDENCE	MO	64050
SCHMIDLING DOROTHY E-TRUSTEE	26970 TONGANOXIE RD	LEAVENWORTH	KS	66048
SHAN LLC	16316 STEARNS ST	OVERLAND PARK	KS	66221
SY MARILYN G TRUSTEE	3209 SHADY BEND DR	INDEPENDENCE	MO	64052
VISHNANI SHIRAJ & SALIMA	8605 W 142ND TER	OVERLAND PARK	KS	66223

Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 24-100-09

I, Bobby Anderson, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

These notices were mailed on the 20th day of February, 2024.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 20th day of February, 2024.

Rachael R. Johnston
Notary Public

RACHEAL R. JOHNSTON
Notary Public - Notary Seal
State of Missouri
Commissioned for Jackson County
My Commission Expires: August 14, 2026
Commission Number: 15633653

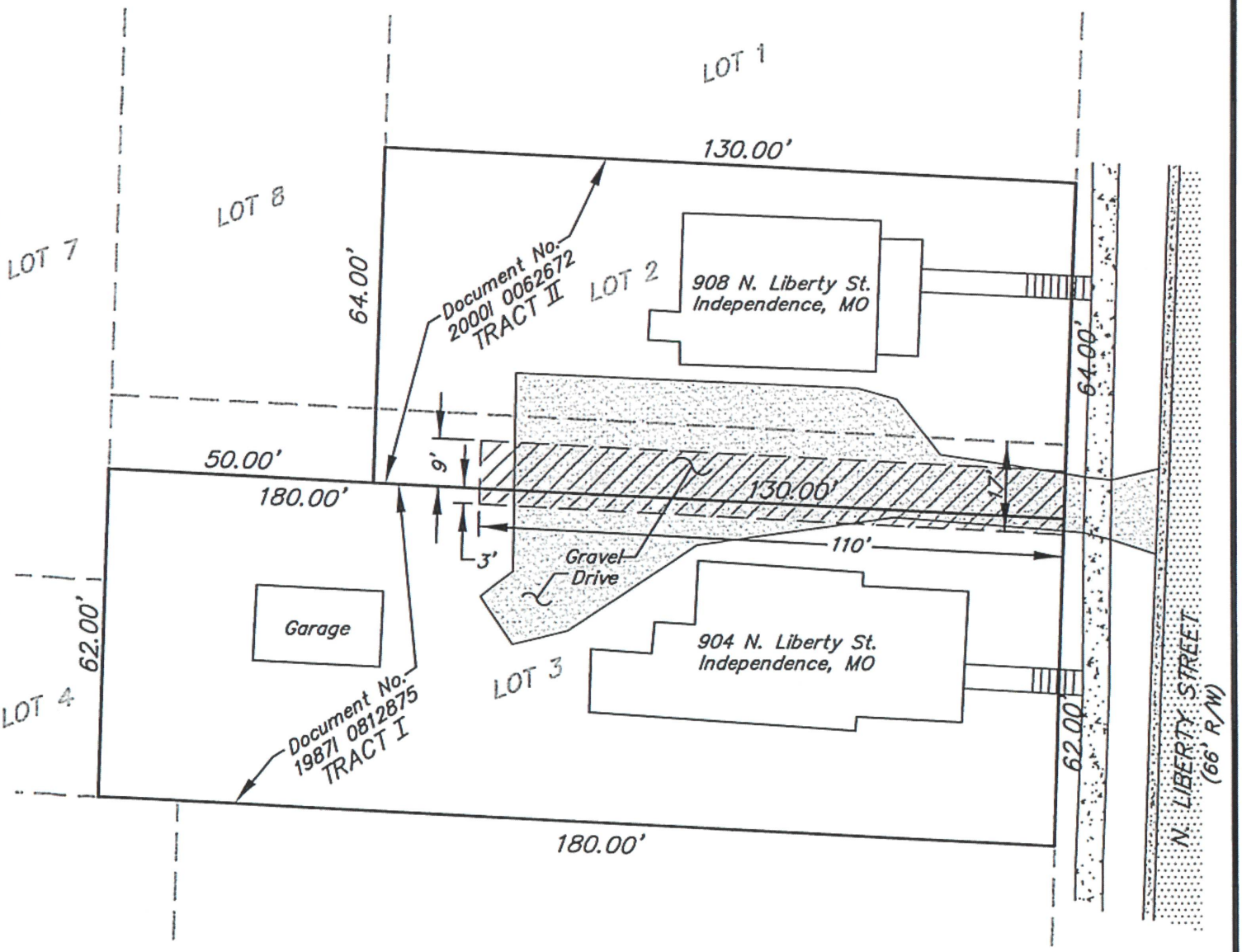
8/14/2026
Commission Expiration Date

WEISKIRCH & PARKS ENGINEERS, INC.

MO. CERTIFICATE OF AUTHORITY
No. 001060
111 NORTH MAIN, SUITE #10
INDEPENDENCE, MISSOURI 64050
(816)254-5000 FAX: (816)252-9712
WPKC@WPEKC.COM

EASEMENT LOCATION SKETCH

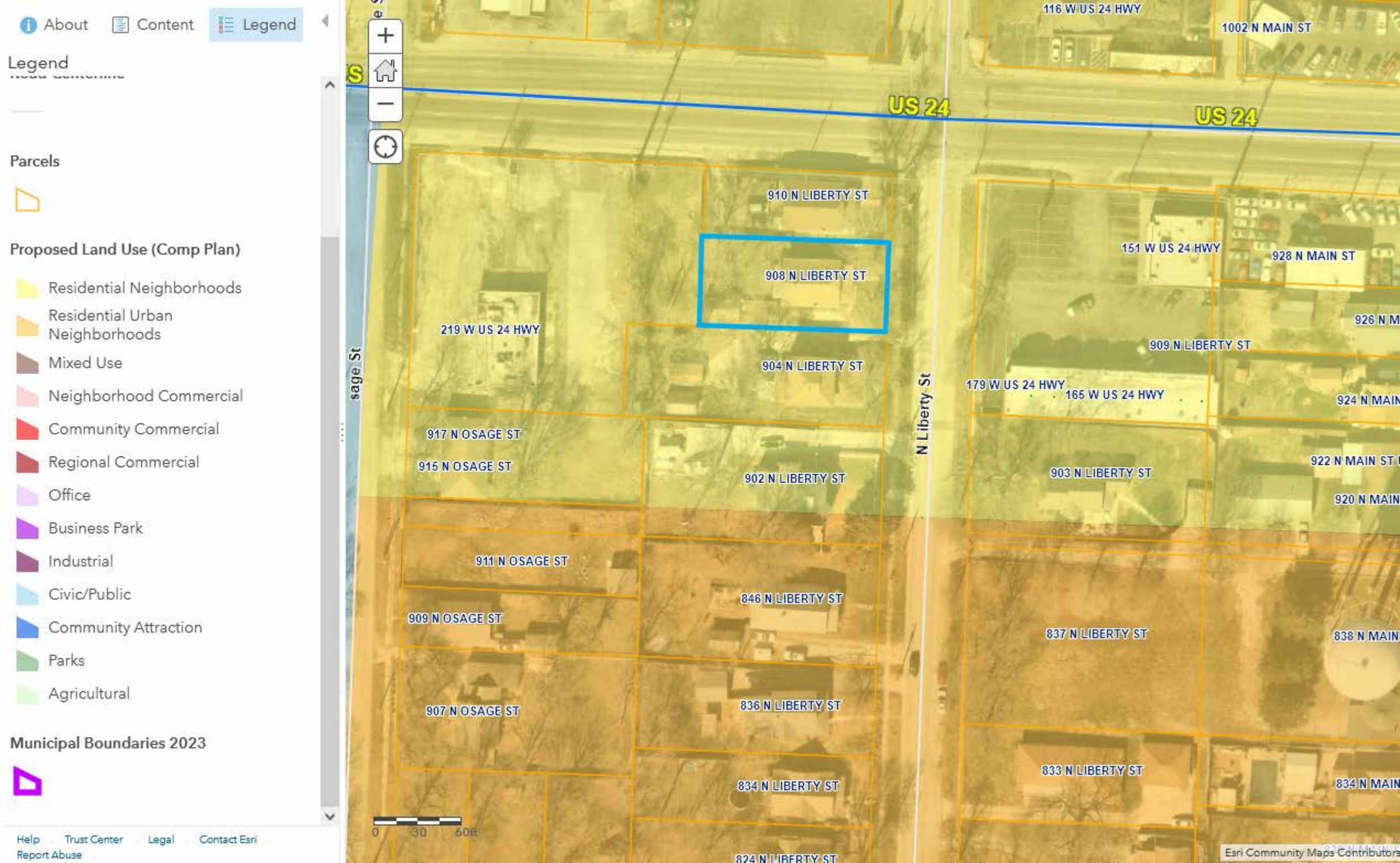
SCALE: 1"=30'



W:\PE-SURV\Drafting\4044 - Mullekammer Place Lots 1-3\Easement Sketch.dwg, 11/9/2019 2:30:... PM, T.K.O.

Drawn By: T.K.O.

(4044) Easement Sketch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909 N LIBERTY ST
179 W US 24 HWY
165 W US 24 HWY
917 N OSAGE ST
915 N OSAGE ST
902 N LIBERTY ST
903 N LIBERTY ST
911 N OSAGE ST
846 N LIBERTY ST
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907 N OSAGE ST
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834 N LIBERTY ST
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N Liberty St
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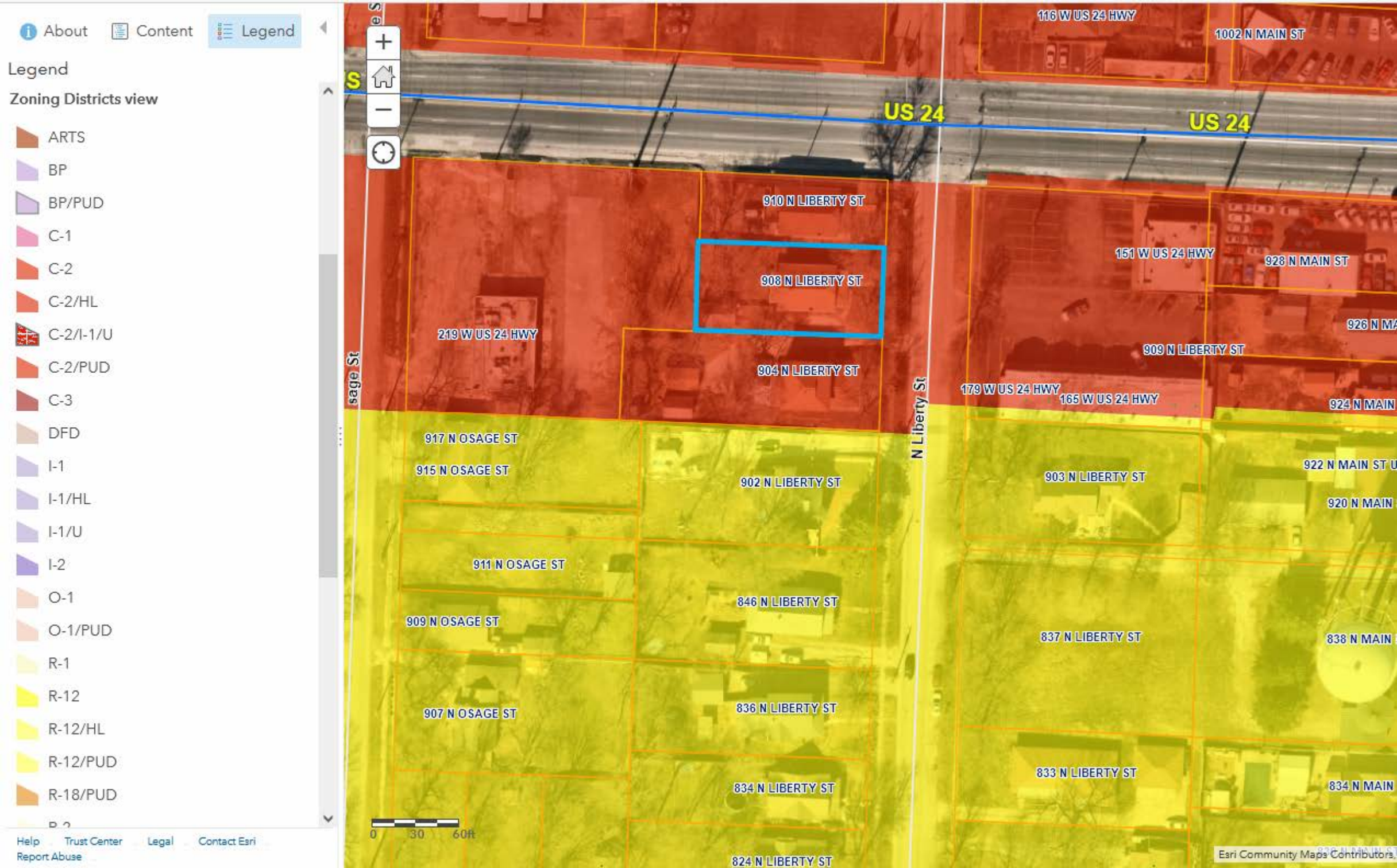
Esri Community Maps Contributors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Esri Community Maps Contributors

City of Independence

AGENDA ITEM COVER SHEET

BILL NO. 24-037 1R

Agenda Title:

24-037 1R An ordinance approving the petition to establish the Fairmount Community Improvement District, establishing the district, and making findings and authorizing actions related to establishment of the district.

Recommendations:

Staff recommends approval.

Background:

Executive Summary:
Petitioners representing more than fifty percent (50%) per capita of all owners of the district, and land owners within the District collectively owning more than 50% by assessed valuation have submitted a Petition to Establish the Fairmount Community Improvement District (the "Petition"), which encompasses property located generally south of US Highway 24, bounded by residential properties and S Huttig Avenue on the west, residential properties on the south, continues south generally down S Northern Boulevard to E 9th Street S and bounded by N River Boulevard on the east.

The Petition requests the imposition of a 1% sales tax within the District. The sales tax revenues generated will supply revenue to finance the project-specific public improvements and public services detailed in the Petition.

The Petition meets the requirements laid out in the City's economic development incentives policy and is in compliance with the Missouri State Statutes.

Background:
The Petitioners seek to finance public improvements and services within the District, which are detailed in Section III - Five Year Plan in the Petition. These include capital improvements within the District, which could include streetscape, lighting, public benches or other seating, trash receptacles, marquees, awnings, canopies, walls, barriers, public parking lots and facilities, public art, gateway markers at key intersections, other improvements to alleviate blight in the District. Further, revenues

will be used for public services within the District, including marketing of the District, including the promotion of tourism, seasonal decorations, newsletters, banners and signage and the promotion, organization and funding of special events and security services, among others.

The Petitioners are seeking a blight funding for the District, which is attached as Exhibit D to the Petition. The Blight Study states that District is blighted due to a predominance of unsanitary or unsafe conditions and the deterioration of site improvements. The Blight Study concludes that the existence of these factors constitutes an economic or social liability in its present condition and use, in accordance with the CID Act.

The maximum length of time for the existence of the District is 27 years from the date upon which the ordinance creating the District is approved by the City. This is the statutory maximum length of time for the existence of a District under the CID Act, unless extended in accordance with the CID Act.

Approval of the CID Petition and the District is conditioned upon the District entering into a cooperative agreement with the City, upon terms and conditions mutually acceptable to the City and District, which provides for implementation of the District, the process for reimbursement of eligible District costs and expenses and other matters as mutually determined by the City and District. No payment or reimbursement of District costs and expenses shall occur and no disbursement of District revenues shall occur until the cooperative agreement is approved and executed by the City and the District. Failure of the District to enter into such agreement within 6 months following the effective date of this Ordinance shall nullify and render void the approvals granted in this Ordinance upon such declaration by the City Council.

Department:	Community Development	**Contact Person:**	Tom Scannell

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REVIEWERS:

Department	**Action**
Community Development Department	Approved
Finance Department	Approved
City Managers Office	Approved
City Clerk Department	Approved

Council Action:	**Council Action:**

ATTACHMENTS:

Description	Type
Draft Ordinance	Ordinance
Petition - Final	Backup Material

Bill No._____

Ordinance No._____

AN ORDINANCE APPROVING THE PETITION TO ESTABLISH THE FAIRMOUNT COMMUNITY IMPROVEMENT DISTRICT, ESTABLISHING THE DISTRICT, AND MAKING FINDINGS AND AUTHORIZING ACTIONS RELATED TO ESTABLISHMENT OF THE DISTRICT.

WHEREAS, Sections 67.1401 to 67.1571 RSMo, as amended (the "**CID Act**"), authorize the governing body of any city, upon presentation of a proper petition requesting the formation and after a public hearing, to adopt an ordinance establishing a community improvement district; and

WHEREAS, the City of Independence, Missouri (the "**City**") is a charter city and a political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the Constitution and laws of the State of Missouri;

WHEREAS, property owners within the proposed community improvement district have filed with the Independence City Clerk (the "**City Clerk**") a petition to establish the community improvement district pursuant to the CID Act, entitled "Petition to Establish the Fairmount Community Improvement District" (the "**Petition**");

WHEREAS, the City Clerk verified that the Petition substantially complies with the CID Act, submitted the verified Petition to the City Council and set a public hearing with all proper notice being given in accordance with the CID Act or other applicable law;

WHEREAS, none of the signatures of the signers of the Petition were withdrawn within seven days after the Petition was filed with the City Clerk;

WHEREAS, all the real property included in the Fairmount Community Improvement District (the "**District**") is entirely located within the City of Independence;

WHEREAS, the applicants seek that the property within the District be declared a blighted area pursuant to the CID Act;

WHEREAS, on May 6, 2024, the City Council held a public hearing at which all persons interested in the formation of the District were allowed an opportunity to speak; and

WHEREAS, the Petition being fully heard before the City Council, the City Council now desires to approve the Petition, establish the District and take other actions related to establishment of the District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, as follows:

SECTION 1. All terms used in this Ordinance shall be construed as defined in the CID Act and the Petition.

SECTION 2. The City Clerk has verified that the Petition substantially complies with all submission requirements of the CID Act.

SECTION 3. The Petition, a copy of which is on file with the City Clerk, is hereby approved and the District is hereby established within the City as a political subdivision of the State of Missouri. The District includes the contiguous tracts of real estate as described in the Petition and shown on the map set forth in the Petition.

SECTION 4. As set forth in the Petition, the District shall be governed by a board of directors consisting of five (5) members who will be named by the Mayor as provided in the Petition and whose successors shall be appointed as provided in the Petition.

SECTION 5. The District's Board of Directors shall have authority to establish a sales tax within the District as set forth in the Petition and in conformance with the CID Act.

SECTION 6. The District shall have and possess without limitation such powers authorized under the CID Act and as set forth or otherwise limited in the Petition.

SECTION 7. The maximum length of time for existence of the District shall be twenty-seven (27) years following the effective date of this Ordinance, which may be extended by the City pursuant to the CID Act, unless and until terminated earlier in accordance with the CID Act.

SECTION 8. The Council hereby finds that the property within the District area is a Blighted Area as defined in the CID Act. The Council's determination that the property in the District area is a Blighted Area is based on the Blight Study submitted to the City and included in the Petition as Exhibit D, and the Council hereby concludes that, by reason of the predominance of insanitary and unsafe conditions and the deterioration of site improvements, the property in the District area constitutes an economic and social liability in its present condition and use. The District may exercise the additional powers granted by the CID Act within the District area to remediate the blighting conditions.

SECTION 9. The City Clerk is hereby directed to prepare and file with the Missouri Department of Economic Development (the "**Department**") and the State Auditor the report specified in subsection 6 of Section 67.1421 of the CID Act, substantially in the form provided by the Department.

SECTION 10. Approval of the Petition and the District by this Ordinance is conditioned upon the District entering into a cooperative agreement with the City, upon terms and conditions mutually acceptable to the City and District, which provides for implementation of the District, the process for reimbursement of eligible District costs and expenses and other matters as mutually determined by the City and District. No payment or reimbursement of District costs and expenses shall occur and no disbursement of District revenues shall occur until the cooperative agreement is approved and executed by the City and the District. Failure of the

District to enter into such agreement within six (6) months following the effective date of this Ordinance shall nullify and render void the approvals granted in this Ordinance upon such declaration by the City Council.

SECTION 11. City staff, the City's special legal counsel, and other appropriate City officials are hereby authorized to take any and all actions as may be deemed necessary or convenient to carry out and comply with the intent of this Ordinance and to execute and deliver for and on behalf of the City all certificates, instruments, and agreements or other documents as may be necessary, desirable, convenient, or proper to perform all matters authorized herein.

SECTION 12. It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part, section or subsection of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect, unless the court making such finding shall determine that the valid portions standing alone are incomplete and are incapable of being executed in accord with the legislative intent.

SECTION 13. This ordinance shall be in full force and effect ten (10) days after the date of its passage and approval.

PASSED THIS ____ DAY OF _____ 2024, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.

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

ATTEST:

_____
City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____
City Counselor

REVIEWED BY:

City Manager

ROUSE FRETS WHITE GOSS
GENTILE RHODES, P.C.

April 1, 2024

Susanne Holland
City Clerk
City of Independence
111 East Maple Street
Independence, MO 64050

Re: Fairmount Community Improvement District Petition

Dear Ms. Holland:

Pursuant to Section 67.1421 R.S. Mo please find the attached petition for formation of the Fairmount Community Improvement District (Fairmount CID). Please verify the sufficiency of the petition and advise when it will be presented to the City Council for consideration.

The Fairmount CID is the result of many hours of work by members of the Fairmount community and business leaders. The Community Service League of Independence (CSL) led by Doug Cowan has acted as the organizer of this undertaking. With the approval of the Fairmount CID, it is expected that the work the District undertakes will make Fairmount a better place to work and live.

Thank you for your assistance with this matter.

Sincerely,

William B. Moore

William B. Moore

Cc: Doug Cowan

{34375 / 72117; 1017408. }

PETITION TO ESTABLISH

THE

FAIRMOUNT COMMUNITY IMPROVEMENT DISTRICT

INDEPENDENCE, JACKSON COUNTY, MISSOURI

April 1, 2024

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PETITION TO ESTABLISH THE FAIRMOUNT COMMUNITY IMPROVEMENT DISTRICT

This petition ("Petition") is submitted in accordance with Section 67.1401, RSMo, through Section 67.1571, RSMo, otherwise known as the Missouri Community Improvement District Act (the "Act"), by those persons and entities whose signatures appear below (the "Petitioners"). The Petitioners request that the City Council (the "City Council") of the City of Independence, Missouri, establish a community improvement district (the "District") in the City of Independence, Jackson County, Missouri (the "City") in accordance with this Petition.

I. PETITIONERS

The Petitioners represent more than fifty percent (50%) per capita of all owners of the District Land and District Land owners collectively owning more than fifty percent (50%) by assessed value of the District Land.

II. DESCRIPTION OF THE DISTRICT

A. Legal Description

The District includes all of the real property (the "District Land") legally described in Exhibit A (the "District Legal Description") attached to this Petition.

B. Boundary Map

A map illustrating the general boundaries of the District is attached to this Petition as Exhibit B (the "District Boundary Map").

C. Name of District

The name of the District shall be the Fairmount Community Improvement District.

D. Notice to Petitioners

The signatures of Petitioners signing this Petition may not be withdrawn later than seven days after this Petition is filed with the City Clerk.

III. FIVE YEAR PLAN

A. Purposes of the District

The District shall serve the following purposes (the "District Purposes"):

(a) facilitating development within the District by providing, or causing to be provided, certain improvements and services (collectively, the

"Eligible Services") described in Paragraph B of this Article for the benefit of the District;

(b) issuing obligations, ("Bonds") provided that the City will not be asked to issue obligations on behalf of the District, or obtaining any other sort of financing allowed under the Act to finance: (1) the costs of the Eligible Services, (2) other costs incurred by the District to carry out the District Purposes, and (3) costs of financing, including but not limited to: (a) costs of issuance, (b) capitalized interest, and (c) debt service reserves;

(c) coordinating with public and private entities to plan and implement the Eligible Services; and

(d) imposing and collecting a sales tax authorized pursuant to this Petition and the Act.

B. Improvements and Services

The Eligible Services shall include, but are not necessarily limited to, the following:

1. Capital Improvements and Maintenance

The District may construct, reconstruct, install, repair, maintain, and equip (or cause such services to be undertaken) capital improvements within the District including, but not limited to: streetscape, lighting, public benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, barriers, public parking lots and facilities, public art, and any other useful, necessary or desired improvement authorized under the Act, including, without limitation, gateway markers at key intersections within the District. In accordance with the Act, the District may take such actions to remediate any blighting conditions within the District's boundaries, which may include contracting with private property owners within a blighted area to demolish and remove, renovate, or rehabilitate any building or structure owned by such private property owner and to spend District revenues or loan funds provided that the City Council determines that action to be taken pursuant to any such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

2. Marketing and Public Relations

The District may prepare and implement one or more programs designed to attract patrons, visitors, tourists, employees, businesses, investors, residents, and other invitees to the District by promoting the image and marketability of the District including, but not necessarily limited to, the following:

(a) promotion of the history of the District area;

(b) production and promotion of any tourism, recreational activity or cultural activity or special event in the District by, but not limited to, advertising, decoration of any public place in the District, promotion of such activity and special events, and furnishing music in any public place;

(c) preparation and distribution of newsletters;

(d) preparation and distribution of District maps and directories;

(e) provision and maintenance of seasonal decorations;

(f) provision and maintenance of banners and signage; and

(g) promotion, organization and funding of special events.

3. Administration and Operations

The District may provide and/or contract for managerial, engineering, legal, technical, clerical, accounting, financial consulting, and other assistance deemed necessary or desirable by the District to meet the District Purposes, including, but not necessarily limited to, the following:

(a) financing the costs of creating and operating the District;

(b) managing the District's budget and personnel;

(c) maintaining insurance for the District;

(d) contracting for legal counsel on matters pertaining to the District;

(e) imposing and collecting a sales tax as authorized pursuant to this Petition and the Act;

(f) obtaining grants and other funds to pay for the costs incurred to meet the District Purposes;

(g) coordinating meetings, events, and the dissemination of additional information necessary or desirable to meet the District Purposes; and

(h) publishing promotional brochures necessary or desirable to meet the District Purposes.

4. Maintenance

The District may provide cleaning and maintenance services to public areas within the District to improve the appearance and image of the District. Such services may include, but are not necessarily limited to:

(a) providing litter removal and cleaning of common areas, trash containers, alley ways, streets, and sidewalks within the District;
(b) monitoring of City services;

(c) providing landscaping care, maintenance, weed abatement, and providing and/or replacing landscaping;

(d) providing cleaning, maintenance, and other services to public and private property;

(e) providing graffiti removal; and

(f) providing other beautification efforts designed to improve the District's appeal, and encourage private investment within the District.

5. Investment

The District may assist in attracting additional public or private investment in the District. Such assistance may include, but is not necessarily limited to, the following:

(a) conducting or contracting for the completion of market research and/or financial analysis;

(b) supporting business activity and economic development in the District including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;

(c) preparing or contracting for the preparation of investor marketing packages;

(d) applying for grants and other public and private assistance; and

(e) loan money as provided in the Act.

6. Security Services

The District may employ and/or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons within the District, including, but not limited to, the provision of:

(a) armed patrol areas, building checks, alarm calls, security escorts, and a central dispatch system for the District;

(b) security training for the District's personnel, agents and independent contractors;

(c) two-way radios, vehicles, security uniforms and traffic bollards; and

(d) programs to educate property owners, tenants, and residents within the District.

7. Additional Improvements and Services

The District shall be authorized to provide for any and all desired services and improvements, and shall have all rights needed to provide those desired services and improvements, up to and including any desired service and improvement right not specifically limited, or prohibited, by this Petition or the Act.

C. Estimate of Revenues and Costs of Improvements and Services

The commencement of the Eligible Services and the levy and collection of the Sales Tax are anticipated to occur within the first year of the District's existence. The term of the Sales Tax is anticipated to be 27 years or the life of the District, whichever is longer. The Five Year Plan's estimate of revenues from the collection of the Sales Tax, and estimated costs related to the provision of the Eligible Services are shown on Exhibit C attached to this Petition.

IV. GOVERNANCE OF THE DISTRICT

A. Type of District

The District shall be a separate political subdivision and shall have all of the powers granted to and/or exercisable by a community improvement district according to the Act, except as limited by this Petition. The District shall comply with all state statutory requirements of a political subdivision including, but not limited to: (1) State of Missouri open meeting and records law; (2) procurement and public improvement contracting laws, including prevailing wage requirements; and (3) annual comprehensive financial audit.

B. Board of Directors

1. Number

The District shall initially be governed by a Board of Directors (the "Board") consisting of five (5) members.

2. Qualifications

The Initial Directors of the Board shall be comprised of those individuals listed in Paragraph 3 of this Article. Successor directors ("Successor Directors") shall be appointed in accordance with Paragraph 5 of this Article. Each Initial Director and Successor Director shall meet the following requirements:

(a) be at least 18 years of age;

(b) be a Missouri resident for at least one year prior to taking office and as long as required by the Missouri Constitution or by state statute;

(c) be either an owner of real property ("Owner") within the District, or such Owner's representative, or an owner of a business ("Operator") operating within the District, or such Operator's representative; and

(d) except for the Initial Directors named in this Petition, be nominated according to a slate submitted by the Board to the Mayor of the City and the City Council according to the nominating procedures set out below.

(e) At least one director must be someone who (1) resides within the City. (2) is qualified to vote. (3) has no financial interest in any real property or business in the District, and (4) is not a relative to an owner of real property or a business within the District.

3. Initial Directors

In accordance with Section 67.1451.6, RSMo of the Act, the Initial Directors to serve on the Board, and their respective terms, will be

NAME	**TERM (in years)**
Cyril J. Wrabec	4
Jennifer Manuleleua	4
Josko Wrabec	2
Matt McNamara	2
Marciela Gomez-Yanez (Independent)	2

4. Terms

Each Initial Director named above shall serve for the term set forth opposite his/her name or until his/her successor is appointed in accordance with this Petition. Each Successor Director shall serve a four-year term or until his/her successor is appointed in accordance with this Petition. If, for any reason, a director is not able to serve his/her full term, the remaining directors shall elect an interim director to fill the vacancy of the unexpired term.

Notwithstanding anything to the contrary, any Initial Director's or Successor Director's (collectively, "Director") failure to continually meet the qualification requirements set forth in Paragraph 2 of this Article, either in a Director's individual capacity or in a Director's representative capacity, shall constitute cause for the Board to take appropriate action to remove said Director.

5. Slate

The Board shall select the slate of nominated individuals as follows:

(a) Individuals meeting the qualifications set out in this Petition for Successor Directors must be nominated by at least two sitting Directors; and

(b) The Directors shall then vote for a slate of nominees who shall consist of a number sufficient to fill all of the expiring terms and/or additional terms, as applicable, and the Board shall submit the approved slate to the City Clerk.

6. Successor Directors

Successor Directors shall be appointed by the Mayor of the City with the consent of the City Council by resolution, and the slate submitted by the Board to the City Clerk shall serve as recommendations for such appointments. Such appointment shall be at the discretion of the Mayor, subject to each and every qualification stated in this Petition.

7. Termination

Any Director may be removed for cause by a two-thirds affirmative vote of the Board. Written notice of the proposed removal shall be given to all Directors prior to action thereon.

8. Compensation

No Director shall receive compensation for performing their official duties as a member of the Board, except that the District may reimburse Directors for reasonable and actual expenses incurred in the performance of their official duties as may be permitted in the Act.

V. ASSESSED VALUE

The total assessed value of all of the real property within the District is $4,810,477.

VI. BLIGHT DETERMINATION

The petitioners are seeking a determination that the District land is a blighted area.

VII. LIFE OF DISTRICT

The life of the District shall be for a minimum of twenty-seven (27) years following the effective date of the Ordinance establishing the District, after which, the District may be extended by the City pursuant to Section 67.1481.6 of the Act.

VIII. REAL PROPERTY TAXES AND BUSINESS LICENSE TAXES

The District is not authorized to levy a real property tax or a business license tax.

IX. SPECIAL ASSESSMENTS

The District is not authorized to levy a special assessment.

X. SALES TAX

The District may by resolution of the Board, and in accordance with the Act, impose a District-wide sales tax not to exceed one percent (1.0%) upon all eligible retail sales within the District.

XI. LIMITATIONS ON BORROWING CAPACITY, REVENUE GENERATION AND DISTRICT POWERS

There shall be no limitations on the District's borrowing capacity, revenue generation, or powers.

XII. REQUEST TO ESTABLISH DISTRICT

By execution and submission of this Petition, the Petitioners request that the City Council establish the District as set out in this Petition.

XIII. SEVERABILITY

If any provision of this Petition shall be held or determined to be invalid, inoperative or unenforceable as applied in any particular case, or in all cases, because it conflicts with any other provision or provisions of this Petition or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision contained in this Petition invalid, inoperative or unenforceable to any extent whatsoever.

EXHIBIT A

DISTRICT LEGAL DESCRIPTION

FABIAN & KAREN BAUER / 26-310-04-04-01-0-00-000 & 26-310-05-10-00-0-00-000
All of Lots 5 and 6, and all that part of the North half of the vacated alley lying south of and adjacent to said Lots, Block 1, Idlewild Park, a subdivision in Independence, Jackson County, Missouri, except that part described as follows: Beginning 0.28 feet West of the Northwest corner of Lot 3, Block 1, in said Idlewild Park addition, thence West 75 feet; thence South 152.5 feet more or less to the center of vacated alley; thence East to a point 0.26 feet West and 7.5 feet South of the Southwest corner of said Lot 3; thence North to the beginning. Also, subject to that part in US 24 Highway and that part in North Grand Avenue. Lots 13, 14, 15 and 16, Block 2, Idlewild Park, a subdivision in Independence, Jackson County, Missouri, according to the recorded plat thereof.

FRKE PROPERTIES LLC / 26-310-05-01-00-0-00-000
Lots 1 and 2 and the East 40 feet of Lot 3, all in Block 2, IDLEWILD PARK, in the City of Independence, Jackson County, Missouri.

QUARTER KING LLC / 26-320-05-05-00-0-00-000
Beginning at a point 40 feet South and 427 feet East of the Northwest corner of Section 3, Township 49, Range 32, in Independence, Jackson County, Missouri; thence East 155 feet; thence South 185 feet; thence West 155 feet; thence North 185 feet to the point of beginning.

SILVER SHIELD LLC / 27-110-02-06-01-0-00-000
Tract I: Lots 1, 2, 3, 4, 22 and 23, Fairmount Highlands, a subdivision in Independence, Jackson County, Missouri, according to the recorded plat thereof, except any part thereof taken or used for public roads. Tract II: All of Lots 1 and 2 and that part of Lot 3, lying west of the Westerly right-of-way line of the public road described in the deed recorded in Book 1257, Page 592, in the office of the Recorder of Deeds for Jackson County, Missouri, at Independence, in Dagmar Addition, a subdivision in Independence, Jackson County, Missouri, except any part thereof taken or used for public roads.

CITY OF INDEPENDENCE / 27-110-06-01-00-0-00-000
Fairmount Highlands; Lot 26 (ex pt in hwy)

COMMUNITY SERVICE LEAGUE / 27-110-05-03-00-0-00-000
That part of the Northwest Quarter of the Northeast Quarter of Section 4, Township 49, Range 32, in Independence, Jackson County, Missouri, described as follows: Beginning at a point on the West line of said Quarter Quarter Section, said point being 55.21 feet South of the Northwest corner thereof, said point also being on the South Right of Way line of U.S. Highway No. 24 as now established; thence South 89 degrees 07 minutes 15 seconds East along said South line a distance of 205.00 feet; thence South a distance of 225.00 feet; thence North 89 degrees 07 minutes 15 seconds West a distance of 205.00 feet to the West line of said Quarter Quarter Section; thence North along said West line a distance of 225.00 feet to the Point of Beginning.

AGT PROPERTY MANAGEMENT LLC / 27-120-01-17-00-0-00-000
All of Lots 1, 2, 3, 4, 5 and 6, and all of lot 21, except that part described as follows: Beginning at the Southeast corner of Lot 20; thence Southeasterly parallel with the Easterly line of Northern Boulevard to the Northerly line of the Kansas City Southern Railroad; thence Westerly along the Northerly line of the Kansas City Southern Railroad to the Easterly line of Northern Boulevard; thence Northwesterly with Northern Boulevard 207.16 feet to the Southwest corner of said Lot 20; thence East along the South line of Lot 20, 200 feet to the Point of Beginning, all in Mid-City Subdivision, a subdivision of land in Independence, Jackson County, Missouri. All of Lot 7, Mid-City Subdivision, a subdivision in Independence, Jackson County, Missouri.

PAUL J WRABEC CO / 27-120-01-24-00-0-00-000
All of Lot Eight (8) and Lot Nine (9), except the West Five (5) feet of said Lot Nine (9), Mid-City Subdivision, a subdivision in Independence, Jackson County, Missouri.

BURTON STREET DOLPHINS LLC / 27-120-01-22-00-0-00-000

Lots 10, 11, 13, 14 and the West 5 feet of Lot 9, and all of Lot 12, except: Beginning at the Northwest corner of said Lot 12; thence East 29.48 feet; thence South 76 feet to point in Westerly line to Northwest corner thereof, Mid-City Subdivision, a subdivision in Independence, Jackson County, Missouri.

PINK CAP LLC / 27-120-02-02-00-0-00-000 & 27-120-02-05-00-0-00-000
Lots 3, 4, 5, 6 and 7, except that part in Lot 7 taken for street purposes, Block 1, Hutchins Park, a subdivision in Independence, Jackson County, Missouri, according to the recorded plat thereof.

FAIRMOUNT REDEVELOPMENT CORP / 27-120-07-03-00-0-00-000
The West 35 feet of Lot 373 and the North 25 feet of the West 35 feet of Lot 374, Fairmount, a subdivision partly in Sugar Creek, partly in Independence, wholly in Jackson County, Missouri. (Said premises in question being wholly in Independence, Jackson County, Missouri).

TRUMAN MEDICAL / 27-120-07-36-00-0-00-000 & 27-120-07-37-00-0-00-000
The East 35.02 feet of Lot 440 and that part of Lot 439 described as follows: Beginning at the Northeast corner of Lot 439; thence West 35 feet; thence South 25 feet; thence East 35 feet; thence North 25 feet to the point of beginning, Fairmount, now known as, part of Lot 1, Fairmount Medical Clinic, a subdivision in Independence, Jackson County, Missouri, according to the recorded plat thereof.

MIGUEL A. ARIAS / 27-120-08-01-00-0-00-000
Lots 441 to 445, both inclusive, Fairmount, a subdivision in Independence, Jackson County, Missouri.

STRUCTURAL GLASS SYSTEMS INC. / 27-120-08-04-00-0-00-000
All of a tract beginning at the Northwest corner of Lot 497, FAIRMOUNT, thence East 45 1/10 feet; thence South 90 feet; thence West to the East line of Huttig Avenue; thence Northwesterly along the East line of Huttig Avenue to the point of beginning, located in Independence, Jackson County, Missouri.

WIKUPUA PROPERTIES LLC / 27-120-17-02-00-0-00-000
Beginning at a point 356.16 feet West of the East line and 1701.92 feet North of the South line of the Northwest Quarter (1/4) of Section 4, Township 49, Range 32, said point being on the East line of Northern Boulevard as shown on the plat of Hutchins Park; thence in a Northerly direction along the Easterly line of Northern Boulevard on a curve to the left (having a radius of 1030 feet) 100 feet to a point on the Southerly line of the right of way of Kansas City Southern Railroad 30 feet from the center line thereof; thence in an Easterly direction along the line of said right of way on a curve to the left (having a radius of 633.8 feet) 167.07 feet; thence South 9 degrees 22 minutes East 20 feet; thence in a North-easterly direction parallel to and 50 feet from said center line and on a curve to the left (having a radius of 653.8 feet) 95.66 feet; thence South 158.25 feet; thence West 263.25 feet; thence North 4 degrees 03 minutes East along the Easterly line of Northern Boulevard 8.00 feet; thence in a Northerly direction on a curve to the left (having a radius of 1030 feet) 42.02 feet to the point of beginning in Independence, Jackson County, Missouri

801-901 SOUTH NORTHERN BOULEVARD LLC / 27-120-18-01-00-0-00-000
TRACT 1: A tract of land in the North ½ of Section 4, Township 49, Range 32, in Independence, Jackson County, Missouri, described as follows: Commencing at the Northwest corner of Lot 1, Northern Heights, a subdivision in Independence, Jackson County, Missouri, according to the recorded plat thereof, said point being on the East right of way fine of Northern Boulevard 30 feet from the center line thereof; thence along said East right of way line parallel to and 30 feet from said center line north 4 degrees 03 minutes East 342.64 feet to a point on the Southwesterly line of the former right of way of the Kansas City Southern Railway Company which is the true point of beginning of this tract and which point is also 33 feet measured at right angles from said former railroad right-of-way center line; thence continuing along the East line of said former right of way North 4 degrees 03 minutes East 46.8 feet to a point at center line station 448+21.94 of said former railroad right of way which point is also 2620.49 feet measured southeasterly along said center line from railroad mile post 8-E; thence continuing along said Northern Boulevard's East right of way line North 4 degrees 03 minutes East 47.12 feet to a point on the Northeasterly line of said former railroad right of way which point is also 33 feet measured at right angles from said center line; thence parallel to said center line in a southeasterly direction along a curve to the left (having a radius of 2831.92 feet) 294.4 feet to station 450+85.8 at the point of tangent of said railroad survey; thence along said former railroad right of way line south 45 degrees 48 minutes east 204.2 feet to railroad station 452+90; thence continuing south 45 degrees 48 minutes east parallel to and 33 feet from said center line a distance of 80 feet to railroad station 453+70; thence at right angles to last above course south 44 degrees 12 minutes west 91 feet to a point which is 58 feet southwesterly from, measured at right angles to, said railroad center line; thence parallel to and 58 feet southwesterly from said center line north 45 degrees 48 minutes west 80 feet to said railroad station 452+90; thence north 44 degrees 12 minutes east 25 feet; thence parallel to and 33 feet from said center line north 45 degrees 48 minutes west 204.2 feet to the point of curve of said railroad at station 450+85.8; thence parallel to said center line in a northwesterly direction along a curve to the right

(having a radius of 2897.92 feet) 233.57 feet to the true point of beginning. TRACT 2: That part of the north half of section 4, township 49, range 32, Independence, Jackson County, Missouri, described as follows: commencing at a point in the centerline of Northern Boulevard, as said centerline is shown on the diagram of the recorded plat of Northern Heights, a subdivision in Independence, Jackson County, Missouri, according to the recorded plat thereof, which point is north 45 degrees 48 minutes west 183.15 feet from the northeast corner of said lot 1; thence south 45 degrees 48 minutes east, 39.24 feet to a point on the east line of said Northern Boulevard, said point being the point of beginning; thence along the northeasterly line of lot 1 of said subdivision and the prolongation of said line a distance of 370.91 feet to the northwest corner of lot 15, Timber Lane, a subdivision in Independence, Jackson County, Missouri, according to the recorded plat thereof; thence east (along the north line of said lot 15) parallel with the north line of Truman Road a distance of 131.75 feet to a point (which is the northeast corner of said lot 15) on the east line of the northwest quarter of section 4, township 49, range 32; thence south along said quarter section line a distance of 217.14 feet to a point 665 feet north of the south line of the northeast quarter of section 4, township 49, range 32; thence east parallel to and 665 feet north of the south line of said northeast quarter a distance of 460 feet, mor or less to a point in the southwesterly line of the former right of way of the Kansas City Southern Railway Company; thence Northwesterly along said former right of way line a distance of 655 feet, more or less, to the point at which the former railroad right of way widens to 116 feet; thence southwesterly along said former railroad right of way line a distance of 25 feet; thence northwesterly along said former railroad right of way line a distance of 80 feet to the point at which said former railroad right of way narrows to 66 feet; thence northeasterly along said former railroad right of way line a distance of 25 feet; thence northwesterly along said former railroad right of way line a distance of 430 feet, more or less, to a point on the east right of way line of Northern Boulevard; thence south 4 degrees 03 minutes west along said right of way line a distance of 340 feet, more or less, to the point of beginning. TRACT 3: That part of property located upon the abandoned Kansas City Southern Railroad right of way which is east of the right of way line of Northern Boulevard and North of a parallel line 665 feet north of the south line of the northeast quarter of section 4, township 49, range 32, said part of property being contiguous to the following described tract of land, to wit: part of the north half of section 4, township 49, range 32 in Independence, Jackson County, Missouri described as follows: beginning at the northwest corner of lot 1, Northern Heights, a subdivision in Independence, Jackson County, Missouri, according to the recorded plat thereof; thence south 45 degrees 48 minutes east along the northeasterly line of said lot 1 and the prolongation of said line a distance of 410.15 feet; thence east, parallel with the north line of Truman Road a distance of 131.75 feet to a point on the east line of the northwest quarter of section 4, township 49, range 32; thence south along said quarter section line a distance of 217.14 feet to a point 665 feet north of the south line of the northeast quarter of section 4, township 49, range 32; thence east and parallel to and 665 feet north of the south line of said northeast quarter a distance of 460 feet, more or less, to a point in the southwesterly abandoned right of way of the Kansas City Southern Railroad; thence northwesterly along said right of way a distance of 655 feet more or less to the point at which the railroad right of way widens to 116 feet; thence southwesterly along said right of way a distance of 25 feet; thence northwesterly along said right of way a distance of 80 feet to the point at which said right of way narrows to 66 feet; thence northeasterly along said right of way a distance of 25 feet; thence northwesterly along said railroad right of way a distance of 430 feet, more or less to a point on the east right of way line of Northern Boulevard; thence South 4 degrees 03 minutes west along said right of way line a distance of 340 feet more or less to the point of beginning.

HWY 24 INVESTMENTS LLC / 15-940-04-10-00-0-00-000

TRACT 1: Lots 3, 4 and 5, Giorgian Court, a subdivision in Independence, Jackson County, Missouri, according to the recorded plat thereof. TRACT 2: All that part of the southwest quarter of the southeast quarter of section 34, township 50, range 32, in Independence, Jackson County, Missouri, described as follows: beginning at a point on the west line of River Boulevard 288.38 feet northerly of the point of intersection of the north line of U.S. Highway No. 24 and the west line of River Boulevard; thence north 60.06 feet; the west 420.37 feet; thence south 60 feet; thence east 416.98 feet to beginning. And All that part of the southwest quarter of the southeast quarter of section 34, township 50, range 32, in Independence, Jackson County, Missouri, described as follows: beginning at a point on the center of River Boulevard 268.36 feet northerly of the point of intersection of the north line of U.S. Highway No. 24 and the center line of River Boulevard; thence northerly 20.02 feet along center line of River Boulevard; thence west 447.01 feet; thence south 20 feet; thence east 445.87 to the point of beginning, subject to that part in River Boulevard. And The west 0.64 feet of the following described property: All that part of the southwest quarter of the southeast quarter of section 34, township 50, range 32, in Independence, Jackson County, Missouri described as follows: beginning at a point on the west line of River Boulevard, said point being the intersection of the north line of U.S. Highway No. 24 and the west line of River Boulevard; thence west 400.64 feet to the southeast corner of lot 5, Giorgian Court, a subdivision in Independence, Jackson County, Missouri; the north 268.75 feet; thence east 415.87 feet to the west line of River Boulevard; thence south 268.36 feet to beginning. And All that part of the southwest quarter of the southeast quarter of section 34, township 50, range 32, in Independence, Jackson County, Missouri, described as follows: beginning at the intersection of the center line of River Boulevard and the original north line of Independence Avenue (extended as U.S. Highway #24); running the west with said original north line 430 feet; thence north 280 feet; thence east parallel with southeast ¼ of said section 34, township 50, range 32, to the center line of River Boulevard; thence southerly along said center line of River Boulevard to the point of beginning, except parts of said tract in said Independence Avenue (extended as U.S. Highway #24) and in said River Boulevard.

BRANDON J FRYER / 27-110-01-03-00-0-00-000 & 27-110-01-02-00-0-00-000

TRACT 1: all that part of the East ½ of the Northeast ¼ of Section 4, Township 49, Range 32, described as follows: beginning at a point on the southerly line of U.S. Highway No. 24, 436-1/14 feet west and 49.88 feet south of the northeast corner of said section 4; thence south along the east line of lot 3, DAGMAR ADDITION, 175 feet; thence east 232.11 feet; thence north 175 feet to the southerly line of U.S. Highway No. 24; thence westerly along the southerly line of U.S. Highway No. 24, 232.0 feet to the point of beginning, all in Independence, Jackson County, Missouri. TRACT 2: all of lot 3, DAGMAR ADDITION, lying east of Claremont Avenue, a subdivision in Independence, Jackson County, Missouri.

SCHNEIDER BAILEY INC. / 27-110-01-01-01-0-00-000 & 27-110-01-01-02-0-00-000

Tract I: the East 50 feet of the following described tract: all of the Northeast Quarter of the Northeast Quarter of Section 4, Township 49, Range 32, in Independence, Jackson County, Missouri, described as follows: Beginning at a point on the East line of Section 4, said point being 50 feet South of the center line of U.S. Highway 24; thence South along the East line of said Section 175 feet, thence West 204.07 feet; thence North 175 feet to the South line of said Highway 24; thence East 204.7 feet to point of beginning. Tract II: all of the Northeast Quarter of the Northeast Quarter of Section 4, Township 49, Range 32, in Independence, Jackson County, Missouri, described as follows: beginning at a point on the East line of Section 4, said point being 50 feet South of the center line of U.S. Highway No. 24; thence South along the East line of said Section 175 feet, thence West 204.07 feet; thence North 175 feet to the South line of said Highway 24; thence East 204.7 feet to point of beginning, Except the East 50 feet thereof.

ALONSO ALEMAN, ET AL / 26-320-05-08-00-0-00-000

All that part of the Northwest Quarter of Section 3, Township 49, Range 32, in Independence, Jackson County, Missouri, described as follows: Beginning at a point 48.79 feet South of the Northwest corner of Section 3, Township 49, Range 32, said point being on the South line of the right of way of U.S. Highway No. 24 (50 feet from the center line thereof); thence East along the right of way line 272 feet; thence South along the West line of tract described in Book I-237 at Page 346, in the Recorder's Office, 177.27 feet to the Southwest corner thereof; thence West parallel to and 225 feet South of the North line of said Section 273.79 feet to the West line of said Section; thence North 176.21 feet to the point of beginning, except that part in streets or roads.

FCFS MO INC. / 26-320-05-43-00-0-00-000

Tract I: the west half of the following described tract; beginning 40 feet South and 272 East of the Northwest corner of the Northwest Quarter of the Northwest Quarter of Section 3, Township 49, Range 32, in Jackson County, Missouri; thence East 155 feet; thence South 185 feet; thence West 155 feet; thence North 185 feet to beginning, except that part in U.S. Highway No. 24. Tract II: the East half of the following described tract: beginning 40 feet South and 272 feet East of the Northwest corner of the Northwest Quarter of the Northwest Quarter of Section 3, Township 49, Range 32, in Jackson County, Missouri; thence East 155 feet; thence South 185 feet; thence North 185 feet beginning, except that part in U.S. Highway No. 24.

MCDONALDS CORPORATION / 15-930-25-06-00-0-00-000

The south 200 feet of the west 30 feet of Lot 1 and all of Lot 2, Christopher Heights, a subdivision partly in Independence and partly in Sugar Creek and wholly in Jackson County, Missouri, according to the recorded plat thereof.

SARINH SON LLC / 26-320-05-03-00-0-00-000

All that part of the Northwest Quarter of Section 3, Township 49, Range 32, in Independence, Jackson County, Missouri, described as follows: Commencing at the Northwest corner of the Northwest Quarter of Section 3, Township 49, Range 32; thence along the North line of said section due East 733.60 feet (Deed=782 feet); thence South 1 degree 18 minutes 20 seconds East 45.69 feet to the true point of beginning of this tract, said point being on the present South right of way line of Highway 24 (50 feet from the center line thereof); thence along said South right of way line parallel to and 50 feet from said center line South 89 degrees 42 minutes 20 seconds East 200.03 feet; thence along the West line of tract described in Document No. I-255666, South 1 degree 19 minutes 20 seconds East 178.28 feet; thence parallel to and 225 feet South of the North line of said quarter section due West 200 feet; thence along the East line of tract described in Document No. 420555; North 1 degree 18 minutes 20 seconds West 179.31 feet to the true point of beginning.

GARY & ELIZABETH SIMONS / 26-320-05-42-00-0-00-000

A tract of land located in the northwest quarter of the northwest quarter of section 3, township 49, range 32, City of Independence, Jackson County, Missouri, more particularly described as follows: commencing at the northwest corner of the northwest quarter of section 3; thence south 88 degrees 52 minutes 03 seconds east, along the north line of said northwest quarter section, a distance of 984.91 feet; thence south 1 degree 25 minutes 37 seconds west, a distance of 46.71 feet, to a point on the south right of way line of Missouri Highway No. 24, as now established, said point being the POINT OF BEGINNING; thence south 88 degrees 34 minutes 23 seconds east, along said south highway right of way line, a distance of 149.23 feet; thence south 0 degrees 04 minutes 08 seconds east, a distance of 173.99 feet; thence south 88 degrees 34 minutes 23 seconds east, 26 feet north of and parallel with the north line of lot 44, STEWART PLACE, a subdivision of land in Independence, Missouri, according to the recorded plat thereof, a distance of 160.00 feet, to a point on the West right of way line of Forest Avenue, as now established; thence south 0 degrees 04 minutes 08 seconds East,

along said west right of way line, a distance of 26.01 feet, to the northeast corner of said lot 44; thence north 88 degrees 34 minutes 23 seconds west, along the north line of said lot 44, a distance of 160.00 feet, to the northwest corner of said lot 44; thence south 0 degrees 04 minutes 08 seconds East, along the West line of said lot 44, a distance of 104.03 feet (meas.) 104.02 feet (plat), to a point on the North line of Lot 43, of said STEWART PLACE; thence north 9 degrees 59 minutes 36 seconds West, along the north line of said lot 43, a distance of 40.00 feet, to the northwest corner of said Lot 43; thence north 40 degrees 09 minutes 30 seconds west, along the northeasterly line of lots 52 and 53, of said STEWART PLACE, a distance of 169.54 feet (meas.) 170.43 (plat) 168.63 feet (deed), to the northeast corner of lot 54 of said STEWART PLACE, thence north 0 degrees 04 minutes 08 seconds west, a distance of 178.16 feet, to the POINT OF BEGINNING. AND All of lot 44, STEWART PLACE, a subdivision in Independence, Jackson County, Missouri.

CASEYS MARKETING COMPANY / 26-320-05-41-00-0-00-000

All that part of the northwest ¼ of the northwest ¼ of section 3, township 49, range 32, in Independence, Jackson County, Missouri, described as follows: beginning at a point on the west right-of-way line of Forest Avenue, as now established, said point being 26.01 feet north of the northeast corner of lot 44, Stewart Place, a subdivision in Independence, Jackson County, Missouri, as measured along said west right-of-way line; thence north 88 degrees 29 minutes 35 seconds west, along a line 26.00 feet north of and parallel to the north line of said lot 44, a distance of 160.06 feet to a point on a line drawn 200.00 feet west of and parallel to the east line of said ¼ ¼ section, as measured at right angles thereto; thence north 0 degrees 0 minutes 0 seconds east along said parallel line, a distance of 173.86 feet to a point on the south right-of-way line of U.S. Highway No. 24 (Independence Avenue), as now established; thence south 88 degrees 31 minutes 31 seconds east, along said south right-of-way line, a distance of 160.05 feet to the intersection of said south right-of-way line with the west right-of-way line of said Forest Avenue; thence south 0 degrees 0 minutes 0 seconds east along said west right-of-way line, a distance of 173.95 feet to the point of beginning.

COLE CV INDEPENDENCE MO LLC / 27-110-04-42-00-00-0-00-000 (NOTE: owner is Vereit Real Estate LP)

Part of lots 7 through 10 inclusive, Fairmount Highlands, a subdivision of land in the northeast quarter of section 4, township 49 north, range 32 west, Independence, Jackson County, Missouri; commencing at the northwest corner of said northeast quarter of section 4; thence S87 degrees 37 minutes 09 seconds E, along the north line of said northeast quarter, a distance of 1082.15 feet to the northerly prolongation of the west line of said lot 10, at a point 1.75 feet left of station 140+61.28; thence S 01 degrees 07 minutes 48 seconds W, along said prolongation, a distance of 51.75 feet to the south boundary line of U.S. Highway No. 24, at a point 50.00 feet right of station 140+62.41; thence S 87 degrees 37 minutes 06 seconds E, along said south boundary line, a distance of 24.82 feet to the point of beginning, at a point 50.00 feet right of station 140+87.22; thence S 87 degrees 37 minutes 06 seconds E, continuing along said south boundary line, a distance of 198.22 feet to a point 50.00 feet right of station 142+85.44; thence S 42 degrees 30 minutes 17 seconds E, continuing along said south boundary line, a distance of 6.78 feet to a point 54.80 feet right of station 142+90.22; thence N 79 degrees 43 minutes 38 seconds W, a distance of 13.12 feet to a point 53.00 feet right of station 142+77.22; thence N 87 degrees 37 minutes 06 seconds W, a distance of 190.00 feet to a point 53.00 feet right of station 140+87.22; thence N 02 degrees 22 minutes 54 seconds E, a distance of 3.00 feet to the point of beginning. Containing 609 square feet, more or less.

WAITS, DENNIS, ET AL / 27-120-02-01-00-0-00-000

Lots 1 and 2, Block 1, Hutchins Park, a subdivision in Independence, Jackson County, Missouri, according to the recorded plat thereof.

KENNETH W. CASEBIER / 27-120-03-01-00-0-00-000

Lots 3 and 4, Block 2, Hutchins Park, a subdivision in Independence, Jackson County, Missouri.

CHAUDHRY KHAN / 27-120-03-18-00-0-00-000

Tract I: Lots One (1) and Two (2), Block Two (2), Hutchins Park, a subdivision in Jackson County, Missouri, according to the recorded plat thereof. Subject to easements, reservations, restriction, party wall agreements, zoning laws, existing leases and tenancies, ad valorem taxes and special assessments now levied or assessed against said land; Subject, further, to all encroachments of the improvements on said land over, on or under any adjoining land. Tract II: Lot One (1) Block Five (5) Hutchins Park, 607 Lake Drive, Independence, Missouri, a subdivision of land in Jackson County, Missouri.

SUPANCIC FRANK / 27-120-06-77-00-0-00-000

Tract I: all of Lots 368, 369, 370, 371 and 372, Fairmount, a subdivision in Independence, Jackson County, Missouri, according to the recorded plat thereof. Tract II: all of Lot 1, Block 6, Hutchins Park, a subdivision in Independence, Jackson County, Missouri, according to the recorded plan thereof. Tract III: the North 20.0 feet of Lot 2, Block 6, Hutchins Park, a subdivision in Independence, Jackson County, Missouri, described as follows: Beginning at the Northwest corner of Lot 2, thence South along the West line of said Lot 2, 20.0 feet; thence East at right angles to the last described course 34.51 feet to the West line of Lake Drive; thence Northwesterly along said West line of Lake Drive 21.34 feet to the Northeast corner of said Lot 2, thence West 27.02 feet to the point of beginning.

LA CUADRA RESTAURANT LLC / 27-120-08-33-00-0-00-000

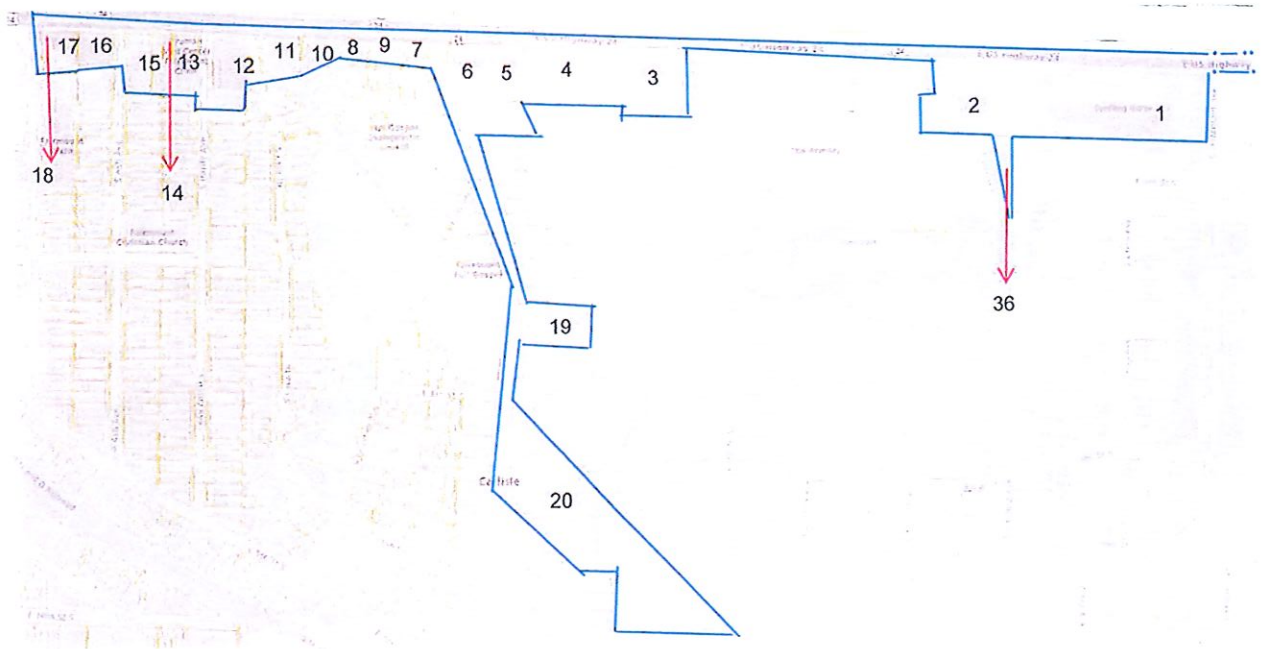
Part of the Northwest ¼ of the Northwest ¼ of Section 4, Township 49, Range 32, including all of Lot 496 and a part of Lot 497, in Fairmount, a subdivision in Independence, Jackson County, Missouri, described as follows: beginning at a point on the South line of Independence Avenue 45.1 feet East of the Northwest corner of said Lot 497; and running thence East on the South line of Independence Avenue, 114.9 feet to the Northeast corner of said Lot 496; thence South on the East line of said Lot 496 to the Southeast corner 01 said Lot 496; thence West parallel to the South line of Independence Avenue, 141.03 feet to the East line of Huttig Avenue at the Southwest corner of said Lot 497; thence Northerly on the East line of Huttig Avenue to the intersection of said East line with a line located 90 feet South of and parallel to the South line of Independence Avenue; thence East parallel to Independence Avenue and 90 test South thereof to a point 20 feet East of East line of said Lot 497; thence North parallel to East line of said Lot 497 .90 feet to the place of beginning. EXCEPT: Commencing at the Southeast corner of Lot 496, Fairmount, a subdivision in Independence, Jackson County, Missouri; thence West along the south property line 100.0 feet to a point designated as point "A"; thence North 2.0 feet; thence Northeasterly 100.02 feet, more or less, to a point on the East line of Lot 496, Fairmount, said point being 4.0 feet from point of beginning; thence South along the East line of Lot 496, Fairmount, 4.0 feet to point of beginning, and also EXCEPT: Commencing at point "A", North 15.0 feet; thence West 43.0 feet, more or less, to the East line of Huttig right-of-way as established; thence Southeasterly along the East right-of-way line of Huttig 15.0 feet, more or less, to the southwest corner of Lot 497, Fairmount; thence East along the North line of Lot 495, Fairmount, 40.0 feet, more or less, to point of beginning.

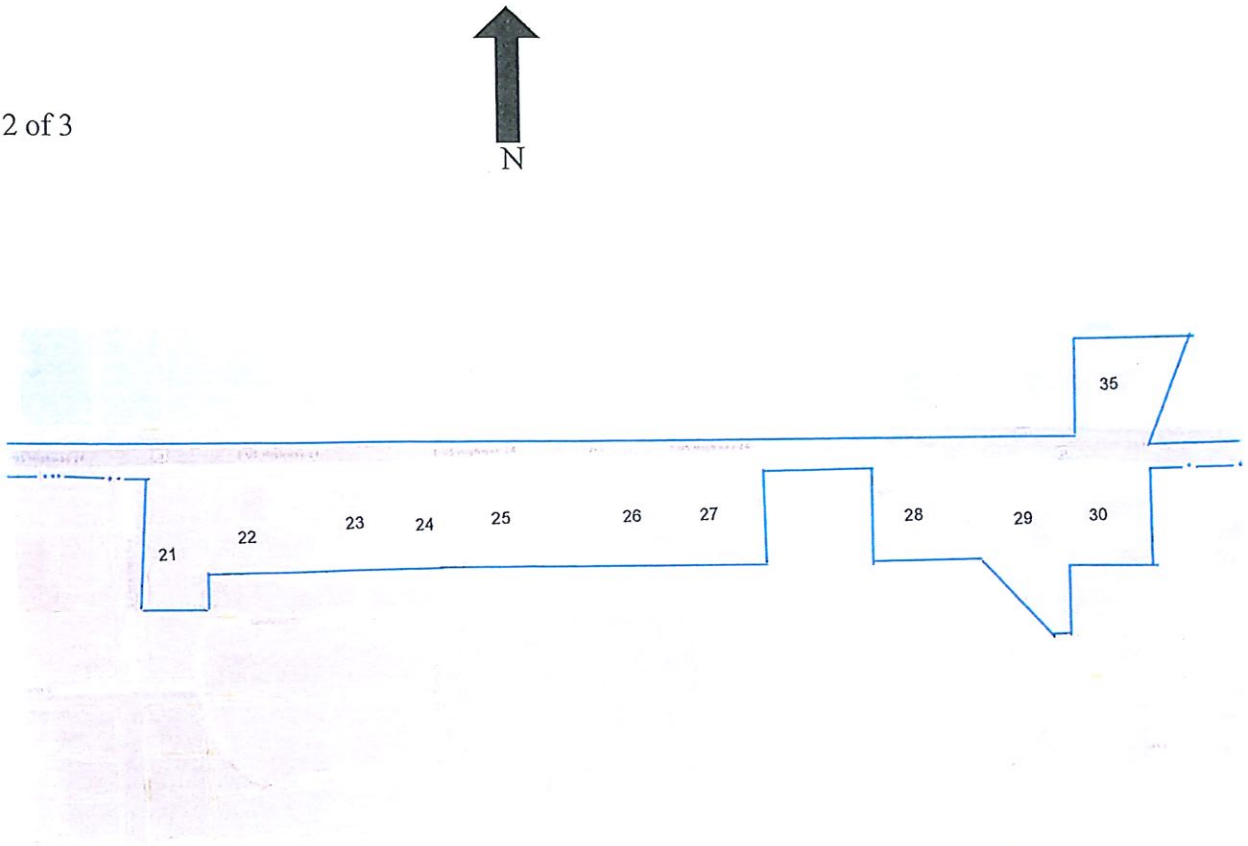
Included within the District is the right-of-way of U.S. 24 Highway beginning on the west side of Huttig Avenue then continuing along the north right-of-way of U.S. 24 Highway to the east side of Forest Avenue. Also included within the District is all of the right-of-way of S. Northern Blvd. from U.S. 24 Highway south to approximately 100 feet south of the intersection of E. 9th Street S. All as shown on the District Boundary Map.

EXHIBIT B
DISTRICT BOUNDARY MAP
&
PARCEL LOCATOR

See Attached

N

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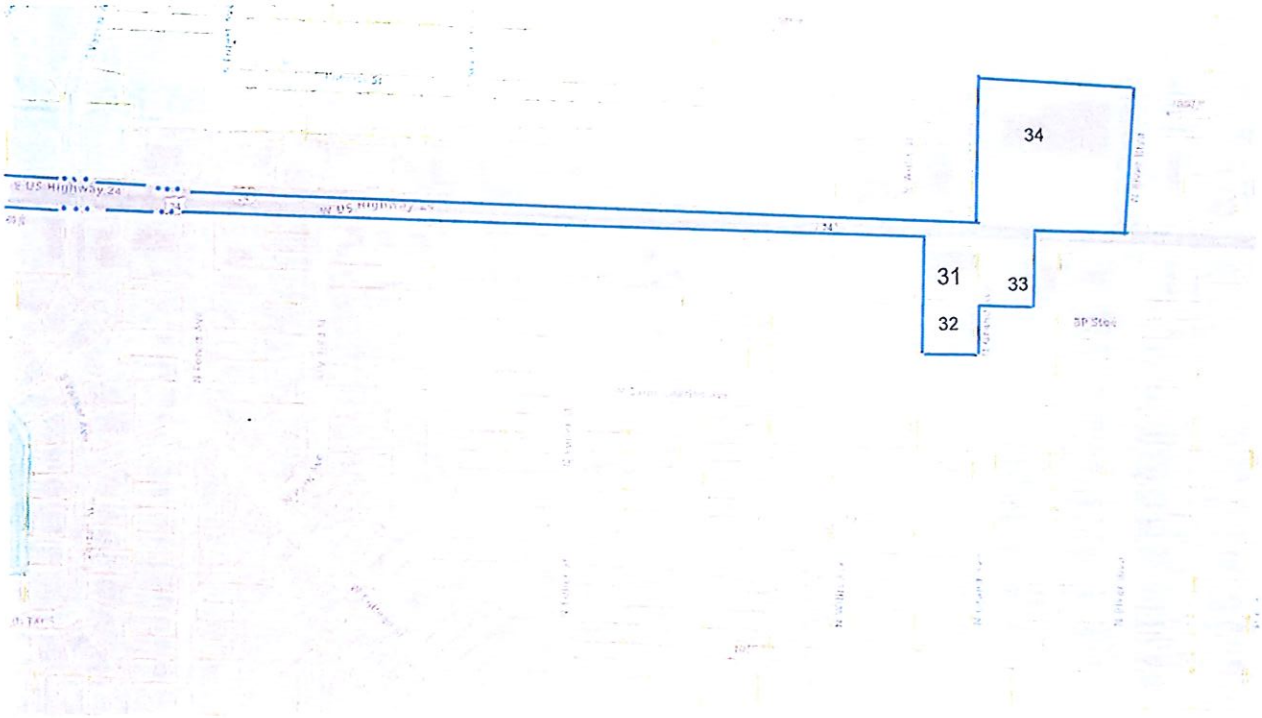


#	PROPERTY OWNER	PARCEL(S)	PROPERTY ADDRESSS
33	Fabian and Karen Bauer	26-310-04-04-01-0-00-000	1013 W 24 Hwy
32	Fabian and Karen Bauer	26-310-05-10-00-0-00-000	914 N Grand Ave
31	FRKE Properties LLC	26-310-05-01-00-0-00-000	1101 W 24 Hwy
27	Quarter King LLC	26-320-05-05-00-0-00-000	11525 W 24 Hwy
1	Silver Shield LLC	27-110-02-06-01-0-00-000	11201 E US 24 Hwy Ste A
36	City of Independence	27-110-06-01-00-0-00-000	600 S Sterling Ave
3	Community Service League of Jackson CO	27-110-05-03-00-0-00-000	10725 E US 24 Hwy
4	AGT Property Management LLC	27-120-01-17-00-0-00-000	10713 E Independence Ave
5	Paul J. Wrabec Co., Inc.	27-120-01-24-00-0-00-000	10609 E Independence Ave
6	Burton Street Dolphins LLC	27-120-01-22-00-0-00-000	10601 E Independence Ave
9	Pink Cap LLC	27-120-02-02-00-0-00-000	10517 E US 24 Hwy
8	Pink Cap LLC	27-120-02-05-00-0-00-000	10521 E Independence Ave
14	Fairmount Redevelopment Corporation	27-120-07-03-00-0-00-000	10317 E US 24 Hwy
13	Truman Medical Center, Inc.	27-120-07-36-00-0-00-000	10313 E US 24 Hwy
15	Truman Medical Center, Inc.	27-120-07-37-00-0-00-000	605 S Ash Ave
16	Miguel A. Arias	27-120-08-01-00-0-00-000	10221 E Independence Ave
18	Structural Glass Systems, Inc.	27-120-08-04-00-0-00-000	10201 E US 24 Hwy
19	Wikupua Properties LLC	27-120-17-02-00-0-00-000	733 S Northern Blvd
20	801-901 South Northern Boulevard LLC	27-120-18-01-00-0-00-000	801 S Northern Blvd
34	Hwy 24 Investments	15-940-04-10-00-0-00-000	1000 W US 24 Hwy
22	Brandon Fryer	27-110-01-03-00-0-00-000	11225 E US 24 Hwy
22	Brandon Fryer	27-110-01-02-00-0-00-000	11301 E US 24 Hwy
23	Schneider Bailey Inc.	27-110-01-01-01-0-00-000	11403 E US 24 Hwy
24	Schneider Bailey Inc.	27-110-01-01-02-0-00-000	11405 E US 24 Hwy
25	Aleman, Alonso et al	26-320-05-08-00-0-00-000	11407 E US 24 Hwy
26	FCFS MO Inc.	26-320-05-43-00-0-00-000	11501 W US 24 Hwy
35	McDonalds Corp	15-930-25-06-00-0-00-000	11700 W US 24 Hwy
28	Sarinh Son LLC	26-320-05-03-00-0-00-000	11701 W US 24 Hwy
29	Simons Gary/Elizabeth	26-320-05-42-00-0-00-000	11707 W US 24 Hwy
30	Casey's Marketing Co	26-320-05-41-00-0-00-000	11715 W US 24 Hwy
2	Cole CV Independence MO	27-110-04-42-00-0-00-000	11125 E US 24 Hwy
7	Waits Dennis et al	27-120-02-01-00-0-00-000	10541 E Independence Ave
10	Kenneth Casebier	27-120-03-01-00-0-00-000	10503 E Independence Ave
11	Chaudhry Khan	27-120-03-18-00-0-00-000	10501 E US 24 Hwy
12	Frank Supanic	27-120-06-77-00-0-00-000	10401 E Independence Ave
17	La Cuadra Restaurant	27-120-08-33-00-0-00-000	10203 E Independence Ave

EXHIBIT C
FIVE-YEAR PLAN
ESTIMATED COSTS OF IMPROVEMENTS AND SERVICES*

		Year 1 2024	Year 2 2025	Year 3 2026	Year 4 2027	Year 5 2028
A.	Estimated Sales Tax Revenue (1%)	$100,250	$100,250	$100,250	$100,250	$100,250
B.	Expenditures					
1	Public Improvements	$50,000	$50,000	$50,000	$50,000	$50,000
2	Private Improvements	$20,000	$20,000	$20,000	$20,000	$20,000
3	Economic Development Activities	$20,000	$20,000	$20,000	$20,000	$20,000
4	Administration	$10,000	$10,000	$10,000	$10,000	$10,000
Expenditures Total						
C.	Gain or (Loss)	$1,250	$1,250	$1,250	$1,250	$1,250
	CID Fund Balance	$1,250	$2,500	$3,750	$5,000	$6,250

Notes:

A The sales tax may only be levied after an approved board resolution and sales tax election in accordance with the CID Act. Any approved sales tax will not become effective until the first day of the second quarter following the approval of such tax. Any revenues generated by the District's sales tax will be subject to capture within any tax increment financing districts within the District.

1 The Public Improvements may include streetscape, amenities, landscaping, janitorial/cleaning services, signage, banners, public artwork, maintenance and other improvements, as more specifically set forth in Section III of this Petition.

2 Upon a finding of blight by the City Council, the District may contract with private owners to demolish, renovate, or rehabilitate privately-owned buildings/structures in the District. Such improvements may be subject to a matching contribution requirement.

3 Economic Development activities may include events, advertising, promotion, and other activities.

4 Administration may include legal, accounting, reporting, insurance, election costs, and other costs associated with the maintenance of the CID.

* To the extent the actual revenue and costs of improvements and services are in variance of with this five-year plan, the District's budget will be modified by the Board on an annual basis.

EXHIBIT D
BLIGHT ANALYSIS
For
FAIRMONT COMMUNITY IMPROVEMENT DISTRICT

See attached

The Fairmount area of the City of Independence (City) is a typical aging commercial area. Once considered a thriving retail center, Fairmount struggles to remain relevant. Over the years, there have been numerous discussions with and among property owners about programs that might be available to assist with redevelopment. Recently, community leaders, together with property owners, decided to pursue formation of the Fairmount Community Improvement District (CID) as a way to beautify the area and possibly provide incentives to property owners to reinvest in the area.

As a result, this Blight Analysis is prepared for the Fairmount Community Improvement District (Fairmount CID) for the purpose of submission to the City of Independence as a component of the Fairmount CID Petition. The Fairmount CID is requesting the City to declare the area within the Fairmount CID to be a Blighted Area pursuant to Section 67.1421.23 (i) R.S.Mo.

A Blighted Area as defined in Section 99.805 (I) R.S.Mo and incorporated into Section 67.1401.2 (3) R.S.Mo is "an area which, by reason of the predominance of insanitary or unsafe conditions, deterioration of site improvements, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, or welfare in its present condition and use."

It is not necessary that each individual parcel be blighted but rather that the area as a whole is a Blighted Area. See, Maryland Plaza Redevelopment Corporation v. Greenberg, 594 S.W.2d.284 (MO.App.E.D.1979). The purpose of this Blight Analysis is to evaluate each parcel individually and together with all parcels within the Fairmount CID to determine whether it qualifies as a Blighted Area, as solely determined by the City Council of the City of Independence, Missouri.

There are 36 parcels within the Fairmount CID. They are generally encompassing the parcels along Highway 24 on the north side of the highway extending generally from S. Claremont Avenue to S. Grand Avenue, with some parcels along S. Northern Boulevard included within the Fairmount CID.

There are three major categories of conditions that if present, will permit the Fairmount CID to be deemed a Blighted Area. The three conditions are:

1. Predominance of insanitary or unsafe conditions
2. Deterioration of site improvements or
3. Existence of conditions which endanger life or property by fire or other causes.

Any single condition or any condition thereof which retards the provision of housing accommodations or constitutes an economic social liability or is a menace to the public health, safety or welfare in its present condition and use may be declared a Blighted Area.

Cause Component 1: Insanitary or Unsafe Conditions

There are several locations within the Study Area with unsafe or insanitary conditions, including trash/debris, broken glass, and poor condition of the parking lots may be tripping hazards. This is

indicia of property beginning to spiral downward due to a lack of minimum maintenance. In addition, a significant portion of the abutting streets lack adequate sidewalks, especially those along Northern Blvd. and the right-of-way in front of the Apple Market Shopping Center.

Examples of insanitary or unsafe conditions are shown below. 14 parcels in the Study Area exhibited this condition.

Parcel No. 27-110-04-42-00-0-00-000
Poor conditions of parking lot. Broken fence.

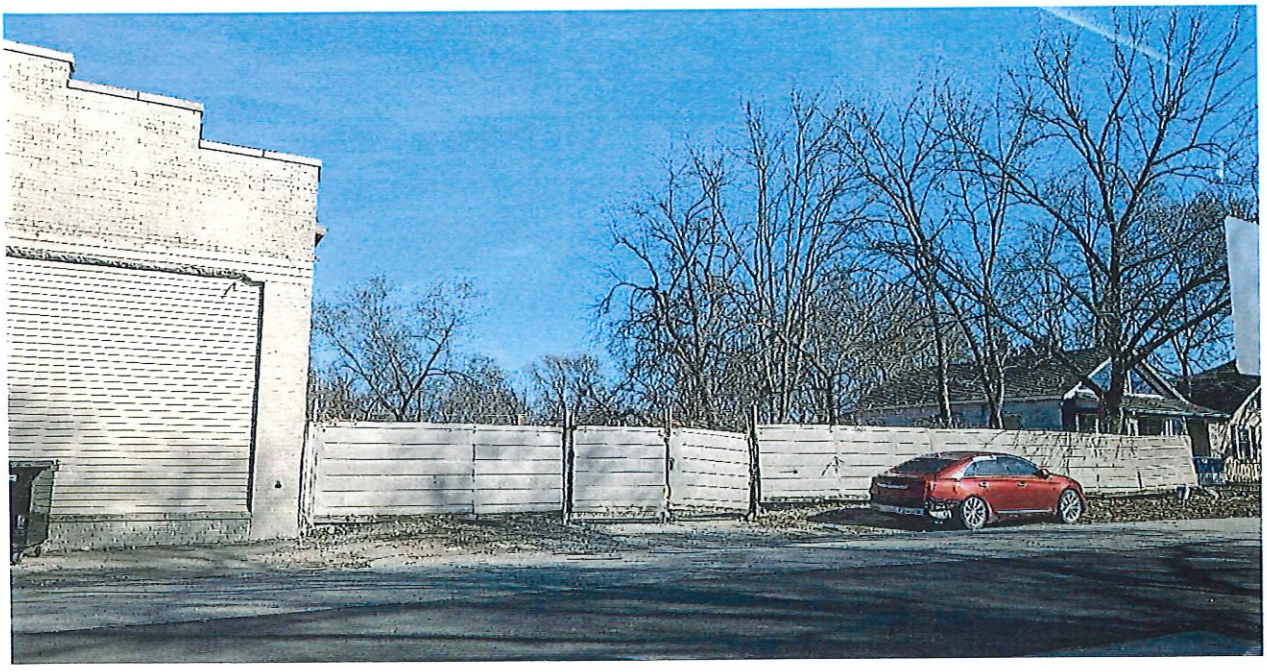
Parcel No. 27-110-04-42-00-0-0-00-000
Poor Condition of parking lot.

Parcel No. 27-120-01-24-00-0-00-000
Poor condition of parking lot. Boarded up building.

Parcel No. 27-120-02-02-00-0-00-000
Poor condition of parking lot. Broken cars.

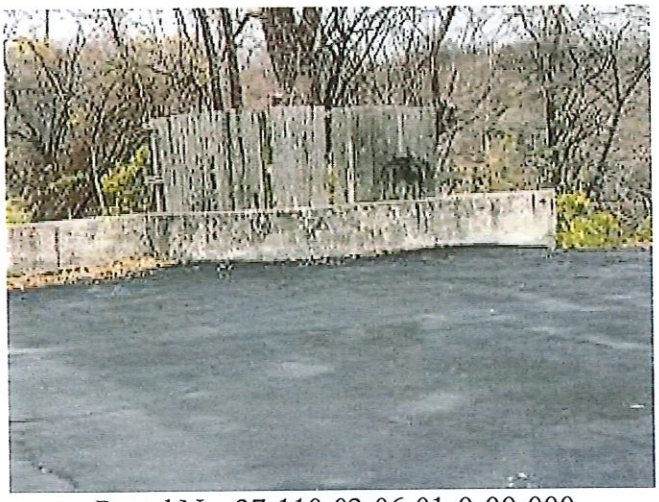
Parcel No. 27-120-02-05-00-0-00-000
Poor condition of parking lot.

Parcel No. 27-120-06-77-00-0-00-000
Broken windows. Sidewalk in disrepair.



Fence in disrepair.

Parcel No. 27-120-08-33-00-0-00-000
Curb deteriorating. Facade in disrepair.



Parcel No. 27-110-02-06-01-0-00-000
Trash enclosure in disrepair

Parcel No. 27-110-02-06-01-0-00-000
Broken fence

Parcel No. 26-320-05-03-00-0-00-000
Parking lot in disrepair

Parcel No. 26-320-05-43-00-0-00-000
Debris in lot

Parcel No. 26-320-05-03-00-0-00-000
Trash enclosure in disrepair

Parcel No. 27-110-01-02-00-0-00-000
Trash enclosure in disrepair

Parcel No. 15-940-04-10-00-0-000
Trash, broken driveway cement

Cause Component 2: Deterioration of Site Improvements

The condition of deterioration of site improvements was obtained through field study and observation of exterior conditions. Building deterioration included walls, fascia/soffits, exterior finishes, windows and fences/walls/gates. Other deteriorations included appearance, parking lots and trash enclosures.

Examples of deterioration of site improvements are shown below. 28 parcels in the Study Area exhibited this condition.

Parcel No. 27-110-02-06-01-0-00-000
Façade deteriorating.

Parcel No. 27-110-02-06-01-0-00-000
Exterior finish deteriorating.

Parcel No. 27-110-04-42-00-0-00-000
Broken curb. Parking lot deteriorating. Façade in need of improvement.

Parcel No. 27-110-04-42-00-0-00-000
Façade in need of improvement.

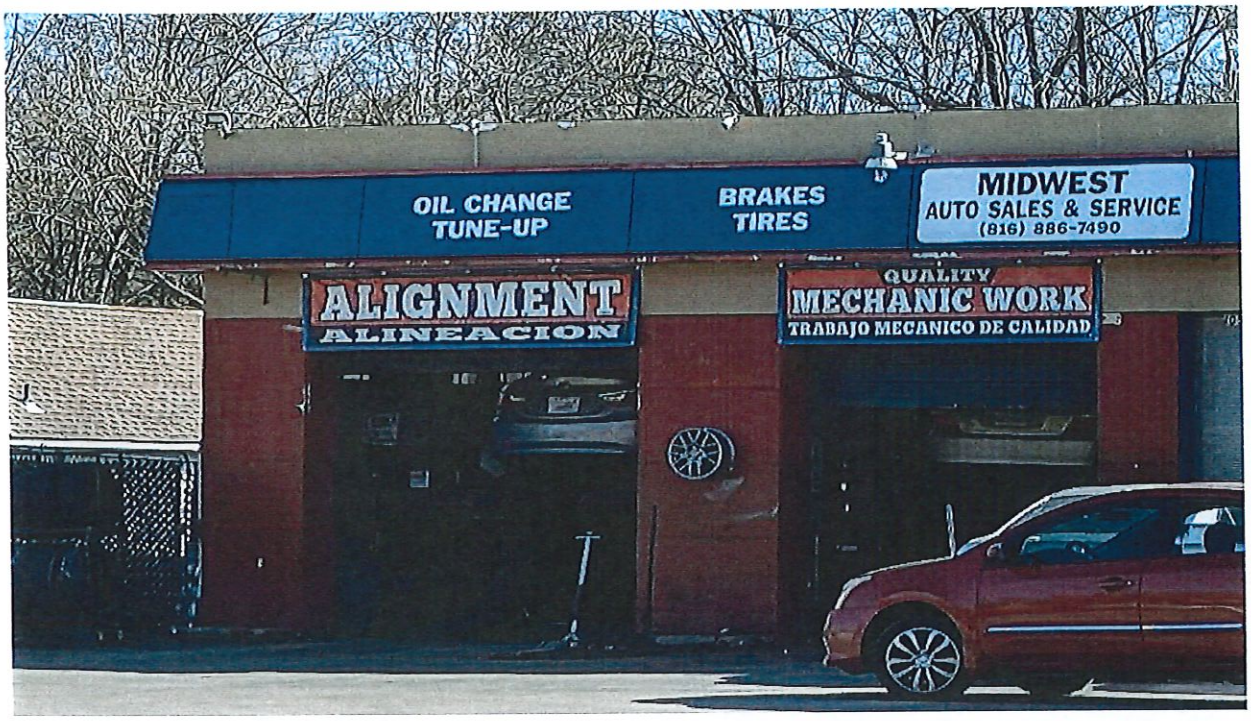
Parcel No. 27-110-04-42-00-0-00-000
Fence broken. Parking lot deterioration

Parcel No. 27-120-01-24-00-0-00-000
Building boarded up and in need of repair.

Parcel No. 27-120-02-02-00-0-00-000
Façade in need of repair. Parking lot and curbing deteriorating.

Parcel No. 27-120-02-05-00-0-00-000
Fence in need of improvement. Parking lot and curbing in need of repair.

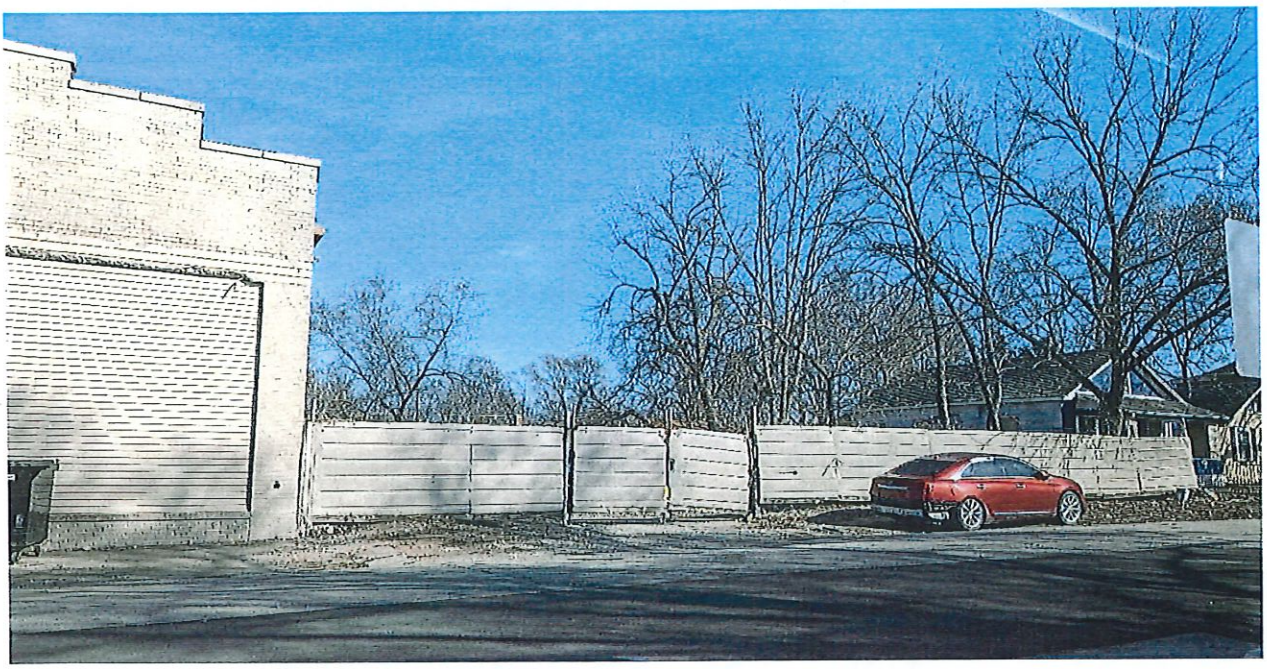
Parcel No. 27-120-02-05-00-0-00-000
Fence in need of repair.



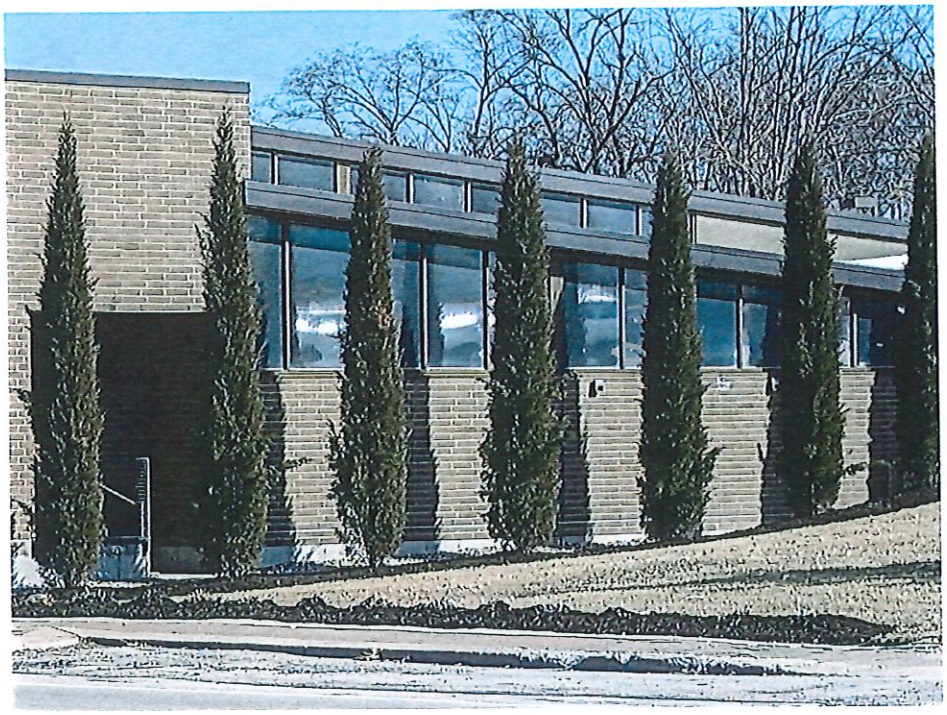
Parcel No. 27-120-03-18-00-0-00-000
Façade in need of repair.

Parcel No. 27-120-03-18-00-0-00-000
Façade in need of repair.

Parcel No. 27-120-06-77-00-0-00-000
Broken windows. Façade in need of improvement.



Parcel No. 27-120-06-077-00-0-00-000
Façade in need of repair. Fence in need of repair.



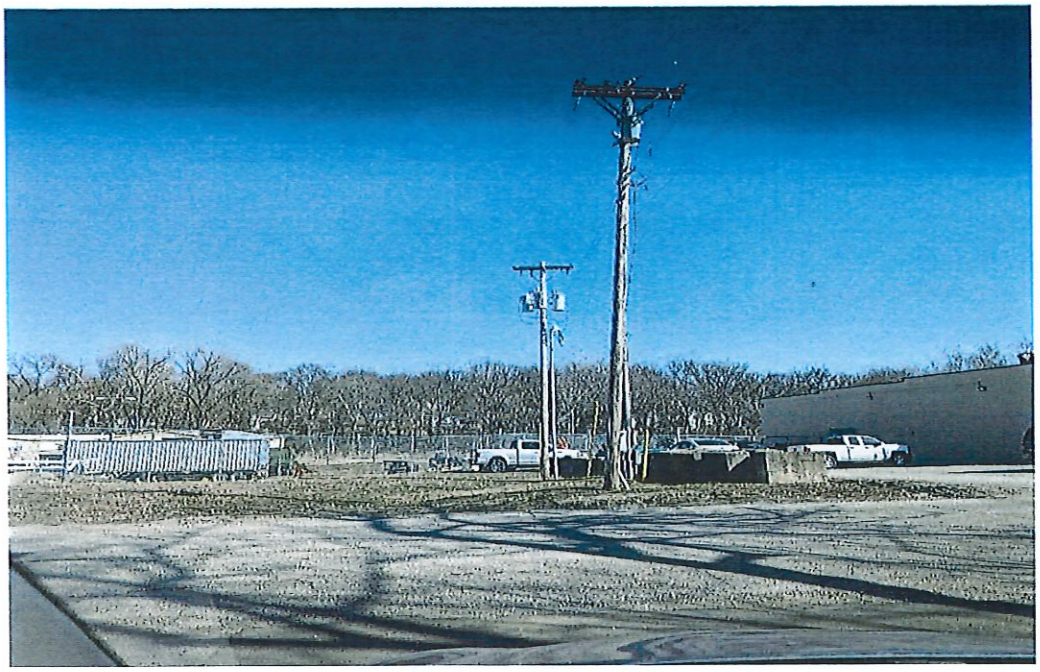
Parcel No. 27-120-07-36-00-0-00-000
Curbing in need of replacement.

Parcel No. 27-120-08-01-00-0-00-000
Roofing in need of replacement. Façade in need of repair.

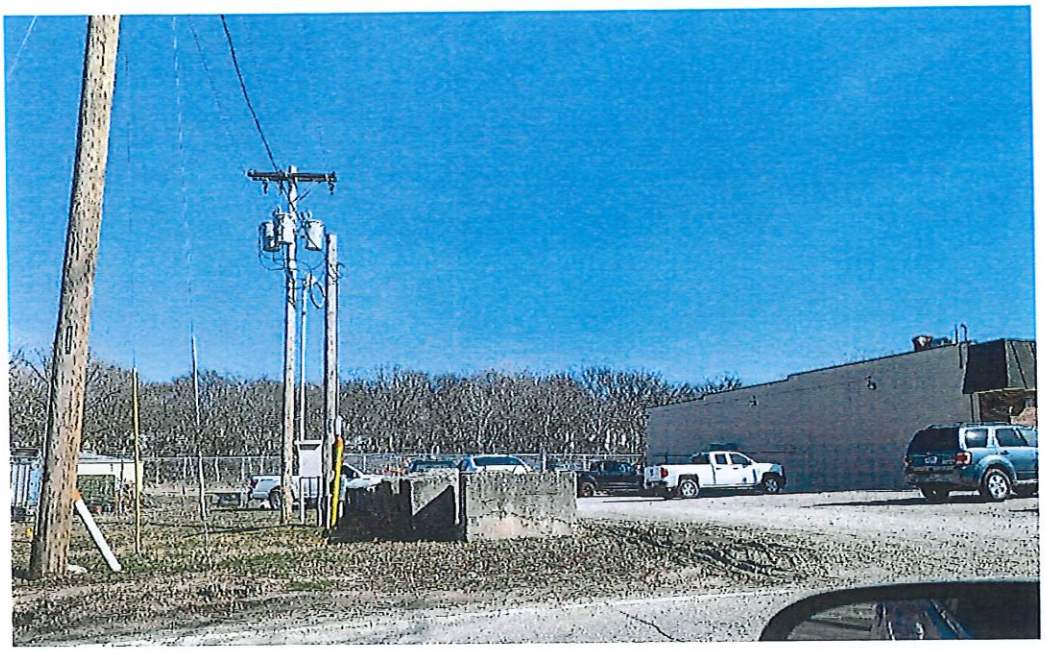
Parcel No. 27-120-08-33-00-0-00-000
Façade in need of improvement.

Parcel No. 27-120-17-02-00-0-00-000
No sidewalks

Parcel No. 27-120-17-02-00-0-00-000
No sidewalks



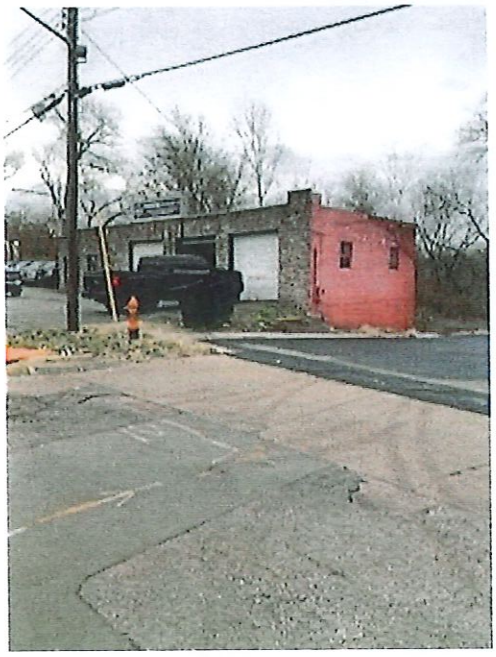
Parcel No. 27-120-18-01-00-0-00-000
No sidewalks.



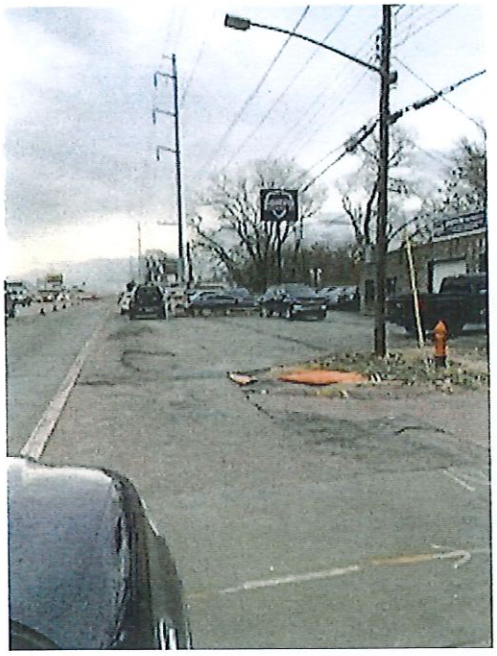
Parcel No. 27-120-18-01-00-0-00-000
No sidewalks

Parcel No. 27-120-18-01-00-0-00-000
No sidewalks.

Parcel No. 27-110-02-06-01-0-00-000
Broken driveway



Parcel No. 26-320-05-41-00-0-000
Building in disrepair



Parcel No. 27-110-21-01-01-0-00-000
27-110-21-01-02-0-00-000
Broken pavement/Cars in right-of-way

Parcel No. 26-320-05-08-00-0-00-000
Broken pavement

Parcel No. 26-320-05-08-00-0-00-000
Broken Curb

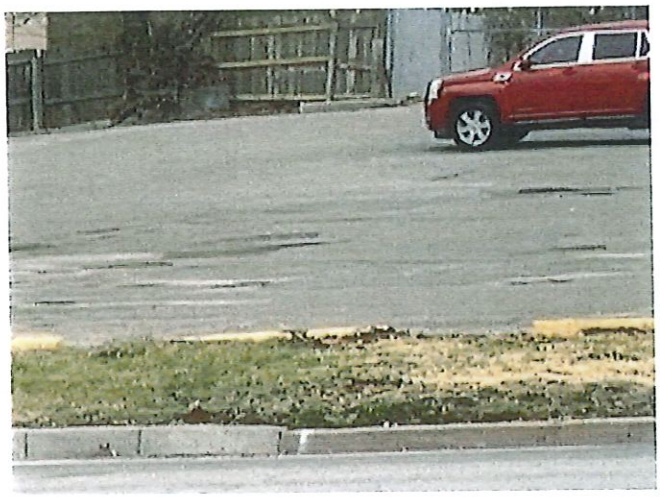
Parcel No. 26-320-05-03-00-0-00-000
Broken window in vacant building

Parcel No. 26-320-05-41-00-0-00-000
Broken wall

Parcel No. 26-320-05-41-00-0-00-000
Fence in disrepair

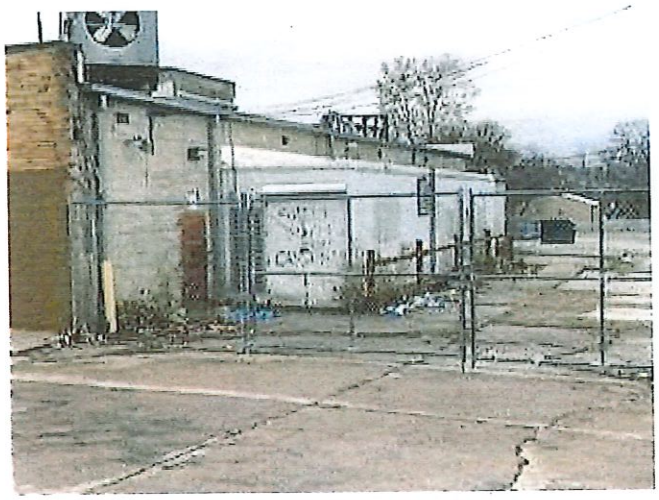
Parcel No. 26-310-04-04-01-0-00-000
Gravel parking lot with pothole

Parcel No. 15-940-04-09-00-0-00-000
Broken driveway pavement



Parcel No. 15-940-10-00-0-00-000
Broken pavement in parking lot

Parcel No. 15-940-10-00-0-00-000
Broken storefront sign

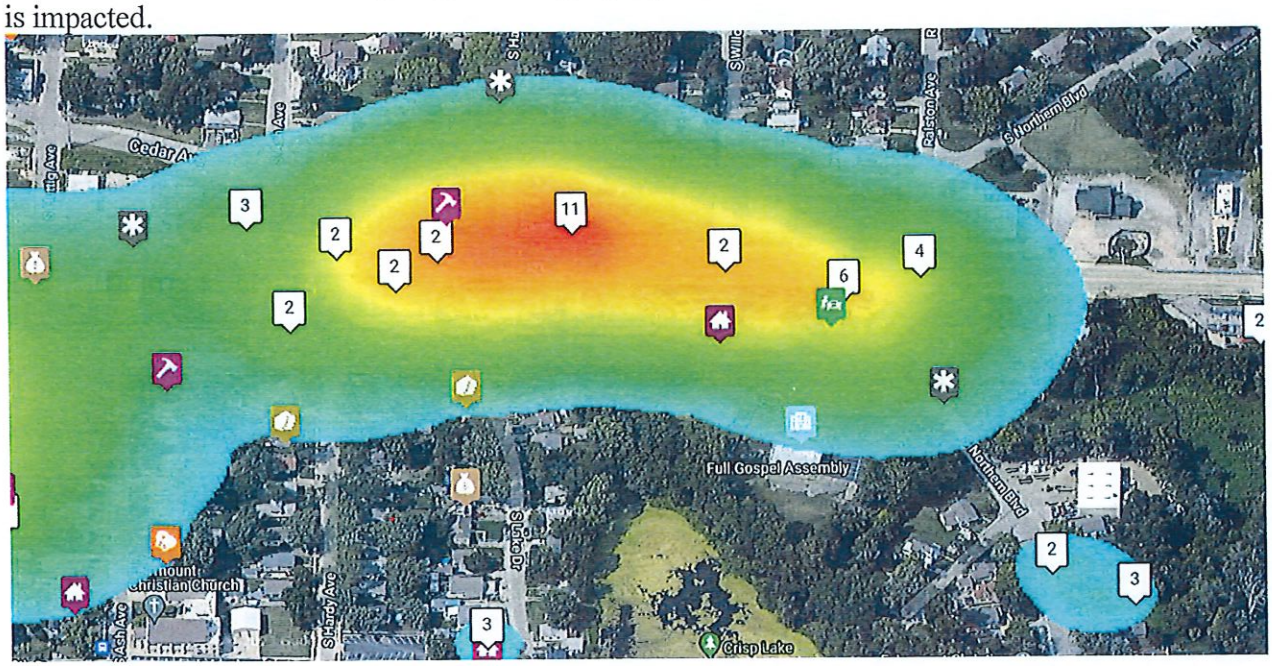


Parcel No. 15-940-04-10-00-0-000
Trash, broken driveway cement

Cause Component 3: Existence of Conditions which Endanger Life or Property by Fire and Other Causes

Fire safety information in the Study Area was not available.

An examination of crime data for the past twelve months, provided by LexisNexis, shows the number of incidents that have occurred with shoplifting, theft and vandalism the most frequent, which are indicative of endangering life and property. As can be readily seen, the entire study area is impacted.



Study Area	Parcels	%	Area	%
Total	36	100%	36.07	100%
Blighting Factors				
Insanitary or Unsafe Conditions	14	38.9%	10	27.2%
Deterioration of Site Improvements	28	77.7%	30	81.7%
Existence of Conditions which Endanger Life or Property by Fire and Other Causes	0	0%	0%	0.0%
Parcels with at least one blighting factor	30	83.3%	33.48	91.2%
Parcels with no blighting factors	6	16.7%	3.22	8.7%

*Area measurement is approximate.

** As noted above, the entire area is adversely impacted by incidents of crime.

Summary of Properties & Blighting Factors Present

Map #	Parcel Number	Address	Unsanitary or unsafe conditions	Deterioration of property	Endanger life or property by fire and other causes
1	27-110-02-06-01-0-00-000	11201 E. US 24 Hwy Ste A		■	■
2	27-110-04-42-00-0-00-000	11125 E. US 24 Hwy	■	■	■
3	27-110-05-03-00-0-00-000	10725 E US 24 Hwy			■
4	27-120-01-17-00-0-00-000	10713 E. Independence Ave			■
5	27-120-01-24-00-0-00-000	10609 E. Independence Ave	■	■	■
6	27-120-01-22-00-0-00-000	10601 E. Independence Ave	■		■
7	27-120-02-01-00-0-00-000	10541 E. Independence Ave	■	■	■
8	27-120-02-02-00-0-00-000	10517 E. US 24 Hwy		■	■
9	27-120-02-05-00-0-00-000	10521 E. Independence Ave		■	■
10	27-120-03-01-00-0-00-000	10503 E. Independence Ave			■
11	27-120-03-18-00-0-00-000	10501 E. US 24 Hwy		■	■
12	27-120-06-77-00-0-00-000	10401 E. Independence Ave	■	■	■
13	27-120-07-36-00-0-00-000	10313 E. US Hwy		■	■
14	27-120-07-03-00-0-00-000	10317 E. US Hwy		■	■
15	27-120-07-37-00-0-00-000	605 S. Ash Ave		■	■
16	27-120-08-01-00-0-00-000	10221 E. Independence Ave		■	■
17	27-120-08-33-00-0-00-000	10203 E. Independence Ave	■	■	■
18	27-120-08-04-00-0-00-000	10201 E. US 24 Hwy			■
19	27-120-17-02-00-0-00-000	733 S. Northern Blvd		■	■
20	27-120-18-01-00-0-00-000	801 S. Northern Blvd		■	■
21	27-110-01-03-00-0-00-000	11225 E US 24 Hwy		■	■
22	27-110-01-02-00-0-00-000	11301 E US 24 Hwy		■	■
23	27-110-01-01-01-00-000	11403 E US 24 Hwy			

24	27-110-01-01-02-00-000	11405 E US 24 Hwy			
25	26-320-05-08-00-0-00-000	11407 E US 24 Hwy	■	■	■
26	26-320-05-43-00-0-00-000	11501 W US 24 Hwy		■	■
27	26-320-05-05-00-0-00-000	11525 W US 24 Hwy			
28	26-320-05-03-00-0-00-000	11701 W US 24 Hwy		■	■
29	26-320-05-42-00-0-00-000	11707 W US 24 Hwy			
30	26-320-05-41-00-0-00-000	11715 W US 24 Hwy	■	■	■
31	26-310-05-01-00-0-00-000	1101 W US 24 Hwy			
32	26-310-05-10-00-0-00-000	914 N Grand Ave			
33	26-310-04-04-01-0-00-000	1013 W US 24 Hwy			
34	15-940-04-10-00-0-00-000	1022 W US 24 Hwy		■	■
35	27-110-06-01-00-0-00-000	600 S Sterling Ave		■	■
36	15-930-25-06-00-0-00-000	11700 W US 24 Hwy		■	■

Conclusion

As can be seen from the Summary the overwhelming number of parcels within the Fairmount CID are afflicted by at least one of the qualifying conditions. Many of the parcels have more than one qualifying condition. As of this Blight Analysis, the Fairmount CID contains conditions of Blight as defined and as such the CID area as a whole constitutes an economic and social liability and menace to the public health, safety and welfare in its present condition and use and therefore qualifies as a Blighted Area under the Act.

Additional Study Area Photos

Parcel No. 27-110-02-06-01-0-00-000
Façade in need of repair.
#2

Parcel No. 27-110-02-06-01-0-00-000
Façade in need of improvement.
#2

Parcel No. 27-110-06-01-0-00-000
Façade in need of improvement.
#2

Parcel No. 27-110-02-06-01-0-00-000
Façade in need of repair.
#2

Parcel No. 27-110-02-06-01-0-00-000
No sidewalks along U.S. 24 Highway.

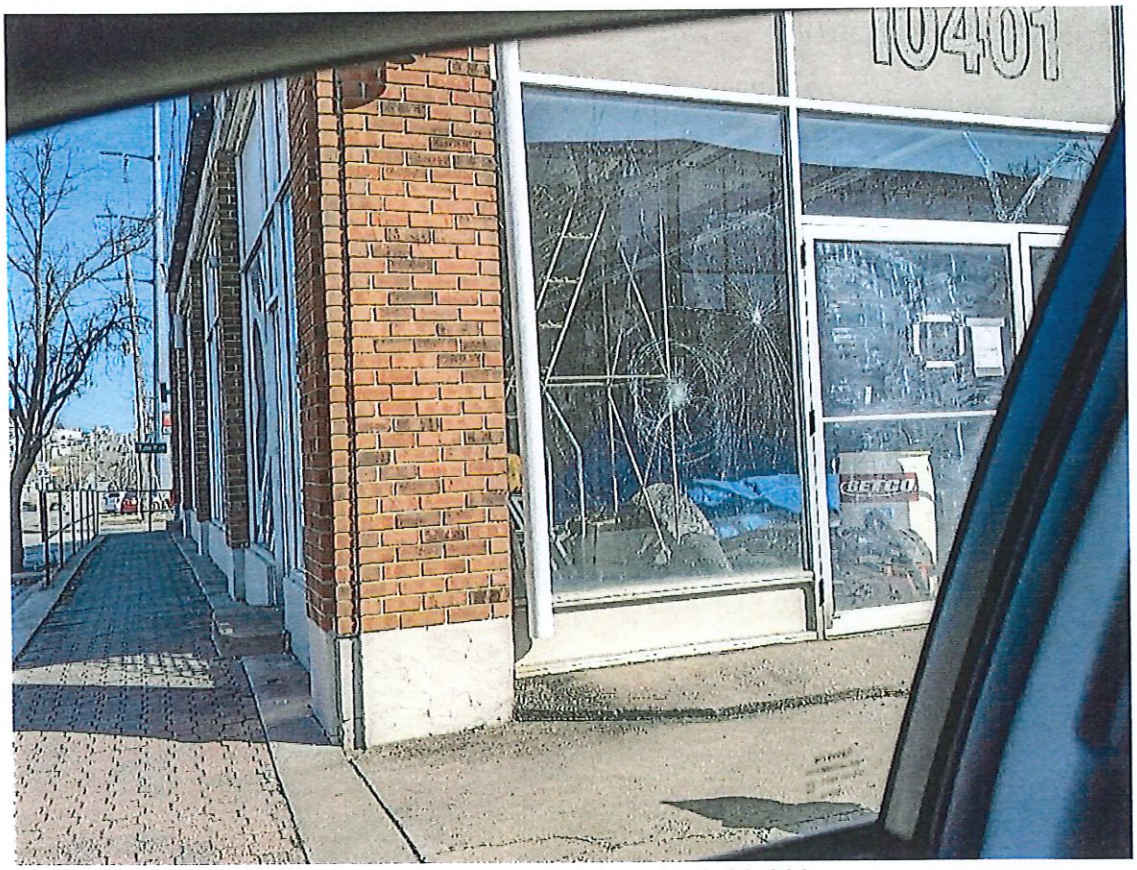
Parcel No.27-120-01-17-00-0-00-000
Curbing is deteriorating.

Parcel No. 27-120-01-24-00-0-00-000
No sidewalks.
#2

Parcel No. 27-120-01-22-00-0-00-000
Curbing in disrepair.
#2

Parcel No. 27-120-06-77-00-0-00-000
Façade in need of improvement.
#2

Parcel No. 27-120-06-77-00-0-00-000
Façade in need of improvement.
#2



Parcel No. 27-120-06-77-00-0-00-000
Drain spout exposed.
#2

Parcel No. 27-120-06-77-00-0-00-000
Façade in need of improvement.
#2

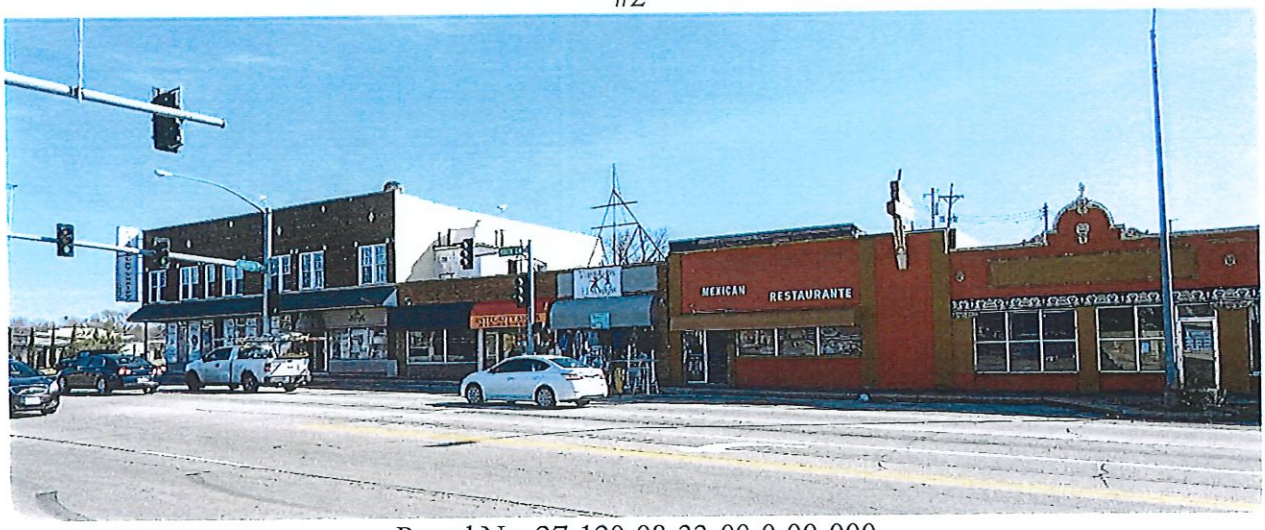
Parcel No. 27-120-07-36-00-0-00-000
Curbing deteriorating.

Parcel No. 27-120-07-36-00-0-00-000
Curbing deteriorating.

Parcel No. 27-120-07-37-00-0-00-000
Curbing in disrepair.

Parcel No. 27-120-08-01-00-0-00-000
Façade in need of repair

Parcel No. 27-120-08-33-00-0-00-000
Curbing in disrepair.
#2



Parcel No. 27-120-08-33-00-0-00-000
Façade of multiple buildings in need of improvement.
#2

Parcel No. 27-120-08-33-00-0-00-000
Curb in need of repair.
#2

Parcel No. 27-120-18-01-00-0-00-000
Wall in disrepair.
#2

Parcel No. 27-120-18-01-00-0-00-000
No sidewalks.
#2

CLERK'S RECEIPT OF PETITION

This Petition was filed in the office of the City Clerk of the City of Independence, Missouri on the 1st day of April, 2024.

Susanne Holland
City Clerk

[SEAL]

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Boards and Commission Memo

Department:	**Contact Person:**

REVIEWERS:

Department	**Action**
City Clerk Department	Approved

Council Action:	**Council Action:**

ATTACHMENTS:

	Description	**Type**
🗋	Memo for appt/reappt to Boards and Commissions	Ordinance

INDEPENDENCE
MISSOURI
A GREAT AMERICAN STORY

MEMORANDUM

DATE: May 6, 2024

TO: Mayor and Members of the City Council

FROM: Susanne Holland, City Clerk

SUBJECT: Boards and Commissions Report

Human Relations Commission

- A recommendation has been made to reappoint Mindy Meadows, Helen Hurley, Virginia Hudson and Nina Woodson-Falls to the Human Relations Commission.
- Staff requests direction to add a resolution to the next regular meeting, reappointing these individuals to the above board.

Planning Commission

- A recommendation has been made by Councilmember Perkins to appoint Jose Torres to the Planning Commission.
- Staff requests direction to add a resolution to the next regular meeting, appointing this individual to the above board.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

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).*

Department:	Acting City Clerk	**Contact Person:**	Dee Dee Meier

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REVIEWERS:

Department	**Action**
City Clerk Department	Approved

Council Action:	**Council Action:**