



City Council Regular Meeting Minutes

September 3, 2024 6:00 PM

Council Chambers - 111 E. Maple Ave.

INVOCATION

1. Laurie Dean Wiley, Chair of God at Center Committee at Truman Heritage Habitat for Humanity, will give the invocation.

Laurie Dean Wiley gave the invocation.

THE PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor Rory Rowland, Presiding Officer of the City Council, called the meeting to order. Upon roll call, the following members were present: Rory Rowland, Jared Fears, Brice Stewart, Bridget McCandless, Jennie Vaught, John Perkins, and Mayor Rory Rowland. Absent – Heather Wiley.

CITIZEN REQUESTS

There were no citizen requests.

PRESENTATION RESOLUTIONS

1. 24-761 A Resolution recognizing Jamie Neal, Senior Court Clerk in the Municipal Court Department, as the ISTAR Award Recipient for September 2024. **Res. No. 7040**

Councilmember Perkins moved to Approve the item as presented. Motion seconded by Councilmember Fears. Motion Passed.

AYES (1): Councilmember Stewart, Councilmember Perkins, Councilmember Fears, Councilmember McCandless, Councilmember Vaught, Mayor Rowland

NAYS (0): None

ABSENT (1): Councilmember Wiley

PROCLAMATIONS

A Proclamation for the National Preparedness Month was presented to Sam Morris, Chief of Emergency Operations.

1. National Preparedness Month

CONSENT AGENDA

Reports and Recommendations of the City Manager

Mayor Rowland took a moment of personal privilege to read a prepared statement regarding Planning Commission member Butch Nesbitt and complaints with regard to his behavior at a recent meeting. The Mayor and Council are working to address the concerns expressed by many.

Councilmember Perkins made a motion to approve the Consent Agenda.
Councilmember McCandless seconded the motion.

AYES (6): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins

NAYS (0): None

ABSENT (1): Councilmember Wiley

Consent Agenda approved.

Councilmember Stewart requested to pull item 24-762 for further discussion.

1. Approval of minutes for the Regular Meetings from August 5th and August 19th, 2024. **Approved**
2. Council action is requested to expend \$1,260,000 with Tenaska for Energy Services and Energy Data Management services for the Power & Light Department for fiscal year 2025. **Approved**
3. Council approval is requested to purchase a Spartan Metro-Size 4 door Pumper from Precision Fire Apparatus for Eight Hundred Fifty-Nine Thousand Six Hundred Nine Dollars and zero cents (\$859,609.00). **Approved**
4. Council action is requested to issue a purchase order for \$240,000.00 to Anixter, for Power Distribution Transformers, for the Power & Light Department. **Approved**
5. Council action is request to issue a purchase order to MH Logistics (Armor

Equipment) in the amount of \$375,000, for an E450 Ford box truck with all camera accessories & modified truck body for the Collections System Maintenance Division of the Municipal Services Department. **Approved**

6. Council action is requested expend \$250,000 for fiscal year 2024-2025 to USIC Locating Services Inc. for Locating Services for the Water Division of the Municipal Services Department. **Approved**
7. Council action is requested to issue a purchase order to Shawnee Mission Ford in the amount of \$424,269.00, for nine (9) Model Year 2025 Ford Explorer AWD Police Interceptors for the Police Department. **Approved**
8. Council action is requested to issue a purchase order for \$104,609.88 to Universal Protection Service LP., for Security Guard Services at the Independence Utility Center & the Power & Light Service Center for Fiscal Year 2025 and continued expenditures for fiscal years 2026 and 2027 for the Power & Light Department. **Approved**

RESOLUTIONS

1. 24-762 A Resolution in support of the application to the Missouri Housing Development Commission for financing the planned development of Terrace Crossing to be located at 9701 East 35th Street, in Independence, Missouri. **Res. No. 7041**

The item was presented, and discussion followed.

None moved to Approve the item as presented. Motion seconded by None. Motion Passed.

AYES (6): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins

NAYS (0): None

ABSENT (0): Councilmember Stewart moved to Approve the item as presented. Motion seconded by Councilmember Perkins. Motion Passed.

AYES (6): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins

NAYS (0): None

ABSENT (1): Councilmember Wiley

This is a resolution in support for a developer who is seeking tax credit applications from the State of Missouri. The project they are pursuing is to build multi-family housing generally located around 35th Terrace and 40 Highway. This would provide 60 units in that area. They are not seeking a rezoning from the Council. This is simply the developer getting a policy statement from the City in support of their application to the State of Missouri to get these tax credits. These tax credits provide reimbursement to the developer for the housing construction expenses in exchange, the project will have some income restrictions legibility items on it,

which includes a maximum amount of income to be eligible to live in this development. The developer sent a letter to the Independence School District asking for their support. City Manager Zach Walker was copied on a response from the Superintendent saying they would not be supporting this project, citing concerns about adding more students to nearby schools.

Castle Park is the school in that area. Not sure if they are at capacity or not. Council member Fears stated this was a personal opinion of the Superintendent and not the board. When the tax credits are issued, they are accompanied by a time limit of 20 years for the income limit. After 20 years, it returns to market rate. There are currently 900 families within the Independence School District who do not have stable housing. This information was supported in the City's most recent housing study. This project would offer a housing option for those individuals mentioned.

Councilmember Vaught stated that today's economy makes it hard for people to pay their bills and, even if they have a home. This company has a good reputation for taking care of their property and the rent is based on income, not section 8. She will be supporting this Resolution.

Councilmember Perkins received a letter from Community Services League in support of this.

AYES (6): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins

NAYS (0): None

ABSENT (1): Councilmember Wiley

Resolution (Bill No. 24-762) passes 6-0

2. 24-763 A Resolution reappointing Trevor Tilton and Sean Fite to the Independence Square Advisory Committee **Res. No. 7042**
3. 24-764 A Resolution appointing Cody Atkinson to the Board of Adjustment **Res. No. 7043**

REGULAR AGENDA

PUBLIC HEARING(S)

1. A public hearing for the application by Carolyn Rogers to rezone the property at 15552 E. US 24 Highway from C-2, General Commercial, and R-6, Single Family Residential, to R-6, Single Family Residential. **New Information Only.**

Rick Arroyo, Assistant Community Development Director for the city discussed this item. The Planning Commission voted in favor of this rezoning on July 23 2024. This is to rezone the property at 15552 E. 24 Highway from C-2 General Commercial to single family. The lot did have a residential structure back in the mid 40's. It was rezoned commercial in the mid 60's. Most recently, the structure has been used as a beauty salon. The owner of that business has retired and wishes to live there as a single family structure.

24-087 **2R** An ordinance approving a rezoning from District C-2 (General Commercial) and R-6 (Single Family Residential) to R-6 (Single Family Residential) for the property at 15552 E. US 24 Highway. **2R Ord. No. 19605**

AYES (6): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins

NAYS (0): None

ABSENT (1): Councilmember Wiley

This item passes 6-0

2. A public hearing on proposed property tax rates to be set by the City of Independence for the fiscal year beginning July 1, 2024, based on the current assessed valuation by Jackson and Clay Counties. *Full Public Hearing.*

Melissa Sill, Budget Manager for the City of Independence. We have received final valuations from Jackson County. The valuations went down slightly so there will be a slight increase to the levy rate of .3325 for \$100 of valuation. Public Health went up .1567 and Independence Square stayed the same at .5755. There was a large from 2022 of \$1,405,819,942 to \$1,913,947,167 in 2023 and now in 2024 it is \$1,872,026,107.

The State Tax Commission has issued a ruling to Jackson County:

- Alleges Assessor did not follow 137.115.10 RSMo.
- Physical Inspections on increases above 15%.
- Jackson County has not issued revised assessments for 2023.

Jackson County has not provided any valuations for 2023 to the City.

Projections for 2024-2025

- General Fund: 6,063,000
- Health Property Tax Levy: 933,450
- Recreation Tax Levy: 1,942,736

City's Process to Set Levy

- Can only set levy for what has already been authorized by voters
- General Revenue \$1 for every \$100 assessed valuation
- Recreation and Health Levy .40 cents

We are required by state statute to hold a public hearing prior to setting the levy. We can only set the levy after we receive the final assessed valuations from Jackson County.

The Missouri Auditor's office will provide a pro forma calculation for the City to utilize. We can only increase our levy by the Consumer Price Index. We have a very narrow increase amount. A house valued at \$100,000 will see a \$2.53 tax increase, \$3.44 increase on a \$136,000 house and \$5.05 on a \$200,000 house. A majority of it goes to the School District.

In the 1990s, the Missouri State Constitution approved the Hancock Amendment, which says a taxing jurisdiction cannot raise venue without a vote of the people. The staff adjusts the levy rate according to the Consumer Price Index. The number that will be presented to you has been adjusted according to the Hancock Amendment, ensuring that our revenue growth does not exceed the Consumer Price Index.

Only 6% of what we pay in personal property taxes comes back to the City.

Missouri Municipal League has advised that city staff run a notice in the paper and include the total estimated amount of the City's portion. We will have a second public hearing on this on the next agenda just to be cautious in making sure the public s. Tonight has the first public hearing and the first reading. The next agenda will have a second public hearing and a second reading.

ORDINANCES

1. 24-043 **2R** An ordinance amending Article 3 of Chapter 5 of the City Code by enacting new sections to revise and clarify the requirements for extended stay hotels. **2R**

Postponed for 60 days to 11/4/24 Agenda

Councilmember McCandless made a motion to postpone this item for 60 days.

Councilmember Fears seconded.

AYES (6): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins

NAYS (0): None

ABSENT (1): Councilmember Wiley

Motion to postpone for 60 days, passes 6-0

2. 24-085 **2R** An ordinance authorizing the 2024 Midwest High Intensity Drug Trafficking Area (HIDTA) Memorandum of Understanding (MOU) for the Investigative Support Center Initiative, and related documents, with the Kansas Bureau of Investigation, for a grant award in the amount of \$154,459.00; making the necessary appropriations; authorizing future change orders for additional funding and/or time extensions; and authorizing certain future appropriations. **2R Ord. No. 19603**

AYES (6): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins

NAYS (0): None

ABSENT (1): Councilmember Wiley

Item was approved 6-0

3. 24-086 **2R** An ordinance authorizing the City Manager to execute a certain grant agreement with the Missouri Highways and Transportation Commission for the

Fairmount Loop Project (Project No. 112501 / Federal Project No. TAP-3379(444). **2R**
Ord. No. 19604

AYES (6): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins

NAYS (0): None

ABSENT (1): Councilmember Wiley

Passes 6-0

4. 24-088 **2R** An Ordinance adding a new Article 5, Legal Description, to the Independence City Code, Chapter 10. **2R Postponed to 11/4/24 Agenda**

Councilmember Perkins made a motion to postpone this item until November 4th.
Councilmember Fears seconded.

AYES (6): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins

NAYS (0): None

ABSENT (1): Councilmember Wiley

Item is postponed to November 4th 6-0

FIRST READING(S)

1. 24-089 **1R** An ordinance levying a tax on all real property subject to taxation on January 1, 2024, within the corporate limits of the City of Independence, Missouri, for general revenue and public health and recreation purposes, and for The Independence Square Special Benefit District; said levies and assessments being separate and distinct, all for the fiscal year commencing on the 1st day of July, 2024, and ending on the 30th day of June, 2025. **1R Read**
2. 24-090 **1R** An Ordinance Amending Independence City Code Section 16-01-002 "License Tax" **1R Read**

INFORMATION ONLY

1. A certified copy of the Election Results has been received by the City Clerk.
2. Case 24-125-08, a request by Rosemary Hoover to rezone the property located at 2710 S. Westport Road from R-6, Single Family Residential, to R-6/PUD, Single Family Residential, Planned Unit Development, and approve a Preliminary Development Plan, was advertised for a new information only public hearing at the September 3, 2024, City Council meeting. As this case was continued by the Planning Commission, the new information only public hearing will now be held at the October 7, 2024 City Council meeting.

3. **Please Note:** In accordance with RSMo. 610.021, the City Council may convene in an Executive Session during or after the meeting, in the Council Chambers and move to Conference Room D for the closed meeting, on matters of litigation, legal action, and/or attorney client communications, as permitted by Sec. 610.021(1), on matters of personnel, as permitted by Sec. 610.021(3) and personnel records, as permitted by 610.021(13), on matters of contracts, as permitted by 610.021(12), on matters of real estate, as permitted by 610.021(2) and/or matters of labor negotiations, as permitted by 610.021(9).

COUNCILMEMBER COMMENTS

Councilmember Fears wanted to give a shout out to the Chamber and city staff regarding Santa Caligon.

Councilmember Vaught talked about the FIFA World Cup coming to our area. There will be six matches here from July 11th through July 10th, including a quarter final match. The world cup is one of the largest sporting event in the world. This means a boost in the Independence economy. Visitors will be using our hotels, restaurants, etc. This is an opportunity to showcase Independence as a destination. She is looking forward to working with the FIFA Committee and city staff to make this a successful event.

Councilmember McCandless stated that she was following Councilmember Vaught's topic of the World Cup. A number of them went to the Kansas City Chamber to find out what other municipalities would need to do when FIFA is here. She gave a special shout out to Three Trails Camp who is celebrating their 100th year anniversary. She also gave a special thanks to the police and fire for their work during Santa Caligon. They all did a great job with having an outreach to the citizens that attended. The City also finally received transformers which were needed. Lastly, she will be on vacation and asked that if anyone needs anything to contact Councilmember Fears.

Councilmember Perkins said he had a great time at Santa Caligon. Thank you to the Chamber for their hard working in making this a success. The new Independence Square Streetscape will begin in February 2025 and should be completed by Santa Caligon. This will include new sidewalks and new amenities . He is awestruck at the magnitude of the effect that the World Cup will have on our area.

Mayor Rowland stated the Daughters of the American Revolution Pioneer Chapter celebrated their 110th anniversary today. Samoan Flag Day was this past weekend. It was a very interesting and fascinating ceremony. He received a cash donation that the Mayor will be giving to the Community Services League.

City Manager Zach Walker thanked the Council for their recognition of staff in preparing for Santa Caligon. He saw the crews from Independence Together assisting with the clean up from the festival on the square. They have now collected over 600,000 lbs of trash, cleaning up roadways and green spaces. The Audit and Finance Committee recently received a report from the Management Analyst. You can now visit Independencemo.gov/business to find information for those wanting to open businesses within the City or in collaboration with the innovation center. We are also close to opening an portal for all things business licensing, etc. that will

allow the development community to communicate with the staff at City Hall.

ADJOURNMENT

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