



City Council Regular Meeting Minutes

October 7, 2024 6:00 PM

Council Chambers - 111 E. Maple Ave.

INVOCATION

1. Ken Truax, Elder at the East Independence Church of Christ, will give the Invocation
Elder Ken Truax 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, Heather Wiley, and Mayor Rory Rowland.
Absent - None.

CITIZEN REQUESTS

Councilmember Wiley moved to allow non-citizens to speak. Motion seconded by Councilmember McCandless. Motion Passed.

AYES (0): Councilmember Fears, Councilmember Perkins, Councilmember Stewart, Councilmember McCandless, Councilmember Wiley, Councilmember Vaught, Mayor Rowland

NAYS (0): None

ABSENT (0):

Eric Green spoke on IPL Mutual Aid to victims of Hurricane Helene.

Leigh Phillips spoke about the Englewood Arts Overlay Project

Bobbie Bryant spoke about the difference between a factual argument and an emotional argument.

Teresa Dorsch spoke about the Englewood Arts Overlay Project.

Kelly Duckworth spoke about the rezoning of 2710 S Westport Road.

Martian Breitenbach spoke about the Englewood Arts Overlay Project.

Yvette Riddle spoke about the Englewood Arts Overlay Project.

Brandon Schnur spoke about the Englewood Arts Overlay Project.

PRESENTATION RESOLUTIONS

Councilmember Fears moved to present the ISTAR Award and Proclamations out of order of the agenda and ahead of Citizen Requests. Motion seconded by Councilmember Stewart. Motion Passed.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

1. 24-769 A Resolution recognizing Miranda Rice, Assistant to the Director of Community Development, as the ISTAR Award Recipient for October 2024.

PROCLAMATIONS

1. Hope House Proclamation

Presented to Bri Otto, Anne Aubuchon, Ilene Sheehan, Tina Johnson and Marisol Romero.

2. A Proclamation for National Fire Prevention Week, October 6-12, 2024

Presented to Independence Fire Chief Jimmy Walker.

CONSENT AGENDA

Reports and Recommendations of the City Manager

1. Approval of minutes for the Regular Meetings on September 3rd and September

16th, 2024 **Approved**

2. Council action is requested to issue a purchase order to Durkin Equipment Company in the amount of \$181,256.00, for Chlorine Gas Feeder System and Chlorine Evaporator Replacement at the Courtney Bend Water Treatment Plant for the Municipal Services Department. **Approved**
3. Council action is requested to expend \$370,000.00 in expenditures for Emergency Vehicle Equipment and Changeovers with 911 Custom for the Police Department for fiscal year 2024-2025. **Approved**
4. Council action is requested to expend \$200,000 to Baysinger Police Supply, Inc. for uniforms and accessories for the Police Department for FY 25. **Approved**
5. Council action is recommended to approve a change order to Precision Industries, Inc., in the amount of \$30,984.11 for additional expenses for remounting existing rescue-chassis for the Fire Department. The total amount of the purchase order increases to \$247,717.57. **Approved**
6. Council action is requested to authorize the City Manager to enter into a design contract with, and issue a purchase order to, Crawford, Murphy & Tilly (CMT), in the amount of \$151,295, authorizing future minor change orders not to exceed \$15,129.50, for engineering design services as part of the 23rd Street Complete Streets Phase I project (No. 112111). **Approved**
7. Council action is requested to authorize the City Manager to approve purchase order change order #2 to the design contract (PO#24000627) with Kimley-Horn Associates for a new total not to exceed \$1,364,076, authorizing future minor change orders not to exceed \$136,407.60 as part of the Winner Road Complete Streets Project (No. 112403). **Approved**

Councilmember Perkins said the meeting on the 21st for the UDO on the overlay will be a public hearing so everyone can use their time by speaking at the public hearing instead of the citizen requests.

As for this item, this is a design contract to develop NW Independence. This is the design portion of the amount we were awarded to enhance the area at Truman and Winner Roads. This covers storm drains, sidewalks and other necessities to make this a safe area for traffic and pedestrians. The most important part of this plan is the Truman Gateway area that was put together in 2014 which will come after everything else is completed.

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

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember

McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

8. Council action is requested to approve the 2024 DOJ Improving Criminal Justice Responses Grant Award **Approved**

RESOLUTIONS

1. 24-770 A Resolution appointing Krystel Lugenbeel to the Personnel Board. **Res. No. 7047**
2. 24-771 A Resolution reappointing Bradley Mudd to the Public Safety Tax Oversight Committee **Res. No. 7048**
3. 24-772 A Resolution reappointing Dustin Henrich and appointing Sabastian Gonzalez to the Japanese Sister City Committee **Res. No. 7049**
4. 24-773 A Resolution reappointing Austin Conley to the Independence Square Advisory Board **Res. No. 7050**
5. 24-774 A Resolution reappointing Jana Evans to the Park Commission **Res. No. 7051**
6. 24-775 A resolution approving the Preliminary Plat for Jackson Place in Independence, Missouri. **Res. No. 7052**
7. 24-776 A Resolution appointing Stacie Short, Cindy McClain, Byron Constance, Tom Hall and Katie Gall to the Independence Arts Council. **Res. No. 7053**

REGULAR AGENDA

PUBLIC HEARING(S)

1. A public hearing for the application to rezone the property at 2710 S. Westport Road from R-6, Single Family Residential, to R-6/PUD, Single Family Residential/Planned Unit Development. ***New Information Only. Continued to 10/21/24.***

Councilmember Vaught made a motion to postpone this hearing and the second reading for two weeks as this is a complex item and there needs to be more discussion.

Motion seconded by Councilmember McCandless. Motion Passed. Item is moved to the 10/21/24 agenda.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart,

Councilmember McCandless, Councilmember Vaught, Councilmember Perkins,
Councilmember Wiley
NAYS (0): None
ABSENT (0):

24-094 **2R** An ordinance approving a rezoning from District R-6 (Single-Family Residential) to District R-6/PUD (Single-Family Residential/Planned Unit Development) and approving a preliminary development plan for the property at 2710 S. Westport Road, in Independence, Missouri. **2R Continued to 10/21/24.**

ORDINANCES

1. 24-091 **2R** An ordinance approving a plan for an industrial development project for the Arabella Apartment Project; authorizing the City of Independence, Missouri to issue its Taxable Industrial Development Revenue bonds in a principal amount not to exceed \$39,200,000; and authorizing certain documents and actions in connection therewith. **2R Ord. No. 19608**

The developer has started work on this multifamily housing unit. Economics have shifted during the course of the project so the developer is seeking a Chapter 100 Tax Abatement, which is a sales tax abatement, so any of the construction materials purchased would have the sales tax abated. The total fiscal impact of this is a \$972,000 abatement which includes all sales tax. The general sales tax rate in Independence is 7.75%, but the City itself only has a 2.5% sales tax. That number reflects all sales tax so the City would see a much less fiscal impact than the \$972,000. This is only for the construction materials, nothing else.

Ordinance passes 7-0

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart,
Councilmember McCandless, Councilmember Vaught, Councilmember Perkins,
Councilmember Wiley
NAYS (0): None
ABSENT (0):

2. 24-092 **2R** An ordinance approving petitions to add property to the Noland Road Community Improvement District. **2R Ord. No. 19609**

This is to add a small footprint within the CID located on the SW corner of I-70 and Noland Road. This needs to be added so the CID can complete the Welcome sign in that area.

Ordinance passes 7-0

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart,
Councilmember McCandless, Councilmember Vaught, Councilmember Perkins,
Councilmember Wiley
NAYS (0): None

ABSENT (0):

3. 24-093 **2R** An ordinance vacating an existing general utility easement, electric easement, and sanitary sewer easement, all part of 18785 E 39th Street South lying in, on, and across tracts 4&5, of Independence Center a subdivision in Independence, Jackson County, Missouri. **2R Ord. No. 19610**

This vacation is so that Chick-fil-A to expand. The City does not need this and allows them to pursue their expansion. We will deed it to them.

Ordinance passes 7-0

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

4. 24-095 **2R** An ordinance adopting amendments to the Fiscal Year 2023-2024 budget, which was approved by Ordinance No. 19453. **2R Ord. No.19611**

This is related to the animal shelter. The building is owned by the County and the City owns the land. The County has not kept up the repairs needed for this facility so the City has had to cover those repairs. We have asked the County for reimbursement but have not gotten a response. Councilmember McCandless asked the City Manager to look into other solutions for the animal shelter.

Ordinance passes 7-0

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

FIRST READING(S)

1. 24-096 **1R** An ordinance approving the Intergovernmental Cooperative Agreement between the City of Independence, Missouri and the Fairmount Community Improvement District. **1R Read**
2. 24-097 **1R** An ordinance amending the Unified Development Ordinance, Chapter 14, of the City Code adding Section 14-912 Englewood Arts Overlay District. **1R Read**

Councilmember Perkins made a motion to strike 'other low intensity neighborhood supporting businesses' under the Purpose Statement. Everything before and after that statement should remain the same.

Motion to amend passes 7-0

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

3. 24-098 **1R** An ordinance approving the overlay rezoning to EAOD (Englewood Arts Overlay District) for the properties generally located west of Crysler, north of 23rd Street, east of Brookside Avenue and south of Truman Road. **1R Read**
4. 24-099 **1R** An ordinance approving a rezoning from District R-6 (Single-Family Residential) to District I-1 (Industrial) for the property at 21101 E. M-78 Highway. **1R Read**
5. 24-100 **1R** An ordinance approving a rezoning from District C-2 (General Commercial) and District R-6 (Single-Family Residential) to C-2 (General Commercial) and R-12 (Two-Family Residential) for the property located at the southwest corner of Jackson Drive and R. D. Mize Road. **1R Read**
6. 24-101 **1R** An ordinance approving a rezoning from District R-30/PUD (High Density Residential Planned Unit Development) to R-6 (Single Family Residential) for the property at 9300 E 9th St. **1R Read**
7. 24-102 **1R** An ordinance approving a rezoning from District I-1 (Industrial) to R-6 (Single Family Residential) for the properties at 1235 & 1239 W. South Ave. **1R Read**
8. 24-103 **1R** An ordinance approving a rezoning from District I-1 (Industrial) to C-2 (General Commercial) for the properties at 11300 E. Aaron Ln and 11301 & 11303 E. Truman Rd. **1R Read**

INFORMATION ONLY

1. Municipal Court Report for August 1, 2024 - through September 3, 2024
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 Stewart clarified that nothing has been done on the terrace project. The Council has said they are supportive of state funding of the project. Nothing else has been approved at this time.

Councilmember Vaught highlighted an initiative between Kansas City and the City of Independence to address the homeless camp behind the Sandbar on 40 Highway. As of September 29th, all individuals have been cleared from the area. This represents the new initiative with Kansas City to work on the homeless issue we share with them.

Councilmember Wiley stated she spoke to the Carrington Woods homeowner's association. She also stated that our animal control officers patrol and work in unincorporated Jackson County. It's a worry for her because if they need assistance, they have to rely on the JCSD. She urges anyone from the county to respond to the letter that the City sent to them, so this issue can be resolved.

Councilmember McCandless attended the Women of Distinction celebration where Lisa Reynolds and a number of other women were recognized for their contributions to the City including Laurie Dean Wiley. She recognized three new officers sworn into IPD this week.

Councilmember Perkins also attended the Women of Distinction celebration and congratulated Lisa on her award.

Mayor Rowland also congratulated Lisa and Shirley Baker for being selected as Woman of the Year at the celebration. He asked the City Manager to look some possible speed bumps for 44th street.

City Manager Zach Walker addressed a citizen request speaker regarding mutual aid and IPL being sent out to assist with the damage left by Hurricane Helene.

ADJOURNMENT

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

ATTEST:

City Clerk