



CITY COUNCIL Regular Meeting

February 4, 2025

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

To view a Council meeting agenda, visit <https://independencemo.portal.civicclerk.com/> and select 'Most Recent Council Agenda'.

INVOCATION

1. Stephen Ballantyne, Assistant Pastor with Mount Zion Restoration Branch will give the invocation

THE PLEDGE OF ALLEGIANCE

ROLL CALL

CITIZEN REQUESTS

PRESENTATION RESOLUTIONS

1. 25-714 A Resolution recognizing Police Officer Shawn Salazar of the Independence Police Department as the ISTAR Award recipient for February 2025

PROCLAMATIONS

CONSENT AGENDA

Reports and Recommendations of the City Manager

1. Approval of minutes for the Regular Meetings on January 6th and January 21st 2025.
2. Council action is requested to approve \$550,000 in expenditures for ductile iron pipe, gate valves, and fittings, to be procured from Blue Springs Winwater, Core & Main, Ferguson Plumbing Supply, and Schulte Supply. These purchases are for the Water Construction Maintenance Division of the Municipal Services Department for fiscal

year 2024-2025.

3. Council action is requested to authorize the City Manager to issue Change Order #2 to the design contract with Garver LLC (PO#22001089 for \$722,935) in an amount not to exceed \$296,956. The authorization also includes approval for future minor change orders not to exceed \$101,989 for the Sludge Thickening Process Improvements (Project No. 302301), as part of the Rock Creek Wastewater Treatment Plant Rehabilitation Project (Project No. 302205).
4. Council action is requested on the change in ownership for a Retail Selling of Intoxicating Liquor of all kinds in the original package for KC Quick 7 located at 3302 S. Blue Ridge Cutoff.

RESOLUTIONS

1. 25-705 A Resolution for approval of an agreement between the City of Independence, Missouri, and the Independence Chamber of Commerce for the operation of the Independence Economic Development Partnership. This was continued from January 21, 2024.
2. 25-715 A Resolution accepting the City of Independence Transportation For All Plan.
3. 25-716 A Resolution appointing Melissa Cabrera, Director of Finance for the City of Independence to the Independence Events Center Community Improvement District
4. 25-717 A Resolution urging the Missouri General Assembly to overturn Senate Bill 5 and Senate Bill 572, which were adopted in 2015 and 2016. *(Sponsored by Mayor Rowland)*
5. 25-718 A Resolution of support for the Critical Materials Crossroads Campus at Lake City.

REGULAR AGENDA

PUBLIC HEARING(S)

1. A full public hearing for a Restaurant Selling Intoxicating Liquor License application for American Way Smokehouse located at 17710 E. 39th St. S. **Full Public Hearing.**

Council action is requested on the application received from American Way Smokehouse, LLC for a Restaurant Selling of Intoxicating Liquor by the drink license for American Way Smokehouse that will be located at 17710 E. 39th St. S.

ORDINANCES

1. 25-002 **2R** An ordinance approving the petition to establish the Blue Ridge Crossing - East Community Improvement District, establishing the district, and making findings and authorizing actions related to establishment of the district. **2R**

FIRST READING(S)

1. 25-005 **1R** An ordinance amending Article 3 of Chapter 5 of the City Code pertaining to Hotels And Extended Stay Hotels. **1R**
2. 25-006 **1R** An ordinance finding, determining, and declaring the necessity of acquiring electrical easements for the Sub S Distribution Feeder Project (Project No. 202316); authorizing negotiations and, if necessary, eminent domain proceedings; approving the project plans and specifications; authorizing the use of experts as needed; and authorizing and directing the execution of documents and the payment of funds to property owners or other parties holding property rights in connection with the project. **1R**
3. 25-007 **1R** An ordinance vacating a portion of an existing water line easement and dedicating a new water line easement, located generally in Section 8, Township 49, Range 31, and situated in, on, and across 1656 and 1716 S. Speck Road in Independence, Jackson County, Missouri. **1R**

INFORMATION ONLY

1. Boards and Commission Reports
2. Municipal Court Report for December 2024
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

ADJOURNMENT



A GREAT AMERICAN STORY

City Council Regular Meeting Minutes

January 6, 2025 6:00 PM

Council Chambers - 111 E. Maple Ave.

INVOCATION

DUE TO THE WEATHER - THIS MEETING WAS HELD VIA TEAMS

1. Stephen Ballentyne, Assistant Pastor with Mount Zion Restoration Branch will give the invocation

Councilmember Jared Fears did the invocation.

THE PLEDGE OF ALLEGIANCE

ROLL CALL

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

CITIZEN REQUESTS

Councilmember Fears made a motion to allow non-residents to speak. Motion seconded by Councilmember Wiley.

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

NAYS (0): None

ABSENT (1): Mayor Rowland

Motion passes 6-0

Brent Schondelmeyer spoke on the Rental Ready proposal.

Mark Yanda spoke on the Rental Ready proposal.

Matt Roberts spoke on the Rental Ready proposal.
Allison White spoke on the Rental Ready proposal.

PRESENTATION RESOLUTIONS

1. 25-700 A Resolution recognizing Nicholas Alexander, Cyber Security Coordinator I for the IT Department, as the ISTAR Award Recipient for January 2025. **PP to 1/21/25**

Due to the meeting being held virtually, Councilmember Fears moved to postpone this item to 1/21/25. Motion seconded by Councilmember Wiley.

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

NAYS (0): None

ABSENT (1): Mayor Rowland.

Motion passes 6-0

PROCLAMATIONS

There were no proclamations.

CONSENT AGENDA

Reports and Recommendations of the City Manager

Councilmember Fears moved to Approve the Consent Agenda. Motion seconded by Councilmember Wiley.

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

NAYS (0): None

ABSENT (1): Mayor Rowland

Motion passes 6-0

Items pulled for special consideration were numbers 4 and 5 under the Consent Agenda, Resolutions 25-701, 25-703 and 25-704.

1. Approval of minutes for the Regular Meetings on December 2nd and December 16th. **Approved**
2. Council action is requested to issue a purchase order to Mongan Painting, LLC in the amount of \$423,270, for a Protective Coating Systems Replacement for Filter Valve House No. 2 at the Courtney Bend Water Treatment Plant for the Municipal Services Department. **Approved**

3. Council action is requested authorizing a contract with the WHC SAF, LLC for the purpose of providing on demand micro-transit services for the period of January 1, 2025 through June 30, 2025 in the amount of \$402,100.00, and authorizing future minor change orders not to exceed \$40,200.00. **Approved**
4. Council action is requested to issue a Change Order to Purchase Order 24000885 to Pros Consulting Inc. for a 2025 Parks and Recreation Master Plan for the Parks and Recreation Department. The new revised amount of PO will be \$412,440. **Passes 6-0**

This item was pulled by Councilmember Wiley for special consideration. This will update the City's Parks Master Plan. The last plan was produced in 2010. There were several projects left incomplete from that plan. This update will include those that were left incomplete. This will also ensure that we focus on quality over quantity, including making sure that the parks are all-inclusive for citizens, from new parents to children and senior citizens. Most of the funding for this comes from the Park Sales Tax, which can only be used for parks. A portion of this is being funded through Tourism dollars.

Councilmember Wiley moved to Approve the item as presented. Motion seconded by Councilmember McCandless.

AYES (6): Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley
NAYS (0): None
ABSENT (1): Mayor Rowland

Item passes 6-0

5. Council action is requested to issue a purchase order to OTC Services Inc. in the amount of \$5,193,820.00, for Substation S Transformers for the Power & Light Department. **Passes 6-0**

This item was pulled for special consideration by Councilmember Fears.

This project is necessary for the growth and development in the Little Blue Valley area. This requires the city to add a new substation as part of that growth. The delivery time for the transformers is 3 years so they will be delivered in 2028. This investment is necessary for the development and growth of that area.

AYES (6): Councilmember Fears, Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley
NAYS (0): None
ABSENT (1): Mayor Rowland

Item passes 6-0

6. Council approval is requested to enter into a contract with Asplundh Tree Expert

Company to provide line clearance services for the Power & Light Department. This is a one-year agreement with four, one-year renewal periods. **Approved**

RESOLUTIONS

1. 25-701 A Resolution establishing standards for the recruitment and selection of board members, establishing standards for communication, and establishing expectations, duties, and norms of behavior for all appointed city boards, commissions, and committees. **Passes 6-0 Res. No. 7082**

This item was pulled by Councilmember McCandless.

Staff Liaisons are to make the recommendations for appointments to boards and commissions but the City Council will officially appoint through resolutions.

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

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

NAYS (0): None

ABSENT (1): Mayor Rowland

Item passes 6-0

2. 25-702 A Resolution appointing Kevin Stallings to the Board of Building and Engineering Appeals **Passes 6-0 Res. No. 7083**
3. 25-703 A Resolution of the City Council of the City of Independence, Missouri, stating the Council's intention regarding the use of up to \$197 million in General Obligation bond proceeds, directing the City Manager to include recommendations in the City's financial and capital improvement plans, and outlining the proposed allocation of funds. (*Sponsored by Mayor Rowland and Councilmembers Fears, McCandless, Perkins, Stewart, Wiley, and Vaught*). **Passes 6-0 Res. No. 7084**

This item was pulled for special consideration by Councilmember Fears.

This resolution goes beyond the legal nature of the bond and gives more detail of the three questions and what specifically will occur with each question for the General Obligation Bond.

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

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

NAYS (0): None

ABSENT (1): Mayor Rowland

Item passes 6-0

4. 25-704 A Resolution declaring the official intent of the City of Independence, Missouri regarding financing the construction of three new fire stations and the renovation of the Independence Utilities Center as part of a new Justice Center. **Passes 6-0 Res. No. 7085**

This item was pulled by Councilmember Perkins.

The functions of the police department will be moved to the Independence Utilities Center. This is proposing to use some of the funds from the marijuana sales tax to start some of the renovations for the police to move into their new space. This is the most financially prudent way to start the project. This will also start the process of building new fire stations. It is vital to start the construction of three fire stations before the costs increases. This allows the process to start the paperwork. It is anticipated that the final paperwork will be brought to the City Council in March.

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

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

NAYS (0): None

ABSENT (1): Mayor Rowland

Item passes 6-0

REGULAR AGENDA

PUBLIC HEARING(S)

1. A public hearing for the application to rezone the property at 2131 S. Scott Avenue from R-12, Two-Family Residential, to C-2, General Commercial. **New Information Only.**

Rick Arroyo, Assistant Community Development Director spoke on this item.

This Rezoning was considered by the Planning Commission on November 19th of this 2024. The Planning Commissions voted in favor of this Rezoning.

This is to rezone a vacant lot at Scott Ave and 23rd Street from R-12 two family residential to C-2 General Commercial for the purpose of combing the lot with the lot to the south for a future expansion of the Venue Smart cleaning service business that exist just south on the adjacent lot. This is just for the rezoning; a minor subdivision will still need to be administratively approved to combine the lots, and the building expansion will need to meet all City building codes, engineering design standards, and non-residential development

zoned R4 PUD for the purpose of a proposed multi-family development that never occurred. In 2009 when the City adopted the UDO it was converted to R30/PUD. While the City can operate in any zoning district, staff believes it best to rezone the properties to C-2 to better align with the current use of the site and provide better design guidance for any future City uses on the site.

No new information to provide.

24-129 2R An ordinance approving a rezoning from District R-30/PUD (High-Density Residential Planned Unit Development) to District C-2 (General Commercial) for the properties at 17200 E. Medical Center Parkway, 17203 & 17221 E. 23rd Street. 2R **Passes 6-0 Ord. No. 19644**

No discussion of this item.

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

NAYS (0): None

ABSENT (1): Mayor Rowland

Item passes 6-0

4. A public hearing for the formation of the Blue Ridge Crossing – East Community Improvement District. **Full Public Hearing. Postponed to 1/21/25**

This item was opened for public hearing. No information given.

Councilmember Fears moved to postpone this item to 1/21/25. Motion seconded by Councilmember Wiley. The motion was rescinded so the public hearing stays open but the item is continued to January 21st 2025.

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

NAYS (0): None

ABSENT (1): Mayor Rowland

Motion passes 6-0

ORDINANCES

1. 24-125 2R An ordinance authorizing the acceptance of funding from the U.S. Department of Justice, Bureau of Justice Assistance, Office of Justice Programs, FY 2024 Byrne Discretionary Grant Program, through a Subrecipient Award from the Mid America Regional Council, which allocates \$457,425.00 to the City of Independence, Missouri, to expand the use of Automated License Plate Readers; appropriating the necessary funds; and authorizing future change orders and appropriations for the same project. 2R **Passes 6-0 Ord. No. 19645**

This funding allows for an additional 72 license plate readers.

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

NAYS (0): None

ABSENT (1): Mayor Rowland

Item passes 6-0

2. 24-126 2R An ordinance approving a Final Plat for McBee Acres, in Independence, Missouri. **2R Passes 6-0 Ord. No. 19646**

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

NAYS (0): None

ABSENT (1): Mayor Rowland

Item passes 6-0

3. 24-130 2R An ordinance authorizing an amendment to the contract with the Missouri Department of Health and Senior Services to provide financial assistance for the Local Public Health Agency Accreditation Assistance Grant Program for one additional year for the period of December 1, 2023, through November 30, 2025; authorizing future change orders for additional funding and/or time extensions for the same project; and authorizing certain future appropriations. **2R Passes 6-0 Ord. No. 19647**

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

NAYS (0): None

ABSENT (1): Mayor Rowland

Item passes 6-0

FIRST READING(S)

1. 25-001 1R An ordinance authorizing the City Manager to execute a Municipal Agreement with the Missouri Highways and Transportation Commission for the US 24 Highway Phase 3 Project from Wilson Road to Sterling Avenue as part of the US 24 Highway Phase 3 Project (Project No. 112212 / Federal Project No. JKU0226).
1R Read
2. 25-002 1R An ordinance approving the petition to establish the Blue Ridge Crossing - East Community Improvement District, establishing the district, and making findings and authorizing actions related to establishment of the district.
1R Postponed to 1/21/25

Councilmember Fears moved to postpone this reading with the public hearing to 1/21/25.
Motion seconded by Councilmember McCandless.

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

NAYS (0): None

ABSENT (1): Mayor Rowland

Motion passes 6-0

3. 25-003 **1R** An ordinance Repealing Ordinance No. 19521 Regarding Surplus Property **1R Read**
4. 25-004 **1R** An ordinance amending Chapter 5, Article 11 Landlord Tenant Code, and Article 15 Rental Ready of the City Code. **1R Read**

INFORMATION ONLY

1. Municipal Court Reports for November 2024
2. Purchase Order #25000822 has been issued to Wiedenmann Inc., in the amount of \$325,360 for construction services on the Heidelberger Bridge as part of the Emergency Transportation Project (No. 112203) to encumber funding eligible for ARPA reimbursement prior to the 12/31/2024 deadline.
3. Purchase Orders 25000216 and 25000217 with Davenport Construction have been increased by \$187,000 for Street Cut Paving Services for the Municipal Services Department. The combined total of the purchase orders has increased to \$385,000.
4. ***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 extended his thanks to staff for working during the storm. There were two listening sessions held for the Rental Ready item. He will discuss the sessions at the next meeting when this item is up for passage.

Councilmember Vaught extended her thanks to staff for their work on the snow removal, keeping things running while the weather was bad and organizing the council meeting virtually. She also asked City Manager Zach Walker for an update on the Sonic at 35th and Noland Road. Zach stated that the property owner wants to renovate the business. He is working on getting the proper permits to do so. If any deadlines are missed, the City will put out bids for

demolishing the remnants as the building is dangerous.

Councilmember Wiley also thanked staff for working during the storm. She was able to do a ride along with one of the snow plow drivers. She said you don't realize how dangerous their job is until you ride with them. She was able to attend the investiture of Melesa Johnson, the new Jackson County Prosecutor.

Councilmember McCandless extended her thanks to the many nonprofits that assisted the houseless with shelter during the storm. CSL did a great job with getting hotel vouchers for many during the storm.

Councilmember Perkins - Very impressed with the way the city staff has handled the snowstorm. IPL has done a great job with outages, and the streets department has done a great job with tending to the streets prior to the storm and during.

City Manager Zach Walker reminded everyone that IPL will be giving a presentation on their strategic plan at the next study session.

He discussed the Charter amendment that passed during the past election. The legal department is working on getting that change implemented and documents to Zach for final review.

He then gave privilege to Police Chief Dustman to speak. Chief Dustman gave a big shoutout to City leadership staff who worked well with his department and other departments in communication during the storm. He also gave a big thanks to his officers for going above and beyond their duties in helping others during the storm, including shoveling paths so individuals could be treated by ambulance personnel and transported to the ambulance safely.

ADJOURNMENT



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

ATTEST:



City Clerk





A GREAT AMERICAN STORY

City Council Regular Meeting Minutes

January 21, 2025 6:00 PM

Council Chambers - 111 E. Maple Ave.

INVOCATION

1. Pastor Mike Hall of Keystone Powerhouse Ministries will give the invocation

Pastor Mike Hall of Keystone Powerhouse Ministries 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: Jared Fears, Brice Stewart, Bridget McCandless, Jennie Vaught, John Perkins, and Heather Wiley. None were absent.

Councilmember Perkins made a motion to do the ISTAR Award out of order. Councilmember McCandless seconded. All ayes, no nays.

Motion Passes 7-0

CITIZEN REQUESTS

Councilmember Wiley moved to suspend the rules so non-residents could speak. Seconded by Councilmember Vaught.

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

NAYS (0): None

ABSENT (0):

Motion passes 7-0

Bryan Franklin spoke about the bus transit system.
Gary Calvert spoke on outdoor advertising.
Brian Winberry spoke on the Rental Ready Program.
Diasha White spoke on the Rental Ready Program.
Chris Carlton spoke on the Rental Ready Program.
Ben Neal spoke on the Rental Ready Program.
Mark Yanda spoke on the Rental Ready Program.

PRESENTATION RESOLUTIONS

1. 25-700 A Resolution recognizing Nicholas Alexander, Cyber Security Coordinator I for the IT Department, as the ISTAR Award Recipient for January 2025. **Item Passes 7-0 Res. No. 7086**

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

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

NAYS (0): None

ABSENT (0):

Motion passes 7-0

PROCLAMATIONS

A Proclamation for Lysle Weeks was read by Mayor Rowland.

CONSENT AGENDA

1. Council action to approve the issuance of a Change Order to Purchase Order 24001495 with DynaTouch Corporation for utilities payment kiosks for the Municipal Services Department in the amount of \$79,092. The revised purchase order amount will be \$112,543.20. **Approved**

This item was pulled by Councilmember McCandless. The kiosk will be set up at the IUC once the Utilities Department has moved. This will give the citizens an option to continue paying their bills at this location. Kiosks will also be available at the new Independence Commons building. The cost for this increased as the City is purchasing two outdoor kiosks. The one kiosk that has been purchased is an indoor kiosk. The outdoor kiosk is a little more costly.

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

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

NAYS (0): None

ABSENT (0):

Item passes 7-0

2. Council action is requested to enter into a contract with Truman Heritage Habitat for Humanity as a qualifying community housing development organization for the development of affordable housing, utilizing 2024-25 HOME program funds
Approved

Reports and Recommendations of the City Manager

RESOLUTIONS

1. 25-705 A Resolution for approval of an agreement between the City of Independence, Missouri, and the Independence Chamber of Commerce for the operation of the Independence Economic Development Partnership. **Postponed to Feb. 4 2025**

Councilmember Fears moved to postpone this item to February 4, 2025. The Independence Economic Partnership meets tomorrow morning and he would like them to have an opportunity to review this before the Council votes on it.

Motion seconded by Councilmember Perkins.

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

NAYS (0): None

ABSENT (0):

7-0 Item is postponed to February 4, 2025.

2. 25-706 A Resolution reappointing Lori Halsey and Jason White to the Advisory Board of Health **Approved Res. No. 7087**
3. 25-707 A Resolution appointing Robert Frazier to the Board of Building and Engineering Appeals **Approved Res. No. 7088**
4. 25-708 A Resolution appointing Stacey Anderson to the Street Improvement Oversight Committee **Approved Res. No. 7089**
5. 25-709 A Resolution appointing Tonia Haakonstad to the Independence Square Advisory Board **Approved Res. No. 7090**
6. 25-710 A Resolution appointing Melissa Cabrera, Director of Finance, to the Jackson County Board of Equalization **Approved Res. No. 7091**
7. 25-711 A Resolution appointing Charline Traylor to the Independence FIFA World Cup Advisory Committee **Approved Res. No. 7092**

8. 25-712 A Resolution appointing Grant Watkins Davis to the Storm Water Control Oversight Committee **Approved Res. No. 7093**

REGULAR AGENDA

PUBLIC HEARING(S)

1. A public hearing for the formation of the Blue Ridge Crossing – East Community Improvement District. This hearing was continued from January 6, 2025. ***Full Public Hearing.***

Tom Scannell, Director of Community Development spoke on this item. This is a 1% sales tax for a Community Improvement District to use for exterior improvements snow removal and private security for businesses within the Blue Ridge area. The boundary covers the Burlington Coat Factory, Starbucks, Pier 88 restaurant and McDonalds. This is a 20-year CID. Business owners have filed this petition.

Becky Haake spoke on this item. Ms. Haake stated that the expenses this CID is listed to cover are items she feels they should pay for themselves and not the taxpayers. She also stated that there are several businesses within CIDs in Independence that don't have business licenses. Dan Horne with IAS Partners, owner of Blue Ridge Crossing Shopping Center. In recent years, there has been a significant uptick in property crime in this area. The CID will provide additional funds for private security. They want to make it a shopping area where people feel safe to shop or work. Bolstering security is their top priority. This will be a cooperative CID with Kansas City. Walmart, Lowes and the businesses on that side are within Kansas City. Brian Newberry asked why do businesses get utilities if they don't have a business license? The Public Hearing was closed.

Tom Scannell stated that all businesses and property managers are licensed and in compliance.

Staff recently checked and confirmed this. A CID is a separate entity once it is formed and it is formed within state statute. It must have 50% of the property owners agree to form the CID and the petition. Most of the CIDs impose an additional sales tax which improves the area or the safety of the area. The meetings are open to the public and they must provide a budget to the City. They are also subject to audits by the State of Missouri to make sure they are doing what they are supposed to do.

Audited by the State of Missouri to make sure the money is spent on what it is supposed to be spent on.

Zach Walker stated that CIDS are petitioned by business owners. This is not a city-created organization, the City didn't ask for it, the businesses do.

ORDINANCES

1. 25-001 2R An ordinance authorizing the City Manager to execute a Municipal Agreement with the Missouri Highways and Transportation Commission for the US 24 Highway Phase 3 Project from Wilson Road to Sterling Avenue as part of the US 24

Highway Phase 3 Project (Project No. 112212 / Federal Project No. JKU0226). 2R
Passes 7-0 Ord. No. 19648

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

NAYS (0): None

ABSENT (0):

Item passes 7-0

2. 25-003 2R An ordinance Repealing Ordinance No. 19521 Regarding Surplus Property
2R Passes 7-0 Ord. No. 19649

This ordinance allows the Crysler Stadium to be turned over to the Independence School District so they could invest in the property. Doing this ensures the property is used in a very defined way. This agreement also ensures that certain improvements are made to the facility. If at any time the school district decides they no longer want to utilize the property, they will be required to turn it back over to the City.

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

NAYS (0): None

ABSENT (0):

Item passes 7-0

3. 25-004 2R An ordinance amending Chapter 5, Article 11 Landlord Tenant Code, and Article 15 Rental Ready of the City Code. 2R **Passes 7-0 Ord. No.19650**

Councilmember Stewart made a motion to amend this ordinance. He believes the inspectors must provide the inspections to the city and that the city shall keep them on file. Those records would be retained for 5 years. Councilmember Stewart offered suggested amendments to Section 4.15.006 labeled Rental Dwelling Unit Inspection Required. Councilmember Wiley seconded his motion for an amendment.

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

NAYS (0): None

ABSENT (0):

Amendment passes 7-0

City Attorney, Jeremy Cover stated there is no current authority for the City to require a landlord to rehome tenants if their building is shut down for violations and he recommends not including this in the current ordinance.

Councilmember Wiley made a motion to amend 25.004 by keeping and amending 4.11.001 subsection D, requiring the landlord to give all tenants a copy of the Landlord/Tenant Guide.

This was seconded by Councilmember Perkins. Councilmember McCandless added that the amendment should state that the copy can be offered as an electronic copy or a physical copy.

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

NAYS (0): None

ABSENT (0):

Amendment to the amendment passes 7-0

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

NAYS (0): None

ABSENT (0):

Amended amendment 2 passes 7-0

Councilmember Fears confirmed with City Attorney, Jeremy Cover that there is no conflict with him voting on this item since he is a landlord. City Attorney Cover stated there is no conflict as this addresses all landlords.

If a landlord does not abide by this ordinance, his business license is revoked.

Vote on Ordinance:

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

NAYS (0): None

ABSENT (0):

Ordinance passes 7-0

FIRST READING(S)

1. 25-002 **1R** An ordinance approving the petition to establish the Blue Ridge Crossing - East Community Improvement District, establishing the district, and making findings and authorizing actions related to establishment of the district. **1R**

INFORMATION ONLY

1. ***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 gave a shoutout to Lynn Baker for receiving an award at the Martin Luther King Jr. celebration.

Councilmember Wiley had a volunteer orientation at the animal shelter a couple of weeks ago. She is going to start walking dogs and encouraged others to volunteer. She also did a ride-along with firefighters with Station 3. She was impressed at how they can be a calming influence when they go to a scene. Lastly, she was able to tour Hope House and was excited to see what we have to offer those in need here in Independence.

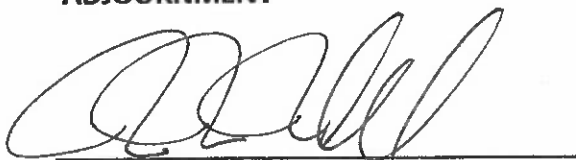
Councilmember Vaught spoke on the upcoming General Ordinance Bond. She showed photos of her childhood home and her first adult home showing what a difference curbs and sidewalks can make.

Councilmember McCandless stated she represented the City at the Inauguration of the new Governor. Congratulated Coach Rodriguez at Van Horn, who just crossed 200 wins in soccer. She thanked the City Manager for finding funds in the budget to give hotel vouchers to the homeless during this cold weather period. She also talked about the four new police officers that were just commissioned.

Councilmember Perkins wanted to remind everyone of the point count that will begin tomorrow and go on for 24 hours. This count is to identify the number of homeless in our community. This is important because that count will help determine the federal funding that will come to assist them. He also reminded everyone to be respectful to the pedestrians that are walking in the streets right now because the sidewalks are inaccessible due to the snow.

Mayor Rowland congratulated City Manager Zach Walker for this State of the City address and reminded everyone that the event is on the City's website.

ADJOURNMENT



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

ATTEST:

Susanne Howard
City Clerk



City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested to approve \$550,000 in expenditures for ductile iron pipe, gate valves, and fittings, to be procured from Blue Springs Winwater, Core & Main, Ferguson Plumbing Supply, and Schulte Supply. These purchases are for the Water Construction Maintenance Division of the Municipal Services Department for fiscal year 2024-2025.

Recommendations:

Council approval is recommended to authorize expenditures for the selected commodities.

Background:

These inventory items are essential for staff to perform routine maintenance, make timely repairs, and implement system modifications to ensure the City's water distribution system operates efficiently and without interruption. Inventory is periodically restocked by ordering items from the supplier offering the most reasonably priced materials. All suppliers are local and have a history of successfully providing services to this department. Approval of this item also authorizes change orders of up to ten percent (10%) of the authorized amount, provided sufficient appropriations are available.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City is \$550,000. Funding for this expenditure is included in the fiscal year 2024-2025 adopted budget on page 201, under account number (0404840-5314) Inventory Purchases.

Council Action:

**Department /
Contact**

Municipal Services /

REVIEWERS

Richard Kemple
Melissa Cabrera
Zachary Walker
Susanne Holland

ATTACHMENTS:

None

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested to authorize the City Manager to issue Change Order #2 to the design contract with Garver LLC (PO#22001089 for \$722,935) in an amount not to exceed \$296,956. The authorization also includes approval for future minor change orders not to exceed \$101,989 for the Sludge Thickening Process Improvements (Project No. 302301), as part of the Rock Creek Wastewater Treatment Plant Rehabilitation Project (Project No. 302205).

Recommendations:

Council approval is recommended.

Background:

Dissolved Air Flotation (DAF) is a critical component of the wastewater treatment process. The existing DAF process equipment at Rock Creek has reached its useful life expectancy (original plant equipment). This contract will authorize the evaluation of more modern and efficient processes to replace the DAF currently in use and complete the design work necessary to implement the selected replacement process.

Garver was selected because of ongoing work with other units of process at the Rock Creek wastewater treatment facility directly related to the DAF including the primary clarifier rehabilitation, blower replacement, and a recent sludge study completed to analyze issues with solids in the treatment process.

Approval of this change order will add \$296,956 to the existing contract (PO#22001089) with Garver LLC to incorporate engineering design considerations for the Sludge Thickening Process Improvements (Project No. 302301) as part of the Rock Creek Wastewater Treatment Plant Rehabilitation Project (Project No. 302205).

Garver has prepared a scope and fee proposal for these additional services. This change order breaks down as follows:

Original \$ 211,935

Contract:

Change \$ 511,000

Order #1:

Change \$ 296,956

Order #2:

New \$1,019,891

Contract

Total:

10% \$ 101,989

Contingency:

This is a budgeted capital expense.

Emergency Justification:

Fiscal Impact:

The fiscal impact to the City is \$1,121,880, including contingency. Funding for the Sludge Thickening Process Improvement Project (No. 302301) is included in the FY 2025 budget, on page number 204-205, under account number 0317031-5406. Funding for the Rock Creek Wastewater Treatment Plant Rehabilitation Project (No. 302205) is included in the FY 2024 budget, on page number 182, under account number 0307031-5406.

Council Action:

Department / Contact	Municipal Services /
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REVIEWERS

Richard Kemple
Jeremy Cover
Melissa Cabrera
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Change Order #2 - Garver - RCWWTP - PO#22001089

EXHIBIT A (SCOPE OF WORK)

GARVER agrees to perform basic engineering services in connection with the City of Independence Missouri's, Municipal Services, Rock Creek Wastewater Treatment Plant (RCWWTP) Thickening Improvements as hereinafter stated, in accordance with the stipulations in this agreement. Generally, the scope of services includes preliminary design, design, and bidding services. The planned improvements generally include the following:

- (a) Thickening Improvements
 - 1) Evaluate alternative mechanical thickening alternatives.
 - 2) Replace existing thickening equipment (i.e., Dissolved Air Floatation (DAF) units) with selected mechanical thickening alternative.
 - 3) Pumping & Piping System Improvements
 - a. Replace or improve pumps and associated piping as required to send sludge to/convey from the new thickening units
 - b. Design new or improve existing polymer storage and feed system(s) for the selected thickening units.
- (b) Site Civil Improvements
 - 1) Site civil and yard piping improvements to support improvements herein.
- (c) Site Electrical Improvements
 - 1) Site electrical improvements to support improvements herein.

No structural modifications are anticipated as a part of these improvements.

The following Tasks 1-4 are included in this contract:

I. TASK 1 - PROJECT MANAGEMENT

1.1 GARVER will prepare for and conduct an in-person project kickoff meeting with the Owner. The kickoff meeting will include the following:

- (a) Develop a project management plan, including project objectives, project deliverables, project communication protocol, project schedule, project documentation, and work plan.
- (b) Prepare and present a request for information to the Owner prior to or as part of the meeting minutes of the project kickoff meeting.
- (c) Prepare and distribute kickoff meeting minutes that document discussions and action items.

1.2 GARVER will also perform the following:

- (a) Conduct internal reviews of deliverables with the comments incorporated prior to delivery to Owner.
- (b) Provide project planning and scheduling including up to three (3) virtual meetings with Owner to coordinate the planning and scheduling tasks of the project.
- (c) Provide the Owner with monthly project status reports including progress on work tasks and schedule throughout the project.
- (d) Submit to the Owner detailed monthly invoices.

2 TASK 2 - PRELIMINARY DESIGN

The Preliminary Design phase submittal will include a preliminary design report (PDR) documenting the design criteria, preliminary drawings, and an opinion of probable construction cost (OPCC) within an estimated -30% to +30% accuracy range of expected construction cost. The PDR will include the following sections:

3.1 Drawings and Specifications

Based upon the results of the approved preliminary design by the Owner, GARVER will develop the detailed plans and specifications as a part of the Final Design for a single construction contract. Garver will provide technical specifications. GARVER will utilize Engineers Joint Council Documents Committee (EJCDC) standard documents as a base for developing the project's front-end documents. EJCDC's standard General Conditions shall be utilized with edits being provided by the Supplementary Conditions. Multiple design scenarios or bid packages and/or pre-purchased equipment packages are not included as part of the level of effort provided with this agreement.

3.2 Construction Contract Documents

The Contract Documents will consist of drawings and specifications that set forth requirements for construction of the improvements, and shall include proposal forms, notice to bidders, bid forms, bond forms, and other information as required by the Owner to competitively bid the work. GARVER's standard contract forms including documents from the EJCDC standard documents will be used, along with GARVER's standard drawing format and technical specifications. Standard forms required by the funding source will also be included as necessary.

3.3 MDNR Construction Permit

GARVER will prepare if needed and submit an MDNR Construction Permit Application on behalf of the Owner. The Owner is responsible for any costs associated with the MDNR Construction Permit.

3.4 Construction Sequencing Review and Plan

GARVER will review potential construction sequencing and the overall approach to project implementation to minimize disruption of the RCWWTP operation during construction. This review will occur at the Design Submittal Workshops.

3.5 Design Submittal Workshops

GARVER will lead a review workshop for two (2) final design phases: 60% and 90%. These workshops will be held at the Owner's office to solicit comments and feedback from the Owner.

3.6 Deliverables

This task will include the following deliverables:

- (a) PDF copies at 60%, 90%, & 100%
- (b) 60% plans, specifications, and OPCC:
 - 1) Three (3) copies of specifications and three (3) half size drawings to the Owner.
- (c) 90% plans, specifications, and OPCC:
 - 1) Three (3) copies of specifications and three (3) half size drawings to the Owner.
- (d) 100% plans, specifications, and OPCC:
 - 1) Five (5) copies of specifications, three (3) half size drawings, two (2) full size drawings and one (1) electronic PDF copy of plans and specs to the Owner.
One (1) copy of specifications and one (1) full size drawing set to MDNR

4 **TASK 4 – BIDDING SERVICES**

4.1 The scope of services assumes the bidding period for prequalified bidders is 30 calendar days. During the bidding phase of the Project, Garver will:

- (a) Prepare and submit Advertisement for Bids to newspaper(s) for publication as directed by the Owner. Owner will pay advertising costs outside of this contract.
- (b) Support the contract documents by preparing addenda. Up to two addenda are assumed for this scope of services.

9 SCHEDULE

Garver shall begin work under this Agreement within ten (10) days of a Notice to Proceed and shall complete the work in accordance with the schedule below:

Phase Description	Calendar Days
Task 1 – Project Management	Project Duration
Task 2 – Preliminary Design	90 days after kickoff meeting
Task 3 – Final Design – 60% Submittal	60 days from approval of Task 2 Preliminary Design
Task 3 – Final Design – 90% Submittal	60 days after approval of 60% Design
Task 3 – Final Design – 100% Submittal	30 days after approval of 90% Design
Task 4 - Bidding	60 days from approval of 100% Documents

Exhibit B

City of Independence Rock Creek WWTP Thickening Improvements

FEE SUMMARY

Basic Services Section	Estimated Fees
TASK 1 - Project Management	\$ 30,046.00
TASK 2 - Preliminary Design	\$ 91,091.00
TASK 3 - Final Design	\$ 149,796.00
TASK 4 - Bidding	\$ 26,023.00
Subtotal for Basic Services Section	\$ 296,956.00

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested on the change in ownership for a Retail Selling of Intoxicating Liquor of all kinds in the original package for KC Quick 7 located at 3302 S. Blue Ridge Cutoff.

Recommendations:

This application meets the requirements of the City's Alcoholic Beverage Code.

Background:

The applicant is requesting City Council approve a change of ownership of the Retail Selling of Intoxicating Liquor of all kinds in the original package license. The new owner intends to operate Monday through Sunday 7:00 am to 11:00 pm. The applicant has also requested a Sunday Sales License that will be issued administratively should the City Council approve the liquor license. 3302 OPCO LLC has purchased this property from LJPT LLC dba David's Neighborhood Shoppe. Their plan is to operate the location in the same capacity as David's Neighborhood Shoppe and the applicant has indicated that this location will have alcohol sales that meet the City's Alcoholic Beverage Code.

Applicant: 3302 OPCO LLC

Name of business: KC Quick 7

Business Address: 3302 S. Blue Ridge Cutoff

Size of establishment (includes outdoor patio space if applicable): KC Quick 7 will be operating within the approximate 2,800 square feet of space at 3302 S. Blue Ridge Cutoff

Liquor License Types: Retail Selling of Intoxicating Liquor of all kinds in the original package Including Sunday Sales

Types of Alcohol to be sold/served: Various types of intoxicating liquor and beer by the package.

History of any liquor license at this location; if a new building, provide a brief update on the construction: LJPT LLC has operated this 2,800 square foot convenience store with gas pumps and liquor license at 3302 S. Blue Ridge Cutoff since 2014. LJPT LLC has now sold the property and the business to the current applicant, 3302 OPCO LLC.

There are other active liquor licenses within 1,000 feet of this location: Conoco Short Stop, Dixon's Chili Parlor, Xpress Mart 40 Hwy., Score Sports Bar & Grill, and Carmen's Cantina & Mexican Grill are located to the south.

Location proximity to school, church, or residential zoning: According to the City's mapping system there are no churches or schools within 300 feet of the parcel. There is residential property located within 300 feet.

Managing Officer Information and results from background check: 3302 OPCO LLC has indicated Kamaljeet Kaur will serve as the appointed managing officer. The background investigation conducted by the Missouri State Highway Patrol on Kamaljeet revealed she meets the requirements of the Alcoholic Beverages code.

Emergency Justification:

Fiscal Impact:

Council Action:

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Redacted KC Quick 7 Liquor License Application
2. Aerial map
3. Zoning map

RICHARD T. BRYANT & ASSOCIATES, P.C.

A T T O R N E Y S A T L A W

HARZFELD'S BUILDING
1111 MAIN STREET, SUITE 750
KANSAS CITY, MISSOURI 64105

PHONE (816) 221-9000
FACSIMILIE (816) 221-9010
E-MAIL: DICK2479@aol.com

November 26, 2024

Ms. Jill Dodson
Business Development Manager
City of Independence, Missouri
111 E. Maple Avenue
Independence, Missouri 64050

Re: KC QUICK 7, 3302 South Blue Ridge Cutoff

Dear Jill:

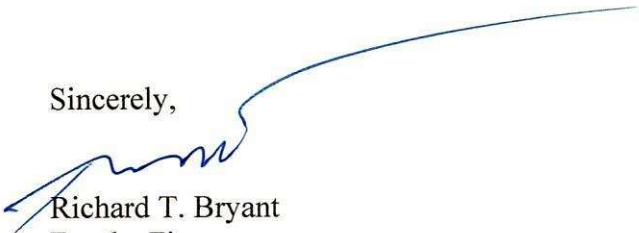
This is an application for 3302 OPCO LLC which desires to do business in Independence, at its business at the site of the old David's Neighborhood Store. This application represents their request of approval of package liquor at this site. I believe you will find all the documentation and information requested for the sale original package liquor at their site, and then more. The business license has previously been preliminarily approved by the city. As you are aware, this applicant operates other venues in Independence which are well run and crime free. The purchase of the real estate by the applicant's husband's company and the purchase of the business are contingent upon liquor license approval.

This site will continue to operate in the 2800 square foot convenience store functioning as in the past. Gasoline sales will continue, and as you can imagine from the small size of the business, liquor offering will be limited. Despite the small percentage of business in liquor, the profit margin will help offset the costs of operating the store.

Let me know if I can provide further information, and please advise of any remaining steps leading to review and approval of this application. Please contact either Anna Brescia or Nancy Clayton if you need to have any advance payments on this application.

Thanks as always.

Sincerely,



Richard T. Bryant
For the Firm

ANDREW S. TALGE
Licensed in Kansas, Missouri
andrewtalge@gmail.com

RICHARD T. BRYANT
Licensed in Iowa, Kansas,
Missouri, Washington, D.C.,
Superior Court of the U.S. Virgin Islands
DICK2479@aol.com

Application Type: ☐ Package ☐ Drink ☐ Manufacturing ☐ Wholesale ☐ Special ☒ Ownership Change

Business Information

This Business is a: ☐ Sole Proprietor ☐ Partnership ☐ LP ☒ LLC ☐ Corporation
3302 OPCO LLC
Legal Name of Entity convenience store with gasoline, food, liquor, tobacco
KC QUICK 7 Type of Business

Doing Business as (d/b/a) (if different than above)

3302 SOUTH BLUE RIDGE CUT OFF, INDEPENDENCE MO 64055

Physical Address City State Zip

RICHARD T BRYANT AND ASSOCIATES PC, 1111 MAIN STREET #750, KANSAS CITY MO

Mailing Address (if different from above)

917-856-3982 917-856-3982 KEWAL276@YAHOO.COM
Phone Cell Phone Email

MISSOURI 11/8/2024 29860865

State & Date of Incorporation or Organization Missouri Retail Sales Tax Number

UPON APPROVAL OF LICENSING CHANGES

Date business scheduled to open

Give dimensions or square footage of the building, outdoor patio, and any other areas in which alcoholic beverages may be stored or dispensed: 2800 sq ft

Is the proposed location within 300 feet of a church, school, or hospital? NO

Proposed hours of operation: 7AM TO 11 PM

If existing business, from whom was the business purchased? LJPT LLC

Date of purchase: PENDING Date of Possession: UPON APPROVAL OF LICENSING CHANGES

Does the former owner of the business have any interest, either directly or indirectly, in the business for which you seek a license? If so, explain:

NO

I hereby apply to the City of Independence, MO, for the following license(s) for the business and premises described above (mark all license types for which you are applying on page 2). I also certify that the information given in this application is true to the best of my knowledge and that the license is non-transferable. I also agree that this business will observe the restrictions specifically enumerated in Chapter 2 of the Independence City Code related to alcoholic beverages.

Kamaljeet Kaur
Signature of Applicant

KAMALJEET KAUR
Printed Name

MANAGER OF LLC
Title

11/23/2024
Date

Application Type: ☐ Package ☐ Drink ☐ Manufacturing ☐ Wholesale ☐ Special ☒ Ownership Change

Business Information

This Business is a: ☐ Sole Proprietor ☐ Partnership ☐ LP ☒ LLC ☐ Corporation

3302 OPCO LLC convenience store with gasoline, food, liquor, tobacco

Legal Name of Entity

Type of Business

KC QUICK 7

Doing Business as (d/b/a) (if different than above)

3302 SOUTH BLUE RIDGE CUT OFF, INDEPENDENCE MO 64055

Physical Address

City

State

Zip

RICHARD T BRYANT AND ASSOCIATES PC ,1111 MAIN STREET #750, KANSAS CITY MO

Mailing Address (if different from above)

917-856-3982

917-856-3982

KEWAL276@YAHOO.COM

Phone

Cell Phone

Email

MISSOURI

11/8/2024

29860865

State & Date of Incorporation or Organization

Missouri Retail Sales Tax Number

UPON APPROVAL OF LICENSING CHANGES

Date business scheduled to open

Give dimensions or square footage of the building, outdoor patio, and any other areas in which alcoholic beverages may be stored or dispensed: _____

Is the proposed location within 300 feet of a church, school, or hospital? NO

Proposed hours of operation: 7AM TO 11 PM

If existing business, from whom was the business purchased? LJPT LLC

Date of purchase: PENDING Date of Possession: UPON APPROVAL OF LICENSING CHANGES

Does the former owner of the business have any interest, either directly or indirectly, in the business for which you seek a license? If so, explain:

NO

I hereby apply to the City of Independence, MO, for the following license(s) for the business and premises described above (mark all license types for which you are applying on page 2). I also certify that the information given in this application is true to the best of my knowledge and that the license is non-transferable. I also agree that this business will observe the restrictions specifically enumerated in Chapter 2 of the Independence City Code related to alcoholic beverages.

KAMALJEET KAUR

Signature of Applicant

Printed Name

MANAGER OF LLC

11/23/2024

Title

Date

Liquor License Types (mark all license types for which you are applying)

All liquor licenses are effective for one (1) year, beginning July 1 and ending June 30. Any liquor license application made between January 1 and March 31 will be charged a prorated fee equal to one-half of the annual license fee (listed below). Those licenses will expire June 30 of that year. Applications made between April 1 and June 30 will be charged the full license fee (listed below), however those licenses will expire June 30 the following year.

Package Liquor Licenses

- ☒ P1 – Retail Selling of Intoxicating Liquor of all kinds in the original package (\$150.00)
- ☐ P3 – Retail Selling of Beer only in the original package; includes Sunday Sales (\$150.00)
- ☒ S – Sunday Sales (\$300.00)
- ☐ T – Tasting Permit (\$25.00)

Drink Licenses

- ☐ T1 – Retail Selling of Intoxicating Liquor by the Drink (\$450.00)
- ☐ T2 – Retail Selling of Malt Liquor & Wine by the Drink (\$150.00)
- ☐ T3 – Retail Selling of Beer by the Drink; includes Sunday Sales (\$150.00)
- ☐ R1 – Restaurant Selling Intoxicating Liquor (\$450.00)
- ☐ R2 – Restaurant Selling Beer; includes Sunday Sales (\$150.00)
- ☐ F1 – Tax Exempt Organizations Selling Intoxicating Liquor (\$300.00)
- ☐ H1 – Hotel Selling Intoxicating Liquor (\$450.00)
- ☐ Z1 – Consumption of Intoxicating Liquor (\$150.00)
- ☐ S – Sunday Sales (\$300.00)

Manufacturing, Distilling, Blending Licenses

- ☐ M1 – Manufacturing, Distilling, Blending Intoxicating Liquor of all kinds (\$300.00)
- ☐ M2 – Manufacturing twenty-two (22) percent or less alcohol- content intoxicating liquor (\$300.00)
- ☐ M3 – Manufacturing, Brewing Malt Liquor (\$300.00)

Wholesale Licenses

- ☐ W1 – Wholesale selling of Intoxicating Liquor of all kinds (\$300.00)
- ☐ W2 – Wholesale selling of twenty-two (22) percent or less alcohol-content intoxicating liquor (\$300.00)
- ☐ W3 – Wholesale selling of malt liquor (\$300.00)

Special Licenses

- ☐ S1 – Microbrewery (\$7.50 per 100 barrels produced)
- ☐ S2 – Domestic Winery (\$7.50 per 500 gallons produced)
- ☐ S4 – Picnic 7 Day Intoxicating Liquor by the Drink (\$15.00 per day)
- ☐ S6 – July 4th Celebration Malt Liquor & Light Wine by the Drink (\$15.00 per day)
- ☐ C1 – Caterer Intoxicating Liquor by the Drink – Up to 7 Days (\$15.00 per day)
- ☐ C2 – Caterer Intoxicating Liquor by the Drink – Up to 50 Days (\$500.00)
- ☐ C3 – Caterer Intoxicating Liquor by the Drink – Unlimited Days (\$1,000.00 per day)

Alcoholic Beverage Code Certifications – Restaurant Liquor Sales

- ☐ **If qualifying as a restaurant:** I certify that at least 50% of the gross sales of the business for which this license application is made will consist of food.

Alcoholic Beverage Code Certifications – Package Liquor Sales

If applying for a package liquor license: I certify that, at all times, I will keep a stock of goods having a value according to my original invoices of at least one thousand dollars (\$1,000.00), exclusive of the inventory value of the fixtures and of the intoxicating liquor, which I shall offer for sale on said premises. Check one of the following:

- ☒ This location will have alcohol sales that are less than 90% of gross store sales.
☐ This location will have alcohol sales that are more than 90% of gross store sales.

Additional Documentation Required

1. Letter of Explanation – Letter explaining why the application is being submitted by outlining the operations of the business and the use of the liquor license, should it be approved.
2. A recent photo of the Managing Officer.
3. Criminal Record Check – Missouri Highway Patrol criminal record check for the Managing Officer, Sole Owner, or each partner or member of a partnership or LLC.
4. Copy of the Managing Officer's paid Missouri personal property tax receipt for year immediately preceding the date of application.
5. Copy of Missouri voter registration card for the Managing Officer.
6. Recent photos of the interior and exterior of the premises to be licensed. If the building is under construction, the applicant shall provide a copy of the plans and specifications of the building.
7. Floorplan of the premises to be licensed including any areas where alcoholic beverages will be stored, sold, or consumed including outdoor patio areas.
8. Copy of Jackson County Business Property Tax receipt for year immediately preceding date of application. (If the business was new after January 1 of that year, it is exempt from this requirement.)
9. Business License Application – Applicant must submit a Business License application that includes a letter of "No Tax Due" dated within the previous 90-days for the MO sales tax number provided and a certificate of liability insurance.
10. License Fee: Check or money order payable to the City of Independence. See page 2 for current annual license fees.

Please return this application and all required documents to the Regulated Industries Division at the address above. For questions about completing this application, please contact Jordan Ellena at JEllena@indepmo.org or by phone at 816-325-7183.

Managing Officer, Sole Owner, or Managing Partner Information

KAMALJEET KAUR						119966675
Full Name						Social Security Number
F	41	5'5	195	8/20/1983	INDIA	YES
Sex	Age	Height	Weight	Date of Birth	Place of Birth	Are you a U.S. Citizen
8051 N DENVER #1105, KANSAS CITY MO 64119						
Home Address			City	State		Zip
KC QUICK STORES			917-856-3982	KEWAL276@YAHOO.COM		
Place of Employment (other than business)				Employment Phone	Email	
8301 E TRUMAN ROAD, KANSAS CITY MO 64126						
Employment Address			City	State		Zip

City or Town where the Managing Officer, Sole Owner, or Managing Partner pays taxes:

KANSAS CITY MISSOURI

Will this person be in active control and management of this business? Please explain (part-time/full-time, etc.):

YES

Have you, any partner or employee ever been arrested anywhere in the United States for the violation of any City, State or Federal Law? If so, who, where, when and what offense (do not include minor traffic offenses):

NO

Have you, any partner or employee ever been the holder of a license to manufacture or sell alcoholic beverages, which was revoked? If so, explain:

NO

Have you, or any member of your household or immediate family, ever made application for a permit for the Director of Liquor Control that was denied? If so, explain and provide approximate date of denial:

NO

Do you rent or lease the premises for which this business is to be used? If so, give terms of rent or lease, and name and address of property owner:

THE PROPERTY IS BEING ACQUIRED BY MY HUSBAND BY HIS COMPANY 3302 PROPERTY LLC

Partnership or Member Information (complete only for partnerships or LLCs with multiple members)

Give partnership or LLC name (if not already listed above) and the name, address, and percentage ownership interest of each partner or member:

ONLY KAMALJEET KAUR

Corporate Information (complete only for a corporation)

List full name, complete address, phone number, date of birth and Social Security Number of all corporate officers:

President: _____

Vice President: _____

Secretary: _____

Treasurer: _____

Managing Officer: _____

Names, address, and phone number of shares owned of all stockholders who hold 10% or more of the capital stock:

Is the corporation or any stockholder or the managing officer thereof, or any member of his/her household or immediate family, have interest directly in any other permit issued by the Director of Liquor Control? If so, explain:

Has any stockholder of the corporation or an officer ever been employed by any person, partnership, or corporation that had a license revoked or suspended? If so, who, where, when and what offense:

Alcoholic Beverage Code Certifications – Adult Materials

- ☒ I certify this establishment **will not** display or sell books, photos, magazines, videos, or other periodicals which are distinguished or characterized by the principal emphasis on matters depicting, describing, or relating to specified sexual activities.
- ☐ I certify this establishment **will** display or sell books, photos, magazines, videos, or other periodicals which are distinguished or characterized by the principal emphasis on matters depicting, describing, or relating to specified sexual activities.

Alcoholic Beverage Code Certifications – Allow Entry for Inspection

- ☒ I agree that I will permit the entry of any officer or investigator who has legal authority for the purpose of inspection; and will permit the removal of all things and articles which may be in violation of the ordinances of Independence, Missouri, and the laws of the State of Missouri or the United States.

THE UNITED STATES OF AMERICA

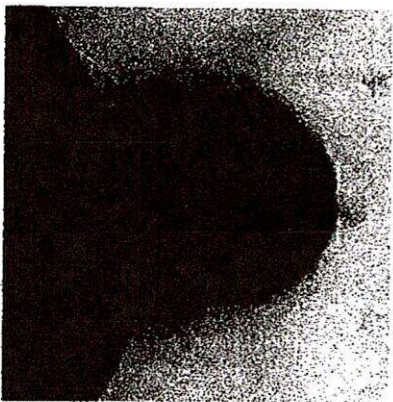
No. 41741856

CERTIFICATE OF NATURALIZATION

U.S. Registration No. A058 950 462

Personal description of holder as of date of naturalization:
Date of birth: AUGUST 20, 1983
Sex: FEMALE
Height: 5 feet 05 inches
Marital status: MARRIED
Country of former nationality: INDIA

Signature of holder



I certify that the description given is true, and that the photograph affixed hereto is a likeness of me.

Kamaljeet Kaur
(Complete and true signature of holder)

Be it known that, pursuant to an application filed with the Secretary of Homeland Security

at: KANSAS CITY, MISSOURI

The Secretary having found that:

KAMALJEET KAUR

residing at:

KANSAS CITY, MISSOURI

having complied in all respects with all of the applicable provisions of the naturalization laws of the United States, being entitled to be admitted as a citizen of the United States, and having taken the oath of allegiance at a ceremony conducted by

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF MISSOURI
at: KANSAS CITY, MISSOURI on: JUNE 03, 2020

such person is admitted as a citizen of the United States of America.

Ken C. II

U. S. Citizenship and Immigration Services

DEPARTMENT OF HOMELAND SECURITY

ALTERATION OR MISUSE OF THIS DOCUMENT IS A FEDERAL OFFENSE AND PUNISHABLE BY LAW

USA

MISSOURI

NOT FOR
REAL ID
PURPOSES

DRIVER LICENSE



9 CLASS **F**
4d DL NO. **E011351004**
1 **KAUR**
2 **KAMALJEET**
8 **8051 N DENVER AVE**
KANSAS CITY, MO 64119

4b EXP **08/20/2026**
3 DOB **08/20/1983**

9a END **NONE**
12 RESTRICTIONS **NONE**

15 SEX **F** 17 WGT **195 lb**
16 HGT **5'-05"** 18 EYES **BRO**

4a ISS **07/30/2020**



Kamaljeet Kaur

5 DD **200112120025**

08/20/83



*Of the United States,
in Order to form a more perfect Union,
establish Justice, insure domestic Tranquillity,
provide for the common defence,
promote the general Welfare, and secure
the Blessings of Liberty to ourselves and
our Posterity, do ordain and establish this
Constitution for the United States of America.*



PASSPORT
PASSEPORT
PASAPORTE



UNITED STATES OF AMERICA

Type / Type / Tipo
P

USA

660612621

Surname / Nom / Apellidos

KAUR

KAUR
Given Names / Prénoms / Nombres
1. JEFF

KAMALJEET

KAMALJEET
Nationality / Nationalité / Nacionalidad

Nationality / Nationalité / Nacionalidade
UNITED STATES OF AMERICA
Lieu de naissance / Fecha de nacimiento

UNITED STATES OF AMERICA
Date of birth / Date de naissance / Fecha de nacimiento

20 Aug 1983

20 Aug 1983
Place of birth / Lieu de naissance / Lugar de nacimiento

INDIA

INDIA
Date of issue / Date de délivrance / Fecha de expedición

10 Nov 2020

10 Nov 2020
Date of expiration / Date d'expiration / Fecha de caducidad

09 Nov 2030

09 Nov 2030
Endorsements / Mentions Spéciales / Anotaciones

SEE PAGE 27

Sex / Sexe / Sexo

F

Authority / Autorité / Autoridad

United States

United States
Department of State



P<USAKAUR<<KAMALJEET<<<<<<<<<<<<<<<<<<<<<<<<<<<<
6606126216USA8308207F3011098684747562<428454



No Match Notification

A statewide search of the identifiers below has revealed no criminal conviction or sex offender information on file. Fingerprints were not provided and thus the result of the search cannot be guaranteed.

Date of Search: 11/26/2024

Name (1): KAMALJEET KAUR

Name (2):

Name (3):

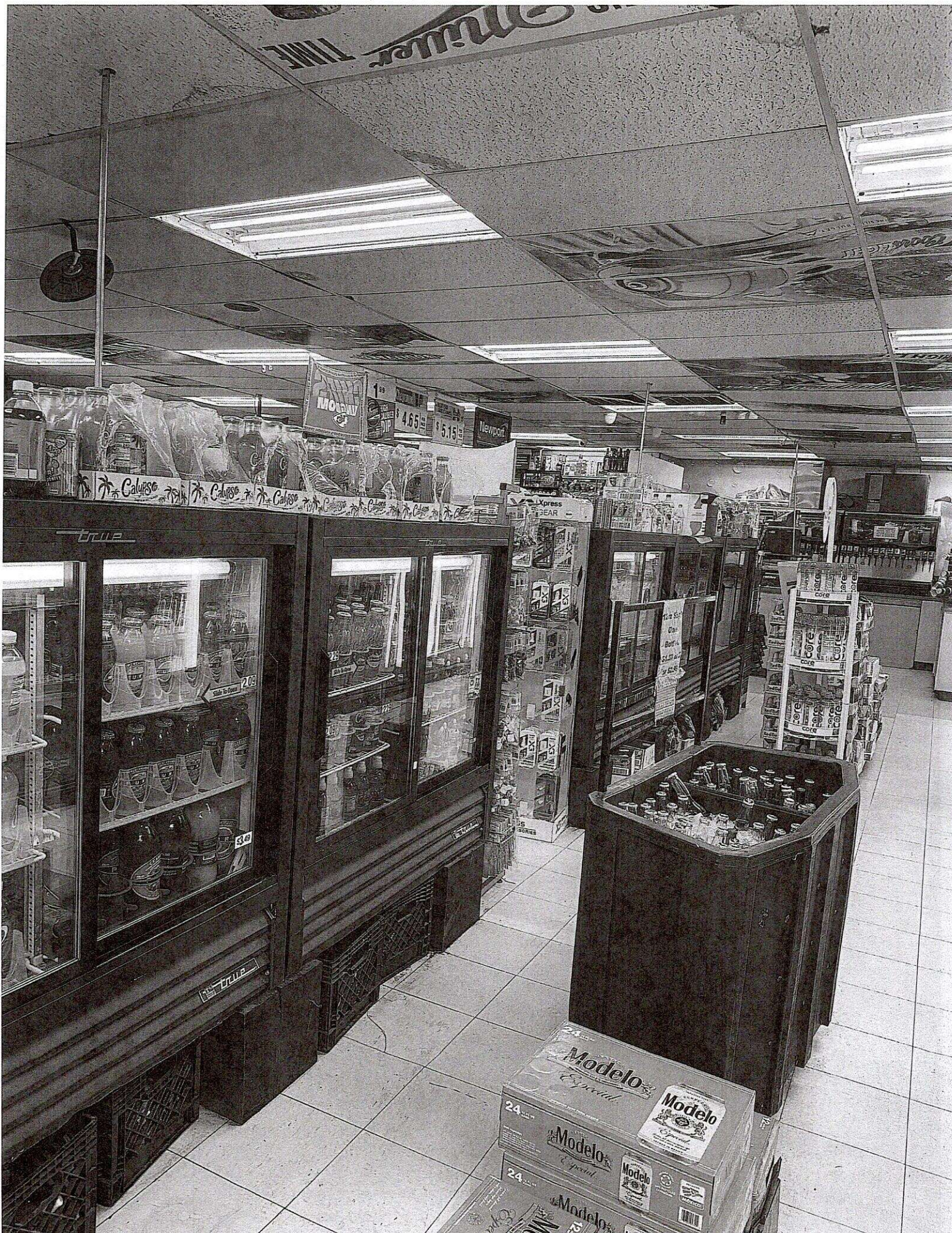
Date Of Birth: 08/20/1983

SSN: xxx-xx-6675

Control Number: 6965990

If you have any questions, please do not hesitate to contact our office at 573-526-6153.

Missouri State Highway Patrol
Criminal Justice Information Services Division
PO BOX 9500
Jefferson City, MO 65102





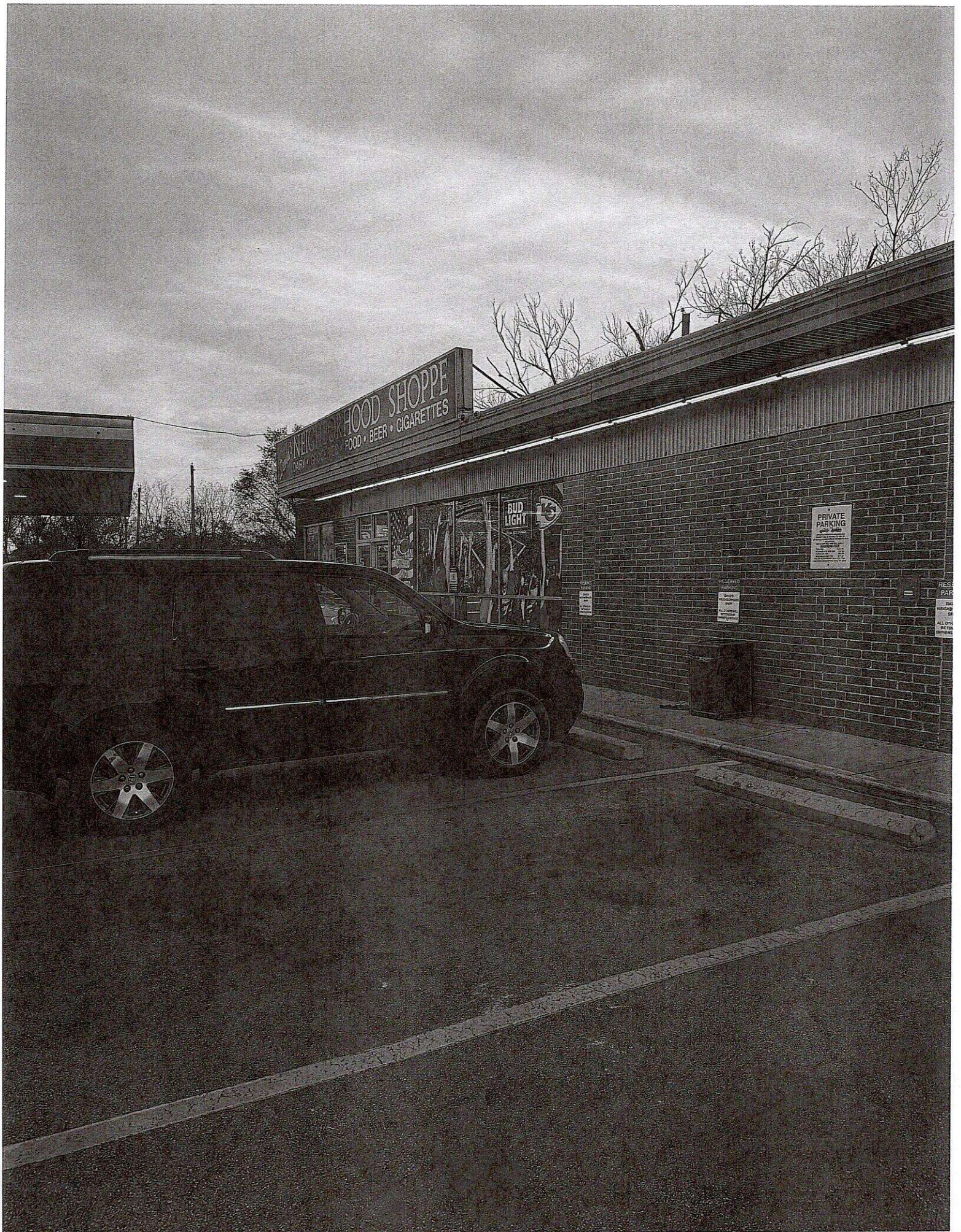




















A FEDERAL COURT HAS ORDERED
R.J. REYNOLDS TOBACCO & PHILIP MORRIS USA TO STATE:



Children exposed to secondhand smoke are at an increased risk for sudden infant death syndrome (SIDS), acute respiratory infections, ear problems, severe asthma, and reduced lung function.

Save
30¢
per gallon

on your first fill-up when you download the Fuel Forward App and pay with your Phillips 66® Credit Card in the app now through 12/31/2024.

THEN
Continue saving
15¢
per gallon

on every fill-up with your Phillips 66® Credit Card in the Fuel Forward App now through 12/31/2024.

Learn more and apply!

or visit myphillips66.com

LIBERTY
SOLD HERE

REAL ESTATE AND ASSET PURCHASE AGREEMENT

This REAL ESTATE AND ASSET PURCHASE AGREEMENT ("Agreement") is made and entered into on this 20th day of November, 2024, and shall be effective as the date last signed below (the "Effective Date"), by and between SMJ REAL ESTATE LLC, a Missouri limited liability company referred to herein as "Seller", and 3302 PROPERTY LLC, a Missouri limited liability company, referred to herein as "Purchaser" as to all matters relating to real estate. This Agreement shall further be effective as the date last signed below (the "Effective Date"), by and between LJPT LLC, a Missouri limited liability company referred to herein as "Seller", and 3302 OPCO LLC, a Missouri limited liability company, referred to herein as "Purchaser" as to all matters relating to personal property, business property and inventory.

WITNESSETH

IN CONSIDERATION of the mutual promises, covenants, agreements and understandings contained herein, Seller and Purchaser agree as follows:

1. Purchase and Sale. Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, that certain real property and improvements located in the County of Jackson, State of Missouri, commonly known and numbered as Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, that certain real property and improvements located in the County of Jackson, State of Missouri, commonly known and numbered as **3302 South Blue Ridge Cutoff, Independence, Missouri** (the Property"), legal description of the Property to be controlled by the Title Company (as defined herein), upon the terms and conditions contained in this Agreement but generally described as:

All that part of the South 1/2 of Section 17, Township 49 North, Range 32 West, In Independence, Jackson County, Missouri, more particularly described as follows: Beginning at a point on the West line of Blue Ridge Cutoff said point being South 1157.73 feet from the North line of the Southeast 1/4 of said Section 17; thence North 81 degrees 49 minutes 18 seconds West, 120.0 feet to the True Point of Beginning; thence continuing North 81 degrees 49 minutes 18 seconds West, 32.50 feet; thence South 09 degrees 49 minutes 12 seconds West, 70.03 feet; thence South 88 degrees 46 minutes 12 seconds West, 133.13 feet; thence South 04 degrees 25 minutes 56 seconds West 418.46 feet; thence North 77 degrees 25 minutes 56 seconds East, 135.05 feet to the intersection of the North right-of-way of Westport Road (Pitcher Road) and the West right-of-way line of Blue Ridge Cutoff; thence North 29 degrees 52 minutes 37 seconds East, along said West right-of-way line 201.60 feet; thence continuing along said West right-of-way line following a radius of 532.96 feet a distance of 136.37 feet; thence North 73 degrees 46 minutes 25 seconds West, 120.0 feet; thence North 13 degrees 23 minutes 59 seconds East, 134.03 feet to the True Point of Beginning.

Additionally, Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, all of Seller's right, title and interest in and to all the business assets of Seller identified herein and used in, connected with or part of, the business activities and operations of a fuel sales and convenience store business and related operations (collectively the "Business") conducted by Seller at the Property, to the extent owned by Seller (referred to herein collectively as the "Assets" and further defined in Sections 1(a-d) below), said Assets shall include:

(a) all furniture, fixtures and equipment of, if any, to the extent owned by Seller, used in connection with the Business (collectively referred to herein as the "FFE"), including all attached and unattached furniture, appliances, furnishings and office equipment, trade fixtures, storage equipment,

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refrigeration equipment, displays, fuel pumps, fuel storage tanks, carts, cleaning equipment and machines, alarm systems and equipment, lighting fixtures, signage, processing equipment, computers, electronic devices, POS systems(s), counters, inventory of non-retail sales goods, storage and shelving, cabinets, product dispensers, waste receptacles, mechanical equipment and systems, and product materials; and

Additionally, Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, all of Seller's right, title and interest in and to all unexpired inventory of retail sales goods, tobacco, liquor and merchandise, in good and marketable condition, connected with or part of the Business conducted by Seller at the Property and existing as of Closing, including but not limited to fuel inventory (referred to herein collectively as the "Inventory"), in an amount to be determined as stated in **Exhibit A** hereto (the "Inventory Purchase Price"), by the taking of an inventory on or near the Closing Date, to be conducted by a professional third party inventory company, the cost of which shall be shared equally between Seller and Purchaser.

2. Purchase Price. The total purchase price for the Property and Assets is \$1,600,000.00 (the "**Purchase Price**"). The Purchase Price shall be payable as follows:

a. Within three (3) business days after the Effective Date, Purchaser will deliver to First American Title Company, LLC at Kansas City (the "**Title Company**"), the sum of \$20,000.00 in cash or other immediately available funds (the "**Earnest Money**"), to be held in escrow by the Title Company and disbursed in accordance with the terms of this Agreement. Purchaser hereby agrees and acknowledges that absent a verified default of Seller, the Earnest Money shall in all respects be non-refundable to Purchaser, except as expressly stated otherwise in this Agreement.

b. The balance of the Purchase Price in an amount to be determined at Closing will be paid in full to Seller by Purchaser in cash or other immediately available funds on the "Closing Date" (as defined below).

c. The Inventory Purchase Price shall be paid in cash or other immediately available funds in an amount determined by a third party inventory company, on the Closing Date. The provisions of this Section 2.c shall expressly survive Closing (as defined herein) of this transaction.

3. Title Commitment. Within fifteen (15) days after the Effective Date, Seller will cause, at Seller's sole cost, the Title Company to provide Purchaser with a title insurance commitment (the "**Commitment**") covering the Property. The Commitment must provide for the delivery to Purchaser of an Owner's Title Insurance Policy, in a form reasonably acceptable to Purchaser (the "**Title Policy**") insuring marketable fee simple title to the Property, in the amount of the Purchase Price as allocated to the Property and underwritten by the Title Company.

4. Review of Commitment. Purchaser will review the Commitment and will deliver to Seller, in writing, any objections that Purchaser may have with respect to the Commitment. In the event Purchaser fails to provide to Seller any written notice containing objections to the Commitment within ten (10) days after the date of receipt of the Commitment, Purchaser will be deemed to have accepted the Commitment and all exceptions to title set forth therein (the "**Permitted Exceptions**"). Within ten (10) days after Seller's receipt of Purchaser's written notice of any objections based upon the Commitment and/or any of the exceptions to title set forth in Schedule B-II thereof, Seller will deliver to Purchaser a written statement setting forth: (1) any objections that Seller cannot or otherwise elects not to cure prior to or concurrently with Purchaser's acquisition of the Property; and/or (2) all objections which Seller agrees to cure prior to or concurrently with Purchaser's acquisition of the Property. Within ten (10) days after receipt of Seller's statement setting forth any title objections that Seller cannot or elects not to cure, if any, Purchaser will elect to either waive such objections and close the transaction in accordance with the terms of this Agreement (in which event such objections to title shall be deemed to be "Permitted Exceptions")

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for purposes of this Agreement), or terminate this Agreement, in which event the parties hereto will have no further rights, duties or obligations, except to release to Purchaser the Earnest Money in full.

5. Purchaser's Examination of the Property.

Seller will permit Purchaser, its agents, employees and representatives, reasonable access to and the right to enter upon the Property at reasonable hours and for a reasonable duration for the purpose of conducting such inspections or examinations of the Property, Assets and Inventory (including but not limited to systems inspections, structural inspections, zoning determinations, licensing determinations, tax regulations, environmental inspections and survey), contracts and commitments of Seller as Purchaser reasonably deems necessary, at Purchaser's sole cost and expense. Purchaser shall not interfere unreasonably with the operation of the Property. All such activities shall be coordinated through Seller's representative. Purchaser shall repair all damage to the Property resulting from Purchaser's activities on the Property under this Section 5 and restore the Property to its condition as it existed prior to Purchaser's entry thereon. Purchaser shall indemnify, defend and hold harmless Seller from and against any and all loss, damage, liability or expense (including without limitation reasonable attorneys' fees and other litigation expenses and claims and liens of mechanics or materialmen) that Seller may incur as a result of Purchaser's due diligence investigations of the Property under this Section 5 (including, without limitation mechanic's liens). The obligations of Purchaser under this Section 5 shall survive the Closing or a termination of this Agreement. Purchaser will have a period of twenty one (21) days from the Effective Date (the "**Due Diligence Period**") within which to notify Seller in writing that the Property, Assets or Inventory are not conducive for Purchaser's intended use for any reason at Purchaser's sole discretion. In such event, Purchaser shall have the right to terminate this Agreement by giving Seller written notice of such election, on or before the expiration of the Due Diligence Period. In the event Purchaser elects to terminate this Agreement within the time and manner as provided in this Section 5 prior to the expiration of the Due Diligence Period, neither party shall have any further rights or obligations hereunder, except to release to Purchaser the Earnest Money in full. If Purchaser fails to provide written notice to Seller of termination of this Agreement prior to the expiration of the Due Diligence Period, Purchaser shall be deemed satisfied with the condition of the Property, Assets and Inventory, and Purchaser shall have no right to terminate this Agreement under the terms of this Section 5.

Purchaser acknowledges and agrees this Agreement provides Purchaser with an adequate opportunity to inspect the Property, Assets and Inventory described herein, and subject to the contingencies described herein, Purchaser agrees it is purchasing the Property, Assets and Inventory in **AS IS, WHERE IS, WITH ALL FAULTS** condition. EXCEPT AS PROVIDED FOR AS A CONTINGENCY, SELLER EXPRESSLY DISCLAIMS ANY AND ALL WARRANTIES OR GUARANTIES, OF ANY KIND, ORAL OR WRITTEN, EXPRESS OR IMPLIED, CONCERNING THE VALUE, CONDITION, MERCHANTABILITY, MARKETABILITY, PROFITABILITY, ENFORCEABILITY, OR FITNESS OF THE PROPERTY.

6. Existing Fuel Supply Agreement. Seller and Purchaser hereby acknowledge, represent and agree that there is an existing fuel supply agreement regarding the Property and Business with World Fuel Services, Inc. (the "**Existing Supply Agreements**"), and that Purchaser shall be assigned and shall fully assume, and Seller shall be released from, all obligations of the Existing Supply Agreements, as of the Closing Date. Purchaser and Seller further acknowledge and agree that Purchaser shall have full interest or rights in and to any rebates or other incentives related to or arising from the Existing Supply Agreements. At the completion of the term of the Fuel Supply Agreement Buyer may contract for fuel with such provisions as Buyer alone shall determine appropriate. The provisions of this Section 6 shall expressly survive Closing of this transaction.

7. Seller's Warranties and Representations.

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A. Warranties and Representations. As a further inducement to Purchaser to enter into this Agreement and to consummate the transactions contemplated by this Agreement, Seller does hereby warrant and represent to Purchaser the following:

1. Seller has full right, power and authority and has taken all requisite actions to enter into this Agreement, and to carry out its obligations as set forth in this Agreement.

2. Seller is not and has never been a "foreign person," as that term is used in Section 1445 of the Internal Revenue Code of 1986, as amended.

8. Purchaser's Warranties and Representations.

A. Warranties and Representations. As a further inducement to Seller to enter into this Agreement and to consummate the transactions contemplated by this Agreement, Purchaser does hereby warrant and represent to Seller the following:

1. Purchaser is duly organized, validly existing and in good standing under the laws of the State of Missouri, and at closing will have the corporate power and authority to execute, deliver, and complete the transactions anticipated under this Agreement.

2. Purchaser is not and has never been a "foreign person," as that term is used in Section 1445 of the Internal Revenue Code of 1986, as amended.

9. Conditions to Seller's Obligation to Close. Seller's obligations under this Agreement are subject to Purchaser fulfilling all obligations hereunder, or Seller waiving the same.

10. Conditions to Purchaser's Obligation to Close. Purchaser's obligations under this Agreement are subject to Seller fulfilling all obligations hereunder, or Purchaser waiving the same.

11. Time, Place, Expenses of Closing.

A. Closing Date. Subject to all provisions of this Agreement, the closing (the "Closing") hereunder shall take place no later than fifteen (15) days from the expiration of the Due Diligence Period (the "Closing Date").

B. Real Estate Taxes; Assessments. Seller shall pay all real estate taxes, general and special, and all installments of special assessments for the years prior to the calendar year of Closing. All such real estate taxes and installments of special assessments becoming due and accruing during the calendar year in which the Closing occurs shall be prorated between Seller and Purchaser on the basis of the said calendar year as of the date of Closing. If the amount of any such tax or special assessment to be prorated cannot be ascertained at Closing, proration shall be computed on the amount thereof for the preceding year, unless improvements have been placed upon the Property since the assessment for the preceding year. In the latter case, taxes will be estimated upon the best information available. Purchaser shall assume and pay all real estate taxes and installments of special assessments accruing after the Closing.

C. Closing Costs.

1. Seller's Closing Costs. Seller will pay for the cost of an Owner's Title Policy. Seller will pay all transfer fees and deed taxes imposed on the sale of real

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property pursuant to state or local law. All other costs and fees associated with Closing, which are not expressly attributed to Seller pursuant to the terms in this Agreement, shall be shared equally with Purchaser.

2. Purchaser's Closing Costs. Purchaser will pay for the cost of any Lender's Title Policy. Purchaser will pay the cost of recording the special warranty deed, deed of trust, and for the costs of any other documents required to be recorded in connection with this transaction. All other costs and fees associated with Closing, which are not expressly attributed to Purchaser pursuant to the terms in this Agreement, shall be shared equally with Seller.

D. Deliveries at Closing.

1. Seller's Deliveries. Seller agrees to furnish to Purchaser the following items at Closing:

- a. A special warranty deed, and such other documents as required by the Title Company, executed by Seller which will convey to Purchaser marketable fee simple title to the Property, free and clear of all liens and encumbrances except for the Permitted Exceptions.
- b. A certification that Seller is not foreign person in such form as required by the Title Company, if any.
- c. A Bill of Sale conveying the Assets and Inventory to Purchaser.
- d. An executed counterpart of an assignment and assumption of the Existing Fuel Supply Agreements.
- e. An executed counterpart of an assignment and assumption of the Franchise Agreement.
- f. All documents and agreements contemplated under this Agreement or otherwise required in order to close the sale of the Property, Assets and Inventory as contemplated under this Agreement.

2. Purchaser's Deliveries. Purchaser agrees to furnish to Seller the following items at closing:

- a. The remaining balance owed on the Purchase Price in cash or other immediately available funds.
- b. The amounts due and owing on the Inventory Purchase Price in accordance with Section 2.c of this Agreement, in cash or other immediately available funds.
- c. An executed counterpart of an assignment and assumption of the Existing Fuel Supply Agreements.
- d. An executed counterpart of an assignment and assumption of the Franchise Agreement.
- e. All documents and agreements contemplated under this Agreement or otherwise required in order to close the sale of the Property, Assets and

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Inventory as contemplated under this Agreement.

12. Default. For purposes of this Agreement, a party will be in default on or before the Closing Date if any one of the following occur:

A. Warranties and Representations. Any warranty or representation made by either Seller or Purchaser in this Agreement, or in connection with this Agreement, will be incorrect or misleading in any material respect when made, and which will have a material and adverse effect upon the rights of the other party.

B. Performance. Seller or Purchaser fail to perform or observe any term, covenant, condition, obligation, or agreement of this Agreement on its part to be performed or observed, and the failure has a material and adverse effect upon the rights of the other party, and the failure remains unremedied for five (5) days after written notice of it is given to the defaulting party by the other party.

13. Remedies of Seller. In the event Purchaser is in default of this Agreement for more than five (5) days after receipt of written notice from Seller of such default, Seller may take the following remedial steps:

A. Termination. By written notice to Purchaser and the Title Company, Seller may cancel and terminate this Agreement and recover the Earnest Money from the Title Company, as Seller's sole and exclusive remedy.

B. Attorneys' Fees and Costs. In connection with any actions taken pursuant to this Section 13, Seller will be entitled to recover from Purchaser, Seller's reasonable attorneys' fees and costs incurred.

14. Remedies of Purchaser. In the event Seller is in default of this Agreement for more than 5 days after receipt of written notice from Purchaser of such default, Purchaser may take the following remedial steps:

A. Termination. By written notice to Seller and the Title Company, Purchaser may cancel and terminate this Agreement and recover the Earnest Money from Title Company; or

15. Complete Agreement. This Agreement and the Exhibits (if any) attached hereto comprise the entire agreement between Seller and Purchaser and any amendment to this Agreement or to the Schedules or Exhibits will be in writing only, signed by or on behalf of the party against whom enforcement is sought.

16. Parties Bound. This Agreement will be binding upon and inure to the benefit of Seller and Purchaser, and, to the extent permitted, their respective successors and assigns. Purchaser shall not, prior to the Closing, assign to any person its rights and obligations under this Agreement without the prior written consent of Seller.

17. Survival of Warranties, Representations, and Covenants. The warranties, representations and covenants set forth in this Agreement will be continuing, will be made again by the parties at Closing, and will survive the Closing.

18. Brokers. Seller and Purchaser agree and acknowledge that there are no brokers, or any other person(s) due a commission as a result of this transaction, involved in this transaction or owed a commission as a result of this transaction.

19. Time. Time is of the essence of each and every provision of this Agreement.

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20. Governing Law. This Agreement is to be governed by and construed in accordance with the laws of the State of Missouri.

21. Possession of Property: Risk of Loss. Possession of the Property, Assets and Inventory will be transferred on the Closing Date. All risk of loss with respect to the Property, Assets and Inventory will be borne by Seller until the later of the transfer of title or the transfer of possession to Purchaser.

22. Construction of Agreement. Headings in this Agreement are solely for the convenience of the parties and are not a part of this Agreement. This Agreement will be construed as if it had been prepared jointly by Purchaser and Seller. Unless otherwise indicated, all references to "Section(s)" are to sections in this Agreement. If any portion of this Agreement is declared to be invalid, illegal, or unenforceable by any court of competent jurisdiction, such portion will be deemed severed from this Agreement and the remaining portions will continue in full force and effect. If any date herein falls on a weekend or a holiday, the date referred to will be deemed to be the next date which is not a weekend or a holiday.

23. Notices. Any notice hereunder will be given in writing to the party for whom it is intended in person or by certified mail return receipt requested, or by nationally recognized courier, at the following address, or such future address as may be designated in writing:

To Seller: c/o Jim Amonette at jimamonette@gmail.com

To Purchaser: c/o Kewal Singh at kewal276@yahoo.com

and to any permitted successor or assignee of either party, at the address stated in the notice of succession or assignment.

24. 1031 Exchange. Seller and Purchaser will each, at no cost or liability to the other, reasonably cooperate with each other for purposes of allowing Seller and/or Purchaser to effect a "like-kind" exchange in accordance with Section 1031 of the Internal Revenue Code in connection with the purchase and sale of the Property.

25. Confidentiality. Seller, Purchaser and their agents each shall maintain confidential any and all terms of this Agreement, except as necessary only for the purposes of this transaction or as required by law in connection with business licensing and liquor licensing.

26. Casualty. In the event of the damage or destruction of all or any substantial part of the Property prior to Closing, Purchaser at its option, exercisable by written notice to Seller within 10 days

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after Seller notifies Purchaser of such casualty, may either (i) terminate this Agreement, whereupon neither party will have any further obligations hereunder (and the Earnest Money shall be returned to Purchaser), or (ii) continue under this Agreement, whereupon at Closing Seller will assign to Purchaser of all of its interest in and to any insurance policies and proceeds thereof payable as a result of such damage or destruction (if any). If Purchaser fails to timely make an election provided for herein, Purchaser shall be deemed to have elected to proceed under option (i) above.

27. Execution in Counterpart. This Agreement may be executed in one (1) or more counterparts, each of which will be considered an original document, but all of which will be considered one and the same agreement and will become binding when one (1) or more counterparts have been signed by each of the parties. Electronic and facsimile signatures shall be deemed originals.

28. Special Contingencies. In addition to any contingency or requirement set forth above relating to delivery of unencumbered, lien free title conveyances, the Seller shall obtain, at the cost of the Buyer, a Phase I environmental report revealing no contamination of the soil of the Property, and should the report reveal contamination, then the Purchaser shall, at the option of the Purchaser terminate this Contract and be entitled to the immediate refund of the Earnest Money deposit. This Agreement shall further be contingent upon the ability of the Purchaser to obtain financing upon such terms and conditions and rates as are acceptable to the Purchaser, in the sole opinion of the Purchaser, and failing to obtain such financing, then the Purchaser shall terminate this Agreement and be entitled to the return of its Earnest Money deposit. Closing is further contingent upon the ability of the Buyer to secure a city, county and state liquor license for this location in the name of the Buyer.

[REMAINDER OF PAGE BLANK; SIGNATURE PAGE FOLLOWS]

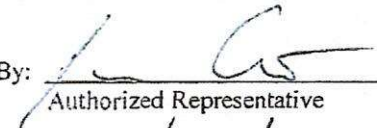
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IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

SELLER (Real Estate):

SMJ REAL ESTATE LLC

By: 
Authorized Representative

Date: 11/20/2024

PURCHASER (Real Estate):

3302 PROPERTY LLC

By: 
Authorized Representative

Date: 11/18/24

SELLER (Business Personal Property):

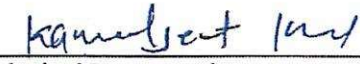
LJPT LLC

By: 
Authorized Representative

Date: 11-20-24

PURCHASER (Business Personal Property):

3302 OPCO LLC

By: 
Authorized Representative

Date: 11/18/24

EXHIBIT A
(Inventory Purchase Price)

Grocery Items:	Retail price less 30%
Cigarettes:	At Seller's cost
Other Tobacco Products:	Retail price less
25% Beer:	Retail price less
20%	
Liquor:	Retail price less 25%
Novelty Items:	Retail price less 40%
Fuel:	The price equal to the laid in cost from the terminal including taxes and freight.

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State of Missouri

John R. Ashcroft, Secretary of State

Corporations Division

PO Box 778 / 600 W. Main St., Rm. 322

Jefferson City, MO 65102

LC014588748

Date Filed: 11/8/2024

John R. Ashcroft

Missouri Secretary of State

Articles of Organization

(Submit with filing fee of \$105.00)

1. The name of the limited liability company is

3302 OPCO LLC

(Must include "Limited Liability Company," "Limited Company," "LC," "L.C.," "L.L.C.," or "LLC")

2. The purpose(s) for which the limited liability company is organized:

The operation of convenience stores, gasoline stations, and other similar venues and all other lawful purposes

3. The name and address of the limited liability company's registered agent in Missouri is:

RICHARD T

BRYANT

1111 Main St Ste 750

Kansas City, MO 64105-2191

Name

Street Address: May not use PO Box unless street address also provided

City/State/Zip

4. The management of the limited liability company is vested in: ☐ managers ☒ members (check one)

5. The events, if any, on which the limited liability company is to dissolve or the number of years the limited liability company is to continue, which may be any number or perpetual: Perpetual

(The answer to this question could cause possible tax consequences, you may wish to consult with your attorney or accountant)

6. The name(s) and street address(es) of each organizer (PO box may only be used in addition to a physical street address):

(Organizer(s) are not required to be member(s), manager(s) or owner(s))

Name

Address

City/State/Zip

Kansas City MO 64126-2923

Singh, Kewal

8301 E Truman Rd

7. ☐ Series LLC (OPTIONAL) Pursuant to Section 347.186, the limited liability company may establish a designated series in its operating agreement. The names of the series must include the full name of the limited liability company and are the following:

New Series:

☐ The limited liability company gives notice that the series has limited liability.

New Series:

☐ The limited liability company gives notice that the series has limited liability.

New Series:

☐ The limited liability company gives notice that the series has limited liability.

(Each separate series must also file an Attachment Form LLC 1A.)

Name and address to return filed document:

Name: Richard Bryant

Address: Email: dick2479@aol.com

City, State, and Zip Code:

LLC-1 (10/2020)

8. Principal Office Address (OPTIONAL) of the limited liability company (PO Box may only be used in addition to a physical street address):

3302 S Blue Ridge Cut Off

Independence, MO 64055-6102

Address (PO Box may only be used in conjunction with a physical street address)

City/State/Zip

9. The effective date of this document is the date it is filed by the Secretary of State of Missouri unless a future date is otherwise indicated: ;

(Date may not be more than 90 days after the filing date in this office)

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)

All organizers must sign:

Kewal Singh

KEWAL SINGH

11/08/2024

Organizer Signature

Printed Name

Date of Signature

STATE OF MISSOURI



John R. Ashcroft
Secretary of State

CERTIFICATE OF ORGANIZATION

WHEREAS,

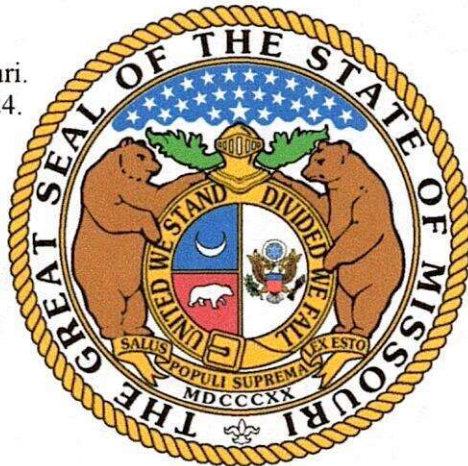
3302 OPCO LLC
LC014588748

filed its Articles of Organization with this office on the 8th day of November, 2024, and that filing was found to conform to the Missouri Limited Liability Company Act.

NOW, THEREFORE, I, John R. Ashcroft, Secretary of State of the State of Missouri, do by virtue of the authority vested in me by law, do certify and declare that on the 8th day of November, 2024, the above entity is a Limited Liability Company, organized in this state and entitled to any rights granted to Limited Liability Companies.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri.
Done at the City of Jefferson, this 8th day of November, 2024.


Secretary of State



Please type or print

LIMITED LIABILITY COMPANY REAL PROPERTY MANAGER'S
AFFIDAVIT FOR INDEPENDENCE, MISSOURI

Pursuant to §347.048 RSMo.

AFFIDAVIT OF DESIGNATING MANAGER

STATE OF MISSOURI }
COUNTY OF JACKSON }

Limited Liability Company Name (as it appears in the Articles of Organization):

3302 PROPERTY LLC

The undersigned, having been duly sworn and under oath, hereby states that he or she is the person who has management control and responsibility for the real property owned and rented or leased or owned and unoccupied by the limited liability company stated above.

My current address for which I may receive notices is as follows:

8301 EAST TRUMAN ROAD, KANSAS CITY MO 64126

(Street Address - Must be a street address, no PO Box) (City) (State) (Zip)

I understand that I must update this registration within thirty days following the cessation of management control and responsibility. I further understand that I must update this registration should there be a change in my address.

Signed [Signature] 086-82-9487 2/15/1972
SSN Date of Birth
KEWAL SINGH

Printed or typed name of natural person (First, MI, Last)

Subscribed and sworn to before me, a notary public, on this 26th day of November, 2024.

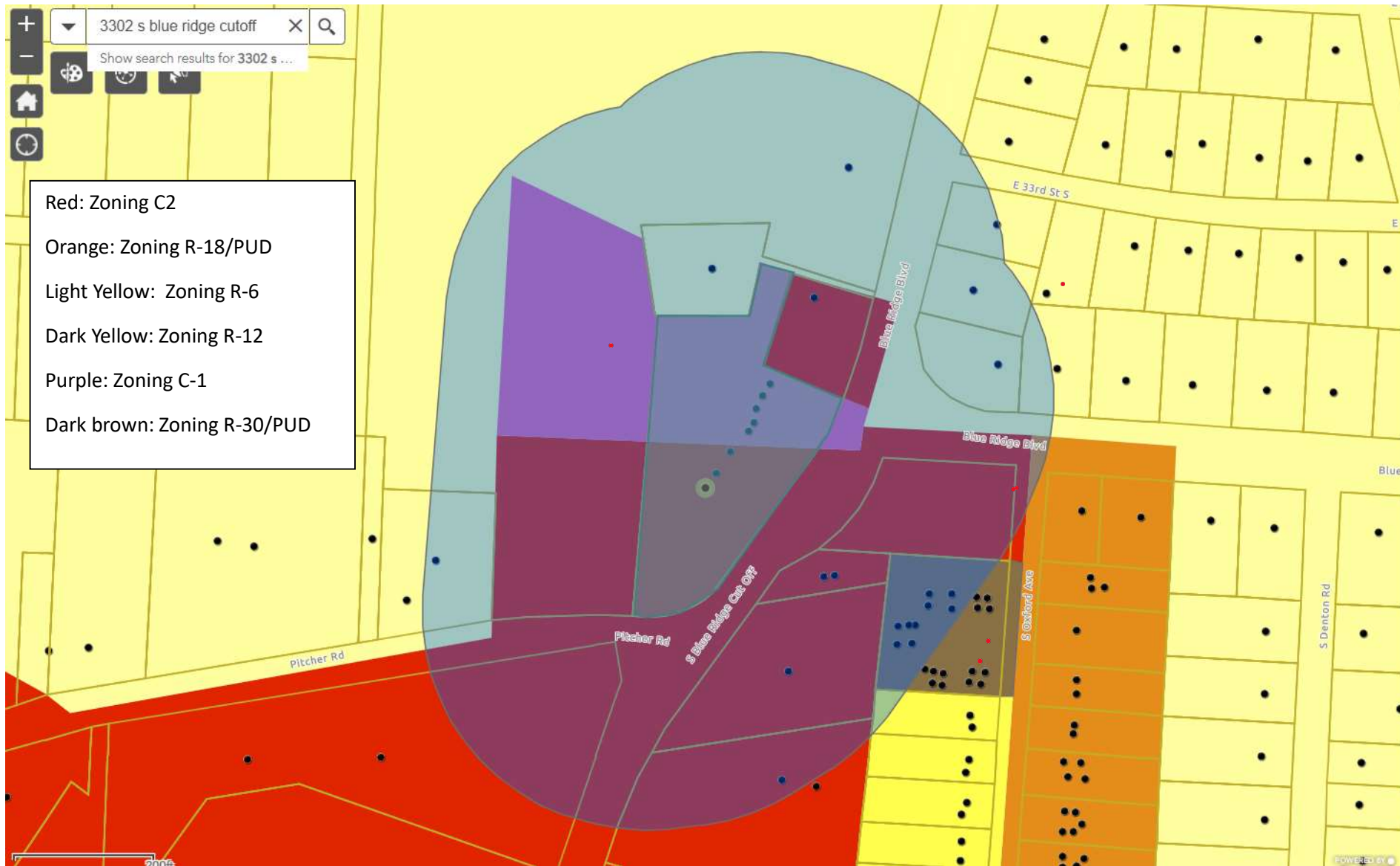
My commission expires
RICHARD T BRYANT
Notary Public - Notary Seal
Jackson County - State of Missouri
Commission Number 15544717
My Commission Expires Jul 21, 2027

[Signature]
Notary Public

*** Should you wish to provide for emergency contact: Phone: 917-856-3982

and/or Email: KEWAL276@YAHOO.COM





City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

25-705 A Resolution for approval of an agreement between the City of Independence, Missouri, and the Independence Chamber of Commerce for the operation of the Independence Economic Development Partnership. This was continued from January 21, 2024.

Recommendations:

Staff recommends approval of the agreement for the operation of the Independence Economic Development Partnership.

Background:

On November 9, 2022, the City Council adopted Resolution 6872, which established the Independence Economic Development Partnership. The term of the initial contract was for a period of two-years. City and Chamber staff have drafted an updated agreement. The impactful changes between the proposed agreement and the agreement approved by Resolution 6872 include:

1. An increase in annual funding from \$140,000 to \$165,000.
2. The contract period will increase from two (2) to three (3) years.
3. Clarification that the Chamber Board and the City Council have equal input on how the Advisory Committee is selected, and that the Advisory Committee also advises the City Council.
4. Clarification that the division chairperson for economic development of the Chamber Board of Directors is the chairperson of the Advisory Committee, as outlined in the Chamber by-laws.
5. That the vice-chairperson of the Advisory Committee can be elected from the Advisory Committee, and does not need to be a member of the Chamber Board of Directors.
6. That an annual work plan be submitted to and approved by the City Council and Chamber Board of Directors.
7. An increase of spots on the Advisory Committee for the City from two (2) to six (6). Currently, one (1) City Council member and the City Manager serve on the Committee. The change will add another City Council member, the Assistant City Manager who oversees economic development, the Independence Power and Light Director and the Community Development Director.
 1. The Resolution attached appoints Councilmembers Fears and McCandless to the Advisory Committee on behalf of the City Council.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City is \$165,000. As the previous contract had a fiscal impact to the City of \$140,000, this contract is a \$25,000 increase. Funds are available for fiscal year 2024-25, and funds will need to be budgeted moving forward in fiscal years 2025-26, 2026-27, and 2027-28.

Funding for the Independence Economic Development Partnership is included in the fiscal year 2024-25 budget in the following areas:

- Page 182, account number 0306530-5240, Municipal Services Sanitary Sewer Non-Departmental (\$22,400).
- Page 195, account number 0406540-5240, Water Non-Departmental (\$29,400)
- Page 270, account number 0206520-5240, Power and Light Non-Departmental (\$88,200).

\$12,500 of the \$25,000 increase will come from the following areas for fiscal year 2024-25.

- Page 270, account number 0206520-5240, Power and Light Non-Departmental (\$5,000).
- Page 275, account number 0024205-5213, City Memberships Dues and Memberships (\$7,500)

The remaining \$12,500 of the \$25,000 increase will need to be budgeted in fiscal year 2025-26.

Council Action:

Department / Contact	City Manager /
-------------------------	----------------

REVIEWERS

Jeremy Cover
Melissa Cabrera
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. IEDP Resolution
2. City Chamber Economic Development Contract

BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF INDEPENDENCE, MISSOURI, AND THE INDEPENDENCE CHAMBER OF COMMERCE FOR THE OPERATION OF THE INDEPENDENCE ECONOMIC DEVELOPMENT PARTNERSHIP.

WHEREAS, the City believes it is important to support and promote quality development to create a sustainable community providing a high quality of life; and,

WHEREAS, on November 9, 2022, the City Council adopted Resolution 6872 which established the Independence Economic Development Partnership; and,

WHEREAS, Resolution 6872 established a two-year period of service; and,

WHEREAS, the Chamber has offered to continue to contract with the City for the implementation of programs to promote the general economic growth of the City; and,

WHEREAS, the City and the Chamber support the continuation of the Partnership for the purpose of promoting industrial, commercial, office and residential growth; and,

WHEREAS, the City deems it in the public interest to enter into this Agreement and agree to the operation of the Independence Economic Development Partnership for the above stated purposes of advancing, maintaining and encouraging economic development activities in the City.

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

Section 1. That the agreement between the City of Independence, Missouri and the Independence Chamber of Commerce for the operation of the Independence Economic Development Partnership is hereby approved.

Section 2. That Councilmember Jared Fears and Councilmember Bridget McCandless are appointed to the Advisory Committee of the Independence Economic Development Partnership on behalf of the City Council.

Section 3. That the City Manager of the City of Independence, Missouri, is hereby authorized and directed to execute, for and on behalf of said City the agreement between the City of Independence, Missouri and the Independence Chamber of Commerce for the operation of the Independence Economic Development Partnership.

PASSED THIS ____ DAY OF JANUARY 2025 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

AGREEMENT BETWEEN THE CITY OF INDEPENDENCE, MISSOURI
AND THE INDEPENDENCE CHAMBER OF COMMERCE FOR THE OPERATION OF THE
INDEPENDENCE ECONOMIC DEVELOPMENT PARTNERSHIP

THIS AGREEMENT made and entered effective the ____ day of _____, 2025
by and between the CITY OF INDEPENDENCE, a Missouri municipal corporation, hereinafter
referred to as the "City" and the INDEPENDENCE CHAMBER OF COMMERCE, a Missouri not-for-
profit corporation, hereinafter referred to as the "Chamber".

WITNESSETH:

WHEREAS, the City believes it is important to support and promote quality development to
create a sustainable community providing a high quality of life; and

WHEREAS, the Chamber has offered to contract with the City for the implementation of
programs to promote the general economic growth of the City; and

WHEREAS, the City and the Chamber support the creation of the Partnership for the purpose of
promoting industrial, commercial, office and residential growth; and

WHEREAS, the City deems it in the public interest to enter into this Agreement and agree to the
operation of the Independence Economic Development Partnership for the above stated
purposes of advancing, maintaining and encouraging economic development activities in the
City.

NOW THEREFORE, IT IS AGREED BETWEEN THE CITY AND THE CHAMBER THAT:

1. INDEPENDENCE ECONOMIC DEVELOPMENT PARTNERSHIP

- a. The Chamber shall continue to maintain and operate a division of the Chamber
and a membership group known as the Independence Economic Development
Partnership (the "IEDP") and it will operate as a public/private partnership. The
function and purpose of the IEDP shall be promoting the economic welfare and
growth of the City, including, but not limited to fostering and encouraging all
facets of quality economic development which will have a significant impact on
the economic growth of the City.
- b. All public sector and private sector funds received by the Chamber for
participation in the IEDP shall be used for IEDP purposes.
- c. The CHAMBER Bylaws as established by the Chamber shall be consistent with the
terms of this agreement. In the event of a conflict between the CHAMBER By
Laws and this Agreement, the terms of this Agreement shall be controlling and, if
required, the Chamber shall amend the Bylaws accordingly.

2. IEDP COMMITTEE

- a. The Chamber Board (the “Board”) shall appoint or otherwise provide a means for the selection or election of members of the IEDP to the IEDP Advisory Committee (the “Committee”). The officers of the Committee shall be selected in the manner determined by the Board and Independence City Council (the “Council”), with the Chair of the Committee being the division chair of economic development of the Board. The Committee shall serve in an advisory capacity to the Board and Council.
- b. The City shall have six (6) representatives on the Committee, which shall include two (2) City Councilmembers appointed by the Council, the City Manager or their designee, the Assistant City Manager overseeing economic development or their designee, the Community Development Director or their designee, and the Independence Power and Light Director or their designee.
- c. The Committee is charged with recommending, supporting, and implementing both long and short-range goals for marketing and promoting economic development in the City and monitoring progress toward those goals. The function of the Committee will be to assist the President and CEO of the Chamber in developing an annual work plan which supports the City's goals for economic development. The Committee shall meet at least quarterly and for special meetings when called by the IEDP Chairperson. The annual workplan shall be submitted within two (2) months of the effective date of this agreement and every one (1) year thereafter. The annual workplan shall be presented to and subject to approval by the Board and Council.

3. SCOPE OF SERVICES.

- a. The Chamber will be responsible for implementing and performing the following functions:
 - i. Development of an updated strategic plan for economic development which will be used as a framework for future work plans, to be submitted for Council approval within three (3) months of the effective date of this agreement.
 - ii. Retain and expand existing employers in the City of Independence by providing research services, access to State of Missouri economic development tools, site location assistance, and other relevant expertise.
 - iii. Develop and execute a comprehensive marketing program to promote economic activity in the City of Independence.
 - iv. Identifying locations and targeted industry opportunities for future retail, commercial, industrial, and residential growth and work to make them attractive for development to increase the number of quality jobs, median income, and utility customers in the City of Independence.
 - v. Proactively act as a staff member of the City's internal Economic Development Team by responding to and initiating, as needed, special projects, analysis, and negotiations advice on economic development

opportunities to recruit or retain businesses that strengthens the economic base of the city.

- vi. Provide quarterly reports on job retention, job creation, and capital investment to the City Manager and Council.
- vii. Formulate and manage a business retention program to assess market risks and trends and develop tactics for business retention. Such program shall be enumerated in detail in the adopted biannual workplan.
- viii. Actively recruit new businesses to Independence. Actively and strategically promoting the community.
- ix. Maintain active membership with the Kansas City Area Development Council (KCADC) to be paid via financial resources of the Chamber of Commerce and not as an additional fee to the City of Independence.

4. PERFORMANCE MEASURES

- a. The effectiveness of the economic development program will be measured through the collection of data in the following areas:
 - i. Total number of new business licenses issued annually.
 - ii. Total number of annual business license renewals.
 - iii. Total commercial permit valuation.
 - iv. Total capital investment.
 - v. Total number of new jobs added and jobs retained.
 - vi. Total number of business retention visits per quarter.
- b. The Chamber will work with City staff to facilitate periodic strategic planning sessions regarding economic development and monitoring the progress of these performance measures.

5. EFFECTIVE DATE

- a. The effective date of this contract shall be January 1st, 2025.

6. PERIOD OF SERVICE

- a. The services shall be for three (3) years with the possibility of three (3) one-year renewal options.

7. FINANCIAL AGREEMENTS

- a. Compensation for services will be set at a base amount of \$165,000.00 annually and will not decrease during the term of the agreement. The City at its discretion may increase the annual compensation which is budgeted for services based on the annually submitted work plan.
- b. The City may, at its discretion, provide funding to the Chamber to support the Work Plan as defined in this Agreement for each year this Agreement is in effect. Any unused balance from the amount provided by the City to the Chamber for the IEDP shall be carried forward from year to year by the Chamber in reserves and shall be used to support the Work Plan.

- c. The funding provided by the City shall be used to support the work plan specifically provided for in this Agreement, which support shall include in-kind, administrative, and overhead costs of the Chamber related to the Work Plan.
- d. Chamber shall provide City within ninety (90) days after the end of the Chamber's fiscal year a Statement of Revenue and Expenditures of the IEDP for the preceding fiscal year documenting the receipt and disbursement of funds received from the City pursuant to this Agreement, which accounting shall be in accordance with generally accepted accounting principles. Such documentation and accounting shall be a public record of the City. In the event such accounting is not provided to the City within said ninety (90) day period, the City shall not provide any funds to the Chamber unless and until the accounting is provided and the City may declare this Agreement terminated without further notice and the City shall be relieved of any and all obligations under this Agreement.
- e. The City shall make quarterly payments to the Chamber in equal amounts in the months of July, October, January, and April. Each payment will be preceded by an invoice from the Chamber.

8. TERMINATION

- a. This agreement may be terminated by either party upon one hundred eighty (180) days written notice to the other party. Upon conclusion of the 180 days, the Chamber will deliver to the City all unexpended public funds paid by the City. If the City terminates this agreement under this provision, the City will pay reasonable encumbrances made by the Chamber pursuant to this agreement, but only to the extent that funds are on hand and budgeted and appropriated for that purpose at the time of termination.

9. INDEMNITY

- a. Chamber agrees to and shall indemnify, hold harmless and defend the City, its officers, agents and employees from and against any and all claims, losses, damages, cause of action, suites and liability of every kind including all expenses of litigation, court costs, attorney fees for injury to or death of any person or for damage to or loss of property arising out of this Agreement or from any such cost or claims because of any act or omission, negligence or wrong doing of the Chamber or its agents, representatives, employees or assigns.

10. INDEPENDENT CONSULTANTS

- a. This agreement does not create a joint venture, partnership, employer-employee relationship between the parties.

11. TAX EXEMPT STATUS

- a. The Chamber represents that it is now an organization exempt from federal taxation of corporation under section 501 (c) 6 of the Internal Revenue code of the United States Code and will maintain that status for as long as this agreement is in effect.

IN WITNESS WHEREOF, the parties have hereto set their hands and seals the last date written above.

CITY OF INDEPENDENCE, MISSOURI

INDEPENDENCE CHAMBER OF COMMERCE

City Manager

President/CEO

ATTEST:

ATTEST:

City Clerk

Name: _____

APPROVED AS TO FORM:

Title: _____

City Counselor

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

25-715 A Resolution accepting the City of Independence Transportation For All Plan.

Recommendations:

Staff recommends approval.

Background:

The Independence Transportation for All Plan seeks to connect Independence pedestrian and bicycle users through a multi-modal transportation network. The plan reviewed all existing corridor studies and identified future corridors and nodes to address gaps in our transportation system related to multi-modal users. The plan will help connect the many activity centers throughout Independence as well as historical places, existing park trails, food stores, community centers, schools, libraries, and religious centers. During the development of the plan, a robust public engagement and community consensus approach was taken to identify barriers and opportunities to an effective multi-modal network and conceptualized transportation projects to develop a recommended network plan.

In early 2022 engineering staff in Community Development identified the need for a plan to address gaps in our transportation system related to multi-modal use such as sidewalks, bike trails, and multi-use paths. While the City had many corridor studies and neighborhood plans that identified the infrastructure needs of specific areas, large portions of the city not covered by previous plans or studies, did not address the needs or location of gaps in our current sidewalk, bike trail or multi-use path system city-wide. Since these needs had not been clearly identified, new and redevelopment plans submitted to the city had been reviewed on a case-by case basis for sidewalk or trail configurations without the benefit of having an overall plan. The desire to have a consistent well thought out plan for connecting citizens of our community from their neighborhoods, transit stations, and local jobs centers, to existing park amenities, activity centers, historical locations, religious centers, and tourist destinations is paramount to the success of revitalizing all districts in our community.

In August of 2022 staff applied for funding thru the Planning Sustainable Places grant program managed thru the Mid-America Regional Council for a Transportation for All Plan. The City was awarded \$74,250 in grant funding with a required match of \$27,500.

In February of 2023, the City Council approved an agreement with Mid-America Regional Council for the development of the Independence Transportation for All Plan.

Through a request for proposal, Olsson, Inc was the selected engineering firm and began work on the study in May of 2023.

The Independence Transportation for All Plan is divided into four sections:

- **Context** – This section discusses the plan overview, the community engagement conducted, the technical review process, provides a transportation profile for the city, review of existing corridor plans and studies, and identifies the state of existing infrastructure and proposed infrastructure.
- **Engagement** – This section provides an overview of the input received during the plan’s development, what was learned from stakeholder input, and how it provides a framework for the plan’s recommendations and implementation.
- **Network Plan** – This section identifies multi-modal network priorities, network challenges and opportunities, and proposes a recommended network plan. This section also recommends ordinance changes to enhance protections of vulnerable road users including pedestrians, people on wheeled devices, and those using mobility assisted devices.
- **Implementation** – This section defines implementation steps for improving multi-modal transportation connectivity in the city based on public input, and technical review. It identifies time frames to project priorities along with their potential cost impacts and proposes funding tools help implement the plans objectives.

Olsson presented the Independence Transportation for All Plan to the City Council on the January 13th, 2025, study session.

The intent of this plan is to provide the City of Independence with a detailed and useful analysis of the city’s multi-modal conditions and needs. It is designed to be a tool for city planning and development of capital projects. While this plan provides a recommended network plan, it’s important to recognize the varying needs in different corridors of the city and to consider a network plan that is achievable and maintainable. It is important to consult this plan in a variety of contexts and discussions—policy, programmatic, regulatory, and budgetary—and it should inform future actions and development proposals.

Emergency Justification:

Fiscal Impact:

Council Action:

Department / Contact	Community Development /
---------------------------------	-------------------------

REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Transportation For All Resolution
2. Independence Transportation for All

BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE CITY OF INDEPENDENCE
TRANSPORTATION FOR ALL PLAN.

WHEREAS, in August of 2022 the City was awarded grant funding thru the Planning Sustainable Places grant program thru Mid-America Regional Council for the Transportation for All Plan; and,

WHEREAS, on February 6, 2023, the City Council approved an agreement with Mid-America Regional Council for the Independence Transportation for All Plan; and,

WHEREAS, the scope of the project developed a plan to address gaps in our transportation system related to multi-modal use such as sidewalks, bike trails, and multi-use paths; and,

WHEREAS, the Independence Transportation for All Plan is a vital tool in helping identify current gaps in our multi-modal transportation network; and,

WHEREAS, the City of Independence recognizes the overall benefit of strategic planning the use of multi-modal systems with new developments and redevelopments city-wide; and,

WHEREAS, the Independence Transportation for All Plan is important in creating an overall multi-modal network connecting citizens with job centers, transit, activity centers, historical places, tourist centers, and recreational destinations.

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

SECTION 1. That the Independence City Council supports the Independence Transportation for All Plan.

PASSED THIS _____ DAY OF _____, 2025, 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



TRANSPORTATION FOR ALL



progress in motion

INDEPENDENCE
★ MISSOURI ★



Final Report

June 2024

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Acknowledgments

City Council

Rory Rowland, Mayor
 John Perkins, Mayor Pro Tem, 1st District
 Brice Stewart, 2nd District
 Heather Wiley, 3rd District
 Jennie Vaught, 4th District
 Jared Fears, At-Large
 Bridget McCandless, At-Large

City Staff / Steering Committee

Darryl Fields, MARC
 Rick Arroyo
 Amara Oakes
 Meg Lewis
 Alex Lopez
 Rodney Honeycutt
 Doug Short
 Janelle Scofield
 Christina Heinen
 Mike Hicks
 Michelle Sumstad

Stakeholder Group Interviews

Doug Cowan
 Jennifer Manuleleua
 Cheryl DeHaan
 Jose Torres
 Gerry Winship
 Dan Astleford
 Tom Lesnak
 Brian Forker
 Jodi Krantz
 Dan McGraw
 Maureen Kennedy
 Muriel Luedeman
 John Lunn
 Madalyn Osborn
 Chrysta Sevic
 Anthony Sommer
 Daryl Houseman
 Leslie Hochsprung
 Greg McGee
 Nicole Sequeria
 Randy Maglinger

Consultant Team

Olsson
 Venice Communications
 BikeWalk KC

1 Context



Plan Overview

Plan Purpose

Access to transportation is a critical need for residents, workers, and visitors in Independence to be able to access basic needs such as employment, healthcare, education, and essential shopping. This access should be provided to the community regardless of age, personal mobility, or vehicle ownership. A healthy transportation system strikes a balance between modes of travel, with connections between these modes, and a focus on safety for all users.

The *Independence Transportation for All* Master Plan seeks to develop a citywide framework for improving transportation for all users. Because infrastructure for those traveling without a car—walking, biking, or using transit—are less developed than infrastructure for driving, this Plan focuses on these “active” transportation modes.

The City of Independence has numerous localized plans that have included an active transportation component. Some of these plans have proceeded into design and are in the process of being implemented. However, the city lacks a citywide framework that stitches together these plans in a cohesive way. This Plan seeks to fill this gap, and expand the reach of these localized plans by tying them together to create a connected network.

What is an Active Transportation Master Plan?

Active transportation is any self-propelled, human-powered mode of transportation, such as walking and bicycling. An active transportation plan includes:

- Review of existing bike, pedestrian, and transit facilities and conditions.
- Community engagement to understand challenges, needs, ideas, and opportunities.
- Active transportation education, incorporated into community engagement and evaluation of alternatives.
- Recommendations of ways to improve active transportation in the community.

Increasing active transportation use can have many benefits, ranging from favorable public health outcomes to an enhanced local economy, while reducing emissions from single occupancy vehicles. To enable and activate these benefits, active transportation should be planned with safety as a primary consideration. People of all ages should be able to walk or bike in a safe environment. Additionally, connectivity is a key component of active transportation planning. Facilities need to connect together and provide meaningful access to destinations people need or want to go. An active transportation master plan provides a vision for “connecting the dots” in order to maximize benefits for the community.

While *Independence Transportation for All* is focused on active transportation, it is understood that these modes exist within a full multimodal framework that includes people driving (the predominant transportation mode in the city), carpooling, or using transit. Implementable active transportation plans focus on a “complete streets” approach that intends to provide safe, accessible, and healthy travel for all users of the street, leveraging existing street networks and right-of-way into safe corridors that offer multimodal and multipurpose options. Because facilities are more developed and more plentiful for people driving, this Plan primarily focuses improving other options.

Plan Process

Independence Transportation for All is a community-driven process built on input received in public and stakeholder events in 2023-24. The project team employed a multi-faceted approach for engaging the community and obtaining feedback, with an iterative process of developing aspects of the plan and seeking comments on plan progress. The plan process included:

Community Engagement

Public and stakeholder engagement conducted during the planning process included:

- **Focus Group** interviews with key stakeholders occurred early in the project to understand issues, challenges, and opportunities for active transportation in the city. These groups included:
 - » Senior and Community Services group, including representatives from the Community Services League, Palmer Center, and social justice advocates.
 - » Business/Chamber of Commerce group, including representatives from the Independence Chamber of Commerce, Noland Road CID, Centerpoint Hospital, and Northpoint Development.
 - » The Independence Sustainability Commission, where the project team attended the commission’s August 2023 to gather input and feedback from the group
 - » Independence School District, including the superintendent and staff focused on transportation, facilities, family services, and secondary education.
- **Pop-Up Public Meetings** where project team staff joined a community event to talk about the project and gather input. These events occurred in September 2023 at SantaCaliGon Days and October 2023 at Blendwell Café in West Independence.

- A community survey to gather information on the city’s most significant transportation challenges and needs.
- A “Ride the Square” bicycle ride that featured a four-mile round-trip ride from Independence Square to highlight issues and challenges for active transportation in the city.
- A project website (www.independencetransportationforall.com) to house public meeting materials and provide a method of submitting ideas and comments to the project team electronically.
- A final public meeting in February 2024 at the Roger T Sermon Community Center that was focused on reviewing draft project recommendations. This event also hosted BLAST programming (Bicycle Lessons and Safety Training) in the gymnasium for anyone who wanted to learn the rules of the road or engage in some biking drills.
- A Steering Committee comprised of city staff from different departments, to help guide the development of the plan and ensure that recommendations meet community needs.



A “pop-up” public meeting held at Blendwell Cafe in October 2023.

Technical Review

Information learned through community engagement is combined with a review of data, community characteristics, and infrastructure, to develop a complete picture of transportation needs in the community. This process included the following elements:

- Compilation and review of community data on population and transportation. Census data provides a high-level view of the city's population, economic, and transportation characteristics. Local and regional data from the City and from the Mid America Regional Council (MARC) provide additional localized information.
- Review of existing conditions for people walking and biking. This includes determining locations of existing facilities, based on previously-collected data. Future improvements already programmed or planned are included in this review.
- Planning background review, understanding and summarizing past planning efforts that relate to active transportation. Specifically, how can the *Independence Transportation for All* process advance these plans and projects.
- An assessment of major barriers, including highways, wide arterial streets, railroads, natural features, or other factors that can limit active transportation connections.

Network Planning

Based on both of the above processes, the project team developed ideas for a network of active transportation infrastructure to better connect the city in all directions. This process takes a city-wide view of transportation networks, but requires localized considerations where needed to affirm direction and feasibility. Special attention is given to developing a network that can provide trips over longer distances, and that people can use for a variety of different trips. While many active transportation trips are short, such as to a school or neighborhood park, barriers often present challenges for connecting across neighborhoods or to activity centers with employment, shopping, or recreation. A network plan is presented as a vision for city-wide networks and meaningful improvements to active transportation access and safety at key locations.

City Codes Review

Finally, the Plan includes a review of city codes relating to walking and biking in the city. Local laws governing development patterns, site development procedures and requirements, traffic regulations and enforcement, parking regulations, and subdivision procedures all can have a significant impact on active transportation. Walking and biking is safest and most utilized in places where facilities are planned in coordination with land uses and where comfort is prioritized.

This Plan, and specifically the review of city codes, approaches the analysis and recommendation of improvements with a Complete Streets point of view. Complete Streets are designed for all users: pedestrians, cyclists, transit users, and motorists. Complete Streets policies help pave the way for transportation infrastructure and street design projects that ultimately develop a connected, integrated network that serves all road users.

Simply put, Complete Streets is a design approach that provides safe, convenient, and comfortable routes for walking, bicycling, public transportation, and driving together in one system. An important part of a Complete Streets process, with or without a policy, is addressing the codes and regulations that currently exist and unintentionally harm vulnerable road users, including people walking and biking in Independence. Table X details proposed code language changes to protect these users.

Complete Streets "Do's" and "Don'ts"

What Complete Streets Do:

- Emphasize non-drivers
- Work to improve built environment
- Rely on community context

What Complete Streets Don't Do:

- Mandate overnight change
- Require the same elements everywhere
- Require budget obligations

Community & Transportation Profile

Planning Area

Independence is a city of 123,011 people (2020 Census) and is the seat of Jackson County, Missouri. As shown in *Figure 1*, the City is in the eastern portion of the Kansas City metropolitan area, with Kansas City to the west and south, Raytown to the southwest, Lee's Summit to the south, Blue Springs to the southeast, and Sugar Creek to the north.

While Independence is the focus of this Plan, it is important to consider plans and infrastructure in neighboring communities. Independence is part of the larger Kansas City region where people travel across city, county, and state boundaries on a regular basis to access a variety of destinations, using all modes of transportation. Integrating investments within the city with those of nearby jurisdictions will improve access for both residents and visitors.

Figure 1: Planning Area (City of Independence)

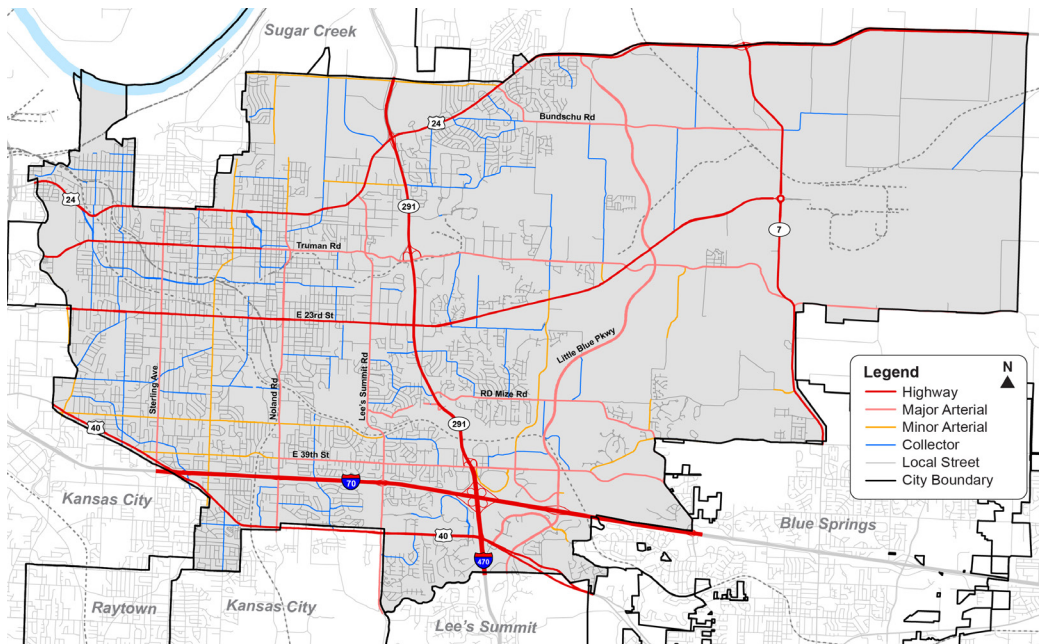
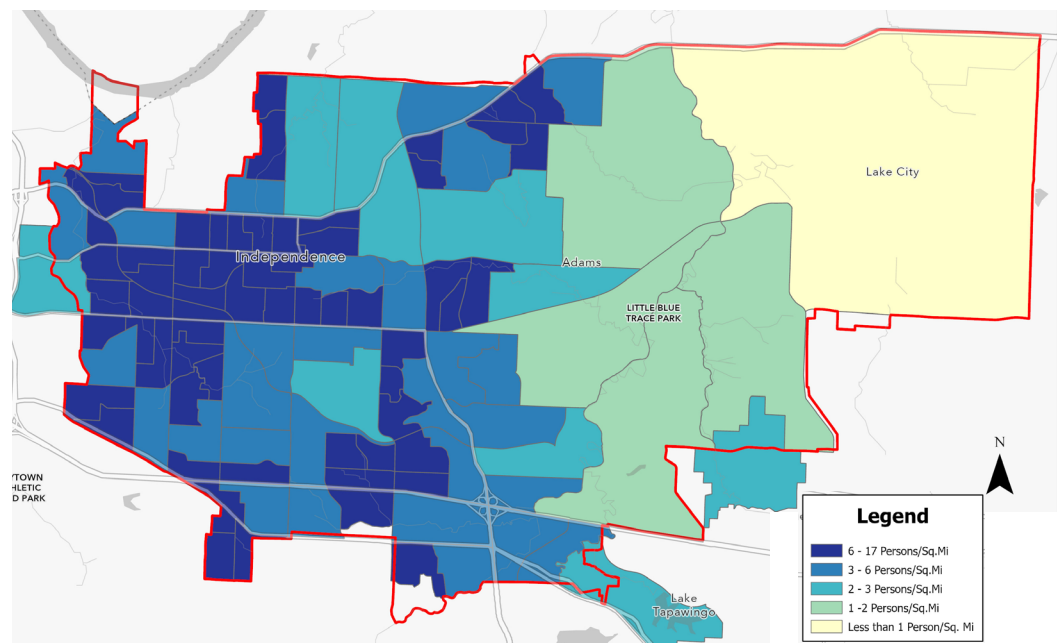


Figure 2: Population Density Map

Independence's population is not evenly-distributed across the city, as shown in *Figure 2*. In general, population densities are greater in the western half of the city (approximately west of Highway 291) than in the eastern half. West of Highway 291, the city is mostly built out, with few areas of undeveloped land. This includes the city's historic center, the Independence Square and surrounding neighborhoods. East of Highway 291, population densities are lower and much of the area, particularly east of Little Blue Parkway, is undeveloped.



Transportation Overview

Table 1 shows “commute to work” characteristics from the American Community Survey (2022). The vast majority of workers (84.9%) travel to work by driving alone, followed by carpooling (6.7%), walking (0.5%), biking (0.5%), and using transit (0.2%). An estimated 6.9% of working residents work from home. Because this information is only for trips made to work, data must be supplemented with local knowledge from residents and stakeholders for other types of transportation needs (see Section 2). Compared to the county and state, a lower percentage of people walk to work, but a larger percentage bike to work.

Additionally, provided the goal of improving transportation safety for vulnerable users, recent data for crashes involving bicyclists and pedestrians has been reviewed, as shown in Figure 3. Fatal and non-fatal crashes are generally clustered along arterial streets in the city, including Noland Road, Sterling Avenue, 23rd Street, and Highway 40. Each of these arterials have at least four lanes and have been cited by the community as having higher-speed traffic.

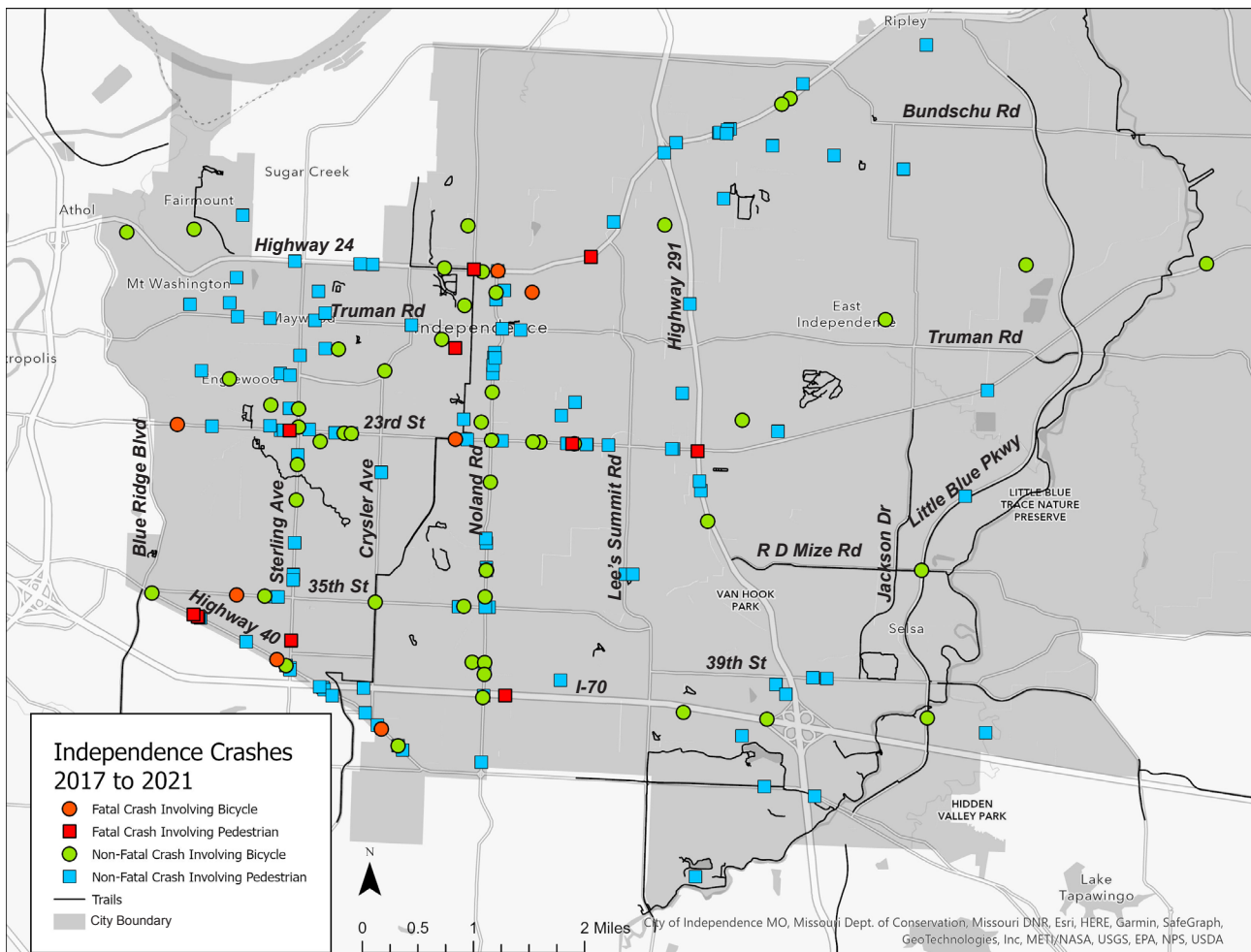
Table 1: Means of Transportation to Work

Transportation Mode	City of Independence		Jackson County	State of Missouri	United States
Private Auto	48,250	84.9%	72.7%	79.4%	73.2%
Auto Passenger	3,808	6.7%	6.5%	8.1%	8.6%
Walking	284	0.5%	1.1%	1.9%	2.5%
Biking	284	0.5%	0.2%	0.2%	0.5%
Transit	114	0.2%	1.2%	1.0%	4.2%
Work from Home	3,921	6.9%	16.9%	8.4%	9.7%
Total	56,832				

Data Source: American Community Survey (2022)

Figure 3: Crash Data Map (2017–2021)

Data Source: MARC



Planning Background

The *Independence Transportation for All* Plan was developed within the framework of other local and regional plans that are important to understand and integrate into the planning process. A specific aim of the Plan is to stitch together these efforts into a connected citywide framework.

Imagine Independence 2040 Community Vision

The City's comprehensive plan serves as a long-term guide for development of the community, and seeks to coordinate transportation and land use planning efforts. The plan included a focus on "traditional neighborhoods" that are mixed use and pedestrian friendly. A walkable area is generally understood to be a place that emphasizes people over cars by providing comfortable and convenient pedestrian facilities within a mix of land uses. The plan aims to facilitate the mix of uses and walkability that neighborhoods offered in the past.

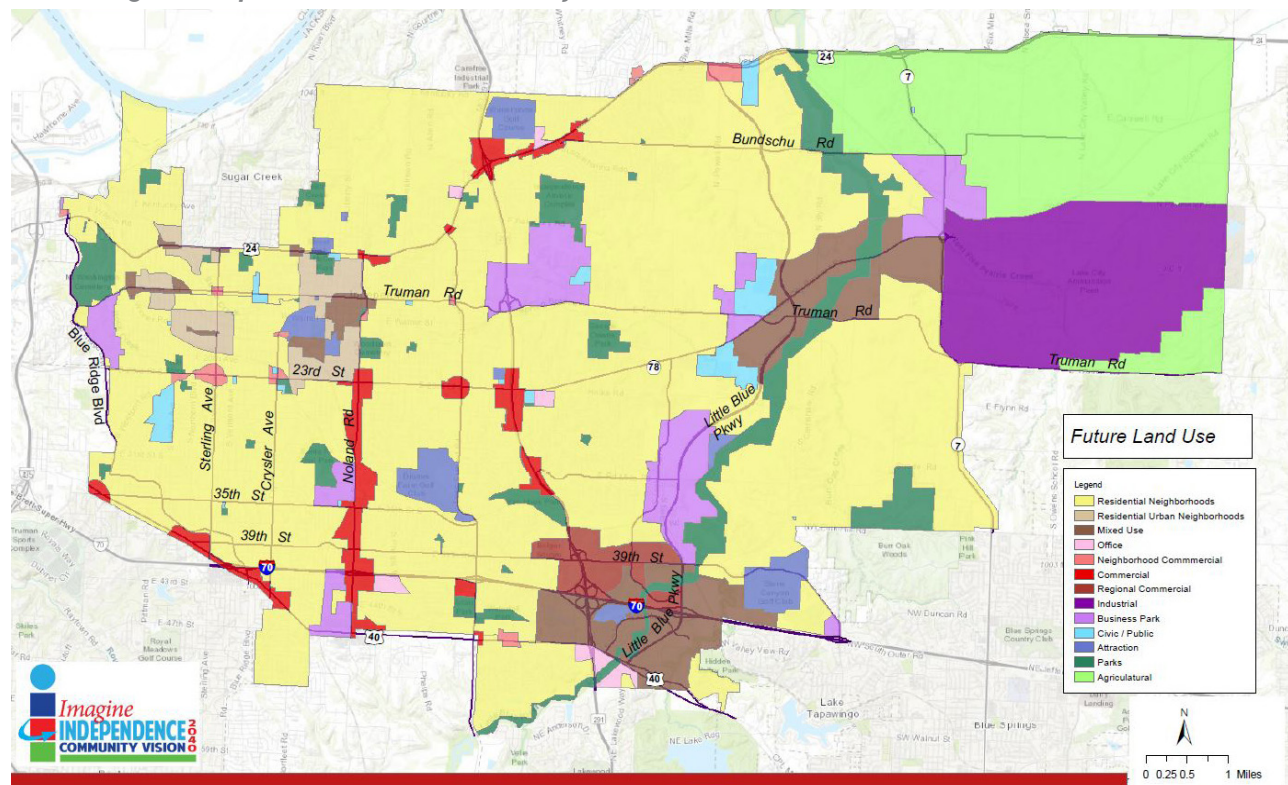
This comprehensive plan also intends to link neighborhoods and activity centers with bike facilities and trails showcasing public art (Truman Library, the National Trails Museum, Englewood Arts District and the Truman Sports Complex), as well as connect the City's bike/trail system together and to regional systems such as Little Blue Trace and the Rock Island Trail. The Future Land Use Map from the plan is shown in *Figure 4* below.

Truman Connected

The Truman Connected plan seeks to determine a way to connect activity centers in Independence with a high-quality multi-use trail, and incorporating components from past and adjacent planning efforts. The plan process discovered that while most people drive in Independence today, there is a desire to walk or bike more. The plan assessed other plans along Truman Road that contain recommendations regarding enhancements to pedestrian, bike, and transit user needs in the area; as well as an assessment and identification of logical tie-ins from plans and previously-constructed projects along or near the Truman Connected study area.

The Truman Connected plan recommended a phased approach toward developing an active transportation "spine", with the first phase from the Truman Library along on Bess Truman Parkway, through the Downtown Square, along Lexington Avenue, and along Sterling Avenue. In many areas, existing pavement reserved for cars will be repurposed for use by bicyclists and pedestrians. Because of this, much of the facility will not significantly increase maintenance costs over what the city currently incurs. The Truman Connected corridor provides the backbone to which other future improvements can connect to, and extend the reach of.

Figure 4: Future Land Use Map
From *Imagine Independence 2040 Community Vision*



Englewood Station Arts District Circulation Plan

This process recommended several key active transportation improvements in the Englewood arts district, including:

1. Improvements to circulation for those who walk, ride in wheelchairs, push strollers, bicycle, ride transit and drive vehicles.
2. Improvements to the streetscape to create a microclimate of comfort for people, including slowing people down to encourage them to frequent business.

Key design approaches (see *Figure 5*) employed to meet the goals of the district include:

- Decreasing travel lane widths to encourage drivers to slow down.
- Reducing the length of pedestrian crossing distances to create safer crossings. Increasing sidewalk width on the south side of Winner Road to provide safe travel and amenity zones for pedestrians.
- Boosting safety at intersections by limiting obstructions in sight triangles.
- Reducing impervious surfaces and replacing them with pervious surfaces that absorb rainfall.
- Adding trees and other vegetation to create a more soften the hardscape, including installing planter/ infiltration basins to treat stormwater.
- Adding bicycle accommodations like sharrows and bike parking

Independence Square Revitalization Plan

This plan developed several key guidelines pertaining to active transportation around Independence Square, including:

- To provide on-street parking as a buffer between the pedestrian walkway and moving vehicles, using parallel or angle parking.
- Allowing outdoor eating areas to occupy a portion of the public right-of-way.
- Providing pedestrian scale street lighting shall be provided.
- Providing street furniture, such as benches, at key intersections.
- Designing vehicular access to parking lots in a manner which places pedestrian safety and comfort as the primary design consideration.

Truman Road Green Gateway Plan

The Truman Road Green Gateway Development Plan is intended to enhance transportation choices, with all users in mind – including bicyclists, transit vehicles and riders, and pedestrians of all ages and abilities. Recommendations promote pedestrian and bike facilities, with attention paid to the impacts of future development on the traffic and future aesthetics of the corridor. Off-street multi-use trails were preferred compared to on-street bike lanes. In order to achieve the community's vision of the Truman Road corridor as a unique and distinctive place that leverages its natural assets, the following project priorities were established:

- Create a welcoming aesthetically pleasing gateway to tourists and citizens.
- Capitalize on the “Gateway Potential” and natural assets.
- Develop a signature green street in Independence.
- Enhance transportation choices along Truman Road.
- Promote sustainable land use patterns.
- Enhance pedestrian and bike connections between neighborhoods.
- Increase pedestrian connections between activity nodes.
- Infill development opportunities.
- Form a strategy for implementation of public improvements.

Figure 5: Englewood Plan Recommendations
From Englewood Station Arts District Circulation Plan



US 24 Highway Corridor Study

The project identified a need, among others, to create pedestrian and public transportation linkages between the Corridor and other “urban centers” such as Independence Square and Englewood District. Principles and policies developed in the plan include:

- U.S. 24 Highway and its supporting transportation system will be improved to provide a variety of safe and efficient transportation choices to increase mobility for people of all ages, income levels, and people with disabilities. This includes highway improvements that will incorporate bikeway, pedestrian, and transit networks as essential parts of the transportation system.
- Providing a comprehensive, efficient and high-quality public transit service for the U.S. 24 Highway Corridor. This includes providing pedestrian access, accommodations for bicycles, and a mix of uses at and near transit stops to allow transit to become a viable alternative to the automobile.
- The safety, security, aesthetics, and convenience of the pedestrian and cyclist will be a fundamental consideration in the design of the transportation system. Design elements should allow for bicycles to become a practical transportation choice for residents, using a combination of on and off-street trail systems. The system will be enhanced with the adoption of a new bikeway and trail plan.

Highway 40 Corridor and Focus Area Plan

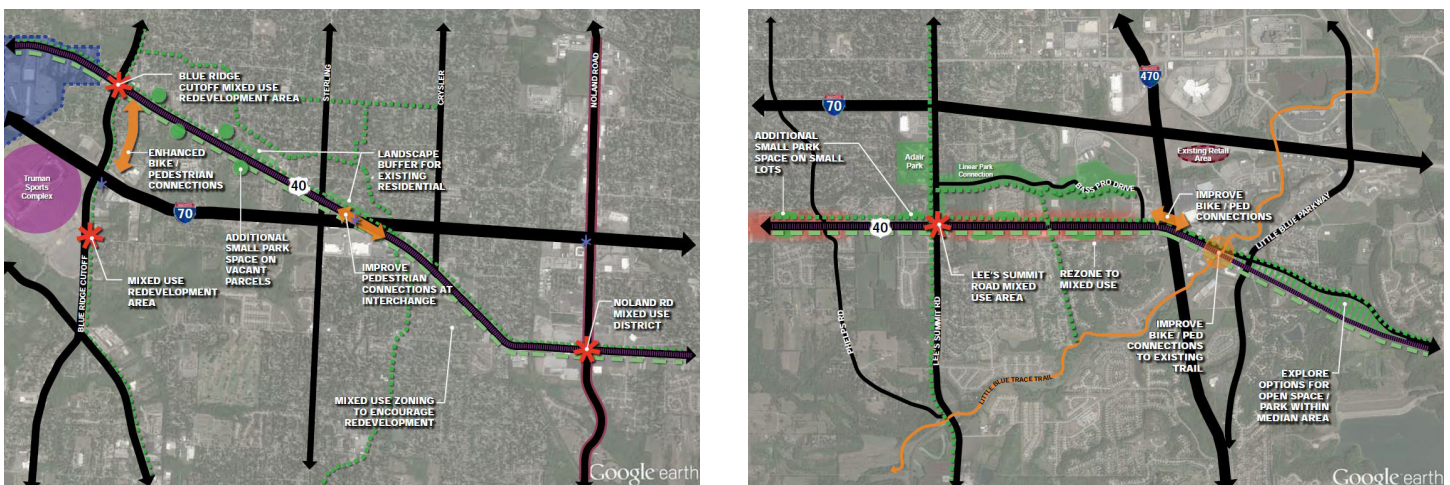
This plan seeks to advance the regional vision for a more sustainable corridor that supports a series of transit-oriented development nodes that are connected by a multi-modal corridor that supports bikes, pedestrians, and transit. The corridor should become a model for the region in which land use, transportation, and environmental considerations are integrated to create a thriving destination that can attract new growth and bolster local economies.

A Guiding Principle of the plan is to “create quality, pedestrian and bike friendly, and aesthetically pleasing environments.”

The introduction of enhanced transit service along 40 Highway will require time and the demonstrated presence of increased residential or employment density at nodes along the corridor. However, in the meantime the communities along the corridor, working with MoDOT, can help to improve the aesthetic appearance and economic marketability of the corridor over time by redesigning the highway, in stretches, as a “landscaped parkway” throughout Jackson County across multiple cities.

These improvements, shown in *Figure 6* below, can strengthen overall traffic safety and the environment for people walking and biking along the corridor, whether in a local focus area or from community to community. This strategy takes advantage of the relatively wide right-of-way of the highway through the communities of eastern Kansas City, Independence, Lee's Summit, Blue Springs, and Grain Valley and uses the extra space for bike and pedestrian improvements and to provide for an attractive center landscaped median, thereby also improving access management.

Figure 6: Corridor Recommendations From Highway 40 Corridor Plan



Fairmount District Plan

U.S. Highway 24 runs through the heart of the historic Fairmount Business District. Wide roads, fast traffic, a lack of sidewalks, and confusing intersections all limit the potential of this area to attract visitors, support investment, and achieve its full potential. The Fairmount District Plan evaluated the U.S. Highway 24 corridor from Sterling Ave to Cedar Ave and its influence on nearby housing, businesses, people traveling through the corridor, parks and recreation opportunities, traffic safety, and beautification. The Fairmount District Plan sought to improve the safety, comfort, and placemaking potential of this important community destination while recognizing the role of the Highway 24 corridor as an important regional transportation connection.

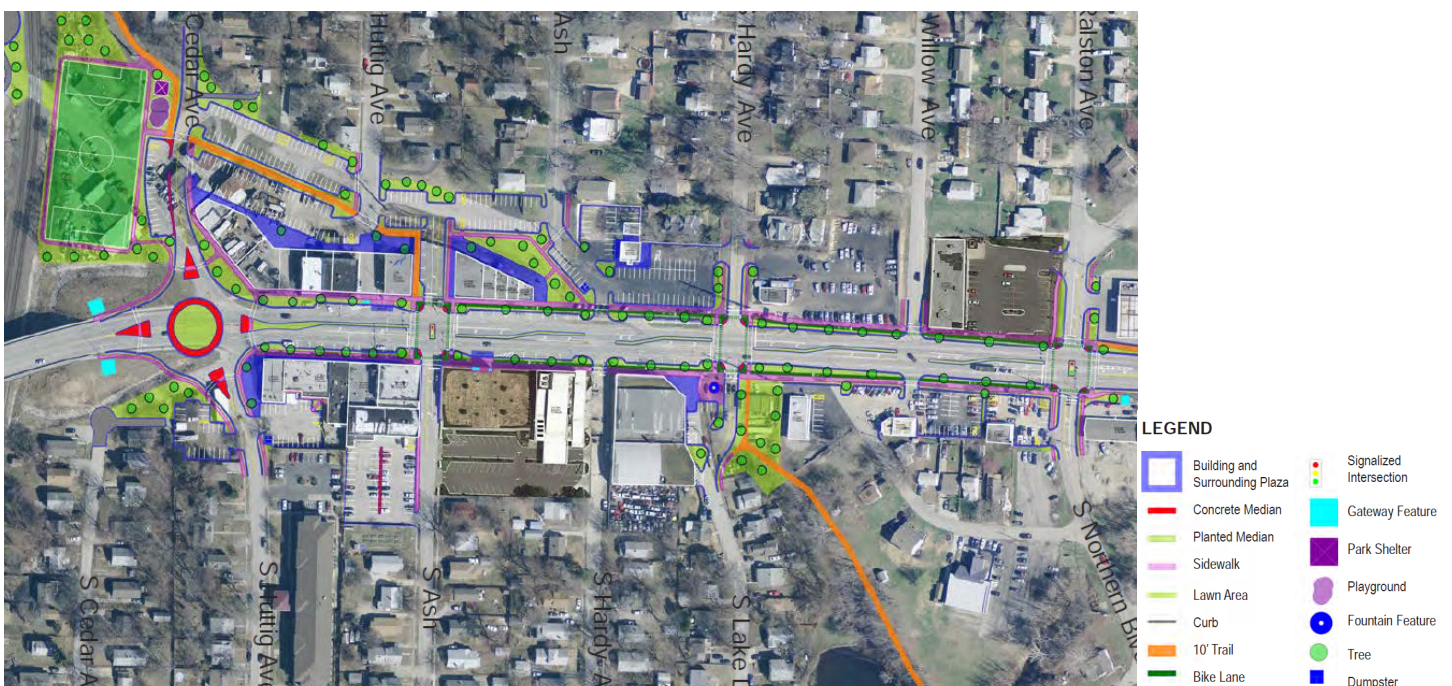
As shown in *Figure 7*, improvements include protected bicycle facilities and several fully protected intersections. The design recommends changes to intersection alignments to improve safety and efficiency. New, accessible sidewalks and public spaces support adjacent businesses, while landscaping and stormwater management features address longstanding flooding issues. Connections to surrounding neighborhoods and amenities are also considered, placing improvements in the Fairmount District in the context of a broader network of multimodal connections.

Specifically, the Fairmount District Plan recommended:

- A roundabout at the intersection of Highway 24 and Huttig Avenue, determined to be the best traffic calming tool applicable for the Fairmount District to slow trucks and vehicles to 25MPH.
- Wide sidewalks (a “pedestrian promenade” 8-10’ wide) along both sides of Highway 24 with additional sidewalk connections to east and west streets.
- Dedicated bicycle facilities protected behind curb facilities. At the proposed re-aligned S Lake Drive intersection, a new trail connection is proposed along the Crisp Lake dam headed southeast.
- Far-side transit stops are proposed at S Ash Street with a shelter.
- Landscaped medians west of S Northern Blvd and concrete medians at intersections and the proposed roundabout.
- Pocket parks, shade trees, seasonal plantings, and enhanced recreational spaces for community gathering and refuge from the elements interspersed throughout the District.

To accommodate these recommendations, additional right-of-way (ROW) is recommended to be acquired, expanding the existing ROW from 80 feet wide to 110 feet wide. Alternatively, a Joint Use Easements Agreements (JUEA) signed with property owners that would allow the City to build the proposed pedestrian infrastructure.

Figure 7: Fairmount District Plan



Existing Infrastructure

The current state of pedestrian and bicycle infrastructure in Independence reveals several challenges and safety concerns. A notable issue is the disjointed nature of the existing network, with significant gaps and discontinuities that hinder the seamless flow of pedestrian and cyclist movement. The absence of a cohesive plan has led to an incomplete and often unsafe experience for those relying on non-motorized modes of transportation. Figure 8 illustrates the existing infrastructure.

Pedestrian Infrastructure Overview

Overall, the pedestrian network is incomplete and inconsistent citywide. It has substantial gaps and varies widely in condition, quality, and accessibility. The general state of the sidewalks poses concerns. Uneven surfaces, inadequate lighting, and lack of maintenance contribute to an uncomfortable and, at times, hazardous experience for pedestrians.

The lack of universal accessibility features can hinder and endanger individuals with mobility challenges. There are a general lack of safe pedestrian crossings citywide, particularly on arterials. Fast-moving traffic and the lack of safe crossings pose substantial risks for pedestrians attempting to navigate these thoroughfares.



Poorly-maintained sidewalks can create a safety hazard for pedestrians and people using a wheelchair or other mobility device. (Independence Transit Center)

The long distances between signalized crossings on most city arterials mean pedestrians are more likely to cross at unmarked locations, increasing their risk of serious injury and death. This is especially true in areas characterized by high traffic volumes and with limited visibility. There are also existing political barriers regarding pedestrian improvements. None of the existing sidewalks are addressed under the city's current maintenance program and are not the city's responsibility, based on existing ordinances.

Bicycle Infrastructure Overview

Bicycle infrastructure faces similar challenges of safety, connectedness, and completeness. There are only a few bike lanes citywide, though the network is growing. The Truman Connected project, currently in design and moving into construction, will add a north-south spine of bike lanes, a shared use path, and on-shoulder bike facilities between the Truman Library, Independence Square, and Englewood. The city hosts an impressive collection of recreational trails on its east side. This trail system could serve as a foundation for a more extensive network to support biking as a true alternative, connecting homes with businesses, schools, shopping, etc.



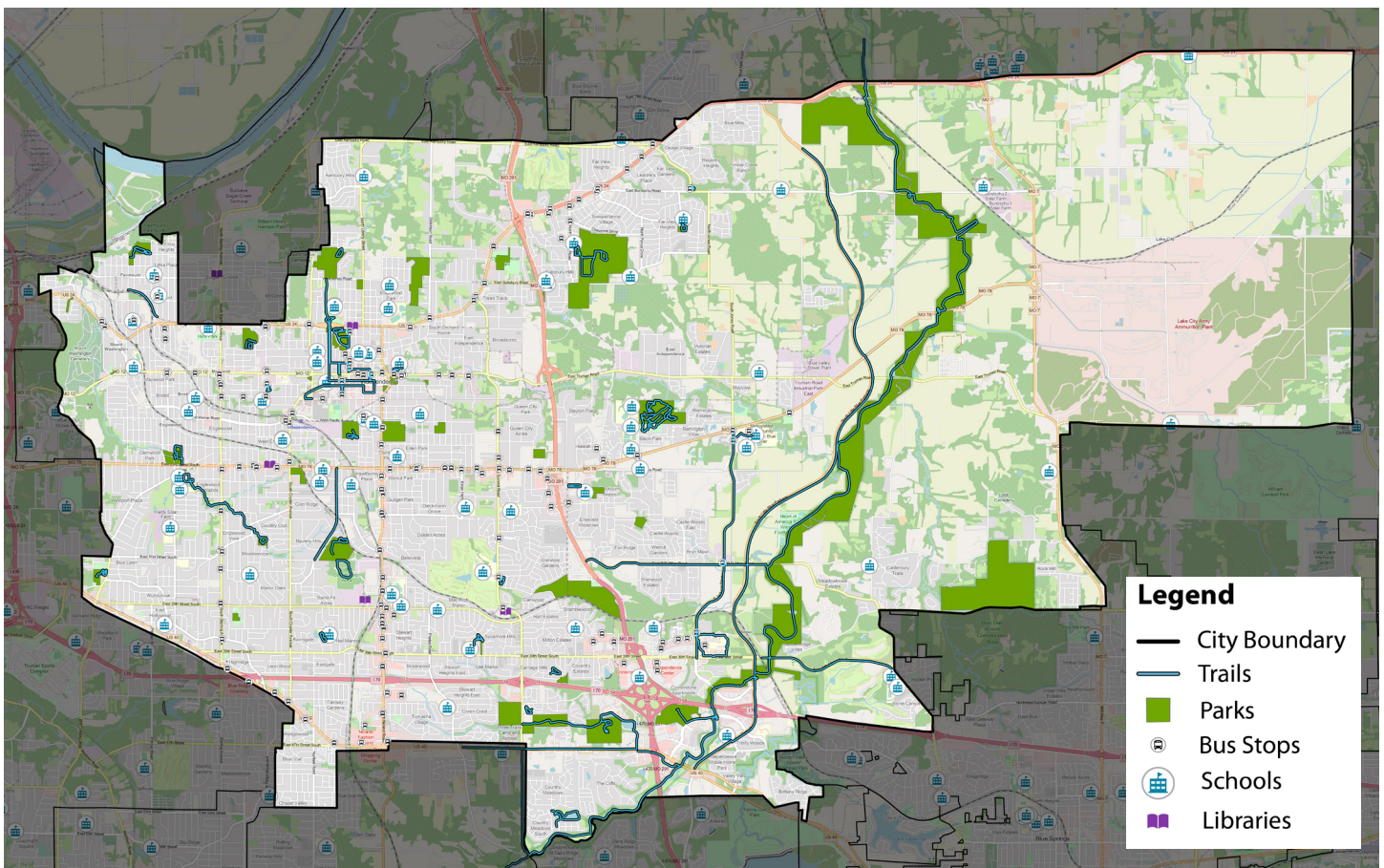
The Little Blue Trace Trail provides an important recreational and active transportation amenity for eastern Independence.

The west side of the city hosts a disconnected and limited trail network, mostly only within parks and along a few greenways. Additionally, there are no existing major east-west bike facilities to connect the western part of the city with the trails on the east side.

Overall, the city lacks a cohesive biking network and has no existing plan that would provide for one. This translates to a major barrier, deterrence, and safety hazard for individuals attempting to use bikes as a means of transportation. Especially for younger riders and those with limited experience or ability. While not all facilities are ideal candidates for bike lanes, such as multi-lane, busy arterials, there are many corridors in both West and East Independence that host lower speed, lower volume roadways that could make ideal candidates for bike lanes and/or cycle tracks. Some of these corridors, based on traffic volumes, may be good candidates for roadway modifications, alongside bike facilities, that can help to reduce speeding and aggressive driving, making the corridor safer for all hosted modes.

Since active modes are often not supported as a safe or convenient option given the existing infrastructure, many people currently walking or biking for transportation in Independence are doing so out of necessity. Based on existing conditions analysis, there is likely a need to prioritize improvements in Environmental Justice Areas, which are predominately located in the western portion of the city. In this way, the city prioritizes building safer alternatives for communities that lack access to vehicles, or have greater economic needs for affordable transportation options.

Figure 8: Existing Conditions Map



Planned Infrastructure

This section describes and reviews planned and programmed active transportation infrastructure in Independence.

Truman Connected

Truman Connected is a comprehensive initiative to develop a pedestrian and bicycle route through Independence, with a focus on connecting residents and visitors to key destinations including Independence Square, Truman Library, Englewood Arts District, Truman Sports Complex, and the Rock Island Trail. The project aims to provide safe and convenient active transportation options for residents, especially those with limited or no access to a vehicle, including low-income and elderly residents. The project will improve non-motorized access to essential services like healthcare, grocery stores, and pharmacies, advancing transportation recommendations and contributing to the sustainable development goals.

The project's final route spans several major streets in Independence, starting at US 24 Highway and Bess Truman Pkwy and concluding at Blue Ridge Cutoff and Interstate 70, connecting to the Truman Sports Complex and the Rock Island Trail. The alignment is broken into three phases. Phase 1 starts at US 24, near the Truman Presidential Library, moves south through Independence Square, and then west along Winner Rd, ending at Sterling Avenue. The plans for this section include both a separated cycle track and a shared use path and also includes improvements to the crossings and intersections. Phase 2 runs along Sterling Avenue from Winner Rd to US 40 and includes protected bike lanes on either side of the street and an improved six-foot sidewalk. A portion of the corridor improvements, along US 40, is a separate MoDOT project that includes bike on shoulder. Finally, phase 3 runs along Blue Ridge Cutoff From US 40 to the Truman Sports Complex and terminating at the trailhead for the Rock Island Trail. This portion includes a 10-foot wide shared use trail along the west side of the road. Figure 9 illustrates the Truman Connected phased approach.

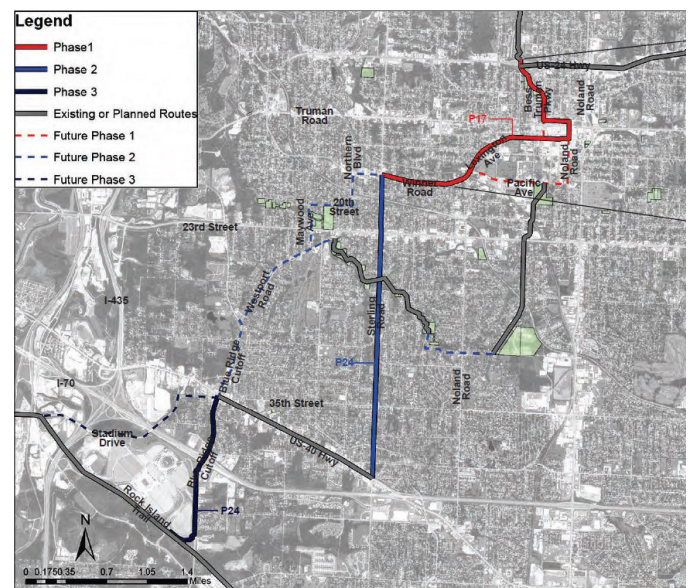
Other Investments

Other significant upcoming projects that include sidewalk, bike lane, or trail components include:

- Noland Road Complete Streets: awarded \$10.10 million from the federal RAISE program for upgrading Noland Road from 24 Highway to Fair Street with dedicated bike lanes, new sidewalks, ADA features, pedestrian signals, and improved bus stops.

- Winner Road Complete Streets: adding ADA-compliant sidewalks, a multi-use trail, pedestrian signal improvements, bus stop improvements, green infrastructure, and new street lighting and traffic-calming measures.
- 24 Highway Complete Streets: New sidewalk, multi-use trail, curb & gutter, pedestrian signals, sidewalk ramps, street lighting, and other improvements on the south side of US 24 Highway.
- 40 Highway Complete Streets: New sidewalk, dedicated bike lane, curb & gutter, pedestrian signals, sidewalk ramps, street lighting, and other improvements on the north side of US 40 Highway.
- Square Streetscape Project: Streetscape and roadway improvements including sidewalks, lighting, and implementation of bicycle and pedestrian amenities.
- Truman Depot and Pacific Trail Improvements: Restoration of the Historic Truman Depot as a historic site and waiting area for Amtrak, and a multi-use trail to the National Historic Frontier Trails Museum.
- Independence Historic Trails Project: Shared-use trail along Liberty Street and Pacific Ave. to the Bingham-Waggoner Estate, 100% funded through the Federal Lands Access Program (FLAP).
- Fairmount Loop Trail: This project will include a multi-use trail on Ash Ave and on Kentucky Rd, creating a loop that ties the existing Fairmount Loop Trail on Arlington Street to the proposed improvements on US 24 Highway.

Figure 9: Truman Connected Corridor
From Truman Connected Plan (2020)



2 Engagement



Introduction & Overview

The *Independence Transportation for All* Plan is built on the input provided by community members that have engaged in the planning process. People living or otherwise traveling within the city are the experts of the existing system, needs, and opportunities. This section provides an overview of the input received during the process, what was learned from the input, and how it provides a framework for Plan recommendations and implementation steps.

Community engagement efforts included:

- **Focus Group interviews** with key stakeholders to understand issues, challenges, and opportunities for active transportation in the city. A total of four focus groups were assembled, representing a wide array of community interests, including economic development, sustainability, community services, and senior services, and school districts.
- A **community survey** to gather information on the city's most significant transportation challenges and needs, including comfort levels and desired improvements to active transportation infrastructure or policies.

- **Public events** that included two pop-up events early in the process to gather ideas and input, a group bicycle ride and workshop to highlight transportation issues and challenges, and an open house public meeting to review draft recommendations that included bicycle training exercises for kids.
- A **Steering Committee** comprised of city staff from different departments, to help guide the development of the Plan and ensure that recommendations meet community needs and represent community interests.

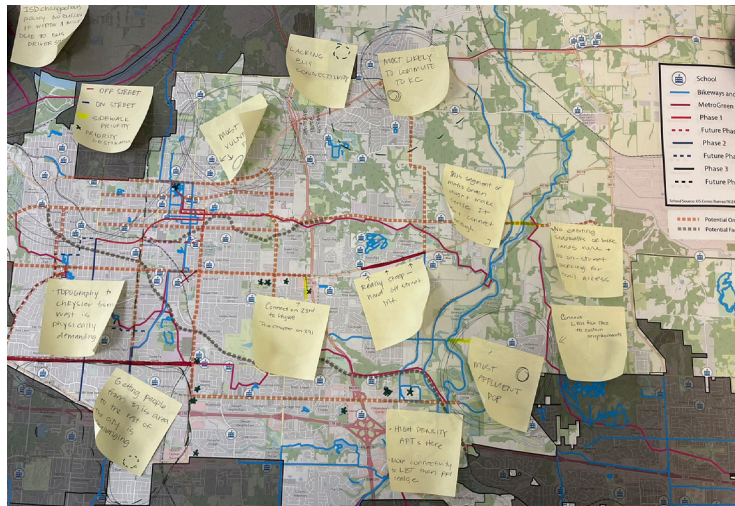
These combined efforts provided the project team with an understanding of community challenges and desires, and guidance on recommendations and materials throughout the Plan. Specific input and engagement results are summarized on the following pages.

Steering Committee

The planning process was guided by a committee of key City staff who provided ideas and input throughout the project. This committee represented a variety of city departments, including Community Development, Parks, Recreation, and Tourism, Municipal Services, Power & Light, and the Police Department. The committee's input early in the process was critical to understanding constraints and existing conditions as a baseline for the process. Late in the process, the committee helped to develop concepts and refine recommendations.

Specific input included:

- Guidance on operations and maintenance considerations of infrastructure, such as city versus homeowner responsibility for sidewalks, and sustainable funding for maintenance activities.
- Identifying community champions for active transportation, such as school staff, bicycle advocates, and others brought into the process.
- Background on the city's Complete Streets policy and needs to improve and strengthen this policy, such as requiring specific elements in new development projects.
- Assisting with planning public engagement events, including locations, timeframes, and communications.
- Input on transit needs and components of existing ridership patterns, and access to bus stop considerations.
- Identified locations (e.g. New Town at Harmony) in developing areas of the city with mixed-use plans and high-demand for active transportation integration.
- Known issues with existing city codes on priority and protection of cyclists and pedestrians.
- Information on other related processes impacting implementation of active transportation improvements, such as a Parks Master Plan in progress, and discussions of a potential upcoming general obligation bond that could include active transportation improvements along with other community needs.



With experience in a wide range of city functions, the Plan Steering Committee assisted the project team with identifying opportunities and challenges for the active transportation network.



Stakeholder Engagement

The project team convened a series of stakeholder interviews to learn about opportunities and challenges from a broad representation of the community. To gather as many voices as possible, stakeholders were grouped into four focus groups that met to discuss plan needs and goals. These discussions are summarized below.

Economic Development

(including Independence Chamber of Commerce, Noland Road CID, Northpoint Development, and Centerpoint Hospital)

- There are few places to cross safely on key corridors (e.g. 40 Highway, Truman Rd.) due to incomplete sidewalks, many driveways, and lack of crosswalks.
- Little Blue Trace Trail is an asset for nearby businesses it connects to. Need to focus on building connections out from the trail.
- “Leapfrog” development is a challenge for completing transportation networks of all modes; seek to improve development requirements and policies.
- Some employers, specifically Centerpoint, have issues filling positions due to incomplete transportation at all hours. Some employees use Uber to work due to lack of options.
- Bus transportation is limited, particularly to major employers, and isn’t an option at night and on Sundays. An on-demand or rideshare type service may be appropriate to meet these needs better.
- People do walk and bike in the community despite infrastructure challenges, such as to Metropolitan Community College Blue River campus and along Highway 40.
- Bikeshare may be an option around Independence Square, Englewood, and Truman Library.

Community, Senior, & Social Services

(including Community Services League, Palmer Center, and social justice advocates)

- Some people in the community are reliant on walking, or using a wheelchair, and they have a difficult time traveling in the city.
- Kids are having to play in areas that aren’t safe and close to traffic; connecting people to parks should be a priority.
- There are communication barriers that impact the Spanish-speaking community, such as City newsletters and other information that is not generally provided in Spanish.
- Active transportation west of Highway 291 is more for practical purposes; east of Highway 291 is more for recreational purposes.

- Speeding traffic is a safety issue for pedestrians at many locations. Sterling Ave, Highway 40, Highway 24, and Truman Road discussed specifically.
- Security concerns are a disincentive for people to walk or bike; many locations are not well-lit.

Sustainability Commission

(Independence Transportation for All group discussion at August 3, 2023 meeting)

- Some sidewalks along major arterial streets are not usable, including portions of Highway 24, Noland Road, 23rd Street, Chrysler Avenue, and Blue Ridge Boulevard. Issues with infrequent and low-quality crossings are also an issue on these corridors.
- Most places in the city don’t have bicycle parking.
- Limited transit service doesn’t allow for someone to be able to get both to and from work. Many more people would ride if it were an option.
- Narrower streets would help reduce traffic speeds, and improve bike safety.
- Would like to see a change to car culture that is more accommodating of pedestrians. Some small pockets such as the Square and Englewood, but need more areas like this and fewer barriers in between.
- Land use planning and zoning considerations should not be overlooked. Lack of small businesses in neighborhoods, and have to travel further to major amenity hubs.

Independence School District

(District management and administrative staff including transportation, facilities, family services, including input from individual schools.)

- Most schools have inadequate sidewalk access, especially in the western part of the city, not just around schools but into neighborhoods also.
- Parents share that their kids would walk to school if there were sidewalks.
- With school days being longer now, lighting is an issue along walking routes as it can be dark before and after school in the winter.
- There are areas served with bus transportation where students would be able to walk if there were sidewalks and safe crossings.
- Specific schools with highest priority needs: Nowlin, Castle Park, Nolan, Benton, Three Trails, and Korte.
- All three high schools are on major high-speed streets that create safety issues and barriers for walkability.

Public Events

Pop-Up Meeting #1

The first pop-up meeting was held on Friday night of the SantaCaliGon Festival next to the Historic Truman Courthouse. Project team members provided information on the project and asked attendees to comment on the biggest challenges to walking and biking in Independence, and to note specific areas of concern on a map.

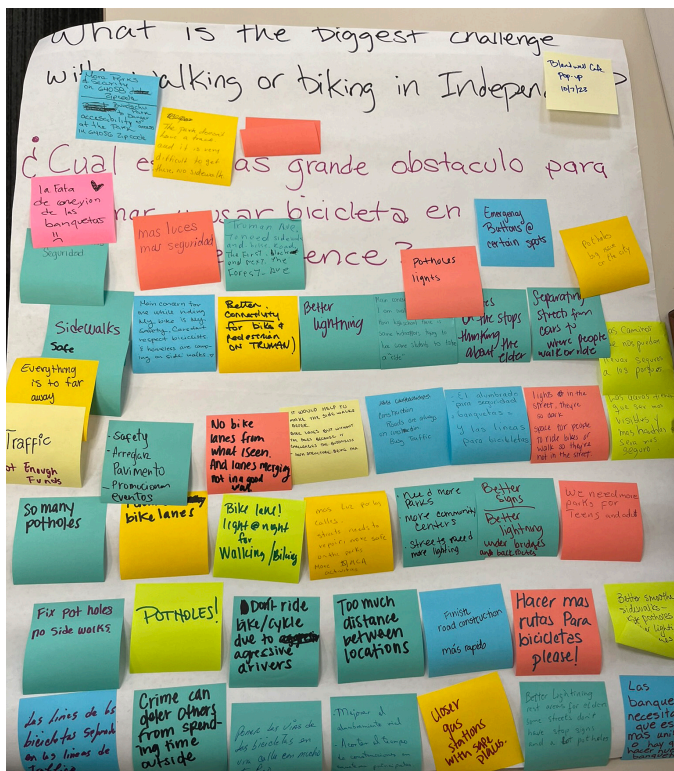
Feedback provided the project team with information on specific areas of concern, such as areas where sidewalks are in poor condition, street crossings are dangerous, or other safety issues exist. Comments primarily came from residents concerned with providing more recreational opportunities. Many participants commented on the need for more separated facilities such as trails to provide longer-distance connections. This includes a desire for new trails in the southwestern part of the city to connect to the new Rock Island Trail near the Truman Sports Complex, and new trails in eastern Independence to connect to the Little Blue Trace Trail and trails along RD Mize Road. New bicycle lanes are desired on portions of Chrysler Avenue and on Lee's Summit Road, connecting to existing bike lanes south of the city.

Pop-Up Meeting #2

The second pop-up meeting was held at Blendwell Café on a Saturday in October 2023, and coordinated with a pre-existing event with primarily Spanish-speaking attendees. A translator was provided for the event. Questions and format were similar to the first pop-up meeting.

Feedback from this group tended to be more focused on the western portion of the city, where many meeting attendees reside or visit on a regular basis. Additionally, comments were more focused on walking and biking as a necessary form of transportation to meet daily needs such as accessing employment, education, and essential shopping. There is a need for improved sidewalks in most neighborhoods, and a desire to be able walk or bike with as much separation from car traffic as possible. Traffic speeds and lighting were highlighted as significant safety challenges.

Additionally, land use planning came up as an issue in this session, with attendees noting that there is too much distance between locations, and destinations are too far away. This, in addition to limited infrastructure, exacerbates the challenge of walking and biking.



Pop-up public events provide a way to engage the community in locations they are already gathering, rather than having to go out of their way to attend a public meeting. (Photos from Blendwell Cafe pop-up public meeting, October 2023.)

Bike the Square Event

In October 2023, the project team organized a bicycle ride designed to experience the challenges and opportunities for biking in the community. The route was a 4-mile round-trip from Independence Square to Mill Creek Park, with additional stops at Independence Transit Center, McCoy Park, Truman Library, Oregon Trail Trailhead, and the Historic Truman Courthouse. The ride included sections of on-street riding and off-street trails.

While this ride only included a small area of the city, it represents some of the city's most significant attractions, and provided an illustration of conditions that exist in other areas as well. Observations included:

- Bess Truman Parkway is part of the Truman Connected corridor, with an off-street trail planned. The group noted a major difference in feeling safe riding on a separated trail verses on-street alongside traffic.
- Riding at the right edge of a road can be a challenge with gravel, dirt, and debris that accumulates along the gutter of the street.
- The Mill Creek Trail was functional but has a significant number of potholes. Additionally, a lack of lighting along the trail would make using the trail at night feel unsafe.
- Independence Square is a great place to walk, but safe and convenient connections to it are lacking. Most people need to drive to get there, if they are able to do so.



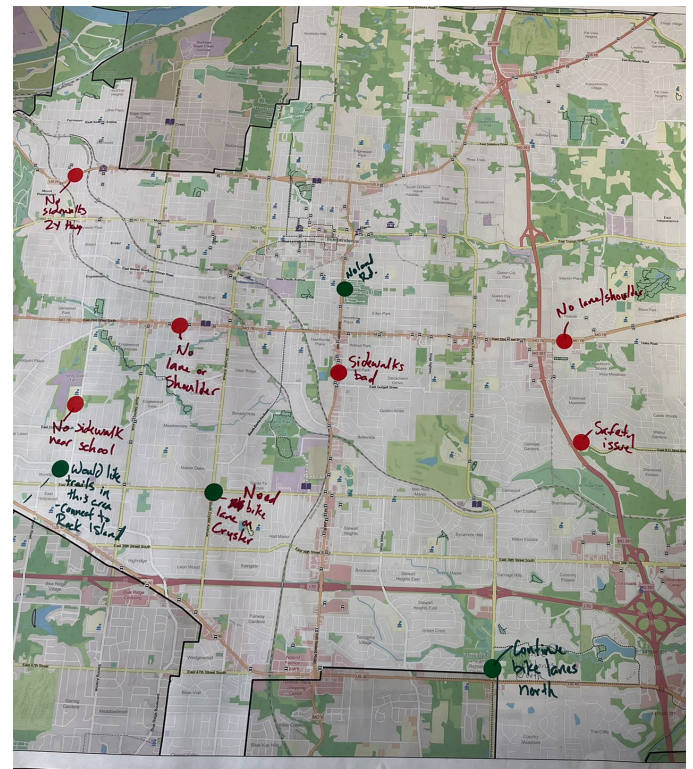
The October 2023 "Bike the Square" project featured a stop at Independence Transit Center to discuss transit service and accessibility.

Open House Meeting / Family Night Out

A final public meeting at the Roger T Sermon Community Center provided an opportunity to receive feedback on preliminary recommendations as they are in the process of being developed. This meeting was held as an open house format to display project materials and draft recommendations. BikeWalkKC provided a family bicycle skills training event in coordination with the meeting.

Attendees at the meeting expressed general agreement with preliminary recommendations. These included recommendations for citywide application as well as specific priorities for western and eastern Independence (see Section 3 for details on these recommendations). Additional detail on requests for new or extended bicycle routes were provided by some attendees.

Discussion at the meeting reiterated the need for prioritizing improvements around schools, parks, and focusing on better maintenance of existing resources, as well as targeted improvements to extend the reach and impact of these resources.

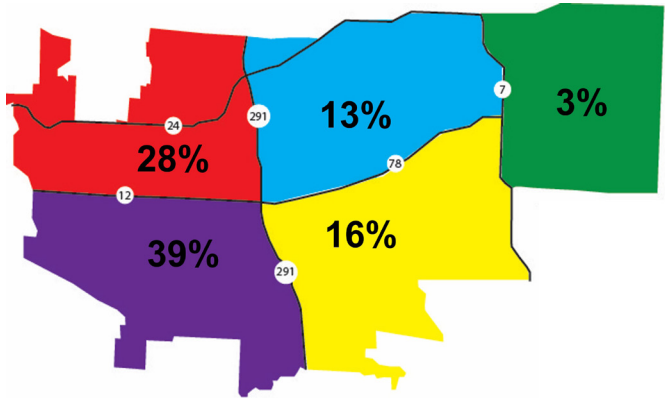


Map input from the SantiCaliGon Festival pop-up meeting in September 2023.

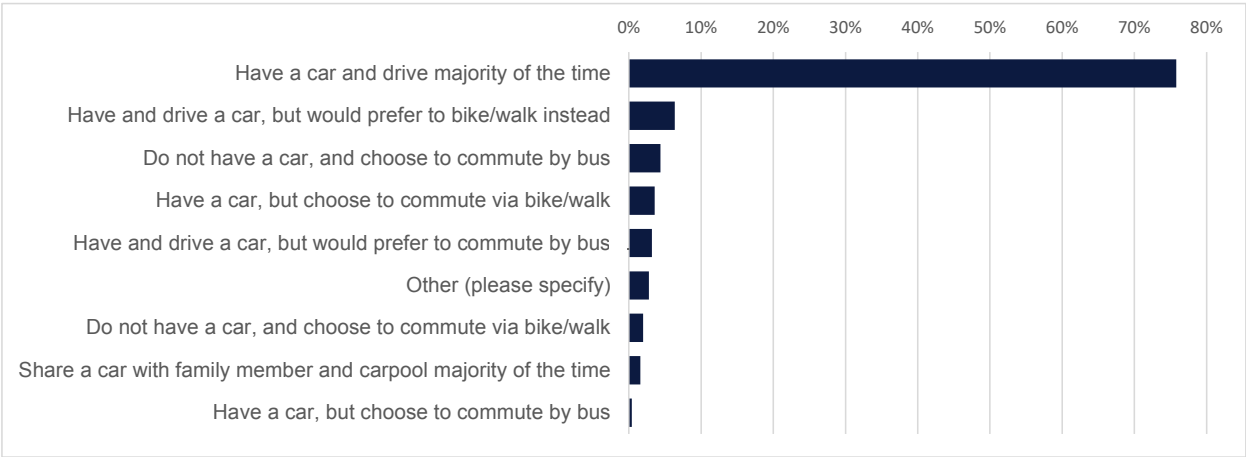
Community Survey

A community survey was conducted in the fall of 2023 in order to gather input from a larger population that may be interested in active transportation but have been unable to participate in public events described above. Surveys were available in both English and Spanish, and available online as well as on paper at public events. A total of 253 surveys were completed. This section summarizes significant findings of the survey.

Where do you live?



On an average day, what is your typical mode of transportation? Choose one



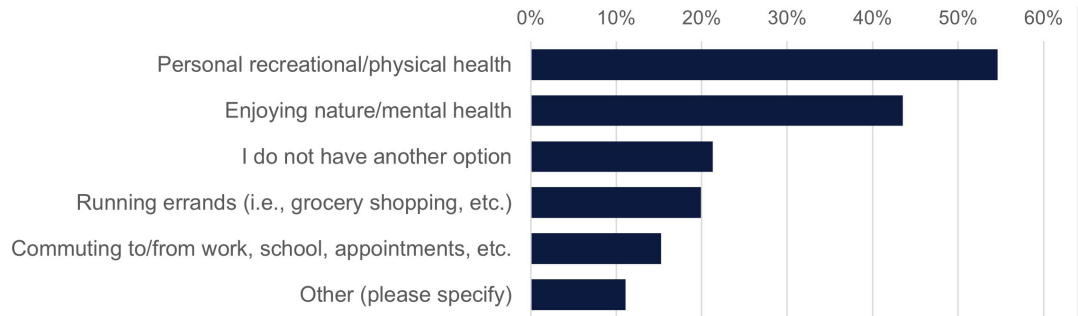
Car-Centered Mobility

- 85% of respondents primarily use personal cars for commuting and getting around.
- Nearly 10% of those respondents would prefer to walk, bike, or take transit if there were safer options and more connected options.
- Only 3% of respondents own a car, but choose to walk, bike, or take transit as their primary mode.
- This suggests alternatives to driving are primarily a mode of necessity versus a mode of choice.

Motivations for Active Transportation

- 54% of respondents claim personal recreational and physical health as their main driver for utilizing active transportation.
- 43% claim its for enjoyment of nature and/or for the betterment of their mental health.
- Respondents see a strong connection between staying active and their mental/physical well-being.
- Health-centric motivations suggest a community that values active transportation and high-quality recreation options, emphasizing the need for wellness considerations in transportation planning.

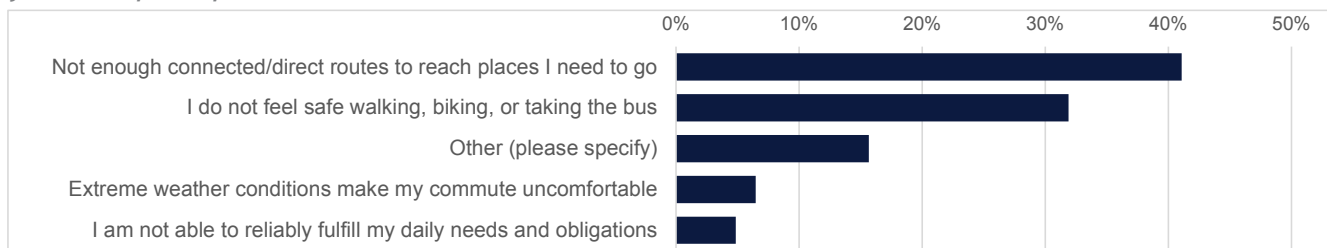
If you are not driving in a car, why are you using another mode of transportation such as walking, biking, or taking the bus? Choose all that apply



Barriers to Active Alternatives

- For those without personal vehicles, safety concerns (32%) and lack of connected routes (41%) are significant challenges.
- 50% of respondents said attempting to walk and bike in the city is not safe and not comfortable
- Only 6% claimed it was very comfortable and safe
- Infrastructure development, well-lit pathways, and improved route connectivity are crucial for fostering safer and more convenient transportation options

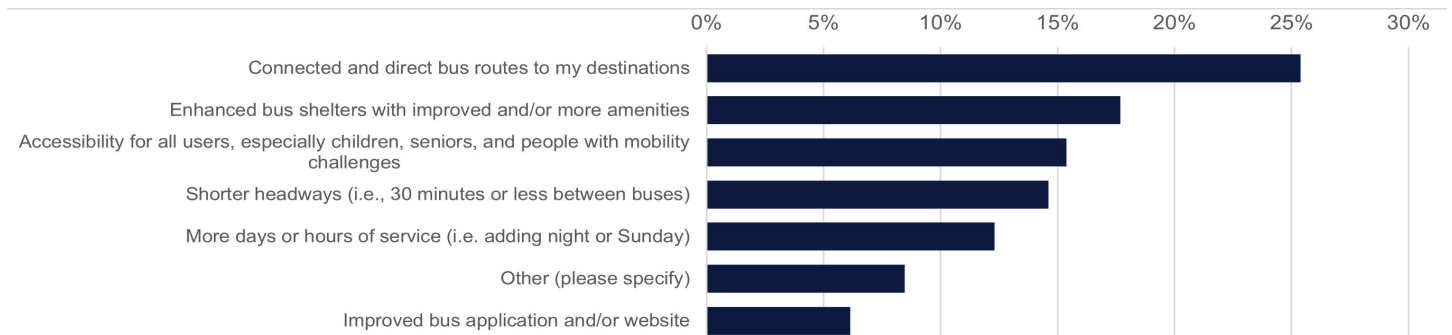
If you do not drive or have access to a vehicle, what are the challenges you face on a typical day as you walk, bike, or take the bus? Choose one



Transit Improvements

- 67% of respondents do not use the bus in Independence.
- Out of those who both use the bus and don't find the existing system safe or convenient:
 - » 75% want to see more direct connections.
 - » 54% would like improved shelters and stops.
 - » 47% would like to see more frequent buses.
 - » 40% would like more days and hours of service.
 - » The most popular routes included the 24 (23% of riders), the 301, 302, and 303 (35% combined).

Question: What is your comfort level with taking the bus in Independence? If you answered "Not comfortable or safe at all" or "Not very comfortable or safe" what would make you feel safer?

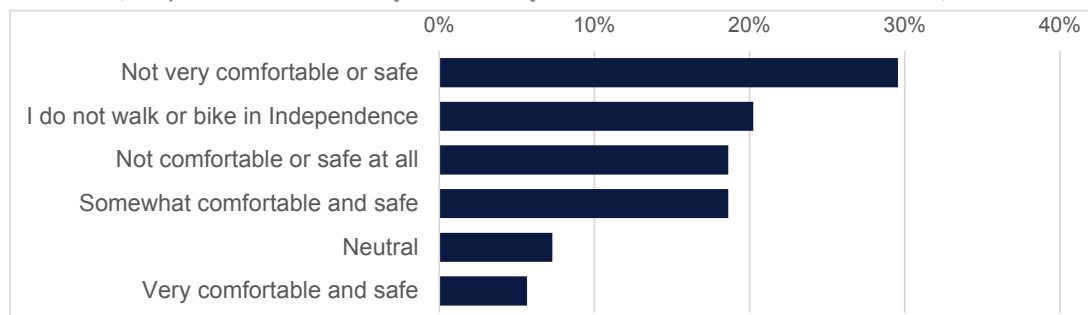


Potential Improvements

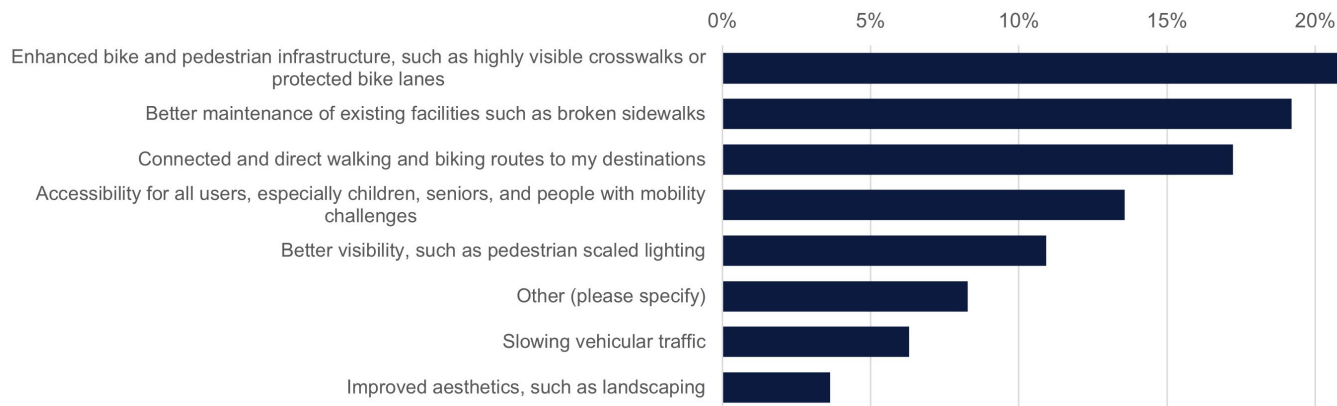
There are things we can do to make walking and biking safer, more comfortable, and more connected to the places people want to go, such as:

- Identify roads for bike/pedestrian improvements and new trail alignments – delivering a more complete bike/pedestrian network for the city
- Focus on ways to physically separate car, bicycle, and pedestrian traffic to the extent possible, to maximize the comfort and safety for all users.
- Align active transportation improvements with public health goals, capitalizing on the primary existing and desired use of active transportation in the city.

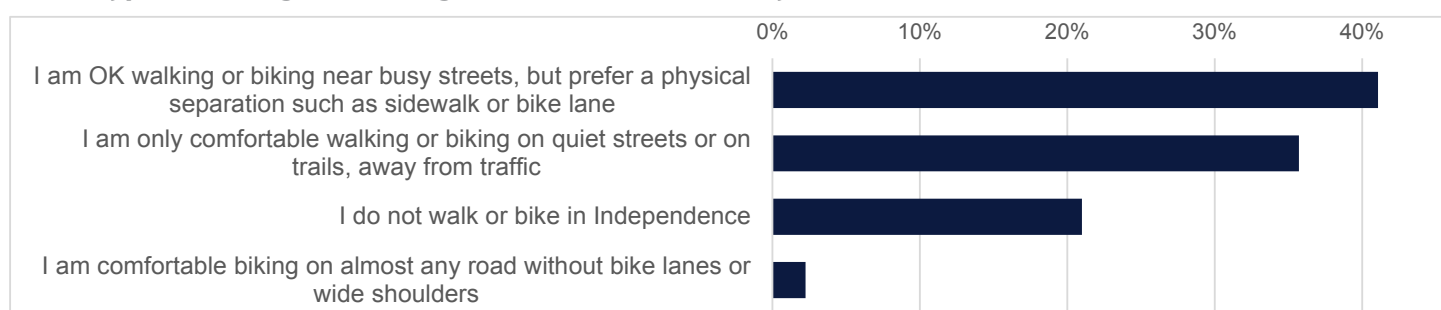
What is your comfort level with walking or biking in Independence for trips that exceed short distances (i.e., distance from personal parked vehicle to storefront)?



If you answered "Not comfortable or safe at all" or "Not very comfortable or safe" what would make you feel safer? Choose top three.



What type of biking or walking infrastructure makes you feel the most safe? Choose one.



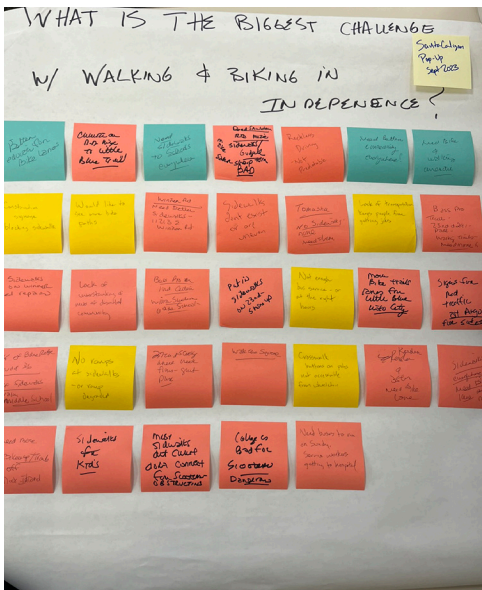
Ongoing Engagement

Because *Independence Transportation for All* is a citywide process, it encompasses a variety of needs and opinions that may vary at a neighborhood level, or based on how different groups of people use or are impacted by existing transportation systems. Corridor or smaller-area plans will still be an important planning task moving forward to ensure that planned and programmed infrastructure is locally-supportive and sensitive to each unique context.

These future efforts must incorporate community engagement as a key task that is integral to each process. As the community grows, the population changes, travel patterns shift, and new destinations emerge, it is important to keep the pulse of local residents and other stakeholders that will accrue the benefits and impacts of plans and projects.

While this planning and engagement is critical, “planning fatigue” can be a real challenge. Accordingly, it is important that residents see their ideas and efforts converted into funded projects that are implemented as well. This means pursuing available grants for projects eligible for certain federal or state funding programs, such as USDOT RAISE funding awarded for the Noland Road corridor. Demonstrating “wins” through successful project implementation builds additional support for public improvements to enhance quality of life in the city.

Ongoing public engagement efforts should include experiencing active transportation infrastructure first-hand, on bikes and by walking, as well as gathering ideas and experiences from community members at public events and meetings.



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3 Network Plan



Network Priorities

Information obtained from technical review (Section 1) and community input (Section 2) provide the basis for the creation of a network plan for future active transportation infrastructure and policies.

Active transportation infrastructure serves a wide variety of community needs by providing a means to connect people, regardless of personal mobility or vehicle ownership, to goods and services locally and regionally. In the case of Independence, several key components stand out as high priorities.

The overarching priority is the establishment and growth a city-wide bicycle and pedestrian network to provide residents active transportation alternatives. Truman Connected will serve as the starting point and the spine for the network expansion. This will involve enhancing corridors, creating east-west connections between Englewood, Downtown, and East Independence, and integrating existing trails on the city's east side into an expanded citywide trail network. The goal is to foster cohesive and accessible pathways for residents and visitors, promoting sustainable and healthy transportation options.

Additionally, the Plan emphasizes the integration of localized, neighborhood-level pedestrian connections.

Focus areas include equitable access and prioritization of disadvantaged neighborhoods, ensuring that the benefits of the network reach all residents. Safety and convenience considerations are paramount, addressing the unique needs of diverse communities within Independence. The overall vision extends beyond the physical pathways, aiming to build a network that fosters connectivity, community engagement, and inclusivity for all residents.

The implementation plan follows a phased approach. Immediate actions focus on addressing strategic improvements in disadvantaged areas and surrounding schools. Intermediate phases prioritize expanding routes from Truman Connected and other priority segments of the citywide network. In the long term, the plan envisions completing network connections citywide and continuously assessing supportive projects and policies based on community feedback.

Ultimately, the network priorities are guided by a commitment to community welfare, sustainability, and inclusivity. The goal is to create a resilient and interconnected city, where the bicycle and pedestrian network contributes to overall mobility and community well-being.

Challenges and Opportunities

This section provides a recap of what the project team learned through these engagement efforts, and how these led to the Network Plan development and recommendations on the following pages.

Existing infrastructure in the city is largely insufficient to provide for safe and connected non-motorized transportation for residents. Several key challenges are detailed and categorized to the right, as major items that the Network Plan should seek to address. Similarly, key opportunities to enhance active transportation are detailed, based on community conversations and input throughout the engagement process.



Mis-aligned ramp and crosswalk near McCoy Park



Independence Transit Center

Key Challenges

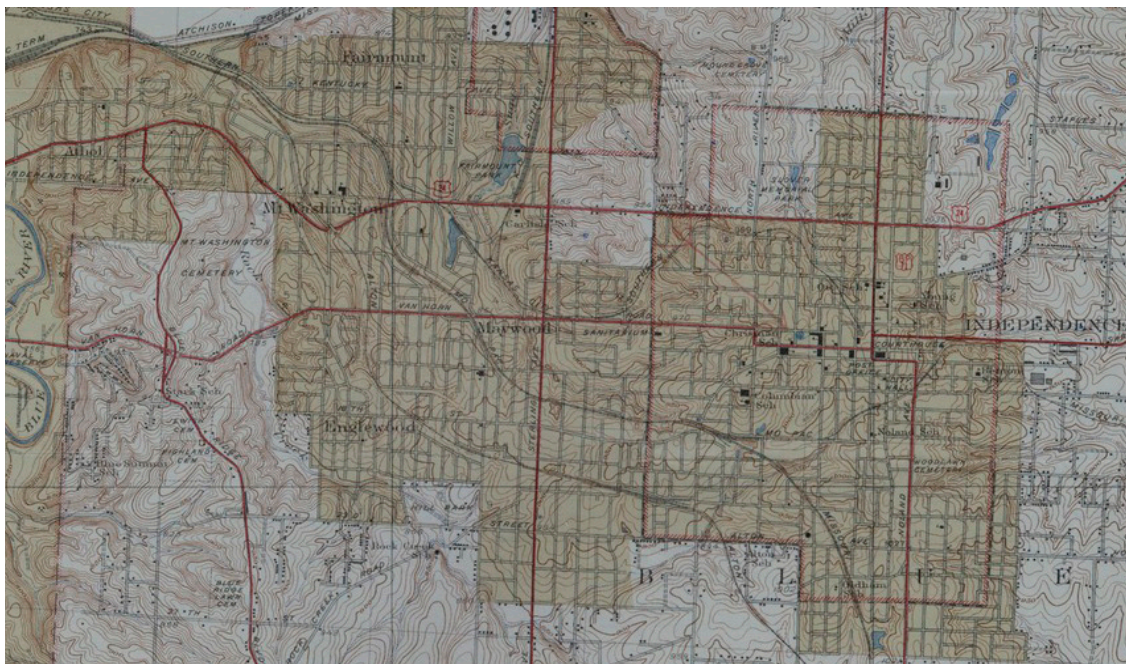
- 1. Most areas of city have no dedicated bicycle infrastructure.** Cyclists in the city generally have to ride in mixed traffic. Only a small segment of the population, the most confident riders, is comfortable riding in this environment. (In the community survey, only two percent of respondents answered that they are “comfortable biking on almost any road without bike lanes or wide shoulders.”)
- 2. Bicycle infrastructure that does exist are not close to existing populated areas** and not accessible from most of city. This includes the Blue River Trace Trail and shared use paths alongside Little Blue Parkway, Jackson Drive, and E 39th Street.
- 3. Some neighborhoods in Independence were built without sidewalks**, and are still lacking sidewalks. As is typical for lower-density neighborhoods developed as suburbanization grew rapidly starting in the 1950s, many streets in the city lack sidewalks, as well as curb and gutters for drainage. Newer neighborhoods typically have sidewalks on one side of the street. Sidewalks around schools are a notable shortcoming in many areas.
- 4. Sidewalk infrastructure is a challenge to maintain across the city.** Public comments noted many areas in need of sidewalk repairs. Sidewalk maintenance in Independence is the responsibility of the property owner. However, many owners are unable to pay for costly sidewalk repairs or replacements.
- 5. City codes and policies are in need of updating to improve active transportation safety.** These are detailed in the next section, and include items such as parking requirements for cars and bicycles, sidewalk requirements, street design, and traffic policies.
- 6. Bus Service in Independence is inadequate to meet many transportation needs.** A robust transit service supplements walking and biking and allows more people to meet their needs without a car. In particular, current routes do not run often enough and have no service on evenings and Sundays.

Key Opportunities

1. Independence has a **strong historic core with a connected grid** street network and quality walking environment. Much of this historic core was developed prior to 1940 (see *Figure 10* below). This includes activity centers such as Independence Square and Englewood Arts District, as well as traditional neighborhoods that are part of the city's "Rediscovering Independence" initiative (Benton, Englewood/Proctor, Golden Acres, Manor Oaks, Mount Washington/Fairmount, North Main, South Main, Truman, and Winner).
2. **Blue River Trace Trail is major recreation amenity/destination** that crosses multiple jurisdictions and provides a high-quality recreational environment, with the potential to be a strong transportation asset.
3. **Planned and funded active transportation infrastructure is on the way.** This includes Truman Connected, Noland Road improvements, and several other corridor and neighborhood sidewalk and trail connections.
4. **A variety of parks are provided throughout the city,** as active transportation destinations and community gathering points. Many of these parks can serve as nodes for a future connected walking and biking network.
5. **Significant corridor and neighborhood-level planning background** have engaged the community in localized needs and built support for improvements. This includes prior and current "Safe Routes to School" work focused on identifying needs and prioritizing infrastructure and program development around schools.
6. Independence is **home to many regional amenities and destinations** that attract tourists and other visitors to the city. Examples include the Truman Library, Independence Square and Historic Truman Courthouse, Truman Historic District, MCC Blue River campus, Independence Center Mall, Cable Dahmer Arena, Community of Christ Temple, and various major retailers.
7. The city has planned for future growth with the **inclusion of shared-use paths along several arterial streets in eastern Independence.** This includes Little Blue Parkway, Jackson Drive, and E. 39th Street. These facilities can serve as a spine for a larger active transportation network as development occurs along these arterials.
8. While currently limited in size and service hours, **Independence has an established bus network.** Its more feasible to improve and expand an existing bus service than to start a new system from scratch. Existing infrastructure such as the Independence Transit Center and several improved bus stops with shelters in the city can provide quality access points to growing service in the future.

Figure 10: 1940 Map of Independence, Missouri

Credit: United States Department of the Interior, United States Geological Survey. State of Missouri, Geological Survey and Water Resources. Courtesy Harry S. Truman Library & Museum, Independence, Missouri. Map "M103."



Recommended Network Plan

As detailed above, transportation needs in Independence are diverse and require multiple methods to address challenges and opportunities identified. Information obtained from the community, and data reviewed from multiple sources, led to the development of a Network Plan, as shown in *Figure 11*, that provides a framework for active transportation in Independence.

While the goal of this plan is to help facilitate citywide networks, localized needs vary throughout the city. In particular, needs vary between the historic and mostly developed western part of the city and the suburban and undeveloped eastern part of the city. This section organizes plan recommendations by citywide considerations, West Independence, and East Independence.

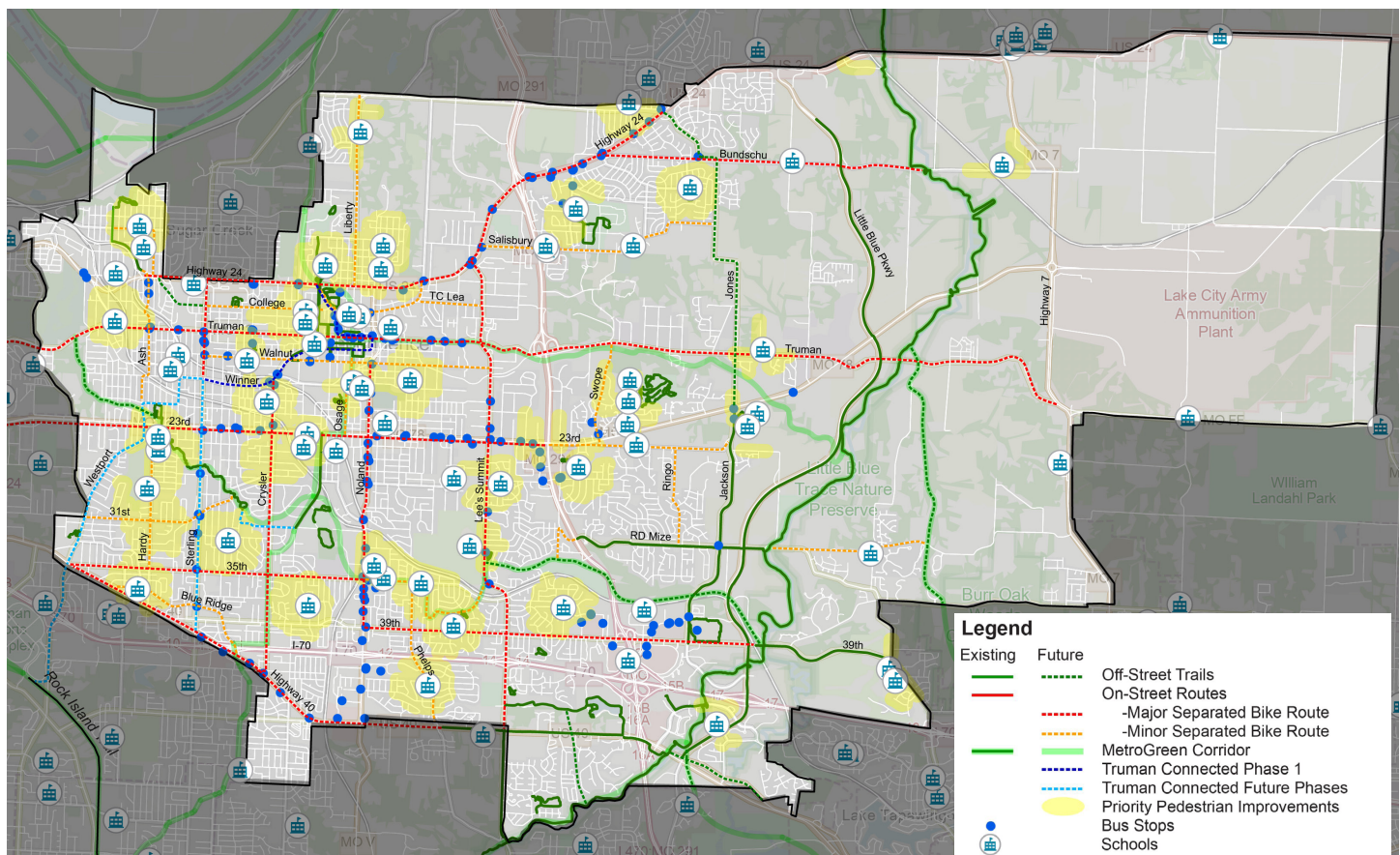
Citywide Network Priorities

1. **Gap-Filling and Maintenance in Environmental Justice Areas:** Targeting improvements in disadvantaged communities that allow residents to more easily meet their basic transportation needs. This includes prioritization of both local sidewalk needs at specific nodes as well as larger network-focused improvements.

With safety as the top priority, completing gaps in sidewalk networks and safer crossings across major roads within a quarter-mile (an approximately five-minute walk) of major destinations including schools, parks, and commercial districts.

2. **Pedestrian Safety Improvements Near Schools:** Working with Independence School District, as well as other districts serving Independence (Raytown, Fort Osage, and Blue Springs) to implement targeted “Safe Routes to School” (SRTS) investments including new sidewalks, sidewalk repairs, crosswalks, traffic signal improvements, traffic calming features, and lighting. Several schools have already conducted planning processes to determine needs; others are in need of a SRTS process to prioritize needs.
3. **Access to Parks and Commercial Districts:** Residents, and especially kids, should be able to access parks safely by walking. Mill Creek Trail as a connection to Mill Creek Park is an example of a well used multimodal connection to a park, with a connection to the area’s “Three Trails” history. Independence’s many parks should be considered as key nodes that are connected by active transportation corridors, as shown in *Figure 11*.

Figure 11: Recommended Network Plan – Citywide



4. **Bus Stop Improvements:** Many Independence bus stops are lacking in accessibility, such as concrete landing pads connected to sidewalks, as well as additional features such as benches and shelters. Prioritize improvements at the city's highest ridership stops, such as along the 24 Independence route, and align further improvements with future planning efforts for intra-city bus service.
5. **Strengthen & Clarify City Policies and Codes:** A review of city codes has identified opportunities to improve accessibility and safety for non-motorized modes of transportation. These are detailed in *Table 2* below.

Network Plan Facility Descriptions

Existing bicycle infrastructure in the city consists of off-street trails, primarily in the eastern portion of the city and within parks, and a few segments with on-street bike routes, generally in the form of unprotected bike lanes.

The *Independence Transportation for All* Network Plan identifies segments for new and improved infrastructure for both off-street and on-street applications. It also includes planned improvements that have been adopted from other corridor or area-specific processes, including Truman Connected as well as regional MetroGreen corridors. The three types of future bike infrastructure include:

Off-Street Trails

Future trails are recommended to extend the reach of existing trails, as well as to connect trails together that are currently separated by significant gaps. Recommended segments labeled as off-street trails are generally expected to have a similar form as the existing Little Blue Trace Trail, following streamways or other natural areas and not necessarily alongside a street. However, in some cases, further planning and design work may determine a street-adjacent facility to be most appropriate or feasible for these facilities.



On Street: Major Separated Bike Routes

Bike routes on or alongside streets requiring a high level of separation from traffic are designated as Major Separated Bike Routes. These are generally shown on streets designated as major arterial or minor arterial by the City. Because of higher traffic speeds, volumes, turning movements, and other factors, unprotected bicycle lanes or shared-lane markings are not appropriate, and will not attract significant use other than from the most confident cyclists. Potential treatments for these facilities include:

- Street-adjacent shared-use path, similar to off-street trails but situated alongside a street, buffered by curb, gutter, and grass or planter strip.



- Protected bicycle lane, with parked cars, bollards, or other barriers protecting and separating the bike lane from traffic.



On Street: Minor Separated Bike Routes

This category of recommended bike routes apply to streets generally designated as Collector or Local streets by the City. Due to lower traffic speeds, volumes, and generally narrower street and right-of-way widths, separation treatments may not need to be as extensive or permanent as with major separated routes. Potential typologies include:

- Bike lanes with a painted line separating bicycle traffic from car traffic



- Buffered bike lanes, which are similar to bike lanes but with additional space (at least two feet) between the bike lane and the adjacent car lane.



- Shared lane markings, or “sharrows” are pavement markings and signage marking the street as a bike route, but with no physical separation from traffic. This typology should only apply to streets with very low traffic volumes and speeds.



Additionally, **Priority Pedestrian Improvements** refer to areas of highest-priority in need of new, modified, or repaired sidewalks, crosswalks, and ADA ramps to facilitate safer and more comfortable walking and wheelchair use. Because walking to school has been identified as the highest-priority active transportation need by many community members, these priority areas are generally adjacent and near schools that are known to be lacking in sidewalk infrastructure. In addition to sidewalks, crosswalks, and ramps, these areas should be prioritized for pedestrian-scale lighting, pedestrian signals, and shade trees to improve visibility and comfort for people walking.



City Codes and Policy Specific Recommendations

In addition to the policies, plans, and projects recommended, making specific updates to the Independence Code of Ordinances (“code”) is advised. *Table 2* outlines these proposed changes to enhance protections for vulnerable road users (VRUs), which includes pedestrians, people on a wheeled device (e.g., bike, scooter, roller skates, skateboard, etc.) and people using mobility assisted devices (e.g., wheelchair, cane, walker, etc.).

Table 2: Recommended City Codes Updates

Code location/ title	Current requirements	Proposed changes
Chapter 14 - Unified Development Ordinance		
14.501-08: Parking and Loading	Bike parking is required and takes a “one size fits all” approach that does not necessarily reflect how land uses interact with biking activity. The current language requires a certain number of bike parking based on the number of required car parking spaces. For instance, some businesses require large volumes of car parking (e.g., Home Depot, Walmart, Costco, etc.) that do not typically have high bike parking demand. This results in unused bike parking.	Require bike parking that is appropriate for the given land use to ensure that what is needed is available, but not required in excess, avoiding property or business owner resentment. Offer a deferral of bike parking or provide other bike/ pedestrian amenities when the number of bike parking spaces is not practical to the current land use. Resource: DERO Bike Parking Guide
14.509-04: Street Widths	Current language requires a minimum street width of 24 feet, and if a street is less than that, it must be widened.	There are many situations where a narrower street, like on a neighborhood greenway, routes to school, one-way service alleys, among others. This requirements imposes a design condition that can be hostile to urban design and bike/ped friendly design. Allow for more flexibility on street width that's sensitive to the land use context and built environment. Requiring a minimum is restrictive and paves the way for overbuilt streets. (Note: this also would need to be changed in the Public Works Manual).
14-603-09: Crosswalks	Currently, crosswalks only may be required when blocks exceed 600' and whenever deemed necessary to provide safe pedestrian circulation or near certain facilities, such as schools, playgrounds, shopping areas, transportation, and other community facilities.	Change the word “and” to “or” whenever deemed necessary to allow for more opportunities to place a crosswalk since sometimes a crosswalk is warranted even if the block is less than 600'.
Chapter 17 - Public Works Regulations		
Parklets, Outdoor Dining, Etc.	There is no specific problematic language within this chapter; however, currently certain activities supportive of walking and biking are either not allowable or not expressly stated in the code. For example, it is not legal to install a bike rack, put a parklet in a parking space, have outdoor terrace dining in ROW, and so on, resulting in no clear path forward for entities wanting to install these treatments.	There needs to be a process to install these treatments that states the rights of the user as it relates to encroachments and easements. Expand upon the allowable uses in the public ROW to include activities supportive of an active walking/biking area.
Chapter 18 - Traffic		

18.01.001: Definitions	The definitions in this chapter do not account for e-bikes, scooters, bike infrastructure, and more related to the bike/ped experience. The only terms defined are human powered bicycles and motorcycles but nothing in between. Terms such as “motor scooter” are included, which in today’s environment with app-based scooter rentals, require more clarification on definitions and allowable uses. Section 5300, adopted outright into the Design & Construction manual, does not address these definitions either.	Expand upon the definitions to include more roadway users. This is increasingly important in the diversity of modes available and the use must be defined in order to regulate the use itself. Manually powered bicycles, electric bikes, and motorbikes have varying speed capabilities and are powered differently. Some electric bikes require the cyclist to pedal, and limit maximum speeds. These vehicles can generally be treated like a regular bicycle. Other electric bicycles are faster and self-propelled. These higher-powered bicycles can overwhelm other riders and move more quickly than many bike facilities can safely accommodate. Defining scooters and electric scooters and adding it to the code is important so everyone understands how to responsibly operate, park, and store them. People on bikes are more susceptible to harassment and intimidation. Harassment regulations serve as education that people on bikes are legitimate road users and provide a recourse for persons who are threatened. This could be included in the Definitions section or somewhere else.
18.03.005 and .008: Enforcement and Obedience to Traffic Regulations	For the most part, people on wheels are not allowed on sidewalks in business districts (including: Englewood Business District, Fairmount Business District, Maywood Business District, Noland Road Business District, Central Traffic District, or any other private/public property where noted). This is a common area for people to be on wheels. Additionally, persons over the age of 13 are prohibited from riding a bike on any sidewalk.	Many “interested but concerned” cyclists may be uncomfortable riding in mixed traffic and are inclined to use the sidewalk to reach desired destinations. If bike facilities are implemented in the future, bikers may still use the sidewalk as a space to pull off and engage with local businesses. Many cities permit riding on the sidewalk alongside requirements for prioritizing and yielding to pedestrians.
18.07.009-.011: Right of Way for Vehicles and Pedestrians	The only place a pedestrian can lawfully cross is in a marked crosswalk. If the city’s infrastructure does not reflect pedestrian usage patterns and direct, comfortable, and convenient paths are not available for bikers or pedestrians, then people on foot or bike are regularly required to break the law. The code states vehicles are not required to yield to pedestrians in certain situations. Pedestrians must use a sidewalk when present. When no sidewalk is present, they must walk along the left side of the street or shoulder only to face oncoming traffic.	Expanding and clarifying the right of way for pedestrians at crosswalks and intersections is a way to further protect VRUs from unsafe driver behavior. The code needs to significantly strengthen the protections for bikes/ pedestrians crossing the roadway, including allowing crossing anywhere so people can cross where they need to without fear of legal repercussions. VRU protections consider that not all road users are subject to the same risks in the event of a crash. VRU code language acknowledges that drivers have responsibilities when encountering vulnerable road users on the roadway, and identifies specific provisions for passing, turning, and safely interacting with all types of people using the road who are not in automobiles.
18.11.001: One Way Streets and Alleys	This states bicycles must operate in the movement of traffic on one-way streets.	Update to say all traffic must operate one way, except bicycles. Pedestrians walk counter to traffic regularly and there are many instances (narrower roadways such as alleys and one-way streets) when it’s appropriate and safe for bikes to navigate contraflow. Oftentimes, the path to a destination will be more direct and more comfortable if a person on a bike can ride the same way someone would use a sidewalk to walk to their destination.
18.13.013: Miscellaneous Rules	Driving on a sidewalk is not allowed; however, the code does not make any mention of not driving on bike lanes.	As the City develops a network of bike infrastructure it will be necessary to clearly prohibit this unsafe use.

18.15.006: Stopping, Standing, and Parking - Where Prohibited	The code defines parking as being in a spot longer than 15 minutes, which means bike/pedestrian infrastructure could be legally blocked as long as it's for less than 15 minutes. In theory, it could be continuously blocked by multiple different vehicles occupying the space in 15 minute intervals.	Add bike lanes and other bike/pedestrian infrastructure to the prohibited parking area and consider lessening or dropping entirely the 15 minute grace period to ensure safe and continuous passage for people walking or biking.
Article 18. Regulations for Bicycles and Motorized Bicycles	Behavior on a bike is restricted in ways other modes are not, including laws on how you must sit on a bicycle.	Lessen the legislation on a bicycle. While progressive, the code could allow for Idaho stops, rolling stops, yield on stop and stop on red, etc., to broaden the legal allowances for people on bikes.
18.18.003: Riding on Roadways and Bicycle Paths	The code requires a biker to ride as near to the right hand as practicable AND the biker is responsible for exercising care when passing a vehicle. If there's a bike path present, bikers must use the bike path and not the road.	Riding as far to the right is generally recommended for bikers, but there are many cases where the biker taking the full lane is a safer method of riding: • When overtaking and passing another vehicle • When traveling at or near the same speed as other traffic • When preparing for a left turn • Where a lane is too narrow to share safely with another vehicle • To avoid any condition that makes it unsafe to continue along the right-hand curb or edge Even when dedicated bicycle facilities are provided, experienced and confident bikers will be comfortable with, and prefer, riding in traffic. Allowing riders to choose between using bike lanes or riding in the road removes barriers to biking for the greatest number of persons. A passing rule for bikes keeps all mode users safer, similarly to how vehicles have rules for passing other vehicles. Passing should take place to the left of a bicycle and with an appropriate amount of space for the given road conditions. A minimum standard is that cars should give at least 3 feet or space when passing a bicyclist.
Design and Construction Manual		
Sec. 5203.1: Design Criteria	The smallest ROW is 50' but vibrant urban designs and areas inclusive to bike/ped movements may want to be more narrow. The minimum width of travel lanes is 12' except for residential collectors with an option to reduce to 11' minimum when approved by the City Engineer. For major arterials, the sidewalk requirement says: "1 sidewalk and 1 shared use path" and for all others lists the number "2".	Be more flexible on ROW requirements depending on the land use context. Allow for a minimum width of 10' for roadways with interrupting flow operating at less than 45 mph. AASHTO recommends a minimum lane width of 12 feet for high-speed and high-volume roadways and a minimum of 10 to 11 feet for urban areas with heavy pedestrian activity. Provide clarity on required sidewalk and shared use path widths. Add "shared use path" to the definitions.
Use of Public Rights of Way	There's no language or mention of demonstrations, better blocks, temporary parklets, pilot projects, etc.	Make these uses allowable and assign permitting procedures associated with closures and modifications of streets. Often, the best place for bike parking is in the public ROW. This can make the installation of bike racks lengthy and cumbersome process for businesses and property owners. Other uses of the ROW, including parklets that provide public space amenities face similar challenges. A process to permit and streamline ROW encroachments for bike corrals, parklets, and other uses can encourage private citizens and businesses to support the city's goals for walkability and bikeability.

Section 5300 - Incidental Construction & Local Bicycle Facility Design Guidance	This guidance is from 2022.	This requires a detailed review as guidance for bicycle facility design has evolved significantly over the last 20 years. For instance, the only bicycle types defined are those powered by humans (an issue previously noted in the code) and facilities like “two-way bike lanes”, commonly referred to as cycle tracks, are a design treatment not recommended.
Traffic Calming Policy	The “disadvantages of traffic calming” present opinions versus facts. This section states “traffic calming treatments are typically the most expensive means of mitigation and have the most significant impact to residents.” The qualifications to be eligible for traffic calming are highly prohibitive, both physically and from a community support perspective.	Remove the “disadvantages of traffic calming”. If there are concerns related to traffic calming, use high quality research to provide information on why. Traffic calming treatments can be as simple as using paint to stripe a bike lane in an appropriate context, costing very few resources to a city. It is recommended to remove this statement or provide high quality research to demonstrate why traffic calming treatments are “the most expensive”. Reduce the number of qualifications for a street to be eligible for traffic calming. This section remains highly problematic and needs an extensive rewrite.

West Independence Network Priorities

The portion of Independence west of Highway 291 has unique challenges for those traveling without a car. Public and stakeholder feedback emphasize a need for improved active transportation infrastructure for a wide range of trips, including to employment, education, grocery shopping, recreational, and social purposes. Facilities should be planned with an emphasis on safety, both in terms of proximity to traffic as well as features such as lighting and visibility. Specific priorities are summarized below and shown in *Figure 12*.

1. Safe Routes to School infrastructure improvements, policy, and programming to make it safer and easier for students to walk or bike to and from school. Several schools have been noted by school district employees and parents as having specific concerns relating to active transportation safety. New sidewalks are needed to fill gaps in neighborhoods adjacent to schools, many existing sidewalks are in need of repair or replacement. Crosswalks are needed in more locations, and need improved visibility. Lighting is needed to improve safety while walking in the winter before and after school when it is dark.

2. Evaluation of Major Streets for Bicycle Facilities to provide safe bicycle routes along selected arterial or collector streets providing direct connections through the city. West Independence features a grid of arterial and collector streets that could be utilized for bicycle routes. Due to a community preference for separated infrastructure, street-adjacent shared-use trail facilities or protected bike lanes are desired.

Priority east-west corridors include Highway 24, E 9th/College Street, Truman Road, E 15th/Walnut Street, E 23rd Street, E 35th Street, and E 39th Street. Priority north-south corridors include Blue Ridge Cutoff/Westport Rd, Chrysler Avenue, Noland Road, and Lee's Summit Road.

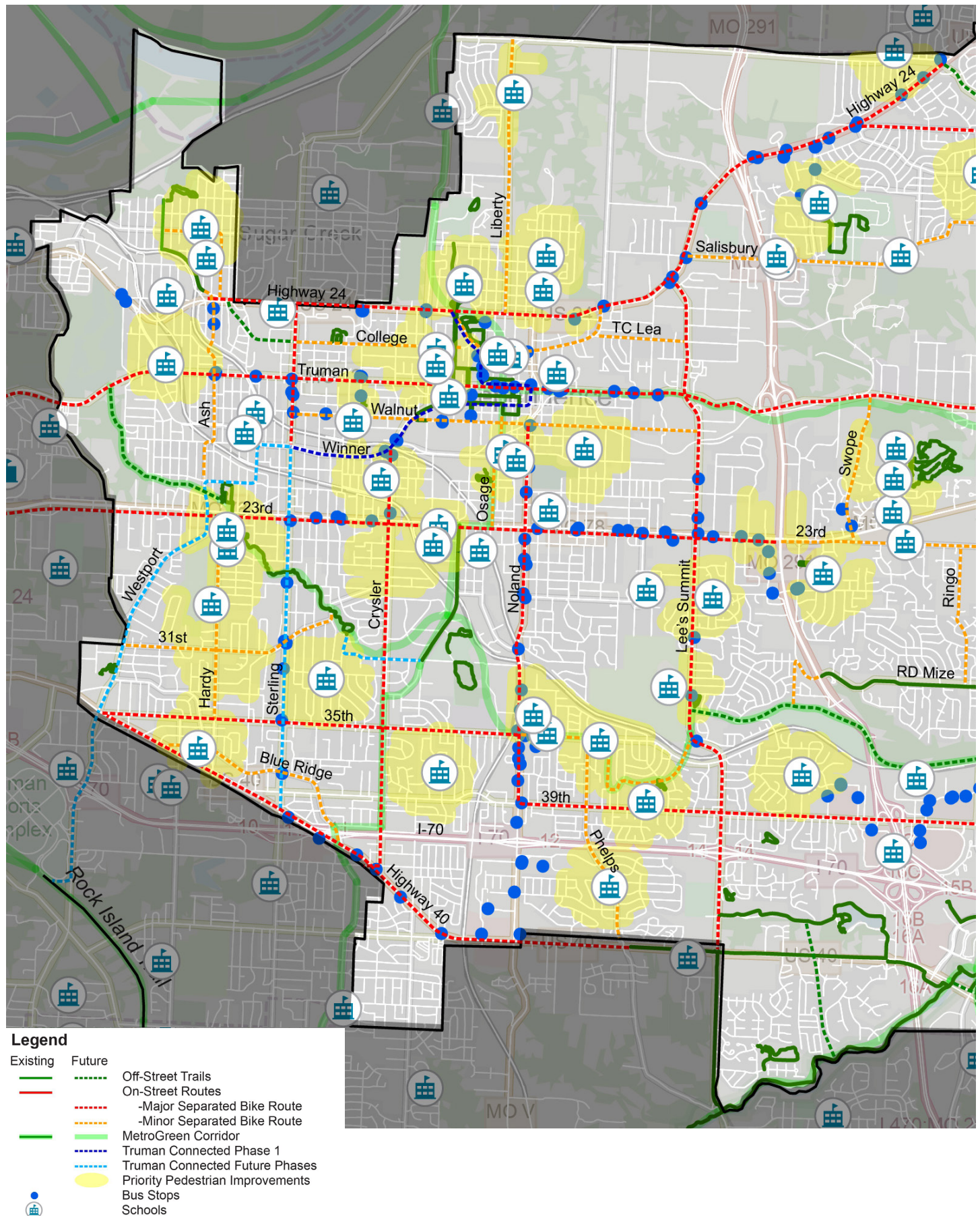
A more detailed assessment of each street will be needed to affirm feasible and appropriate facilities, based on right-of-way widths, lane widths, traffic counts, and other factors.

3. Capitalize on Planned Upcoming Investments by adding neighborhood connectors/access points to these corridors. The City is already investing in multiple projects to improve active transportation connectivity. This includes new sections of sidewalks and/or trails along Noland Road, Highway 24, Highway 40, Winner Road, and Pacific Avenue, among others.

One investment in particular can serve as a bicycle and pedestrian spine for the area. The “Truman Connected” Phase 1 corridor is under design and will feature shared-use paths, cycle tracks, and sidewalks along segments of Bess Truman Parkway, Lexington Avenue, and Winner Road. Establishing a series of “neighborhood connectors” to extend access to this corridor will allow for a more extensive network to capitalize on this investment. Several of these include “alternate routes” that provide additional connectivity to neighborhood parks and schools and should be prioritized as components that will expand the reach and impact of the Truman Connected corridor.

4. Sidewalk maintenance activities including ADA ramps, crosswalks, and signals at key intersections and commercial nodes. Sidewalk and ADA ramp assessments have been done for areas near schools. Sidewalk condition assessments should be prioritized near other popular destinations such as parks, libraries, community centers, and commercial districts. Key intersections and corridors near commercial centers known to be in need of safety upgrades include much of Highway 24 and Highway 40 where sidewalks are missing, as well as some key intersections such as Chrysler & W 23rd Street.

Figure 12: Recommended Network Plan – West Independence



East Independence Network Priorities

The portion of Independence east of Highway 291 is more suburban and rural in nature than the western side of the city. Public and stakeholder input indicated a priority for recreational amenities, including a more extensive trail network, and easier access to this network. However, non-motorized transportation needs for other purposes should not be ignored. Residents still should have the ability to connect to local destinations without needing to drive. Eastern Independence includes opportunities for retrofitting active transportation facilities on existing corridors—similar to the western part of the city—as well as integrating facilities with new public streets and private developments. Specific priorities are noted below.

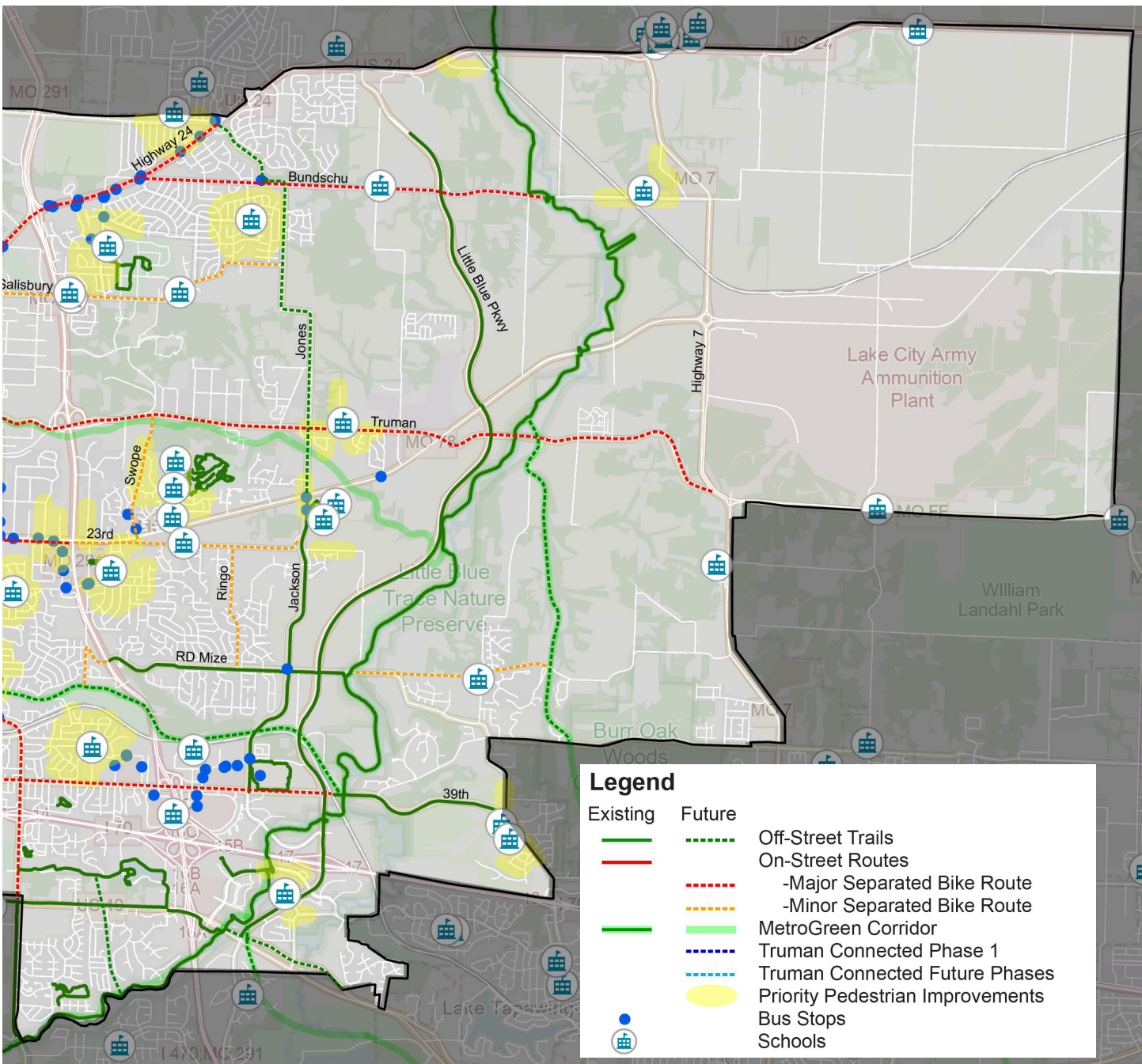
1. **Connections to Little Blue Trace Trail.** The Little Blue Trace Trail is an important local and regional transportation and recreation amenity, but is difficult to access without a car. East-West access is needed to connect residents to the trail from the rest of the city, such as along Truman Road and Bundschu Road. Future developments alongside the trail should include connector trails that provide access to the trail from activity centers and residential neighborhoods.

2. **Implement MetroGreen.** The Little Blue Trace Trail is part of MARC's regional MetroGreen network of planned trails. Additional streamway trails are also recommended in the plan, including along Burr Oak Creek connecting eastern Independence to Blue Springs and the Burr Oak Woods Conservation Area. These are shown in *Figure 13* and would greatly expand the inter-jurisdictional connectivity and recreational opportunities.
3. **Development Integration.** Require and/or develop guidelines to include active transportation infrastructure, such as off-street trails and bicycle parking, with new development projects. This may include easements for future facilities, as appropriate. This process should include city code revisions to better align zoning and subdivision regulations to multimodal transportation needs.
4. **Complete Streets Projects.** Standardize the inclusion of separated bicycle facilities such as protected lanes, shared-use paths, or off-street trails as part of new major street projects. Sidewalks at least five feet in width, and ADA ramps at intersections, should be included on both sides of all future streets. Projects to improve or expand rural roads into urban collector or arterial streets should include these components that improves safety for all users.



The Blue River Trace Trail is a recreational amenity, with improved connections needed to nearby corridors and neighborhoods.

Figure 13: Recommended Network Plan – East Independence



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4 Implementation



Implementation

An actionable plan needs specific steps and strategies to guide implementation, with anticipated timelines and responsible parties. This section defines implementation steps for improving multimodal transportation connectivity in the city based on public input and technical review in the *Independence Transportation for All* process. Some steps involve additional planning work to better define improvements on specific corridors, some involve facility design tasks, and others involve policy or procedural items. Implementation tables below organize action steps into three categories:

- **Policy, Process, and Administration:** Develop and narrow concepts for the plan document based on community engagement process findings.
- **Additional Planning Work:** Gain adoption approval for the refined plan document, as well as other planning processes needed to advance projects.
- **Priority Projects:** Set forth critical first steps for to achieve plan recommendations.

Time Frame

Implementation of recommended improvements will take time. This is due to funding constraints and the time it will take to access grant opportunities and identifying local funds.

Additionally, some items require additional planning work, as well as engineering and design tasks. Generally, low-cost strategies with simple implementation steps are planned for the immediate future. The time frames are detailed as follows:

- **Continuous (Ongoing):** Varying costs, but necessary tasks to sustain the Plan and community goals.
- **Short-Term (0-2 years):** Low cost, ease of implementation, directly advances other strategies, or addresses critical issues.
- **Medium-Term (3-5 years):** Fairly significant cost, but with planning can be implemented within time frame.
- **Long-Term (5+ years):** Significant cost, requires implementation of other strategies first.

An important consideration for project time frame, as well as cost, is the potential to complete low-cost temporary improvements to test or “pilot” projects while the city determines the financing or scope for more permanent solutions. Such projects often only include paint, temporary planters, or other easily-movable items to simulate permanent infrastructure. These projects allow testing and data collection to assist with decision-making and budgeting of future permanent improvements.

Cost Impact

While the Plan process does not include design or engineering activities to determine project costs, a high-level cost impact estimate is provided to guide budgeting and planning for improvements. These categories include:

- **Low:** Strategies that require policy changes or partnerships with limited outside funding requirements.
- **Medium:** Strategies that require relatively affordable consulting services and/or infrastructure improvements.
- **High:** Strategies that require high levels of planning, engineering, and/or design and infrastructure improvements.

Project Priorities

Table 3: Project Priority List – Policy, Process, & Administration

Project Description	Time Frame	Cost Impact
City Codes Update	Short	Low
Update City Codes to provide more protections, options and incentives for walking and biking in the city. This includes sections of Chapter 14 – Unified Development Ordinance, Chapter 17 – Public Works Regulations, and Chapter 18 – Traffic, and Chapter 20 – Public Works Manual.		
Public Works Manual Update	Short	Low
In coordination with the update to city codes sections 14, 17, and 18, update the Public Works Manual (Chapter 20) to reflect changes needed to provide improved infrastructure for those traveling without cars.		
Complete Sidewalk Inventory	Continuous	Low
Sidewalk inventories have been completed in areas around schools, but are lacking elsewhere in the city. This process is needed throughout the city to ensure conditions are known and so repairs and additions to infrastructure can be budgeted and implemented.		
Walking and Biking to School Programs	Continuous	Low
Independence Transportation for All has identified a primary need for improved safety for kids walking or biking to school. Much of this relates to infrastructure needs, but establishing programs where adult volunteers can facilitate groups of students walking or biking to school (a “walking school bus,” for example) can enable kids to use active transportation safely and develop these healthy commuting habits.		
Bikeshare Pilot	Short	Medium
Develop a partnership with RideKC Bike to provide bicycles and/or electric bicycles in the City at key locations, such as Independence Square, Truman Library, and various parks around the city.		
Update Complete Streets Policy	Short	Low
The City’s current Complete Streets policy dates back to 2011. This policy should be reviewed and updated to account for specific active transportation needs identified in this Plan as well as other recent area and corridor plans.		

Table 4: Project Priority List – Additional Planning Work

Project Description	Time Frame	Cost Impact
Arterial Street Bike Routes - Advanced Planning & Preliminary Design	Short	Medium
Independence Transportation for All has identified a need for separated bicycle facilities on several major and minor collector streets in the City, including Truman, Crysler, 23rd Street, and others. Additional planning and preliminary design work is needed to evaluate specific facility options on these streets, including right-of-way availability, utility constraints, traffic and parking impacts, and other factors.		
Safe Routes to School	Short	Low
Past Safe Routes to School (SRTS) work has occurred at several Independence School District in the past. Partnering with ISD for additional schools can help to better define detailed infrastructure needs as well as educational programs to facilitate safer walking and biking for students.		
Transit Strategic Plan	Short	Low
The expansion of transit service has been identified as a significant need to allow people to better travel without a car. A plan is needed to evaluate current services, and how short- and long-term needs could be better met, including through alternative service models such as on-demand services.		
Little Blue Trace Connector Trails	Short	Medium
The Little Blue Trace is a high-quality recreational amenity, but is difficult to access except by car. As developments occur in eastern Independence, and as street projects are needed to support these developments, planning and design work is needed to develop “connector” trails to the main Little Blue Trace trail.		

Table 5: Project Priority List – Priority Projects

Project Description	Time Frame	Cost Impact
Safe Routes to School - Priority Projects	Short	Medium
Construct new sidewalks, install new crosswalks, and fill other walkability gaps in the vicinity of priority schools with the least-extensive sidewalk networks, or as identified by Independence School District as high-priority needs. These are predominantly in the western portion of the city, including Fairmount, Cassell Park, Three Trails, Pitcher, Korte, and Van Horn High School.		
Safe Routes to School - Additional Projects	Medium	Medium
Most schools in Independence have identified sidewalk gaps, sections of sidewalk in need of improvements, and ADA compliance needs. This project would construct this infrastructure within 1/4-mile of schools not otherwise covered in the above “Priority Projects.”		
Truman Connected - Phase 2 and Phase 3 Projects	Medium	High
An additional phase of the Truman Connected corridor has been identified to extend the Phase 1 trail currently under design. Identified Phase 2 corridors (Sterling Avenue and potentially portions of Westport Road and 31st or 32nd Streets).		
Trail Network - Parks Connections (West Independence)	Short	Low
Several parks in Independence include internal trail networks. Connectivity between these trails is limited. This work would extend segments of Waterfall Park Trail and Rock Creek Trail to better connect Little Blue Trace Trail, Waterfall Park, Adair Park, Santa Fe Park, Country Club Park, Rotary Park, Hill Park, and Davis Park.		
Trail Network - Parks Connections (East Independence)	Medium	Medium
This project would seek to connect parks in the central and eastern portions of the City, primarily focused on implementing trails on designated MetroGreen corridors. This includes connecting the Little Blue Trace trail to Burr Oak Woods Conservation Area and to future bicycle facilities on Lee’s Summit Road.		
Highway 40 Separated Bicycle Path	Medium	Medium
In coordination with MoDOT, pursue separated bicycle paths on Highway 40. While engineering and design activities will be needed to affirm the most feasible and appropriate infrastructure, sufficient right-of-way exists to provide a high-quality trail bicycle facility that is separated from the roadway, and fulfilling recommendations of the Highway 40 Corridor and Focus Area Plan.		
Bus Stop Improvements	Medium	Low
Many bus stops in Independence are lacking accessibility features or comfort amenities for riders. Several prominent stops with higher ridership or transfer activity are in need of improvement. Examples include HyVee at Highway 40 & Noland Road, 23rd & Noland Road, Independence Center Mall, and stops serving the 24 Independence route along Winner Road and Highway 24.		

Funding Options

Funding tools potentially available for implementing Independence Transportation for All come in several different forms: regulatory, taxing, districts, bonds, and grants. It is important to note the objective of securing funding is to pay for improvements that otherwise would not have a source of funding, and to provide seed monies for the encouragement of private investment to occur. The investment and leverage of private dollars is crucial to the success of the Plan, particularly for localized connections to private developments and for access within a property that serves as a community destination. Major impacts can be realized when tools are used in combination with each other.

The responsible entities should collaboratively analyze the appropriateness, cost benefits and best application of these tools as necessary to implement the Plan's recommendations.

Regulatory

- **Impact Fees:** The development applicant pays a fee as a condition of the City's approval of the development, to help pay for off-site public improvements that benefit the development.

Taxes

- **Excise Tax:** Excise taxes can be levied on a particular activity, measured by the amount of business done or income received.
- **Capital Improvements Tax:** Capital improvement taxes can be levied on all retail sales for the purpose of funding capital improvements.
- **Transportation Development District (TDD) Sales Tax:** Sales tax can be levied on all retail sales to generate revenues for transportation purposes.

Districts

- **Special Improvement District (SID) / Local Improvement District (LID):** SIDs or LIDs, which are not separate political subdivisions, permit the collection of special assessments applied to individual properties in the amount of "special benefit" conferred on such property by the improvements. Allowed improvements include any type of public improvement a municipality can provide (e.g., roads, sidewalks, water lines, and sewer lines).
- **General Improvement District (GID) / Public Improvement District (PID):** GIDs or PIDs are separate political subdivisions that are permitted to levy a property tax, special assessments on benefited property within the district, or impose fees, tolls, or charges for revenue-producing services or facilities.

- **Business Improvement District (BID) / Community Improvement District (CID):** BIDs or CIDs, which are separate political subdivisions, are designed for public improvements, economic development, and business-related services, such as marketing. District boundaries may only include commercial property but may have a service area broader than its boundaries. BIDs/CIDs may levy ad valorem taxes, issue general obligation bonds, levy special assessments on benefited property, issue special assessment bonds, or impose rates, fees, and charges and issue revenue bonds. Allowed improvements include a broad base of public improvements.

Bonds

- **General Obligation Bonds:** General obligation bonds are issued with the city's full faith and credit that are paid by a dedicated amount of property tax.
- **Revenue Bonds:** Revenue bonds are issued to finance facilities with a definable user or revenue base. Revenue bonds differ from general obligation bonds as they are backed by a specific revenue stream.

Federal Grant Opportunities

- **Congestion Mitigation and Air Quality (CMAQ) Program:** The CMAQ is a federally-funded program for transportation projects designed to reduce traffic congestion and improve air quality (and thus contribute to the attainment of maintenance of a national ambient air quality standard). Examples of eligible projects include transit amenity improvements, bicycle and pedestrian facilities and improvements, intersection improvements, and more.
- **Surface Transportation Block Grant (STBG) Program:** The STBG is a flexible funding program, intended to fund a wide variety of projects that address multiple modes of transportation. Examples of eligible projects include the construction of highways, bridges, tunnels, recreational trails, and more.
- **Transportation Alternatives (TA) Program:** The TA program is intended to create safe, accessible, and environmentally-sensitive communities by providing funding for a variety of active transportation projects, including pedestrian and bicycle transportation improvements, historic/scenic transportation activities, and environmental mitigation. Examples of eligible projects include the construction of pedestrian and bicyclist transportation facilities, construction of viewing areas, vegetation management practices, and more.

- **Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program:** This competitive program can be used for capital projects or planning activities for surface transportation infrastructure projects that will have a significant local or regional impact. This discretionary grant program has supported projects that improve safety, economic strength and global competitiveness, equity, and climate and sustainability consistent with USDOT's strategic goals.
- **Safe Streets and Roads for All (SS4A):** This discretionary grant program created by the Infrastructure Investment and Jobs Act (also known as the Bipartisan Infrastructure Law), provides planning, design, development, and implementation activities for projects that prevent roadway deaths and serious injuries. The development and establishment of a Comprehensive Safety Action Plan is a key component of this program.
- The Federal Transit Administration provides formula and discretionary grant opportunities to transit providers for capital and operating needs. In particular, the **Buses and Bus Facilities Program** can fund transit center and bus stop improvements, and the **Areas of Persistent Poverty Program** provides for planning, engineering, and development of plans to improve transit services or infrastructure within USDOT-designated "Areas of Persistent Poverty" and "Historically Disadvantaged Communities." Additionally, FTA's Pilot Program for Transit-Oriented Development Planning awards grants for planning development around major transit investments.
- The Mid-America Regional Council's (MARC) **Planning Sustainable Places program**, funded through a regional set-aside of federal Surface Transportation Block Grant funding, provides opportunities for additional planning work for specific areas or corridors. This program has a history of advancing plans that ultimately lead to implementation. A "call for projects" generally occurs once every two years on a recurring basis.

Leveraging Public Dollars

The role of the private sector in the development and revitalization of multimodal transportation infrastructure in Independence is critical. Public improvements including streets, signals, crosswalks, sidewalks, and trails can provide the spine of the city's active transportation network. Such public investment can express to the private sector that investment in the area of interest is welcomed and supported. Local access—such as to the front door of a business or within an apartment complex—often relies on sidewalks and ADA-compliant accessible paths on private property for someone to complete their trip. Both the public and private investment working together can greatly expand the network and make a greater variety of trips feasible without a car.

Additionally, quality active transportation infrastructure such as off-street trails can have significant economic development value. These amenities are quality-of-life benefits and attract residents and businesses who value these features for transportation and for recreation. Accordingly, the private sector must be invited into and engaged in the planning process, aware of the vision for the city, and attentive to incentives and requirements for infrastructure development.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

25-716 A Resolution appointing Melissa Cabrera, Director of Finance for the City of Independence to the Independence Events Center Community Improvement District

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

**Department /
Contact**

Council and Board /

REVIEWERS

Jeremy Cover
Melissa Cabrera
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Cabrera CID Resolution

RESOLUTION BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION APPOINTING MELISSA CABRERA TO THE BOARD OF
DIRECTORS OF THE INDEPENDENCE EVENTS CENTER COMMUNITY
IMPROVEMENT DISTRICT.

WHEREAS, the Independence Events Center Community Improvement District (the
“District”) was formed by Ordinance No. 16905 of the City Council of the City of Independence,
Missouri (the “City”); and

WHEREAS, Board members of the District are to be appointed by the Mayor, subject to
the consent of the City Council; and,

WHEREAS, the Mayor and City Council desire to make an appointment to the Board of
Directors as set forth herein;

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

SECTION 1. The following appointment to the Board of Directors is hereby made by the
Mayor, with the consent of the City Council:

Melissa Cabrera, City of Independence Director of Finance, is appointed to fill an
unexpired term ending December 19, 2027.

PASSED THIS _____ DAY OF _____, 2025, 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:

25-717 A Resolution urging the Missouri General Assembly to overturn Senate Bill 5 and Senate Bill 572, which were adopted in 2015 and 2016. *(Sponsored by Mayor Rowland)*

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

**Department /
Contact**

Council and Board /

REVIEWERS

Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Senate Bill 5 Resolution (1)

BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION URGING THE MISSOURI GENERAL ASSEMBLY TO OVERTURN SENATE BILL 5 AND SENATE BILL 572, WHICH WERE ADOPTED IN 2015 AND 2016. (*Sponsored by Mayor Rowland*)

WHEREAS the Missouri General Assembly passed Senate Bill 5 in 2015 and Senate Bill 572 in 2016, ostensibly to address reforms to Municipal Courts around the State of Missouri. The City of Independence initially supported some of these reforms, particularly for the eastern part of the State of Missouri.

WHEREAS it is essential to maintain public safety on our streets and in our community for our citizens, businesses and visitors.

WHEREAS, after the enactment of these bills, also known as "Municipal Court Reform," Municipal Court Judges were no longer allowed to suspend in-state driver licenses for failing to appear in Municipal Court to resolve traffic and municipal ordinance violations. The consequences have included significant increases in unresolved traffic and municipal ordinance violations through the Independence Municipal Court, severely compromising the safety of our community.

WHEREAS, Senate Bill 5 has significantly damaged public safety by removing crucial enforcement powers from police departments and officers sworn to protect our city.

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

Section 1. The Missouri General Assembly begins on Wednesday, January 8, 2025, and concludes on Friday, May 16, 2025. The City Council of Independence strongly supports overturning Senate Bill 5 due to the substantial damage it has caused to public safety. The significant powers it takes away from our public safety officers and our police force. The contracted lobbyists for the City of Independence are directed to work with all necessary parties to advocate for the complete repeal of Senate Bill 5 and Senate Bill 572 to restore the safety of our community.

Section 2. The City of Independence strongly encourages like-minded groups, associations, and other political subdivisions to join our efforts in overturning Senate Bill 5 and Senate Bill 572.

Section 3. The City of Independence strongly encourages the Chief of Police and/or the Missouri Police Association to take the lead in overturning Senate Bill 5 and Senate Bill 572.

Section 4. This council firmly believes that repealing these bills is crucial for restoring the safety of our community and reinstating the necessary enforcement powers to our police departments and officers.

Section 5. This council reiterates its strong support for overturning Senate Bill 5, recognizing the critical need to restore public safety measures and empower our law enforcement officials to effectively protect our city.

Section 6. This resolution shall take effect immediately upon its passage and approval.

PASSED THIS _____ DAY OF _____, 2025, 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:

25-718 A Resolution of support for the Critical Materials Crossroads Campus at Lake City.

Recommendations:

Staff recommends the resolution of support be adopted.

Background:

At its Study Session on January 27, the City Council received a presentation from representatives associated with the Critical Materials Crossroads (CMC) through the University of Missouri-Kansas City (UMKC).

In May 2023, UMKC, on behalf of the University of Missouri System, received a nearly \$1 million, 24-month federal cooperative agreement to lead the development of an energy materials ecosystem in the Kansas City region. The development is focused on creating a domestic supply for critical materials to support everyday life in the US. A major emphasis is on the materials to make lithium-ion batteries but will extend to pharmaceuticals, agriculture, and defense industries.

The CMC has spent a significant amount of time working on not only the innovation and manufacturing sides, but also on creating a sustainable ecosystem. Currently there are over 150 partner organizations, and the CMC is regularly engaging with 375 individuals as a part of this development. The economic impacts to the Kansas City region are significant and include an anticipated \$17 billion gain to GDP (5.8% increase to MO GDP), \$40 billion in gross output, \$3 billion in equipment and facilities, and over \$500 million in tax revenue.

Over the extent of the project, the CMC is forecasting to bring over 10,000 jobs to the area, where 2,500 of them will be direct jobs on the campus. These jobs will range from C-suite positions to fork truck drivers but will have a tilt toward the advanced manufacturing industry. Additionally, the CMC will bring opportunities to the Independence Community through the expected 3,000+ induced jobs to be created. These include services from existing partners such as Northpoint Development, Ennovation, and Community Services League, as well as the large number of wrap-around services expected to be stood up over the next 10+ years. One of the pillars of the CMC project is workforce development and the associated engagement with local K-12 schools. As are part of this project, The CMC expects programs to be set up in the Independence and Fort Osage School Districts with collaborations on apprenticeships, internships, senior projects, and additional curriculum areas. After high school, community members will have access to stackable credentials to lifetime career building opportunities.

Emergency Justification:

Fiscal Impact:

There is no fiscal impact with this proposed resolution.

Council Action:

Department / Contact	Council and Board /
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REVIEWERS

Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Critical Materials Crossroads (1)

BILL NO. _____

RESOLUTION NO. _____

A RESOLUTION OF SUPPORT FOR THE CRITICAL MATERIALS CROSSROADS
CAMPUS AT LAKE CITY

WHEREAS, the Critical Materials Crossroads (CMC) is a Kansas City regional consortium whose objective is to onshore sustainable critical energy materials innovation and manufacturing capacity and whose goal is to impact its stakeholder constituency through increased economic activity, and

WHEREAS, the CMC-EME has codified the groundwork of stakeholder and nascent asset alignment over the past four years, supported directly by NSF Engine Development award and indirectly through an Economic Development Administration (EDA) TechHubs Strategy Development award and Designation, and

WHEREAS, as a result of the efforts on this project, the CMC team is forecasting more than a 5% gain to the Missouri GDP, 0.6% to the Kansas GDP, over \$500 million in tax revenue, at least 2,500 direct jobs and greater than 7,500 indirect jobs by 2035, and

WHEREAS, this innovation and manufacturing campus would become a hub for advanced manufacturing by bringing in outside influences, utilizing existing regional proficiency, and training workforces with expertise in continuous innovation techniques, automation, and artificial intelligence, and

WHEREAS, the CMC has engaged with over 150 stakeholder partners focused on bringing opportunities to the Independence Community through both direct campus jobs and indirect services required. Engagement for indirect services from existing partners such as Northpoint Development, Ennovation, and Community Services League, are underway, with the expectation to expand exponentially with the Independence businesses over the next 10+ years; and,

WHEREAS, one of the pillars of the CMC project is workforce development and the associated engagement with local K-12 schools. As are part of this project, we expect programs to be set up in the Independence and Fort Osage School Districts with collaborations on apprenticeships, internships, client-connected projects, and exploration of new academic pathways.

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 supports the development of the Critical Materials Crossroads project in our community, subject to the City's ordinance and all applicable entitlement processes.

PASSED THIS ____ DAY OF FEBRUARY 2025 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 full public hearing for a Restaurant Selling Intoxicating Liquor License application for American Way Smokehouse located at 17710 E. 39th St. S. ***Full Public Hearing.***

Recommendations:**Background:****Emergency Justification:****Fiscal Impact:****Council Action:**

Department / Contact	Community Development /
---------------------------------	-------------------------

REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

None

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

Council action is requested on the application received from American Way Smokehouse, LLC for a Restaurant Selling of Intoxicating Liquor by the drink license for American Way Smokehouse that will be located at 17710 E. 39th St. S.

Recommendations:

This application meets the requirements of the City's Alcoholic Beverage Code.

Background:

The applicant is requesting City Council approval for a Restaurant Selling of Intoxicating Liquor by the drink license. The applicant has also requested a Sunday Sales license. This license will be approved administratively should the City Council approve the license. The hours of operation will be Monday – Saturday 10:00 am to 8:00 pm and Sunday 10:00 am to 5:00 pm. The applicant has indicated that this location will have alcohol sales that meet the City's Alcoholic Beverage Code.

Applicant: American Way Smokehouse, LLC

Name of business: American Way Smokehouse

Business Address: 17710 E. 39th St. S.

Size of establishment (includes outdoor patio space if applicable): American Way Smokehouse will be operating within approximately 9,000 square feet of space at 17710 E. 39th St. S.

Liquor License Types: Restaurant Selling of Intoxicating Liquor by the drink license including Sunday Sales

Types of Alcohol to be sold/served: Various types of intoxicating liquor by the drink

History of any liquor license at this location; if a new building, provide a brief update on the construction: American Way Smokehouse will be a restaurant that is leasing space within a commercial strip mall space. There was a retail store (i.e., Payless Shoes) in this space that opened in 1991 and closed in 2019. Since then, this space has been vacant. American Way Smokehouse has applied for the necessary permit to convert the space and change the use to comply with restaurant use. There are four other liquor establishments within 1,000 feet: Casey's, Longhorn Steakhouse, and Quik Trip are located to the south and Target is located to the east.

Location proximity to school, church, or residential zoning: According to the City's mapping system there are no schools or churches within 300 feet of this establishment. There is a residential zoning district located within 300 feet.

Managing Officer Information and results from background check: American Way Smokehouse, LLC has indicated Jace E. Sanders will serve as the appointed managing officer. The background investigation conducted by the Missouri State Highway Patrol on Jace E. Sanders revealed he meets the requirements of the Alcoholic Beverages code.

Emergency Justification:

Fiscal Impact:

Council Action:

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. REDACTED American Way Smokehouse Liquor License Application
2. Aerial Map American Way
3. Zoning map American Way
4. Storefront and Aerial Map 2
5. Notification Letter American Way
6. 300 feet addresses



Liquor License Application Form

Regulated Industries Division
111 E. Maple Avenue
Independence, MO 64050
(816) 325-7079
blicenses@indepmo.org

cc 12/9/24
pd ke

Application Type: ☐ Package ☒ Drink ☐ Manufacturing ☐ Wholesale ☐ Special ☐ Ownership Change

Business Information

This Business is a: ☐ Sole Proprietor ☐ Partnership ☐ LP ☒ LLC ☐ Corporation

Legal Name of Entity American Way Smokehouse LLC Type of Business RESTAURANT

Doing Business as (d/b/a) (if different than above)

Physical Address 17710 E 39th St S City Independence State MO Zip 64055

Mailing Address (if different from above)

Phone 480-322-8888 Cell Phone JACESANDERS@gmail.com Email JACESANDERS@gmail.com

State & Date of Incorporation or Organization MO June 2023 Missouri Retail Sales Tax Number 29718058

Date business scheduled to open

Give dimensions or square footage of the building, outdoor patio, and any other areas in which alcoholic beverages may be stored or dispensed: APPROXIMATELY 9k sq ft. SEE ATTACHED MAP

Is the proposed location within 300 feet of a church, school, or hospital? No

Proposed hours of operation: 10a-8p M-Sat SUN 10-5p

If existing business, from whom was the business purchased? _____

Date of purchase: _____ Date of Possession: _____

Does the former owner of the business have any interest, either directly or indirectly, in the business for which you seek a license? If so, explain:

I hereby apply to the City of Independence, MO, for the following license(s) for the business and premises described above (mark all license types for which you are applying on page 2). I also certify that the information given in this application is true to the best of my knowledge and that the license is non-transferable. I also agree that this business will observe the restrictions specifically enumerated in Chapter 2 of the Independence City Code related to alcoholic beverages.

Signature of Applicant [Signature] Printed Name JALE SANDERS

Title Manager Date 11/8/24

Liquor License Types (mark all license types for which you are applying)

All liquor licenses are effective for one (1) year, beginning July 1 and ending June 30. Any liquor license application made between January 1 and March 31 will be charged a prorated fee equal to one-half of the annual license fee (listed below). Those licenses will expire June 30 of that year. Applications made between April 1 and June 30 will be charged the full license fee (listed below), however those licenses will expire June 30 the following year.

Package Liquor Licenses

- ☐ P1 – Retail Selling of Intoxicating Liquor of all kinds in the original package (\$150.00)
- ☐ P3 – Retail Selling of Beer only in the original package; includes Sunday Sales (\$150.00)
- ☐ S – Sunday Sales (\$300.00)
- ☐ T – Tasting Permit (\$25.00)

Drink Licenses

- ☐ T1 – Retail Selling of Intoxicating Liquor by the Drink (\$450.00)
- ☐ T2 – Retail Selling of Malt Liquor & Wine by the Drink (\$150.00)
- ☐ T3 – Retail Selling of Beer by the Drink; includes Sunday Sales (\$150.00)
- ☒ R1 – Restaurant Selling Intoxicating Liquor (\$450.00)
- ☒ R2 – Restaurant Selling Beer; includes Sunday Sales (\$150.00)
- ☐ F1 – Tax Exempt Organizations Selling Intoxicating Liquor (\$300.00)
- ☐ H1 – Hotel Selling Intoxicating Liquor (\$450.00)
- ☐ Z1 – Consumption of Intoxicating Liquor (\$150.00)
- ☒ S – Sunday Sales (\$300.00)

Manufacturing, Distilling, Blending Licenses

- ☐ M1 – Manufacturing, Distilling, Blending Intoxicating Liquor of all kinds (\$300.00)
- ☐ M2 – Manufacturing twenty-two (22) percent or less alcohol- content intoxicating liquor (\$300.00)
- ☐ M3 – Manufacturing, Brewing Malt Liquor (\$300.00)

Wholesale Licenses

- ☐ W1 – Wholesale selling of Intoxicating Liquor of all kinds (\$300.00)
- ☐ W2 – Wholesale selling of twenty-two (22) percent or less alcohol-content intoxicating liquor (\$300.00)
- ☐ W3 – Wholesale selling of malt liquor (\$300.00)

Special Licenses

- ☐ S1 – Microbrewery (\$7.50 per 100 barrels produced)
- ☐ S2 – Domestic Winery (\$7.50 per 500 gallons produced)
- ☐ S4 – Picnic 7 Day Intoxicating Liquor by the Drink (\$15.00 per day)
- ☐ S6 – July 4th Celebration Malt Liquor & Light Wine by the Drink (\$15.00 per day)
- ☐ C1 – Caterer Intoxicating Liquor by the Drink – Up to 7 Days (\$15.00 per day)
- ☐ C2 – Caterer Intoxicating Liquor by the Drink – Up to 50 Days (\$500.00)
- ☐ C3 – Caterer Intoxicating Liquor by the Drink – Unlimited Days (\$1,000.00 per day)

Managing Officer, Sole Owner, or Managing Partner Information

SANDERS, JALE ELMON [REDACTED]

Full Name Social Security Number

MALE 47 5'10" 225 lbs [REDACTED] ARIZONA YES

Sex Age Height Weight Date of Birth Place of Birth Are you a U.S. Citizen

19400 E Binascho Rd Independence MO 64056

Home Address City State Zip

Merchant Square 816-663-1845 JALE@merchant-square.com

Place of Employment (other than business) Employment Phone Email

17730 E 39th St S. Independence MO 64056

Employment Address City State Zip

City or Town where the Managing Officer, Sole Owner, or Managing Partner pays taxes:

Jale Independence

Will this person be in active control and management of this business? Please explain (part-time/full-time, etc.):

YES FULL

Have you, any partner or employee ever been arrested anywhere in the United States for the violation of any City, State or Federal Law? If so, who, where, when and what offense (do not include minor traffic offenses):

NO

Have you, any partner or employee ever been the holder of a license to manufacture or sell alcoholic beverages, which was revoked? If so, explain:

NO

Have you, or any member of your household or immediate family, ever made application for a permit for the Director of Liquor Control that was denied? If so, explain and provide approximate date of denial:

NO

Do you rent or lease the premises for which this business is to be used? If so, give terms of rent or lease, and name and address of property owner:

LEASE SEE ATTACHED

Partnership or Member Information (complete only for partnerships or LLCs with multiple members)

Give partnership or LLC name (if not already listed above) and the name, address, and percentage ownership interest of each partner or member:

AMERICAN WAY SMOKE HOUSE, LLC
 100% OWNED BY REVERE PROPERTIES, LLC
 100% OWNED BY THE MOORE FAMILY ALASKA TRUST

Corporate Information (complete only for a corporation)

List full name, complete address, phone number, date of birth and Social Security Number of all corporate officers:

President: _____

Vice President: _____

Secretary: _____

Treasurer: _____

Managing Officer: _____

Names, address, and phone number of shares owned of all stockholders who hold 10% or more of the capital stock:

Is the corporation or any stockholder or the managing officer thereof, or any member of his/her household or immediate family, have interest directly in any other permit issued by the Director of Liquor Control? If so, explain:

No

Has any stockholder of the corporation or an officer ever been employed by any person, partnership, or corporation that had a license revoked or suspended? If so, who, where, when and what offense:

No

Alcoholic Beverage Code Certifications – Adult Materials

- ☒ I certify this establishment will not display or sell books, photos, magazines, videos, or other periodicals which are distinguished or characterized by the principal emphasis on matters depicting, describing, or relating to specified sexual activities.
- ☐ I certify this establishment will display or sell books, photos, magazines, videos, or other periodicals which are distinguished or characterized by the principal emphasis on matters depicting, describing, or relating to specified sexual activities.

Alcoholic Beverage Code Certifications – Allow Entry for Inspection

- ☒ I agree that I will permit the entry of any officer or investigator who has legal authority for the purpose of inspection; and will permit the removal of all things and articles which may be in violation of the ordinances of Independence, Missouri, and the laws of the State of Missouri or the United States.

Alcoholic Beverage Code Certifications – Restaurant Liquor Sales

- ☒ **If qualifying as a restaurant:** I certify that at least 50% of the gross sales of the business for which this license application is made will consist of food.

Alcoholic Beverage Code Certifications – Package Liquor Sales

If applying for a package liquor license: I certify that, at all times, I will keep a stock of goods having a value according to my original invoices of at least one thousand dollars (\$1,000.00), exclusive of the inventory value of the fixtures and of the intoxicating liquor, which I shall offer for sale on said premises. Check one of the following:

- ☐ This location will have alcohol sales that are less than 90% of gross store sales.
☐ This location will have alcohol sales that are more than 90% of gross store sales.

Additional Documentation Required

- ☒ Letter of Explanation – Letter explaining why the application is being submitted by outlining the operations of the business and the use of the liquor license, should it be approved.
 - ☒ A recent photo of the Managing Officer.
 - ☒ Criminal Record Check – Missouri Highway Patrol criminal record check for the Managing Officer, Sole Owner, or each partner or member of a partnership or LLC.
 - ☒ Copy of the Managing Officer's paid Missouri personal property tax receipt for year immediately preceding the date of application.
 - ☒ Copy of Missouri voter registration card for the Managing Officer.
 - ☒ Recent photos of the interior and exterior of the premises to be licensed. If the building is under construction, the applicant shall provide a copy of the plans and specifications of the building.
 - ☒ Floorplan of the premises to be licensed including any areas where alcoholic beverages will be stored, sold, or consumed including outdoor patio areas.
 - ☒ Copy of Jackson County Business Property Tax receipt for year immediately preceding date of application. (If the business was new after January 1 of that year, it is exempt from this requirement.)
 - ☒ Business License Application – Applicant must submit a Business License application that includes a letter of "No Tax Due" dated within the previous 90-days for the MO sales tax number provided and a certificate of liability insurance.
10. License Fee: Check or money order payable to the City of Independence. See page 2 for current annual license fees.

Please return this application and all required documents to the Regulated Industries Division at the address above. For questions about completing this application, please contact ~~Jordan Ellena~~ at

~~JEllena@indepmo.org~~ or by phone at 816-325-7183.

Jdodson@indepmo.org

Jill Dodson

12/9/24

To Whom It May Concern:

We are hoping to open a fast-casual restaurant in Independence serving Kansas City style barbeque. We would like to serve beer and light wine with the meal for the patrons that would enjoy that. Please see the attached application for your consideration. Thank you.

Jace

A handwritten signature in black ink, appearing to be 'Jace' followed by a stylized flourish.

Jace Sanders
American Way Smokehouse, LLC
17730 E 39th St S
Independence, MO 64055





No Match Notification

A statewide search of the identifiers below has revealed no criminal conviction or sex offender information on file. Fingerprints were not provided and thus the result of the search cannot be guaranteed.

Date of Search: 09/13/2024

Name (1): JACE SANDERS

Name (2):

Name (3):

Date Of Birth: [REDACTED]

SSN: [REDACTED]

Control Number: 6892828

If you have any questions, please do not hesitate to contact our office at 573-526-6153.

Missouri State Highway Patrol
Criminal Justice Information Services Division
PO BOX 9500
Jefferson City, MO 65102

#4

#4



Official Receipt

Jackson County, MO

2023 Property Tax

Paid September 11th, 2024

Receipt Details

Receipt Number
14226525

Payer Name
SANDERS JACE ELDOIN

Payer Address
17730 E 39TH ST S
INDEPENDENCE, MO 64055

Amount Applied
\$646.78

Tender Type
PAYIT ONLINE

Personal Property

Property Account Number 209010090

Name
SANDERS JACE ELDOIN

Address
17730 E 39TH ST S
INDEPENDENCE, MO 64055

Since
2023-03-13

To

Tax Year 2023

Receipt Details

Type
AUTO

Series

Make
TOYOTA

Model Year

Model
AUTO

#4

UNSPECIFIED

Item ID
4T1BG22K6YU989503
Name on Title 1
SANDERS JACE ELDON

2000

Plate Number

Type
TRUCK

Make
TOYOTA

Model
RAV4

Series
4D 2WD

Model Year
2018

Item ID
JTMWFREV3J161309

Plate Number

Name on Title 1
SANDERS JACE ELDON

Amount Applied
\$447.30

Unpaid Balance
\$0.00

Description
A/V Principal-Regular

Amount Applied
\$11.00

Unpaid Balance
\$0.00

Description
City Sticker Fee

Amount Applied
\$60.39

Unpaid Balance
\$0.00

Description
A/V Interest

Amount Applied
\$1.49

Unpaid Balance
\$0.00

Description
A/V Interest

Amount Applied
\$10.15

Unpaid Balance
\$0.00

Description
Chapter 52 General Fund Collect

Amount Applied
\$5.08

Unpaid Balance
\$0.00

Description
Chapter 52 Maintenance Fund Col

Amount Applied
\$0.25

Unpaid Balance
\$0.00

Description
Chapter 52 General Fund Collect

Amount Applied
\$0.12

Unpaid Balance
\$0.00

Description
Chapter 52 Maintenance Fund Col

Amount Applied
\$25.38

Unpaid Balance
\$0.00

Description
Chapter 141 General Fund Collec

Amount Applied
\$0.62

Unpaid Balance
\$0.00

Description
Chapter 141 General Fund Collec

Amount Applied
\$85.00

Unpaid Balance
\$0.00

Description
Personal Property Late Filing Penal

Distribution of Districts
STATE BLIND PENSION
\$2.15
BOARD OF DISABLED SERVICES
\$5.13

#4

MENTAL HEALTH	\$6.83
METRO JUNIOR COLLEGE	\$12.76
MID-CONTINENT LIBRARY	\$20.86
JACKSON COUNTY	\$36.67
BLUE SPRINGS SCHOOLR-IV	\$362.90

Any unpaid balance will continue to accumulate interest, penalties, and fees.

This receipt reflects the amount of any current unpaid balance at the time this receipt is generated. It does not include any such interest, penalties and fees that are later accrued. Changes to the account may change the unpaid balance amount.

If this payment does not clear your financial institution, this receipt is void and you may receive a returned item fee and late penalty. Please verify with your financial institution that this payment has cleared.

Current Voter Registration Information

JACE SANDERS
19400 BUNDSCHU RD
INDEPENDENCE, MO 64056

If any of the voter information is not accurate, you will need to [update your voter registration](#).

NOTICE: Polling location information is provided and updated by [local election authorities](#). It is recommended you confirm your polling place with your county clerk or board of election. Contact information for your local election authority may be found in the box on the right.

Election Resources

Your county's election is not available at this time. Please try again later or contact your Local Election Authority.

Jurisdiction Information

County: Jackson
Precinct: B3-02.A
Split: A



[View My Districts](#)

Have Questions?

Contact your Local Election Authority:

Jackson County Board of Elections
P.O. Box 296
Independence, MO 64051

Phone: 816-325-4600

Fax: 816-325-4609

Email:

JCEB@jcebmo.org

Website:

[LEA Website](#)

Need to update your registration?

Visit the [Missouri Secretary of State Elections page](#) for more information.

















#9

TAXATION DIVISION
PO BOX 3000
JEFFERSON CITY, MO 65105-3000



Missouri
DEPARTMENT OF REVENUE

Telephone: 573-751-5860
Fax: 573-522-1722
E-mail: businesstaxregister@dor.mo.gov

AMERICAN WAY SMOKEHOUSE LLC
1509 N ARIZONA AVE
CHANDLER, AZ 85225-7007

10/10/2024

CERTIFICATE OF NO TAX DUE

RE: Notice Number 2049943152
MISSOURI ID: 29718058

To whom it may concern: The Department of Revenue, State of Missouri, certifies that the above listed taxpayer/account has filed all required returns and paid all SALES TAX due, including penalties and interest, or does not owe any SALES TAX, according to the records of the Missouri Department of Revenue, as of 10/10/2024. These records do not include returns that are not required to be filed as of this date for taxes previously collected or that have been filed but not yet processed by the Department.

This statement only applies to SALES TAX due and does not limit the authority of the Director of Revenue to assess, or collect liabilities under appeal, in default of an installment agreement entered into with the Director of Revenue or that become known to the Department as a result of an audit, a review of taxpayer's records, or a determination of successor liability.

THIS CERTIFICATE REMAINS VALID FOR 90 DAYS FROM THE ISSUANCE DATE.

TAXATION DIVISION



Alcohol & Tobacco Control

APPLICATION FOR PRIMARY LIQUOR LICENSE

LEASE FOR LIQUOR LICENSE

I, NESMOR RENTALS 1, LLC and LARRY PEW and SUSAN PEW (LESSOR /PROPERTY OWNER) HEREBY LEASE THE BUILDING LOCATED
AT 17710 E 39TH ST S. INDEPENDENCE MO 64055 (ADDRESS)
TO AMERICAN WAY SMOKEHOUSE, LLC (LEASEE***MUST BE THE SAME
AS LLC/INC. ON SALES TAX LICENSE, IF NOT LLC/INC. MUST MATCH PERSON(S) OR ENTITY ON SALES TAX LICENSE).

TERMS OF LEASE

LEASE SHALL TAKE EFFECT ON DECEMBER 1, 2024 (DATE)AMOUNT PER MONTH \$2000LEASE IS ACTIVE UNTIL NOV 30, 2025 MAY BE RENEWED ANNUALLY (DATE)

CIRCLE ANSWER BELOW

WHO PAYS THE UTILITIES

LEASEE

☒ LESSOR

CAN LEASEE SUBLEASE

YES

☒ NODOES LEASEE PAY LESSOR A PERCENTAGE OF OR EXTRA BASED
ON NET PROFITS OF LEASEE'S BUSINESS

YES

☒ NO

LESSOR

X

PRINTED

LARRY PEW

SUSAN T. PEW

LEASEE

X

PRINTED

JACE SANDOZ, MANAGER AMERICAN WAY SMOKEHOUSE, LLC

MISSOURI - DIVISION OF ALCOHOL AND TOBACCO CONTROL - LICENSE

THIS LICENSE MUST BE POSTED ON THE PREMISES IN FULL PUBLIC VIEW

BEER AND WINE BY THE DRINK

305575

\$33.33

EXPIRATION DATE: JUNE 30, 2025

EFFECTIVE DATE: NOVEMBER 19, 2024

JACKSON

BUS. STRUCTURE: LMTD LIABILITY

MANAGING OFFICER OR PARTNERS: JACE E SANDERS

SPECIAL PERMITS: EMP-MINORS

ALL OF A ONE STORY BUILDING WITH AN ATTACHED PATIO AT 17710 E 39TH STREET S., INDEPENDENCE, MO.

RENEWAL NOTICES are mailed annually in March. It's the licensee's responsibility to pay the required fee by MAY 1ST of each calendar year. Late fees will be assessed for late renewal after MAY 1ST.

Sandra K. Karsten

DIRECTOR OF PUBLIC SAFETY

Christen Templeton

ACTING SUPERVISOR OF ALCOHOL AND TOBACCO CONTROL

AMERICAN WAY SMOKEHOUSE LLC
AMERICAN WAY SMOKEHOUSE
17710 E 39TH STREET S
INDEPENDENCE, MO 64055

LICENSE NOT TRANSFERABLE

MISSOURI - DIVISION OF ALCOHOL AND TOBACCO CONTROL - LICENSE

THIS LICENSE MUST BE POSTED ON THE PREMISES IN FULL PUBLIC VIEW

BEER SUNDAY DRINK WINE

305576

\$133.33

EXPIRATION DATE: JUNE 30, 2025

EFFECTIVE DATE: NOVEMBER 19, 2024

JACKSON

BUS. STRUCTURE: LMTD LIABILITY

MANAGING OFFICER OR PARTNERS: JACE E SANDERS

SPECIAL PERMITS: EMP-MINORS

ALL OF A ONE STORY BUILDING WITH AN ATTACHED PATIO AT 17710 E 39TH STREET S., INDEPENDENCE, MO.

RENEWAL NOTICES are mailed annually in March. It's the licensee's responsibility to pay the required fee by MAY 1ST of each calendar year. Late fees will be assessed for late renewal after MAY 1ST.

Sandra K. Karsten

DIRECTOR OF PUBLIC SAFETY

Christin Templeton

ACTING SUPERVISOR OF ALCOHOL AND TOBACCO CONTROL

AMERICAN WAY SMOKEHOUSE LLC
AMERICAN WAY SMOKEHOUSE
17710 E 39TH STREET S
INDEPENDENCE, MO 64055

LICENSE NOT TRANSFERABLE









The space for American Way Smokehouse has been marked by the red rectangle.



January 17, 2025

Dear Property Owner:

American Way Smokehouse, LLC submitted a liquor license application for the Restaurant Selling of Intoxicating Liquor by the Drink Including Sunday Sales with the City of Independence Regulated Industries Division. The application is for American Way Smokehouse, LLC located at 17710 E. 39th St. S., Independence, MO, 64055.

City Code requires written notification of the public hearing to all Property Owners within three hundred (300) feet of the proposed premises. The public hearing pertaining to this case is scheduled for the regular City Council meeting at 6:00 p.m., Tuesday, February 4, 2025 in Council Chambers at 111 East Maple Ave.

During the public hearing, you will have an opportunity to speak for or against this liquor license application before the City Council considers this application. You do not need to sign-up to speak at this public hearing.

Please contact our Regulated Industries division at (816) 325-7183 or at jdodson@indepmo.org if you have any questions regarding this notice.

Regards,

Jill M. Dodson

Jill M. Dodson
Regulated Industries Supervisor

Owner	Address	City	State	Zip Code
APPLE TREE MANOR CONDO ASSOC	17800 BOLGER RD 001-B	INDEPENDENCE	MO	64055
DAYTON HUDSON CORP	P O BOX 9456	MINNEAPOLIS	MN	55440-9456
PEW LARRY & SUSAN	1509 N ARIZONA AVE	CHANDLER	AZ	85225
RW BOLGER SQUARE LLC	630 W GERMANTOWN PIKE STE 303	PLYMOUTH MEETING	PA	19462
RW BOLGER SQUARE LLC	353 W LANCASTER AVE	WAYNE	PA	19087

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

25-002 **2R** An ordinance approving the petition to establish the Blue Ridge Crossing - East Community Improvement District, establishing the district, and making findings and authorizing actions related to establishment of the district. **2R**

Recommendations:

Staff recommends approval.

Background:

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 Blue Ridge Crossing - East Community Improvement District (the "Petition"), which encompasses property located generally along US Highway 40, south of Interstate 70, bounded by Larson Drive and a residential neighborhood on the East and Wal-Mart on the West.

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.

The Petitioners seek to finance public improvements and services within the District, which are detailed in Exhibit D - Five Year Plan in the Petition. These include capital improvements within the District, which could include streetscape, energy efficient LED lighting for parking lot and exterior building security, public benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, barriers, public parking lots and facilities, and public art in the District. Further, revenues will be used for public services within the District, including marketing of the District, the promotion of security services, snow removal, trash removal and sweeping, among others.

The Petitioners are not seeking a blight finding for the District.

The maximum length of time for the existence of the District is 20 years from the date upon which the ordinance creating the District is approved by the City. The statutory maximum length of time for the existence of a District under the CID Act is 27 years, 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.

Emergency Justification:

Fiscal Impact:

Council Action:

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Nancy Cooper
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Ordinance - Creating Blue Ridge Crossing - East CID
2. Petition - Final as Filed

Bill No. _____

Ordinance No. _____

AN ORDINANCE APPROVING THE PETITION TO ESTABLISH THE BLUE RIDGE CROSSING - EAST 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 Blue Ridge Crossing – East 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 Blue Ridge Crossing - East Community Improvement District (the “**District**”) is entirely located within the City of Independence;

WHEREAS, on January 6, 2025, 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 (20) 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 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 9. 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 10. 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 11. 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 12. This ordinance shall be in full force and effect ten (10) days after the date of its passage and approval.

PASSED THIS ____ DAY OF _____ 2025, 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

**PETITION TO ESTABLISH
THE
BLUE RIDGE CROSSING - EAST
COMMUNITY IMPROVEMENT DISTRICT
IN
INDEPENDENCE, MISSOURI**

INDEPENDENCE, JACKSON COUNTY, MISSOURI

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EXHIBITS

EXHIBIT A DISTRICT LEGAL DESCRIPTION

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EXHIBIT C PARCEL NUMBERS AND ASSESSED VALUES OF PROPERTY WITHIN
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EXHIBIT D FIVE YEAR PLAN'S ESTIMATE OF REVENUES AND COSTS OF
IMPROVEMENTS AND SERVICES

PETITION TO ESTABLISH THE BLUE RIDGE CROSSING - EAST COMMUNITY IMPROVEMENT DISTRICT

This petition ("Petition") is submitted in accordance with Section 67.1401, RSMo, through Section 67.1571, RSMo, as amended, otherwise known as the Missouri Community Improvement District Act ("Act"), by those persons and entities whose signatures appear below ("Petitioners"). The Petitioners request that the City Council ("City Council") of the City of Independence, Missouri, establish a community improvement district ("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 ("District Land") legally described in Exhibit A ("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 ("District Boundary Map").

C. Name of District

The name of the District shall be the Blue Ridge Crossing - East 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) 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) 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, energy efficient LED lighting for parking lot and exterior building security, 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.

2. 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; and
- (f) obtaining funds to pay for the costs incurred to meet the District Purposes;

3. Maintenance

The District may provide cleaning and maintenance services to public and private property 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) providing for the provision of security personnel, equipment, or facilities for the protection of property and persons;
- (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.

4. 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 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 D attached to this Petition. The anticipated term of the Sales Tax shall be 27 years, unless terminated earlier.

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 unaudited financial statements.

B. Board of Directors

1. Number

The District shall initially be governed by a Board of Directors ("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;
- (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; and
- (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)
BJ Craig	4
Jamie Belew	4
Janae Nauser	4
Tracy Ryan-Hoover	2
Tom Lesnak (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 \$2,987,904.

VI. BLIGHT DETERMINATION

The petitioners are not seeking a determination that the District Land is a blighted area.

VII. LIFE OF DISTRICT

The life of the District shall be for a period of twenty (20) years following the effective date of the Ordinance establishing the District unless and until terminated earlier in accordance with Section 67.1481 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

LEGAL DESCRIPTION OF DISTRICT

BLUE RIDGE RETAIL-06 LLC

Parcel 33-330-11-12-00-0-00-000

BLUE RIDGE CROSSING LOTS 7A AND 7B---PT LOT 7B DAF: BEG SE COR LOT 7B TH SWLY ALG CURV RI RAD 26' ARC DIST 14.82' TH N 87 DEG 16 MIN 42 SEC W 144' MOL TH NWLY 178' MOL TH N 25 DEG 14 MIN 07 SEC E 78'; MOL TH N 30 DEG 47 MIN 03 SEC E 77.08' TH N 41 DEG 11 MIN 31 SEC E 56.32' TH SELY ALG CURV RI RAD 905.37' ARC DIST 130.3' TH N 49 DEG 26 MIN 28 SEC E 10' TH SELY ALG CURV RI RAD 915.37' ARC DIST; 201.76' TO POB

BLUE RIDGE RETAIL-06 LLC

Parcel 33-330-11-15-00-0-00-000

BLUE RIDGE CROSSING LOTS 7A AND 7B---PT LOT 7A DAF: BEG NW COR LOT 7A TH S 66 DEG 50 MIN 33 SEC E 82.4' TH SELY ALG CURV RI RAD 905.37' ARC DIST 24.43' TH S 41 DEG 11 MIN 31 SEC W 56.32' TH S 30 DEG 47; MIN 03 SEC W 77.08' TH S 25 DEG 14 MIN 07 SEC W 78' MOL TH NWLY 58' MOL TH N 25 DEG 14 MIN 07 SEC E 31' TH NWLY ALG CURV RI RAD 38' ARC DIST 63.04' TH N 30 DEG 17 MIN 31 SEC E 142.77' TO POB

BLUE RIDGE RETAIL-06 LLC: Parcel 33-330-11-05-00-0-00-000

BLUE RIDGE CROSSING---PT TRACT A DAF: BEG AT SE COR SD TRACT TH NLY ALG CURV LF RAD 915.37' DIST 3' TO TRU POB TH CONT ALG SD CURV LF RAD 915.37' DIST 89' TH SWLY ALG CURV TO RI RAD 26' DIST 14.82'; TH N 87 DEG 16 MIN 22 SEC W 144' MOL TH SELY 213' MOL TO TRU POB (PART OF TRACT A IN INDEPENDENCE)

BURLINGTON EAST LLC: Parcel 33-330-10-30-00-0-00-000

BLUE RIDGE CROSSING EAST---LOT 1

CINEMA EAST LLC: Parcel 33-330-10-32-00-0-00-000

BLUE RIDGE CROSSING EAST---LOT 2

A&M FAMILY LLC: Parcel 33-330-10-31-00-0-00-000

BLUE RIDGE CROSSING EAST---LOT 3

SERENITY JIA LLC: Parcel 33-330-11-10-00-0-00-000

BLUE RIDGE CROSSING----LOT 6

Included within the District is the right-of-way of U.S. 40 Highway beginning to the west at the I-70 interchange and continuing east to Blue Ridge Boulevard, as shown on the District Boundary Map.

EXHIBIT B
MAP OF DISTRICT



EXHIBIT C

PARCEL NUMBERS AND ASSESSED VALUES OF PROPERTY WITHIN DISTRICT

See Attached

Map #	Property Owner	2023 AV
1	Serenity JIA LLC 110 N Carpenter St Chicago IL 60607	\$561,216.00
2	Blue Ridge Retail-06 LLC 470 NW Legacy Dr. KC MO 64155	\$218,016.00
3	Blue Ridge Retail-06 LLC 470 NW Legacy Dr. KC MO 64155	\$640,000.00
4	Blue Ridge Retail-06 LLC 470 NW Legacy Dr. KC MO 64155	\$13,440.00
5	Burlington East LLC 470 NW Legacy Dr. KC MO 64155	\$1,856,000.00
6	A & M Family LLC 202 E US Highway 40 Bates City MO 64011	\$57,856.00
7	Cinema East LLC 470 NW Legacy Dr. KC MO 64155	\$108,992.00
Total AV		\$3,455,520
Needed AV		\$1,727,761
Total PO		5
Needed PO		3

EXHIBIT D

FIVE-YEAR PLAN
ESTIMATED COSTS OF IMPROVEMENTS AND SERVICES*

- I. **General.** The District will be established to fund those items set forth below in the CID Project Budget, and also fund the initial start-up costs and ongoing operating costs of the District.
- II. **District Purposes.** The purposes of the District are to:
- (1) Provide or cause to be provided for the benefit of the District, certain improvements more specifically described in this Petition;
 - (2) Fund the costs, expenditures, and undertakings of the District;
 - (3) To levy and collect the Sales Tax in order to provide a source of payment for the District Projects; and
 - (4) Such other purposes and activities authorized by the Act and allowed by the Petition.
- III. **Estimated Initial Five-Year Budget.** The estimated revenue from the Sales Tax and expenditures are as follows for the initial five years of the District:

Notes:

- A The sales tax may only be levied after an approved board resolution and sales tax election in accordance with the CID Act. The sales tax is estimated to become effective July 1, 2025, subject to qualified voter approval in a mail-in ballot election. Any sales tax approved by qualified voters will not become effective until the first day of the second quarter following the approval of such tax.
- B For the first year, this includes all legal costs associated with the formation of the District, drafting, filing and prosecuting this Petition, the negotiation of any and all agreements between the District and the City, and engineering, insurance and accounting fees.
- * To the extent the actual revenue and costs of improvements vary from this five-year plan and CID Project Budget, the District's budget will be modified by the Board on an annual basis.

	Year 1	Year 2	Year 3	Year 4	Year 5
Estimated Sales Tax Revenue (1%)	\$190,000	\$193,800	\$197,676	\$201,629.52	\$205,662.11
Maintenance Wages	\$10,000	\$10,200	\$10,404	\$10,612.08	\$10,824.32
Management Fee	\$10,000	\$10,200	\$10,404	\$10,612.08	\$10,824.32
Legal Fees	\$20,000	\$5,000	\$5,000	\$5,000	\$5,000
Accounting	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500
Liability Insurance	\$1,200	\$1,200	\$1,200	\$1,200	\$1,200
Electricity- CAM	\$3,000	\$3,060	\$3,121.20	\$3,183.62	\$3,247.30
Water Sewer- CAM	\$3,000	\$3,060	\$3,121.20	\$3,183.62	\$3,247.30
LED Lighting Upgrades	\$10,000	\$5,000	-	-	-
JCAM Security	\$55,000	\$56,100	\$57,222	\$58,366.44	\$59,533.77
JCAM Landscape	\$15,000	\$20,000	\$20,400	\$20,808	\$21,224.16
JCAM Snow Removal	\$5,000	\$5,100	\$5,202	\$5,306.04	\$5,412.16
JCAM Maint-Trash Removal	\$10,000	\$10,200	\$10,404	\$10,612.08	\$10,824.32
JCAM Maint- Signs/Entrance	\$15,000	\$15,300	\$15,606	\$15,918.12	\$16,236.48
JCAM- Sweeping	\$5,000	\$5,100	\$5,202	\$5,306.04	\$5,412.16
JCAM Rep-Drivelanes/Sdwlk	\$15,000	\$15,300	\$15,606	\$15,918.12	\$16,236.48
JCAM Maint- Misc.	\$5,000	\$5,100	\$5,202	\$5,306.04	\$5,412
Umbrella Insurance Policy	\$200	\$200	\$200	\$200	\$200
Total Operating Expense	\$184,900	\$172,620	\$170,794.40	\$174,032.29	\$177,334.93

CLERK'S RECEIPT OF PETITION

This Petition was filed in the office of the City Clerk of the City of Independence, Missouri
on the ____ day of _____, 2024.

City Clerk

[SEAL]

EXECUTION PAGE FOR PETITION FOR THE CREATION OF THE
BLUE RIDGE CROSSING - EAST INDEPENDENCE COMMUNITY IMPROVEMENT DISTRICT

Name of owner: Blue Ridge Retail - 06, LLC

DBA (if any): _____

Property Addresses: (1) 11825 E US 40 Hwy Independence MO 64133; (2) 11815 E US 40 Hwy Independence MO 64133; (3) 4238 S Blue Ridge Blvd Independence MO 64133

Owner's telephone number: 816-353-1390 x201

Owner's mailing address: 470 NW Legacy Dr, Kansas City MO 64155

IF SIGNER IS DIFFERENT FROM OWNER:

Name of signer: Patrick T. Hayes

State basis of legal authority to sign: President of IAS Partners, Ltd., Member

Signer's telephone number: 816-353-1390 x201

Signer's mailing address: 470 NW Legacy Dr, Kansas City, MO 64155

If owner is an individual:	Single	Married
If owner is not an individual	Corporation	General Partnership
state what type of entity:	Limited Liability Company	Limited Partnership
	Urban Redevelopment Corp	Trust
	Nonprofit Corporation	Other: _____

Map and parcel numbers: 1. 33-330-11-12-00-0-00-000 (MAP #3); 2. 33-330-11-15-00-0-00-000 (MAP #2)
3. 33-330-11-05-00-0-00-000 (MAP #4)
Assessed Values: 1. \$640,000.00; 2. \$218,016.00; 3. \$13,440.00
TOTAL: \$871,456.00

By executing petition, undersigned represents and warrants he/she/they is/are authorized to execute petition on behalf of property owner named immediately above. Signatures of the signers of this petition may not be withdrawn from petition later than seven (7) days after filing hereof with the city clerk.

Date: 10-17-2024

Signature: *Patrick T. Hayes*
Name: Patrick T. Hayes
Title: President of IAS Partners, Ltd., Member

STATE OF MISSOURI)
COUNTY OF CLAY) ss.

Be it remembered, that on this 17 day of October 2024, before me, a Notary Public in and for the County and State aforesaid, came Patrick T. Hayes, the Pres. of IAS Partners, Ltd., of Blue Ridge Retail - 06, LLC, a Missouri limited liability company ("Company"), who executed the within instrument on behalf of Company and he/she/they duly acknowledged the execution of the same to be the act and deed of Company.

In witness whereof, I have hereunto set my hand and affixed my seal, the day and year last above written.

My Commission Expires: 12-16-27

(34553 / 72627; 1031947.)



Jamie Belew
NOTARY PUBLIC
COMMUNITY IMPROVEMENT DISTRICT

EXECUTION PAGE FOR PETITION FOR THE CREATION OF THE
BLUE RIDGE CROSSING - EAST INDEPENDENCE COMMUNITY IMPROVEMENT DISTRICT

Name of owner: Burlington East, LLC
DBA (if any): _____
Property Address: 11910 E. US 40 Hwy, Independence MO 64055
Owner's telephone number: 816-353-1390 x 201
Owner's mailing address: 470 NW Legacy Dr, Kansas City MO 64155
IF SIGNER IS DIFFERENT FROM OWNER:
Name of signer: Patrick T. Hayes
State basis of legal authority to sign: Member
Signer's telephone number: 816-353-1390 x 201
Signer's mailing address: 470 NW Legacy Dr, Kansas City, MO 64155

If owner is an individual:	Single	Married
If owner is not an individual	Corporation	General Partnership
state what type of entity:	<u>Limited Liability Company</u>	Limited Partnership
	Urban Redevelopment Corp	Trust
	Nonprofit Corporation	Other: _____

Map and parcel number: 33-330-10-30-00-0-00-000 (MAP #5)
Assessed Value: \$1,856,000.00

By executing petition, undersigned represents and warrants he/she/they is/are authorized to execute petition on behalf of property owner named immediately above. Signatures of the signers of this petition may not be withdrawn from petition later than seven (7) days after filing herof with the city clerk.

Date: 10-17-2024

Signature: [Signature]
Name: Patrick T. Hayes
Title: Member

STATE OF MISSOURI)
COUNTY OF CLAY) ss.

Be it remembered, that on this 17 day of October 2024, before me, a Notary Public in and for the County and State aforesaid, came Patrick T. Hayes, the Member of Burlington East, LLC, a Missouri limited liability company ("Company"), who executed the within instrument on behalf of Company and he/she/they acknowledged the execution of the same to be the act and deed of Company.

In witness whereof, I have hereunto set my hand and affixed my seal, the day and year last above written.

[Signature]
NOTARY PUBLIC

My Commission Expires: 12-16-2027

(34553 / 72627; 1031947.)



COMMUNITY IMPROVEMENT DISTRICT

EXECUTION PAGE FOR PETITION FOR THE CREATION OF THE
BLUE RIDGE CROSSING - EAST INDEPENDENCE COMMUNITY IMPROVEMENT DISTRICT

Name of owner: A&M Family LLC

DBA (if any): _____

Property Address: no address assigned

Owner's telephone number: _____

Owner's mailing address: 202 E US Highway 40, Bates City MO 64011

IF SIGNER IS DIFFERENT FROM OWNER:

Name of signer: Abdoul Qudus

State basis of legal authority to sign: managing member

Signer's telephone number: 816 786 4848

Signer's mailing address: 202 E US Highway 40 Bates City MO 64011

If owner is an individual:

Single

Married

If owner is not an individual

Corporation

General Partnership

state what type of entity:

Limited Liability Company

Limited Partnership

Urban Redevelopment Corp.

Trust

Nonprofit Corporation

Other: _____

Map and parcel number:

33-330-10-31-00-0-00-000 (MAP #6)

Assessed Value:

\$57,856.00

By executing petition, undersigned represents and warrants he/she/they is/are authorized to execute petition on behalf of property owner named immediately above. Signatures of the signers of this petition may not be withdrawn from petition later than seven (7) days after filing hereof with the clerk of court.

Date: 11/2/24

Signature: Abdoul Qudus

Name: Abdoul Qudus

Title: managing member

STATE OF)

COUNTY OF) ss.

Be it remembered, that on this 7 day of November, 2024, before me, a Notary Public in and for the County and State aforesaid, came Abdoul Qudus, the Owner of A&M Family LLC, a Missouri limited liability company ("Company"), who executed the within instrument on behalf of Company and he/she/they acknowledged the execution of the same to be the act and deed of Company.

In witness whereof, I have hereunto set my hand and affixed my seal, the day and year last above written.

My Commission Expires:

March 8 2026

Ashley Nicholle Schwemmer
NOTARY PUBLIC, NOTARY SEAL
STATE OF MISSOURI
Jackson County

COMMISSION # 22571642

My Commission Expires: March 8, 2026 IMPROVEMENT DISTRICT

(34553 / 72627; 1031947.)

EXECUTION PAGE FOR PETITION FOR THE CREATION OF THE
BLUE RIDGE CROSSING – EAST INDEPENDENCE COMMUNITY IMPROVEMENT DISTRICT

Name of owner: Cinema East, LLC
DBA (if any): _____
Property Address: 11916 E. US 40 Hwy, Independence MO 64055
Owner's telephone number: 816-353-1390 x 201
Owner's mailing address: 470 NW Legacy Dr, Kansas City MO 64155
IF SIGNER IS DIFFERENT FROM OWNER:
Name of signer: Patrick T. Hayes
State basis of legal authority to sign: Member
Signer's telephone number: 816-353-1390 x 201
Signer's mailing address: 470 NW Legacy Dr, Kansas City, MO 64155

If owner is an individual:	Single	Married
If owner is not an individual	Corporation	General Partnership
state what type of entity:	<u>Limited Liability Company</u>	Limited Partnership
	Urban Redevelopment Corp	Trust
	Nonprofit Corporation	Other: _____

Map and parcel number: 33-330-10-32-00-0-00-000 (MAP #7)
Assessed Value: \$108,992.00

By executing petition, undersigned represents and warrants he/she/they is/are authorized to execute petition on behalf of property owner named immediately above. Signatures of the signers of this petition may not be withdrawn from petition later than seven (7) days after filing her/with the city clerk.

Date: 10-17-2024

Signature: [Signature]
Name: Patrick T. Hayes
Title: Member

STATE OF MISSOURI)
COUNTY OF CLAY) ss.

Be it remembered, that on this 17 day of October, 2024, before me, a Notary Public in and for the County and State aforesaid, came Patrick T. Hayes, the Member of Cinema East, LLC, a Missouri limited liability company ("Company"), who executed the within instrument on behalf of Company and he/she/they acknowledged the execution of the same to be the act and deed of Company.

In witness whereof, I have hereunto set my hand and affixed my seal, the day and year last above written.

My Commission Expires: 12-16-27

(34553 / 72627; 1031947.)



[Signature]
NOTARY PUBLIC

COMMUNITY IMPROVEMENT DISTRICT

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

25-005 **1R** An ordinance amending Article 3 of Chapter 5 of the City Code pertaining to Hotels And Extended Stay Hotels. **1R**

Recommendations:

Staff recommends approval.

Background:

On September 5, 2023, the City Council approved Ordinance No 19480 amending Chapter 5 of the City Code to add regulations pertaining to extended stay hotels. Since the adoption of these regulations, the City has had ongoing conversations with community members on updates and changes to these regulations. These conversations led to the proposed ordinance that revises and clarifies the requirements for hotels and extended stay hotels. Specifically, this ordinance:

1. Changes the Article title to Hotels and Extended Stay Hotels.
2. Creates two (2) Divisions – Division 1. Standards Applicable to All Lodging Establishment and Division 2. Standards Applicable to Extended Stay Hotels.
3. Modifies the extended stay hotel definition, adds a definition for non-profit community partner agency and adds extended stay hotel to other terms in the definition section.
4. Clarifies that Chapter 5, Article 1 (Business License) applies to all lodging establishments.
5. Modifies the Penalty and Interest section to update the interest that is added for delinquent transient guest tax payments. Updates and clarifies that any operator could be subject to the suspension and revocation procedures for delinquent transient guest tax payments.
6. New requirement for hotel/extended stay operators who are delinquent 3 or more months in remitting transient guest tax to post a payment to the City as part of the business license and/or liquor license renewal. This payment would equal the transient guest taxes due for the preceding year.
7. Clarifies that hotel guests can stay no longer than 30 consecutive days at a time.
8. The Refusal to Register section was moved to Division 1 to apply to all lodging establishments. This requirement follows Missouri State Statute.
9. The Ejection from Facility section was moved to Division 1 to apply to all lodging establishments. This requirement follows Missouri State Statute.
10. Clarifies that the Independence Health Code is applicable to hotels and extended stay hotels.
11. Adds that every hotel and extended stay hotel operating in the City shall comply with all city, state and federal laws.

12. Adds a section related to business license denial, suspension and revocation and refers the user to the procedures outlined in Chapter 5 of the City Code.
13. Division 2 are standards applicable to extended stay hotels.
14. Moves the extended stay design requirements to Division 2.
15. Moves the mandatory re-registration to Division 2 and requires guest who stay in an extended stay hotel for longer than 30 days to re-register to every 30 days.

Staff believes the proposed amendment will better serve our community and help regulate extended stay hotels to ensure the public safety in and around hotels.

Emergency Justification:

Fiscal Impact:

There is no fiscal impact.

Council Action:

Department / Contact	Community Development /
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REVIEWERS

Tom Scannell
Jeremy Cover
Melissa Cabrera
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Ordinance Regarding Hotel & Extended Stay Amendment 2025
2. Chapter 5 Article 3. Hotels and Extended Stay Hotels

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ARTICLE 3 OF CHAPTER 5 OF THE CITY
CODE PERTAINING TO HOTELS AND EXTENDED STAY HOTELS.

WHEREAS, the City of Independence may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and,

WHEREAS, City Council has previously enacted regulations relating to hotels, motels, and lodging establishments; and,

WHEREAS, City Council has also previously enacted provisions specifically regulating extended guest stays at these facilities; and,

WHEREAS, City Council desires to update these regulations to ensure these establishments are operated consistently and safely to the traveling and visiting public.

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

SECTION 1. The City Code of the City of Independence Article 3, Chapter 5 shall hereby be amended as follows:

“ARTICLE 3. - HOTELS, ~~MOTELS, LODGING~~ AND EXTENDED STAY HOTELS
BOARDING HOUSES AND PRIVATE CLUBS

DIVISION 1. STANDARDS APPLICABLE TO ALL LODGING ESTABLISHMENTS

Sec. 5.03.001. Definitions. In this article:

EXTENDED STAY HOTEL means any hotel, motel, or lodging establishment which ~~tenant or occupant who exercises occupancy~~ or is entitled to allow occupancy, as indicated on the establishment's annual business license, by reason of concession, permit, right of access, license or other agreement for a period of ~~sixteen~~ thirty-one (31) consecutive calendar days or more, counting portions of calendar days as full days and meeting the standards of Division 2 of this Article.

HOTEL means any structure or any portion of any structure that is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes and includes, but is not limited to, any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location.

NONPROFIT COMMUNITY PARTNER AGENCY means a nonprofit organization that provides critical services, including but not limited to housing services, case management,

education, workforce development, health care, and legal services, to low- and moderate-income individuals and/or households.

OCCUPANCY means the use or possession or the right to the use or possession of any room or rooms or portion thereof in any hotel for dwelling, lodging or sleeping purposes.

OPERATOR means the person who is the proprietor of a hotel **or extended stay hotel**. Where the operator performs functions through a managing agent of any type other than an employee the managing agent shall also be deemed an operator for the purposes of this article and shall have the same duties and liabilities as the principal. Compliance with the provisions of this article by either the principal or the managing agent shall be compliance by both.

PERSON means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate or any other group or combination acting as a unit.

RENT means the consideration charged for the occupancy of space in a hotel **or extended stay hotel**.

TENANT means any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement. OCCUPANT can be used interchangeably with TENANT.

TRANSIENT means any tenant who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days. Any such tenant so occupying space in a hotel shall be deemed to be a transient until the period of 30 days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. In determining whether a person is a transient, uninterrupted periods of time extending both prior and subsequent to the effective date of this article may be considered.

RECORD means all electronic, typewritten, or handwritten information about a tenant.

REGISTER means a machine in which electronic or typewritten records are kept or a document or set of documents in which handwritten or typewritten records are kept.

Sec. 5.03.002. **Chapter 5**, Article 1 applies.

The following special provisions for applicants or holders of licenses for hotels, motels, lodging and boarding houses and private clubs shall not be construed as the only requirements of such persons under this chapter. Rather, Article 1 of this chapter shall be applied here in its entirety except where specific provisions of this article override the general provisions of Article 1.

Sec. 5.03.003. Tax imposed—Gross daily rent.

There is hereby levied a tax of six and one-half percent of the gross daily rent due from or paid by transient guests of all hotels **and extended stay hotels** in addition to the fees charged for

occupation licenses required for the operation of all hotels as set forth in Article 1 of this chapter. The Director of Finance shall be responsible for the administration and levy of this tax.

Sec. 5.03.004. Reporting and remitting rental tax.

Each operator shall on or before the 20th day of the month following the close of each month make a return to the Director of Finance on forms provided of total rents charged and the amount of tax collected for transient occupancy. At the time the return is filed, the full amount of the tax collected shall be remitted to the Director of Finance. The Director of Finance may establish shorter reporting periods for any license holder that has established a record of being delinquent in reporting and/or remitting taxes accruing hereunder. The Director of Finance may also establish shorter or longer reporting periods for any license holder to insure the efficient and effective collection of the tax.

Sec. 5.03.005. Penalties and interest.

- A. ~~Any operator who fails to remit any tax imposed by this article within the time required shall pay a penalty of one percent and interest of two percent per month, not to exceed 25 percent per annum, of the amount of the tax in addition to the amount of the tax. For each and every month, or part thereof, any such tax provided for under this article shall remain unpaid after the same shall become due and payable, there shall be added to such tax as a penalty, ten (10) per cent of the amount of such license tax for the first month or part thereof the same is unpaid, and for each and every month thereafter two (2) per cent of the amount of such tax shall be added until the same is fully paid. In addition to the penalties provided herein, any person, firm, or corporation subject to the provisions of this article who fails to file a statement or pay the tax or files a false or a fraudulent statement, required by this article or within the time required by this article shall, upon conviction thereof, shall be punished by a fine not exceeding \$500.00 or by imprisonment not exceeding three months, or by both such fine and imprisonment.~~
- B. Every penalty imposed and such interest as accrues under the provisions of this section shall become a part of the tax herein required to be paid. Any penalty may for good cause be waived provided that a report thereof be made to the City Council.
- C. Any unpaid taxes shall be considered delinquent 30 days after the due date.
- D. ~~Any operator who fails to pay their transient guest tax within 30 days after the due date shall be subject to the suspension and revocation procedures of Chapter 5, Article 1. Staff will recommend to the Business License Manager the revocation of the motel/hotel's business license if the motel/hotel operator fails to pay their transient guest tax within 30 days past the due date.~~
- E. The ~~City Business License Manager~~ will not reinstate a ~~motel extended stay hotel~~/hotel's business license until they are current in their tax payments, penalties and interest or have a signed payment agreement with the Finance Department.

Sec. 5.03.006. Failure to collect and report tax—Determination of tax by Director of Finance.

If any operator shall fail or refuse to collect any tax or to submit within the time provided in this article any report and/or remittance of any tax or any portion thereof required, the Director of Finance shall proceed to obtain facts and information on which to base an estimate of the tax due. As soon as the Director of Finance procures such facts and information upon which to base such an estimate or assessment against the operator of all tax, interest and penalties provided for by this

article, the Director of Finance shall give notice of the amount so assessed by serving it personally or by depositing it in the United States mail, postage prepaid, addressed to the operator at the business address.

Sec. 5.03.007. Right to hearing.

Such operator may within ten days after the serving or mailing of any notice make application in writing to the Director of Finance for a hearing on the amount assessed as transient guest tax. If such application for a hearing is not made within the time prescribed, the tax, interest and penalties, shall become final and conclusive and immediately due and payable by such operator. If an application is received for a hearing, the time and place of such hearing shall be fixed within five days of receipt of the request. The notice for request of a hearing should show cause why the amount, specifying tax, interest and penalties should not be fixed as specified in the assessment. After such hearing, the Director of Finance shall determine the proper tax to be remitted and shall thereafter give written notice to the operator of such determination and the amount of such tax, interest and penalties.

Sec. 5.03.008. Retention of records for taxing purposes.

It shall be the duty of every operator liable for the collection and payment to the City of any tax imposed by this article to keep and preserve for a period of three years all records which may be necessary to determine the amount of such taxes as may have accrued to the City and for the collection or payment of which such operator is responsible. The Director of Finance shall have the right to inspect such records at all reasonable times, but shall hold the same in confidence and utilize the same only for the purposes of this article.

Sec. 5.03.009. Refunds—Overpayment of taxes.

- A. Whenever the amount of any tax, interest or penalty has been overpaid or paid more than once or has been erroneously collected or received by the City under this article, it may be refunded as provided in Subsections B and C of this section. A claim in writing must be presented stating, under penalty of perjury, the specific grounds upon which the claim is founded. The claim shall be on forms provided by the Director of Finance.
- B. An operator may claim a refund or take as a credit against taxes to be remitted the amount previously overpaid, paid more than once or paid after being erroneously collected or received when it is established in a manner prescribed that the tax was paid on rent charged a person who was not a transient. However, neither a refund nor a credit shall be allowed unless the amount of the tax to be refunded or credited if collected from a tenant or other person has either been refunded to such person or credited to rent subsequently payable by such person to the operator.
- C. No refund shall be paid under the provisions of this section unless the claimant establishes a right thereto by written records showing entitlement.

Sec. 5.03.010. Actions to collect taxes owed to the City.

Any tax required to be paid by any operator under the provisions of this article shall be deemed a debt owed by such operator to the City. Any person owing money to the City under the provisions of this article shall be liable to an action brought in the name of the City for the recovery of such amount.

Sec. 5.03.011. Bond for renewal of business or liquor license when tax delinquent.

Renewal of the city business license or liquor license of any operator who has been delinquent in remitting any tax required by this article for or during three (3) or more months during the year preceding renewal shall be conditioned upon the posting of a bond to secure payment of said taxes during the year of renewal. The amount of the bond shall be equal to the amount of tax payments of such operator during the year preceding renewal. The bond shall be subject to the approval of the city counselor.

Sec. 5.03.012. Unlawful acts - ~~Hotel~~ Operator.

It shall be unlawful for any operator to fail or refuse to register a hotel **or extended stay hotel** or to submit any tax return or other financial records or to refuse to permit any necessary inspection of hotel records by the Director of Finance or to willfully render a false or fraudulent tax return or claim as required by this article.

Sec. 5.03.013. Hotel register required.

Every Operator of a hotel **and extended stay hotel**, as defined by this chapter, shall keep a register in which the following information shall be entered legibly, either in electronic, ink, or typewritten form, prior to the room being furnished or rented to a tenant: (a) the true name and residence address for the tenant, and (b) the make, type and license number of any vehicle under the control of the tenant, if the vehicle will be parked on hotel **or extended stay hotel** premises. The register shall also show the day, month, and year when such information was entered, the day, month and year of tenant check-in, and the room or rooms to be occupied by such persons. It shall be unlawful for any Operator to refuse or neglect to comply with the requirements of this chapter.

Sec. 5.03.014. Identification required.

- (a) The Operator shall require identification to be presented upon registration sufficient to confirm the identity of the tenant in the following instances: (i) when a tenant obtains a right to Occupancy by paying for the room entirely in cash; (ii) when a tenant has not made a prior reservation and obtains a right to Occupancy on a "walk-in" basis; and (iii) when, at the time of tenant registration, the Operator does not have in its possession all of the register information required by ~~Section 5.03.012(a)~~ **this Article**.
- (b) At the time of check in, the Operator shall record in the register the type of identification presented, the number and expiration date of the identification presented, and the information required by **this Article** ~~Section 5.03.012~~. The Operator may comply with this section by copying and or scanning a Government issued pictured identification and recording the information in the register.
- (c) A major credit/debit card must be presented upon registration in order to reserve a room unless, at the time of tenant registration, the Operator has in its possession a major credit/debit card number from the tenant or the entity responsible for the cost of the room. This provision does not prohibit Hotels from accepting alternative methods of payment upon check out.

Sec. 5.03.015. Retention of register.

- (a) The Operator shall keep the register on the hotel premises in the tenant reception, tenant check-in area, or in an adjacent office. The register shall be maintained at that location on the hotel premises for a period of three years from the date of the last entry in the register.

- (b) No person shall alter, deface, or erase the register so as to make the information recorded in it illegible or unintelligible, or hinder, obstruct, or interfere with any inspection of the register under this chapter.

Sec. 5.03.01~~56~~56. Register—Format.

Any register maintained in the form of a book shall be permanently bound, each page shall be sequentially numbered and the book shall be the minimum size of eight by ten inches. No page shall be removed from the book. A register may be maintained electronically, but the electronic register must be printable.

Sec. 5.03.01~~67~~67. False information prohibited.

It is unlawful for any tenant to use or allow the use of any name other than his or her true name in so registering.

Sec. 5.03.01~~78~~78. Frequency of rental.

The Operator shall not rent any room more than two times during any 24-hour period, beginning at 12:00 noon and ending at 12:00 noon the following day.

Sec. 5.03.01~~89~~89. Posting regulations.

Every Operator shall maintain a copy of these City Code provisions on the premises. Every Operator shall post in a conspicuous place on the hotel premises, within reasonable view of any person who wishes to become tenant of the hotel, a notice reading "City of Independence Code Regulations on hotel occupancy are available upon request."

~~Sec. 5.03.019. Extended stays—occupancy standards.~~

~~A. Each hotel, motel or lodging place shall only rent to and allow occupancy by transient guests, unless an existing hotel, motel or lodging place has a current special land use permit which expressly allows for stays longer than fifteen (15) days. No person may be an occupant or tenant in the facility for more than sixty (60) days in any six month period. The owner shall develop and implement procedures to prevent stays for a longer period of time which shall be subject to review by the City.~~

~~1. Exemption: Extended stays by guests may be allowed in certain facilities which have the following physical design features and amenities:~~

- ~~a. Building. Each facility shall provide a main entrance to a lobby. Entry into any guest suite shall be from an interior hallway. All hallways to guest suites shall be within the interior of the building and shall be climate-controlled. All entrances into the building shall require a valid suite key card to open and shall be equipped with self-closing doors.~~**
- ~~b. Oversized and Suite Style Accommodations. All guest suites on the property must be set up in a suite configuration with a separate area for food preparation, dining, and other living activities. All suites must be fully furnished with bedding, table and chairs, with all linens provided.~~**
- ~~c. Kitchenette. All guest suites must be adequately equipped for in-suite storage of food and safe preparation of meals and include:~~**

- ~~(1) Separate Sink. Must be located outside of the bathroom and integrated within a countertop having at least 12 square feet of flat surface area;~~
 - ~~(2) Appliances. A separate area within each suite must contain a two-burner cooktop, microwave, and efficiency-sized refrigerator/freezer at least 8 cubic feet in capacity;~~
 - ~~(3) Vent Hood. Must be positioned immediately above the cooktop to vent steam and aromas; and~~
 - ~~(4) Dry Storage. Cabinets must be placed above and below the countertop to provide for at least 25 cubic feet of storage of non-perishable items, separate and apart from the closet.~~
- ~~2. No facility, including those meeting the above requirements, may provide for extended stays until express authorization is noted on the facility's annual business license. Further, no such facility shall be used for long stays as a replacement for permanent housing.~~

- ~~a. In the City's sole discretion, authorization to provide for extended stays may be denied or withdrawn due to excessive qualifying calls for police service relating to: crimes of violence, unlawful drug activity, prostitution, solicitation, peace disturbances, thefts, vandalism, unlawful weapon offenses, and property crimes. In reaching this determination, the City may consider the ratio of qualifying calls for police service in the preceding twelve (12) month period, as compared to the number of rooms available for occupancy in the facility. In the event the ratio of qualifying calls for police service places the hotel in the top twenty (20%) percent of all hotels in the City; the calls for police service to that hotel will be presumed to be excessive.~~

B. Occupancy Standards. Owner shall develop and implement procedures to prevent stays for a longer period of time. The following items shall be included as part of the procedure, in addition to the other requirements required under this Chapter.

- ~~1. Mandatory Re-Check-In. Registered tenants (including any occupant) desiring to stay at the facility for more than seven (7) days will be required to reregister weekly and be issued new keys. For those hotels expressly allowed to register guests to stay longer than fifteen (15) days, the registered occupants may not remain in the same room for more than eight (8) weeks consecutively and shall be required to change rooms for stays of a longer duration.~~
 - ~~a. Exception: For those hotels expressly allowed to register guests to stay longer than 15 days, the seven-day mandatory re-check-in and the mandatory room change every eight weeks shall not apply if the hotel is compliant with the following procedures:~~
 - ~~(1) The hotel shall conduct housekeeping in each room at least once per week (which cannot be declined by the guest). In addition to any normal cleaning which may be required, housekeeping shall conduct an inspection of the room in accordance with a checklist developed and approved by the City. The staff's weekly inspection is intended to observe illegal or inappropriate behavior and safety issues. Staff shall complete the checklist and provide to hotel management. The hotel shall keep the completed checklists and a log showing the~~

- ~~cleaning dates of each room; such records shall be kept for a minimum of two years and shall be made available to the City upon request.~~
- ~~(2) The hotel shall provide registration records to the City upon request and shall provide access so that the City may conduct periodic inspections of rooms. Such periodic inspections shall be conducted at the cost of the hotel.~~
- ~~(3) Registered occupants shall be required to re-check in every calendar month during a stay of longer duration than 15 days. The registered occupant shall not be required to change rooms but shall be required to interact with hotel staff in the same manner as new guests checking in. The hotel shall ensure that occupancy of the room is consistent with hotel records and in compliance with the occupancy standards set forth in the Municipal Code.~~
- ~~2. Occupancy Limits. Occupancy limits for each room shall be determined by the Fire Marshal and shall be displayed in each room. No person may occupy a room without being registered with hotel management as an occupant. Occupancy of any room shall not exceed that fixed by the Fire Marshal at any time.~~
- ~~3. Refusal To Register. As permitted by the provisions of Section 315.067, RSMo., 2023, any person in charge of the facility shall refuse or deny the use of a room, accommodations, facilities or other privileges of the hotel to any person or persons exhibiting any of the following:~~
- ~~a. An individual who is unwilling or unable to pay for the room, accommodations, facilities, or other privileges of the hotel;~~
- ~~b. An individual who reasonably appears to be visibly intoxicated, under the influence of alcohol or other drug, or acts in a disorderly manner so as to be reasonably likely to create a public nuisance;~~
- ~~c. An individual the person in charge of the facility has reason to believe or reasonably believes to be seeking to use a room, accommodations, facilities or other privileges of the hotel for an unlawful purpose;~~
- ~~d. An individual the person in charge of the facility has reason to believe or reasonably believes to be bringing in anything which may create an unreasonable danger or risk to other persons, including but not limited to explosives or the unlawful use of firearms;~~
- ~~e. An individual whose use of the room, accommodations, facilities or other privileges of the hotel would result in a violation of the maximum capacity of such room, accommodation, facility or hotel.~~
- ~~4. Ejection From Facility. As permitted by the provisions of Section 315.075, RSMo., 2023, the person in charge of the facility shall eject a person from the hotel and notify the appropriate local law enforcement authorities for any of the following reasons:~~
- ~~a. Non-payment of charges incurred by the individual renting a room, accommodations or facilities of the hotel when the charges are due and owing;~~

- ~~b. Any individual renting a room, accommodations or facilities of the hotel who is visibly intoxicated, under the influence of alcohol or other drug or acting in a disorderly manner;~~
- ~~c. Any individual the person in charge of the facility has reason to believe or reasonably believes is using the premises for an unlawful purpose;~~
- ~~d. An individual the person in charge of the facility has reason to believe or reasonably believes to have brought something into the hotel which may create an unreasonable danger or risk to other persons, including but not limited to unlawful use of firearms or explosives; and~~
- ~~e. Any individual the person in charge of the facility has reason to believe or reasonably believes to be in violation of any Federal, State or local laws or regulations relating to the hotel.~~

Sec. 5.03.020. Maximum length of stay.

Hotels shall only allow occupants to stay thirty consecutive (30) days or less per stay.

Sec. 5.03.021. Refusal to register.

As permitted by the provisions of RSMo Section 315.067, any person in charge of the facility shall refuse or deny the use of a room, accommodations, facilities or other privileges of the hotel to any person or persons exhibiting any of the following:

1. An individual who is unwilling or unable to pay for the room, accommodations, facilities, or other privileges of the hotel or extended stay hotel;
2. An individual who reasonably appears to be visibly intoxicated, under the influence of alcohol or other drug, or acts in a disorderly manner so as to be reasonably likely to create a public nuisance;
3. An individual the person in charge of the facility has reason to believe or reasonably believes to be seeking to use a room, accommodations, facilities or other privileges of the hotel or extended stay hotel for an unlawful purpose;
4. An individual the person in charge of the facility has reason to believe or reasonably believes to be bringing in anything which may create an unreasonable danger or risk to other persons, including but not limited to explosives or the unlawful use of firearms;
5. An individual whose use of the room, accommodations, facilities or other privileges of the hotel or extended stay hotel would result in a violation of the maximum capacity of such room, accommodation, facility or hotel.

Sec. 5.03.022. Ejection from facility.

As permitted by the provisions of RSMo Section 315.075, the person in charge of the facility shall eject a person from the hotel and extended stay hotel and notify the appropriate local law enforcement authorities for any of the following reasons:

1. Non-payment of charges incurred by the individual renting a room, accommodations or facilities of the hotel and extended stay hotel when the charges are due and owing;
2. Any individual renting a room, accommodations or facilities of the hotel and extended stay hotel who is visibly intoxicated, under the influence of alcohol or other drug or acting in a disorderly manner;

3. Any individual the person in charge of the facility has reason to believe or reasonably believes is using the premises for an unlawful purpose;
4. An individual the person in charge of the facility has reason to believe or reasonably believes to have brought something into the hotel and extended stay hotel which may create an unreasonable danger or risk to other persons, including but not limited to unlawful use of firearms or explosives; and
5. Any individual the person in charge of the facility has reason to believe or reasonably believes to be in violation of any Federal, State or local laws or regulations relating to the hotel and extended stay hotel.

Sec. 5.03.023. Health code.

Chapter 11 of the City Code shall be applied to all hotels and extended stay hotels in its entirety.

Sec. 5.03.024. Compliance with applicable laws.

Every hotel and extended stay hotel operating in the City shall comply with all city, state and federal laws. Failure to do so will justify suspension or revocation of said business by the City.

Sec. 5.03.025. License denial, suspension or revocation; right to appeal.

- A. The license denial, suspension and revocation provisions set forth in Chapter 5, Article 1 of the City Code, as applicable, shall apply.
- B. The applicant has the right to appeal in accordance with the provisions set forth in Chapter 5, Article 1 of the City Code, as applicable.

Sec. 5.03.026. Penalty for violation.

- A. *Penalties.* Any person found guilty of a violation of this chapter of the City Code shall be subject to a fine of up to \$500.00 and to incarceration for a term not to exceed six months.
- B. *Continuing Violation.* Unless otherwise provided, a person, firm, corporation or organization shall be deemed guilty of a separate offense for each and every day during any portion of which a violation of this chapter is committed, continued or permitted by the person, firm, corporation or organization and shall be punishable accordingly as herein provided.

Secs. 5.03.027 - 5.03.099. Reserved.

DIVISION 2. STANDARDS APPLICABLE TO EXTENDED STAY HOTELS

Sec. 5.03.100. Design features and amenities.

- A. Extended stay hotels shall meet the following physical design features and requirements:
 1. Building. Each facility shall provide a main entrance to a lobby. Entry into any guest suite shall be from an interior hallway. All hallways to guest suites shall be within the interior of the building and shall be climate-controlled. All entrances into the building shall require a valid suite key card to open and shall be equipped with self-closing doors.
 2. Oversized and Suite-Style Accommodations. All guest suites on the property must be set up in a suite configuration with a separate area for food preparation, dining, and other

- living activities. All suites must be fully furnished with bedding, table and chairs, with all linens provided.
3. Kitchenette. All guest suites must be adequately equipped for in-suite storage of food and safe preparation of meals and include:
- a. Separate Sink. Must be located outside of the bathroom and integrated within a countertop having at least 12 square feet of flat surface area;
 - b. Appliances. A separate area within each suite must contain a two-burner cooktop, microwave, and efficiency-sized refrigerator/freezer at least 8 cubic feet in capacity;
 - c. Vent Hood. Must be positioned immediately above the cooktop to vent steam and aromas; and
 - d. Dry Storage. Cabinets must be placed above and below the countertop to provide for at least 25 cubic feet of storage of non-perishable items, separate and apart from the closet.
- B. No facility, including those meeting the above requirements, may provide for extended stays until express authorization is noted on the facility's annual business license.
- C. Exception. Legally existing extended stay hotels that were designed and constructed with the physical design features in subparagraph 1. above shall be exempted from that requirement. If the legally existing extended stay hotel is expanded in either square footage or number of rooms, the building shall comply with subparagraph 1. above.
- Sec. 5.03.101. Mandatory re-register.
Registered tenants (including any occupant) desiring to stay at the facility for more than thirty (30) days will be required to re-register and be issued new keys every thirty (30) days.
Secs. 5.03.102—5.03.999. Reserved.”

SECTION 2. That all other parts and provisions of the City Code not in conflict herewith shall remain 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 _____, 2025, 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.

ARTICLE 3. HOTELS, MOTELS, LODGING AND EXTENDED STAY HOTELS ~~BOARDING HOUSES AND PRIVATE CLUBS~~

DIVISION 1. STANDARDS APPLICABLE TO ALL LODGING ESTABLISHMENTS

Sec. 5.03.001. Definitions.

In this article:

EXTENDED STAY **HOTEL** means any **hotel, motel, or lodging establishment which** ~~tenant or occupant who exercises occupancy or is entitled to~~ **allow occupancy, as indicated on the establishment's annual business license,** by reason of concession, permit, right of access, license or other agreement for a period of ~~sixteen thirty-one (31)~~ consecutive calendar days or more, counting portions of calendar days as full days **and meeting the standards of Division 2 of this Article.**

HOTEL means any structure or any portion of any structure that is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes and includes, but is not limited to, any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodging house, rooming house, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location.

NONPROFIT COMMUNITY PARTNER AGENCY means a nonprofit organization that provides critical services, including but not limited to housing services, case management, education, workforce development, health care, and legal services, to low- and moderate-income individuals and/or households.

OCCUPANCY means the use or possession or the right to the use or possession of any room or rooms or portion thereof in any hotel for dwelling, lodging or sleeping purposes.

OPERATOR means the person who is the proprietor of a hotel **or extended stay hotel.** Where the operator performs functions through a managing agent of any type other than an employee the managing agent shall also be deemed an operator for the purposes of this article and shall have the same duties and liabilities as the principal. Compliance with the provisions of this article by either the principal or the managing agent shall be compliance by both.

PERSON means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate or any other group or combination acting as a unit.

RENT means the consideration charged for the occupancy of space in a hotel **or extended stay hotel.**

TENANT means any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement. OCCUPANT can be used interchangeably with TENANT.

TRANSIENT means any tenant who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days. Any such tenant so occupying space in a hotel shall be deemed to be a transient until the period of 30 days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. In determining whether a person is a transient, uninterrupted periods of time extending both prior and subsequent to the effective date of this article may be considered.

RECORD means all electronic, typewritten, or handwritten information about a tenant.

REGISTER means a machine in which electronic or typewritten records are kept or a document or set of documents in which handwritten or typewritten records are kept.

Sec. 5.03.002. Chapter 5, Article 1 applies.

The following special provisions for applicants or holders of licenses for hotels, motels, lodging and boarding houses and private clubs shall not be construed as the only requirements of such persons under this chapter. Rather, Article 1 of this chapter shall be applied here in its entirety except where specific provisions of this article override the general provisions of Article 1.

Sec. 5.03.003. Tax imposed—Gross daily rent.

There is hereby levied a tax of six and one-half percent of the gross daily rent due from or paid by transient guests of all hotels **and extended stay hotels** in addition to the fees charged for occupation licenses required for the operation of all hotels as set forth in Article 1 of this chapter. The Director of Finance shall be responsible for the administration and levy of this tax.

Sec. 5.03.004. Reporting and remitting rental tax.

Each operator shall on or before the 20th day of the month following the close of each month make a return to the Director of Finance on forms provided of total rents charged and the amount of tax collected for transient occupancy. At the time the return is filed, the full amount of the tax collected shall be remitted to the Director of Finance. The Director of Finance may establish shorter reporting periods for any license holder that has established a record of being delinquent in reporting and/or remitting taxes accruing hereunder. The Director of Finance may also establish shorter or longer reporting periods for any license holder to insure the efficient and effective collection of the tax.

Sec. 5.03.005. Penalties and interest.

- A. ~~Any operator who fails to remit any tax imposed by this article within the time required shall pay a penalty of one percent and interest of two percent per month, not to exceed 25 percent per annum, of the amount of the tax in addition to the amount of the tax. For each and every month, or part thereof, any such tax provided for under this article shall remain unpaid after the same shall become due and payable, there shall be added to such tax as a penalty, ten (10) per cent of the amount of such license tax for the first month or part thereof the same is unpaid, and for each and every month thereafter two (2) per cent of the amount of such tax shall be added until the same is fully paid. In addition to the penalties provided herein, any person, firm, or corporation subject to the provisions of this article who fails to file a statement or pay the tax or files a false or a fraudulent statement, required by this article or within the time required by this article shall, upon conviction thereof, shall be punished by a fine not exceeding \$500.00 or by imprisonment not exceeding three months, or by both such fine and imprisonment.~~
- B. Every penalty imposed and such interest as accrues under the provisions of this section shall become a part of the tax herein required to be paid. Any penalty may for good cause be waived provided that a report thereof be made to the City Council.
- C. Any unpaid taxes shall be considered delinquent 30 days after the due date.
- D. Any operator who fails to pay their transient guest tax within 30 days after the due date shall be subject to the suspension and revocation procedures of Chapter 5, Article 1. Staff will recommend to the Business License Manager the revocation of the motel/hotel's business license if the motel/hotel operator fails to pay their transient guest tax within 30 days past the due date.

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- E. The ~~City Business License Manager~~ will not reinstate a ~~motel extended stay hotel~~/hotel's business license until they are current in their tax payments, penalties and interest or have a signed payment agreement with the Finance Department.

Sec. 5.03.006. Failure to collect and report tax—Determination of tax by Director of Finance.

If any operator shall fail or refuse to collect any tax or to submit within the time provided in this article any report and/or remittance of any tax or any portion thereof required, the Director of Finance shall proceed to obtain facts and information on which to base an estimate of the tax due. As soon as the Director of Finance procures such facts and information upon which to base such an estimate or assessment against the operator of all tax, interest and penalties provided for by this article, the Director of Finance shall give notice of the amount so assessed by serving it personally or by depositing it in the United States mail, postage prepaid, addressed to the operator at the business address.

Sec. 5.03.007. Right to hearing.

Such operator may within ten days after the serving or mailing of any notice make application in writing to the Director of Finance for a hearing on the amount assessed as transient guest tax. If such application for a hearing is not made within the time prescribed, the tax, interest and penalties, shall become final and conclusive and immediately due and payable by such operator. If an application is received for a hearing, the time and place of such hearing shall be fixed within five days of receipt of the request. The notice for request of a hearing should show cause why the amount, specifying tax, interest and penalties should not be fixed as specified in the assessment. After such hearing, the Director of Finance shall determine the proper tax to be remitted and shall thereafter give written notice to the operator of such determination and the amount of such tax, interest and penalties.

Sec. 5.03.008. Retention of records for taxing purposes.

It shall be the duty of every operator liable for the collection and payment to the City of any tax imposed by this article to keep and preserve for a period of three years all records which may be necessary to determine the amount of such taxes as may have accrued to the City and for the collection or payment of which such operator is responsible. The Director of Finance shall have the right to inspect such records at all reasonable times, but shall hold the same in confidence and utilize the same only for the purposes of this article.

Sec. 5.03.009. Refunds—Overpayment of taxes.

- A. Whenever the amount of any tax, interest or penalty has been overpaid or paid more than once or has been erroneously collected or received by the City under this article, it may be refunded as provided in Subsections B and C of this section. A claim in writing must be presented stating, under penalty of perjury, the specific grounds upon which the claim is founded. The claim shall be on forms provided by the Director of Finance.
- B. An operator may claim a refund or take as a credit against taxes to be remitted the amount previously overpaid, paid more than once or paid after being erroneously collected or received when it is established in a manner prescribed that the tax was paid on rent charged a person who was not a transient. However, neither a refund nor a credit shall be allowed unless the amount of the tax to be refunded or credited if collected from a tenant or other person has either been refunded to such person or credited to rent subsequently payable by such person to the operator.
- C. No refund shall be paid under the provisions of this section unless the claimant establishes a right thereto by written records showing entitlement.

Sec. 5.03.010. Actions to collect taxes owed to the City.

Any tax required to be paid by any operator under the provisions of this article shall be deemed a debt owed by such operator to the City. Any person owing money to the City under the provisions of this article shall be liable to an action brought in the name of the City for the recovery of such amount.

Sec. 5.03.011. Bond for renewal of business or liquor license when tax delinquent.

Renewal of the city business license or liquor license of any operator who has been delinquent in remitting any tax required by this article for or during three (3) or more months during the year preceding renewal shall be conditioned upon the posting of a bond to secure payment of said taxes during the year of renewal. The amount of the bond shall be equal to the amount of tax payments of such operator during the year preceding renewal. The bond shall be subject to the approval of the city counselor.

Sec. 5.03.012 ~~011~~. Unlawful acts—Hotel operator.

It shall be unlawful for any operator to fail or refuse to register a hotel or extended stay hotel or to submit any tax return or other financial records or to refuse to permit any necessary inspection of hotel records by the Director of Finance or to willfully render a false or fraudulent tax return or claim as required by this article.

Sec. 5.03.013 ~~012~~. Hotel register required.

Every Operator of a hotel and extended stay hotel, as defined by this chapter, shall keep a register in which the following information shall be entered legibly, either in electronic, ink, or typewritten form, prior to the room being furnished or rented to a tenant: (a) the true name and residence address for the tenant, and (b) the make, type and license number of any vehicle under the control of the tenant, if the vehicle will be parked on hotel or extended stay hotel premises. The register shall also show the day, month, and year when such information was entered, the day, month and year of tenant check-in, and the room or rooms to be occupied by such persons. It shall be unlawful for any Operator to refuse or neglect to comply with the requirements of this chapter.

Sec. 5.03.014 ~~013~~. Identification required.

- (a) The Operator shall require identification to be presented upon registration sufficient to confirm the identity of the tenant in the following instances: (i) when a tenant obtains a right to Occupancy by paying for the room entirely in cash; (ii) when a tenant has not made a prior reservation and obtains a right to Occupancy on a "walk-in" basis; and (iii) when, at the time of tenant registration, the Operator does not have in its possession all of the register information required by ~~Section 5.03.012(a)~~ this Article.
- (b) At the time of check in, the Operator shall record in the register the type of identification presented, the number and expiration date of the identification presented, and the information required by this Article ~~Section 5.03.012~~. The Operator may comply with this section by copying and or scanning a Government issued pictured identification and recording the information in the register.
- (c) A major credit/debit card must be presented upon registration in order to reserve a room unless, at the time of tenant registration, the Operator has in its possession a major credit/debit card number from the tenant or the entity responsible for the cost of the room. This provision does not prohibit Hotels from accepting alternative methods of payment upon check out.

Sec. 5.03.015 ~~014~~. Retention of register.

- (a) The Operator shall keep the register on the hotel premises in the tenant reception, tenant check-in area, or in an adjacent office. The register shall be maintained at that location on the hotel premises for a period of three years from the date of the last entry in the register.

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- (b) No person shall alter, deface, or erase the register so as to make the information recorded in it illegible or unintelligible, or hinder, obstruct, or interfere with any inspection of the register under this chapter.

Sec. 5.03.016 ~~015~~. Register—Format.

Any register maintained in the form of a book shall be permanently bound, each page shall be sequentially numbered and the book shall be the minimum size of eight by ten inches. No page shall be removed from the book. A register may be maintained electronically, but the electronic register must be printable.

Sec. 5.03.017 ~~016~~. False information prohibited.

It is unlawful for any tenant to use or allow the use of any name other than his or her true name in so registering.

Sec. 5.03.018 ~~017~~. Frequency of rental.

The Operator shall not rent any room more than two times during any 24-hour period, beginning at 12:00 noon and ending at 12:00 noon the following day.

Sec. 5.03.019 ~~018~~. Posting regulations.

Every Operator shall maintain a copy of these City Code provisions on the premises. Every Operator shall post in a conspicuous place on the hotel premises, within reasonable view of any person who wishes to become tenant of the hotel, a notice reading "City of Independence Code Regulations on hotel occupancy are available upon request."

Sec. 5.03.019. Extended stays—occupancy standards.

~~A. Each hotel, motel or lodging place shall only rent to and allow occupancy by transient guests, unless an existing hotel, motel or lodging place has a current special land use permit which expressly allows for stays longer than fifteen (15) days. No person may be an occupant or tenant in the facility for more than sixty (60) days in any six month period. The owner shall develop and implement procedures to prevent stays for a longer period of time which shall be subject to review by the City.~~

- ~~1. Exception: Extended stays by guests may be allowed in certain facilities which have the following physical design features and amenities:~~
- ~~a. Building. Each facility shall provide a main entrance to a lobby. Entry into any guest suite shall be from an interior hallway. All hallways to guest suites shall be within the interior of the building and shall be climate controlled. All entrances into the building shall require a valid suite key card to open and shall be equipped with self-closing doors.~~
 - ~~b. Oversized and Suite Style Accommodations. All guest suites on the property must be set up in a suite configuration with a separate area for food preparation, dining, and other living activities. All suites must be fully furnished with bedding, table and chairs, with all linens provided.~~
 - ~~c. Kitchenette. All guest suites must be adequately equipped for in suite storage of food and safe preparation of meals and include:~~
 - ~~(1) Separate Sink. Must be located outside of the bathroom and integrated within a countertop having at least 12 square feet of flat surface area;~~
 - ~~(2) Appliances. A separate area within each suite must contain a two burner cooktop, microwave, and efficiency sized refrigerator/freezer at least 8 cubic feet in capacity;~~

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- ~~(3) Vent Hood. Must be positioned immediately above the cooktop to vent steam and aromas; and~~
 - ~~(4) Dry Storage. Cabinets must be placed above and below the countertop to provide for at least 25 cubic feet of storage of non-perishable items, separate and apart from the closet.~~
 - ~~2. No facility, including those meeting the above requirements, may provide for extended stays until express authorization is noted on the facility's annual business license. Further, no such facility shall be used for long stays as a replacement for permanent housing.~~
 - ~~a. In the City's sole discretion, authorization to provide for extended stays may be denied or withdrawn due to excessive qualifying calls for police service relating to: crimes of violence, unlawful drug activity, prostitution, solicitation, peace disturbances, thefts, vandalism, unlawful weapon offenses, and property crimes. In reaching this determination, the City may consider the ratio of qualifying calls for police service in the preceding twelve (12) month period, as compared to the number of rooms available for occupancy in the facility. In the event the ratio of qualifying calls for police service places the hotel in the top twenty (20%) percent of all hotels in the City; the calls for police service to that hotel will be presumed to be excessive.~~

~~B. Occupancy Standards. Owner shall develop and implement procedures to prevent stays for a longer period of time. The following items shall be included as part of the procedure, in addition to the other requirements required under this Chapter.~~

- ~~1. Mandatory Re-Check In. Registered tenants (including any occupant) desiring to stay at the facility for more than seven (7) days will be required to reregister weekly and be issued new keys. For those hotels expressly allowed to register guests to stay longer than fifteen (15) days, the registered occupants may not remain in the same room for more than eight (8) weeks consecutively and shall be required to change rooms for stays of a longer duration.~~
 - ~~a. Exception: For those hotels expressly allowed to register guests to stay longer than 15 days, the seven-day mandatory re-check in and the mandatory room change every eight weeks shall not apply if the hotel is compliant with the following procedures:~~
 - ~~(1) The hotel shall conduct housekeeping in each room at least once per week (which cannot be declined by the guest). In addition to any normal cleaning which may be required, housekeeping shall conduct an inspection of the room in accordance with a checklist developed and approved by the City. The staff's weekly inspection is intended to observe illegal or inappropriate behavior and safety issues. Staff shall complete the checklist and provide to hotel management. The hotel shall keep the completed checklists and a log showing the cleaning dates of each room; such records shall be kept for a minimum of two years and shall be made available to the City upon request.~~
 - ~~(2) The hotel shall provide registration records to the City upon request and shall provide access so that the City may conduct periodic inspections of rooms. Such periodic inspections shall be conducted at the cost of the hotel.~~
 - ~~(3) Registered occupants shall be required to re-check in every calendar month during a stay of longer duration than 15 days. The registered occupant shall not be required to change rooms but shall be required to interact with hotel staff in the same manner as new guests checking in. The hotel shall ensure that occupancy of the room is consistent with hotel records and in compliance with the occupancy standards set forth in the Municipal Code.~~
- ~~2. Occupancy Limits. Occupancy limits for each room shall be determined by the Fire Marshal and shall be displayed in each room. No person may occupy a room without being registered with hotel~~

management as an occupant. Occupancy of any room shall not exceed that fixed by the Fire Marshal at any time.

3. ~~Refusal To Register. As permitted by the provisions of Section 315.067, RSMo., 2023, any person in charge of the facility shall refuse or deny the use of a room, accommodations, facilities or other privileges of the hotel to any person or persons exhibiting any of the following:~~
 - a. ~~An individual who is unwilling or unable to pay for the room, accommodations, facilities, or other privileges of the hotel;~~
 - b. ~~An individual who reasonably appears to be visibly intoxicated, under the influence of alcohol or other drug, or acts in a disorderly manner so as to be reasonably likely to create a public nuisance;~~
 - c. ~~An individual the person in charge of the facility has reason to believe or reasonably believes to be seeking to use a room, accommodations, facilities or other privileges of the hotel for an unlawful purpose;~~
 - d. ~~An individual the person in charge of the facility has reason to believe or reasonably believes to be bringing in anything which may create an unreasonable danger or risk to other persons, including but not limited to explosives or the unlawful use of firearms;~~
 - e. ~~An individual whose use of the room, accommodations, facilities or other privileges of the hotel would result in a violation of the maximum capacity of such room, accommodation, facility or hotel.~~
4. ~~Ejection From Facility. As permitted by the provisions of Section 315.075, RSMo., 2023, the person in charge of the facility shall eject a person from the hotel and notify the appropriate local law enforcement authorities for any of the following reasons:~~
 - a. ~~Non payment of charges incurred by the individual renting a room, accommodations or facilities of the hotel when the charges are due and owing;~~
 - b. ~~Any individual renting a room, accommodations or facilities of the hotel who is visibly intoxicated, under the influence of alcohol or other drug or acting in a disorderly manner;~~
 - c. ~~Any individual the person in charge of the facility has reason to believe or reasonably believes is using the premises for an unlawful purpose;~~
 - d. ~~An individual the person in charge of the facility has reason to believe or reasonably believes to have brought something into the hotel which may create an unreasonable danger or risk to other persons, including but not limited to unlawful use of firearms or explosives; and~~
 - e. ~~Any individual the person in charge of the facility has reason to believe or reasonably believes to be in violation of any Federal, State or local laws or regulations relating to the hotel.~~

Sec. 5.03.020. Maximum length of stay.

Hotels shall only allow occupants to stay thirty consecutive (30) days or less per stay.

Sec. 5.03.021. Refusal to register.

As permitted by the provisions of RSMo Section 315.067, any person in charge of the facility shall refuse or deny the use of a room, accommodations, facilities or other privileges of the hotel to any person or persons exhibiting any of the following:

1. An individual who is unwilling or unable to pay for the room, accommodations, facilities, or other privileges of the hotel or extended stay hotel;
2. An individual who reasonably appears to be visibly intoxicated, under the influence of alcohol or other drug, or acts in a disorderly manner so as to be reasonably likely to create a public nuisance;

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3. An individual the person in charge of the facility has reason to believe or reasonably believes to be seeking to use a room, accommodations, facilities or other privileges of the hotel or extended stay hotel for an unlawful purpose;
 4. An individual the person in charge of the facility has reason to believe or reasonably believes to be bringing in anything which may create an unreasonable danger or risk to other persons, including but not limited to explosives or the unlawful use of firearms;
 5. An individual whose use of the room, accommodations, facilities or other privileges of the hotel or extended stay hotel would result in a violation of the maximum capacity of such room, accommodation, facility or hotel.

Sec. 5.03.022. Ejection from facility.

As permitted by the provisions of RSMo Section 315.075, the person in charge of the facility shall eject a person from the hotel and extended stay hotel and notify the appropriate local law enforcement authorities for any of the following reasons:

1. Non-payment of charges incurred by the individual renting a room, accommodations or facilities of the hotel and extended stay hotel when the charges are due and owing;
2. Any individual renting a room, accommodations or facilities of the hotel and extended stay hotel who is visibly intoxicated, under the influence of alcohol or other drug or acting in a disorderly manner;
3. Any individual the person in charge of the facility has reason to believe or reasonably believes is using the premises for an unlawful purpose;
4. An individual the person in charge of the facility has reason to believe or reasonably believes to have brought something into the hotel and extended stay hotel which may create an unreasonable danger or risk to other persons, including but not limited to unlawful use of firearms or explosives; and
5. Any individual the person in charge of the facility has reason to believe or reasonably believes to be in violation of any Federal, State or local laws or regulations relating to the hotel and extended stay hotel.

Sec. 5.03.023. Health code.

Chapter 11 of the City Code shall be applied to all hotels and extended stay hotels in its entirety.

Sec. 5.03.024. Compliance with applicable laws.

Every hotel and extended stay hotel operating in the City shall comply with all city, state and federal laws. Failure to do so will justify suspension or revocation of said business by the City.

Sec. 5.03.025. License denial, suspension or revocation; right to appeal. – NEW

- A. The license denial, suspension and revocation provisions set forth in Chapter 5, Article 1 of the City Code, as applicable, shall apply.
- B. The applicant has the right to appeal in accordance with the provisions set forth in Chapter 5 of the City Code, as applicable.

Sec. 5.03.026 20. Penalty for violation.

- A. *Penalties.* Any person found guilty of a violation of this chapter of the City Code shall be subject to a fine of up to \$500.00 and to incarceration for a term not to exceed six months.
- B. *Continuing Violation.* Unless otherwise provided, a person, firm, corporation or organization shall be deemed guilty of a separate offense for each and every day during any portion of which a violation of this chapter is

committed, continued or permitted by the person, firm, corporation or organization and shall be punishable accordingly as herein provided.

Secs. 5.03.027 ~~021~~—5.03.099. Reserved.

DIVISION 2. STANDARDS APPLICABLE TO EXTENDED STAY HOTELS

Sec. 5.03.100. Design features and amenities.

A. Extended stay hotels shall meet the following physical design features and requirements:

1. **Building.** Each facility shall provide a main entrance to a lobby. Entry into any guest suite shall be from an interior hallway. All hallways to guest suites shall be within the interior of the building and shall be climate-controlled. All entrances into the building shall require a valid suite key card to open and shall be equipped with self-closing doors.
2. **Oversized and Suite-Style Accommodations.** All guest suites on the property must be set up in a suite configuration with a separate area for food preparation, dining, and other living activities. All suites must be fully furnished with bedding, table and chairs, with all linens provided.
3. **Kitchenette.** All guest suites must be adequately equipped for in-suite storage of food and safe preparation of meals and include:
 - a. **Separate Sink.** Must be located outside of the bathroom and integrated within a countertop having at least 12 square feet of flat surface area;
 - b. **Appliances.** A separate area within each suite must contain a two-burner cooktop, microwave, and efficiency-sized refrigerator/freezer at least 8 cubic feet in capacity;
 - c. **Vent Hood.** Must be positioned immediately above the cooktop to vent steam and aromas; and
 - d. **Dry Storage.** Cabinets must be placed above and below the countertop to provide for at least 25 cubic feet of storage of non-perishable items, separate and apart from the closet.

B. No facility, including those meeting the above requirements, may provide for extended stays until express authorization is noted on the facility's annual business license.

C. Exception. Legally existing extended stay hotels that were designed and constructed with the physical design features in subparagraph 1. above shall be exempted from that requirement. If the legally existing extended stay hotel is expanded in either square footage or number of rooms, the building shall comply with subparagraph 1. above.

Sec. 5.03.101. Mandatory re-register.

Registered tenants (including any occupant) desiring to stay at the facility for more than thirty (30) days will be required to re-register and be issued new keys every thirty (30) days.

Secs. 5.03.102—5.03.999. Reserved.

City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

25-006 **1R** An ordinance finding, determining, and declaring the necessity of acquiring electrical easements for the Sub S Distribution Feeder Project (Project No. 202316); authorizing negotiations and, if necessary, eminent domain proceedings; approving the project plans and specifications; authorizing the use of experts as needed; and authorizing and directing the execution of documents and the payment of funds to property owners or other parties holding property rights in connection with the project. **1R**

Recommendations:

Council approval is recommended.

Background:

Northpoint is in the process of developing the area along the Little Blue Parkway Corridor, which will require IPL to construct a new substation and related transmission and distribution facilities to serve the development and the surrounding area. The project will feature an underground high-reliability design, which necessitates dedicated easements. Securing these easements as early as possible will assist IPL and property owners in coordinating the design and layout of buildings and infrastructure.

Emergency Justification:**Fiscal Impact:**

The fiscal impact to the City is estimated at \$100,000. Funding for the Substation S Distribution Feeders is included in the fiscal year 2024-2025 budget on page 278, under project account number 0217021-5406-202316-C, Construct 6 New Distribution Feeders, IPL Fund 021.

Council Action:

Department / Contact	Municipal Services /
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REVIEWERS

Richard Kemple

Jeremy Cover

Melissa Cabrera

Zachary Walker
Susanne Holland

ATTACHMENTS:

1. Sub S Distrubution Feeder Ordinance
2. LBP UG Power Line Easement Vicinity Map

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE FINDING, DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING ELECTRICAL EASEMENTS FOR THE SUB S DISTRIBUTION FEEDER PROJECT (PROJECT NO. 202316); 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.

WHEREAS, the City Council of the City of Independence, Missouri, pursuant to advice and recommendation of the Municipal Services Director, deems it necessary, advisable and in the public interest to obtain electrical easements in accordance with the plans and specifications as approved for construction, operation and maintenance of the Sub S Distribution Feeder Project (No. 202316), together with all appurtenances, thereto, along, over, under, upon, across and through certain tracts of land within Independence, Jackson County, Missouri; and,

WHEREAS, the City has authority by virtue of Section 82.240 of the Revised Statutes of the State of Missouri, 1969, as amended, and Section 1.3 and 1.4 of the Charter of the City of Independence, Missouri, revised August 8, 1978, to acquire private property by eminent domain proceedings for any public or municipal use, including the uses or purposes stated herein.

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

SECTION 1. That it is hereby found, determined and declared that it is necessary for the purpose of construction, operation and maintenance of the improved Sub S Distribution Feeder Project (No. 202316) for the City of Independence, Missouri, to acquire by purchase or eminent domain proceedings electrical easements for such public improvements, including, but not limited to electrical infrastructure, together with all appurtenances thereunto belonging along, over, under, upon, across and through the following described tracts of land, all of which are situated in Independence, Jackson County, Missouri; to wit:

Tract 1

Electrical Easement

A Permanent Electrical Easement, being 30.00 feet Wide and lying East of and adjacent to the East Right-of-Way line of Little Blue Parkway, as now established, and being part of the Tracts of land described by the Warranty Deeds recorded as instrument numbers 2007E0047517 and 2007E0047519, as recorded at the Jackson County, Missouri Recorder of Deeds office and being in the Southeast Quarter of Section 34, Township 50 North, Range 31 West, and in the Northeast

Quarter of Section 3, Township 49 North, Range 31 West, in the City of Independence, Jackson County, Missouri and being further described as follows:

Commencing at the center of said Section 34; thence along the North line of said Southeast Quarter, South 88°04'54" East, 696.58 feet; thence leaving said North line, South 01°55'06" West, 1560.10 feet, to the intersection of said East Right-of-Way line and the South line of an existing 160 foot wide Easement to the City of Independence as recorded in Book I-180 at Page 287, at said Recorder of Deeds office, the point of beginning;

Thence from the Point of Beginning, along the South line of said existing Easement, North 45°39'38" East, 72.78 feet to a point 30.00' East of said East Right-of-Way line; thence leaving the South line of said Easement, 30.00 feet East of and parallel to said East Right-of-Way line, the following 4 courses, along a non-tangent curve to the right, having a radius of 2,940.00 feet, an arc length of 187.22 feet, a chord bearing of South 22°29'36" West, and a chord length of 187.19 feet; thence along a line tangent to the last described course, South 24°19'03" West, 366.38 feet; thence along a tangent curve to the left, having a radius of 1,693.00 feet, an arc length of 1803.62 feet, a chord bearing of South 06°12'08" East, and a chord length of 1,719.53 feet; thence South 36°43'19" East, 271.27 feet to a point on the Northwest Right-of-Way line of Missouri Highway 78, as now established; thence leaving said 30.00 foot offset line, and along said Northwest Right-of-Way line, South 53°27'50" West, 30.00 feet, to the intersection of said Northerly Right-of-Way line and said East Right-of-Way line; thence along said East Right-of-Way line, the following 4 courses, North 36°43'19" West, 271.18 feet; thence along a tangent curve to the right, having a radius of 1,723.00 feet, an arc length of 1,835.58 feet, a chord bearing of North 06°12'08" West, and a chord length of 1,750.00 feet; thence North 24°19'03" East, 366.38 feet; thence along a tangent curve to the left, having a radius of 2,910.00 feet, an arc length of 119.34 feet, a chord bearing of North 23°08'34" East, and a chord length of 119.33 feet, to the Point of Beginning and contains 1.80 acres, more or less.

Tract 2:

Electrical Easement

A Permanent Electrical Easement, being 30.00 feet Wide and lying East and adjacent to the East Right-of-Way line of Little Blue Parkway, as now established, and being part of the Tract of land described by the Warranty Deed recorded as instrument numbers 2007E0047526, as recorded at the Jackson County, Missouri Recorder of Deeds office and being in the Northeast Quarter of Section 3, Township 49 North, Range 31 West, in the City of Independence, Jackson County, Missouri and being further described as follows:

Commencing at the East Quarter corner of said Section 3, thence along the South line of said Northeast Quarter, North 87°42'46" West, 1,252.42 feet; thence leaving said South line, North 02°17'14" East, 38.87 feet, to the intersection of the North Right-of-Way line of East Truman Road, as now established, and said East Right-of-Way line, the Point of Beginning;

Thence from the Point of Beginning, along the said East Right-of-Way line, along a non-tangent curve to the left, having a radius of 2,019.86 feet, an arc length of 1,243.48 feet, a chord bearing of North 17°22'30" West, and a chord length of 1,223.94 feet, to a point at the intersection of said East Right-of-Way line and the Southeast Right-of-Way line of Missouri Highway 78, as now established; thence along said Southeast Right-of-Way line, North 53°27'50" East, 30.01 feet, to a point 30.00 feet East of said East Right-of-Way line; thence along a non-tangent curve to the right, being 30.00 feet East of and parallel to said East Right-of-Way line, having a radius

of 2,049.86 feet, an arc length of 1,261.90 feet, a chord bearing of South 17°23'52" East, and a chord length of 1,242.07 feet, to a point on said North Right-of-Way line; thence leaving said offset line, along said North Right-of-Way line, South 88°38'39" West, 30.01 feet, to the Point of beginning and contains 37,581 square feet, more or less.

Tract 3:

Electrical Easement

A Permanent Electrical Easement, being adjacent to and 30.00 feet East of the East Right-of-Way line of Little Blue Parkway, as now established, and lying with the Tract of land described by the Warranty Deeds recorded as instrument numbers 2007E0047518, 2007E0047525 & 2007E0047523, as recorded at the Jackson County, Missouri Recorder of Deeds office and being in the South Half of Section 3, and the Northwest Quarter of Section 10, all within Township 49 North, Range 31 West, in the City of Independence, Jackson County, Missouri and being further described as follows:

Commencing at the East Quarter corner of said Section 3, thence along the North line of the Southeast Quarter of said Section 3, North 87°42'46" West, 1,251.16 feet; thence leaving said North line, South 02°17'14" West, 34.48 feet, to the intersection of the South Right-of-Way line of East Truman Road, as now established, and said East Right-of-Way line, the Point of Beginning;

Thence from the Point of Beginning, along the said South Right-of-Way line, South 81°23'21" East, 30.18 feet, to a point 30.00 feet East of said East Right-of-Way line; thence along the following 3 courses being 30.00 feet East of and parallel to said East Right-of-Way line, along a non-tangent curve to the right, having a radius of 2,049.86 feet, an arc length of 1,566.99 feet, a chord bearing of South 24°20'03" West, and a chord length of 1,529.11 feet; thence South 46°14'01" West, 1,264.25 feet; thence along a tangent curve to the left, having a radius of 2,151.83 feet, an arc length of 1,549.42 feet, a chord bearing of South 25°36'21" West, and a chord length of 1,516.17 feet, to a point on the Northwesterly line of a Tract of land Described by the Report of Commissioners, recorded in book 574 at page 1673 and amended by instrument number 1978I0316980, as recorded at said Recorder of Deeds office; thence leaving said offset line, and along the Northwest line of the tract described by said Report of Commissioners, South 46°47'43" West, 2.96 feet, to the Westerly Northwest corner of the tract described by said Report of Commissioners; thence along the West line of the tract described by said Report of Commissioners, South 02°11'53" West, 58.14 feet, to a point 30.00 feet East of said East Right-of-Way line; thence along the following 3 courses being 30.00 feet East of and parallel to said East Right-of-Way line, along a non-tangent curve to the left, having a radius of 2,151.83 feet, an arc length of 12.05 feet, a chord bearing of South 03°12'44" West, and a chord length of 12.05 feet; thence South 03°03'06" West, 413.66 feet; thence along a tangent curve to the right, having a radius of 2,049.86 feet, an arc length of 1,096.73 feet, a chord bearing of South 18°22'44" West, and a chord length of 1,083.69 feet, to a point on the South line of the Northwest Quarter of said Section 10; thence along the South line of the Northwest Quarter of said Section 10, North 87°42'45" West, 35.25 feet, to a point on said East Right-of-Way line; thence leaving the South line of said Northwest Quarter, and along said East Right-of-Way line, the following 5 courses, along a non-tangent curve to the left, having a radius of 2,019.86 feet, an arc length of 1,099.05 feet, a chord bearing of North 18°38'23" East, and a chord length of 1,085.54 feet; thence North 03°03'06" East, 413.66 feet; thence along a tangent curve to the

right, having a radius of 2,181.83 feet, an arc length of 1,644.37 feet, a chord bearing of North 24°38'34" East, and a chord length of 1,605.73 feet; thence North 46°14'01" East, 1,264.25 feet; thence along a tangent curve to the left, having a radius of 2,019.86 feet, an arc length of 1,547.30 feet, a chord bearing of North 24°17'17" East, and a chord length of 1,509.75 feet, to the Point of beginning and contains 4.11 acres, more or less.

Tract 4

Electrical Easement

A Permanent Electrical Easement, being 30.00 feet Wide and lying Southeast of and adjacent to the Southeast Right-of-Way line of Little Blue Parkway, as now established, and being part of the Tracts of land described by the Warranty Deeds recorded as instrument numbers 2022E0085377 and 2022E0085378, as recorded at the Jackson County, Missouri Recorder of Deeds office and being in the Southeast Quarter of Section 9, and the Southwest Quarter of Section 10, all being in Township 49 North, Range 31 West, in the City of Independence, Jackson County, Missouri and being further described as follows:

Commencing at the corner common to sections 9, 10, 15 and 16 of said Township and Range; thence along the West line of said Southwest Quarter, and being the East line of said Southeast Quarter, North 01°55'15" East, 1,446.18 feet, to a point on said Southeast Right-of-Way line, the Point of Beginning;

Thence from the Point of Beginning, leaving said East and West Section lines, along said Southeast Right-of-Way line, North 64°01'13" East, 1,034.45 feet; Thence continuing along said Southeast Right-of-Way line, along a tangent curve to the left, having a radius of 2,019.86 feet, an arc length of 1,050.29 feet, a chord bearing of North 49°07'26" East, and a chord length of 1,038.50 feet, to a point on the North line of said Southwest Quarter; thence leaving said Southeast Right-of-Way line, along said North line, South 87°42'45" East, 35.25 feet, to a point 30.00 feet East of said Southeast Right-of-Way line; thence along the following 3 courses being 30.00 feet East of and parallel to said East Right-of-Way line, along a non-tangent curve to the right, having a radius of 2,049.86 feet, an arc length of 1,084.54 feet, a chord bearing of South 48°51'48" West, and a chord length of 1,071.93 feet; thence along a line tangent to the last described curve, South 64°01'13" West, 2,307.01 feet, thence along a tangent curve to the left, having a radius of 3,679.72 feet, an arc length of 229.64 feet, a chord bearing of South 62°13'57" West, and a chord length of 229.60 feet, to a point on the East Right-of-Way line of South Necessary Road, as now established; Thence leaving said offset courses, and along said East Right-of-Way line, North 02°05'28" East, 35.19 feet, to a point on said Southeast Right-of-Way line; thence along said Southeast Right-of-Way line, along a non-tangent curve to the right, having a radius of 3,709.72 feet, an arc length of 213.05 feet, a chord bearing of North 62°22'30" East, and a chord length of 213.02 feet; thence continuing along said Southeast Right-of-Way line, North 64°01'13" East, 1,272.56 feet, to the Point of Beginning and contains 2.48 acres, more or less.

Tract 5

Electrical Easement

A Permanent Electrical Easement, being 30.00 feet Wide and lying East of and adjacent to the East Right-of-Way line of Little Blue Parkway, as now established, and being part of the Tracts

of land described by the Warranty Deed recorded as instrument numbers 2014E0071145 (Correction Warranty Deed number 2014E0071460), as recorded at the Jackson County, Missouri Recorder of Deeds office and being in the Southeast Quarter of Section 9, and the North Half of Section 16, all being in Township 49 North, Range 31 West, in the City of Independence, Jackson County, Missouri and being further described as follows:

Commencing at the center of said Section 16; thence along the South line of said Northwest Quarter of said Section 16, North 88°09'02" West, 340.63 feet; thence leaving said South line, North 01°50'58" East, 30.00 feet, to the point of intersection of said East Right-of-Way line and the North Right-of-Way line of East R.D. Mize Road, as now established, the Point of Beginning;

Thence from the Point of Beginning, along said East Right-of-Way line the following 3 courses, North 26°33'34" West, 156.44 feet; thence North 02°26'58" East, 103.08 feet; thence along a tangent curve to the right, having a radius of 3,709.72 feet, an arc length of 3,563.84 feet, a chord bearing of North 29°58'15" East, and a chord length of 3,428.37 feet, to a point on the West Right-of-Way line of S. Necessary Road, as now established; thence along said West Right-of-Way line, South 84°27'37" East, 49.00 feet, to a point 30.00 feet East of said East Right-of-Way line; thence along the following 3 courses being 30.00 feet East of and parallel to said East Right-of-Way line, along a non-tangent curve to the left, having a radius of 3,679.72 feet, an arc length of 3,573.61 feet, a chord bearing of South 30°16'16" West, and a chord length of 3,434.82 feet; thence South 02°26'58" West, 95.32 feet; thence South 26°33'34" East, 164.90 feet, to a point on said North Right-of-Way line; thence along said North Right-of-Way line, North 88°09'02" West, 34.11 feet, to the Point of beginning and contains 2.64 acres, more or less.

Tract 6

Electrical Easement

A Permanent Electrical Easement, being part of the Tract of land described by the Warranty Deed recorded as instrument number 2021E110878, as recorded at the Jackson County, Missouri Recorder of Deeds office and being in the Northwest Quarter of Section 10, Township 49 North, Range 31 West, in the City of Independence, Jackson County, Missouri and being further described as follows:

Commencing at the Northwest corner of said Section 10; thence along the North line of said Section 10, South 87°40'08" East, 331.20 feet; thence leaving said North line, South 02°19'52" West, 620.19 feet, to the Northwest corner of said Tract; thence along the West line of said Tract, South 02°11'55" West, 31.10 feet, to the intersection of the West line of said Tract and the South line of an Existing Utility Easement recorded as document number 2020E0094497, at said Recorder of Deeds Office, to the Point of Beginning;

Thence from the Point of Beginning, leaving said West line, and along the South line of said Utility Easement, South 88°55'41" East, 280.14 feet; thence continuing along the South line of said Utility Easement, South 86°48'06" East, 351.61 feet; thence continuing along the South line of said Utility Easement and its Easterly prolongation, South 88°03'08" East, 636.65 feet, to a point on the Northerly prolongation of the West line of said Utility Easement; thence along the West line of said Utility Easement and its Northerly and Southerly prolongation, South 02°54'33" West, 845.32 feet, to a point on the Northwesterly prolongation of a Northwest jog in the East line of said Tract; thence along said jog and its Northwesterly Prolongation, South

56°08'38" East, 196.81 feet, to the Easterly corner of said jog; thence along the East line of said Tract, South 33°54'54" West, 15.00 feet; thence leaving said East line, North 56°08'38" West, 194.16 feet; Thence South 38°49'45" West, 64.18 feet; thence North 51°10'15" West, 15.00 feet; thence North 38°49'45" East, 68.63 feet; thence North 02°54'33" East, 831.89 feet; thence North 88°03'08" West, 621.56 feet; thence North 86°48'06" West, 351.50 feet; thence North 88°55'41" West, 199.96 feet; thence South 01°04'19" West, 26.56 feet; thence North 86°59'57" West, 70.71 feet, to a point 10.00 feet East of the West line of said Tract; thence along a line 10.00 feet East of and parallel to the West line of said Tract and its Southerly prolongation, South 02°11'55" West, 734.63 feet; thence South 43°09'54" East, 372.09 feet; thence South 46°50'06" West, 15.00 feet; thence North 43°09'54" West, 378.36 feet; thence North 02°11'55" East, 111.15 feet, to a point on the West line of said Tract; thence along the West line of said Tract, South 88°00'01" East, 5.00 feet; thence continuing along said West line, North 02°11'55" East, 668.72 feet, to the Point of Beginning and contains 1.17 acres, more or less.

Tract 7

Electrical Easement

A Permanent Electrical Easement, being part of the Tract of land described by the Warranty Deed recorded as instrument number 2022E0056702, as recorded at the Jackson County, Missouri Recorder of Deeds office and being in the Northwest Quarter of Section 10, Township 49 North, Range 31 West, in the City of Independence, Jackson County, Missouri and being further described as follows:

Commencing at the Northwest corner of said Section 10; thence along the North line of said Section 10, South 87°40'08" East, 1,758.77 feet; thence leaving said North line, South 02°19'52" West, 1,594.38 feet, to the East corner of a Tract of land Described by the Warranty Deed recorded as instrument number 2021E0110878, at said Recorder of Deeds office, the Point of Beginning;

Thence from the Point of Beginning, South 56°08'38" East, 5.32 feet, to a point on the West Right-of-Way line of Little Blue Parkway, as now established; thence along said West Right-of-Way line, along a non-tangent curve to the right, having a radius of 1,799.86 feet, an arc length of 17.40 feet, a chord bearing of South 03°25'51" West, and a chord length of 17.40 feet; thence leaving said West Right-of-Way line, North 56°08'38" West, 14.14 feet, to a point on the West line of the Tract described by said instrument number 2022E0056702, and being a point on the East line of the Tract described by instrument number 2021E0110878; thence along the East and West lines of said Tracts, North 33°54'54" East, 15.00 feet, to the Point of Beginning and contains 146 square feet, more or less.

SECTION 2. That the City Manager and his designates are hereby authorized and directed to negotiate with the owners of the properties herein described for the purchase of electrical easements relating to said lands.

SECTION 3. That in the event of failure to negotiate the proper compensation to be paid for such general utility easements and the acquisition thereof by purchase, the City Counselor

and his designates are hereby authorized and directed to institute eminent domain proceedings for the purpose of acquiring such electrical utility easements in the manner provided by law.

SECTION 4. That the City Manager is hereby authorized to request proposals, if required, for surveys, appraisals, and necessary title reports for said property.

SECTION 5. That the improvements herein referred to shall be of the nature described herein and shall be done in accordance with the plans and specifications as completed, hereby approved, and on file in the office of the Municipal Services Director.

SECTION 6. That the City Manager of the City of Independence, Missouri, is here by authorized and directed to execute necessary documents, to pay and disburse funds, within appropriations authorized for this project, to property owners, others holding property rights and escrow agents pursuant to negotiated agreements for purchase of said electrical utility easements, all in accordance with established acquisition procedure and approved appraisals.

PASSED THIS _____ DAY OF _____, 2025, 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

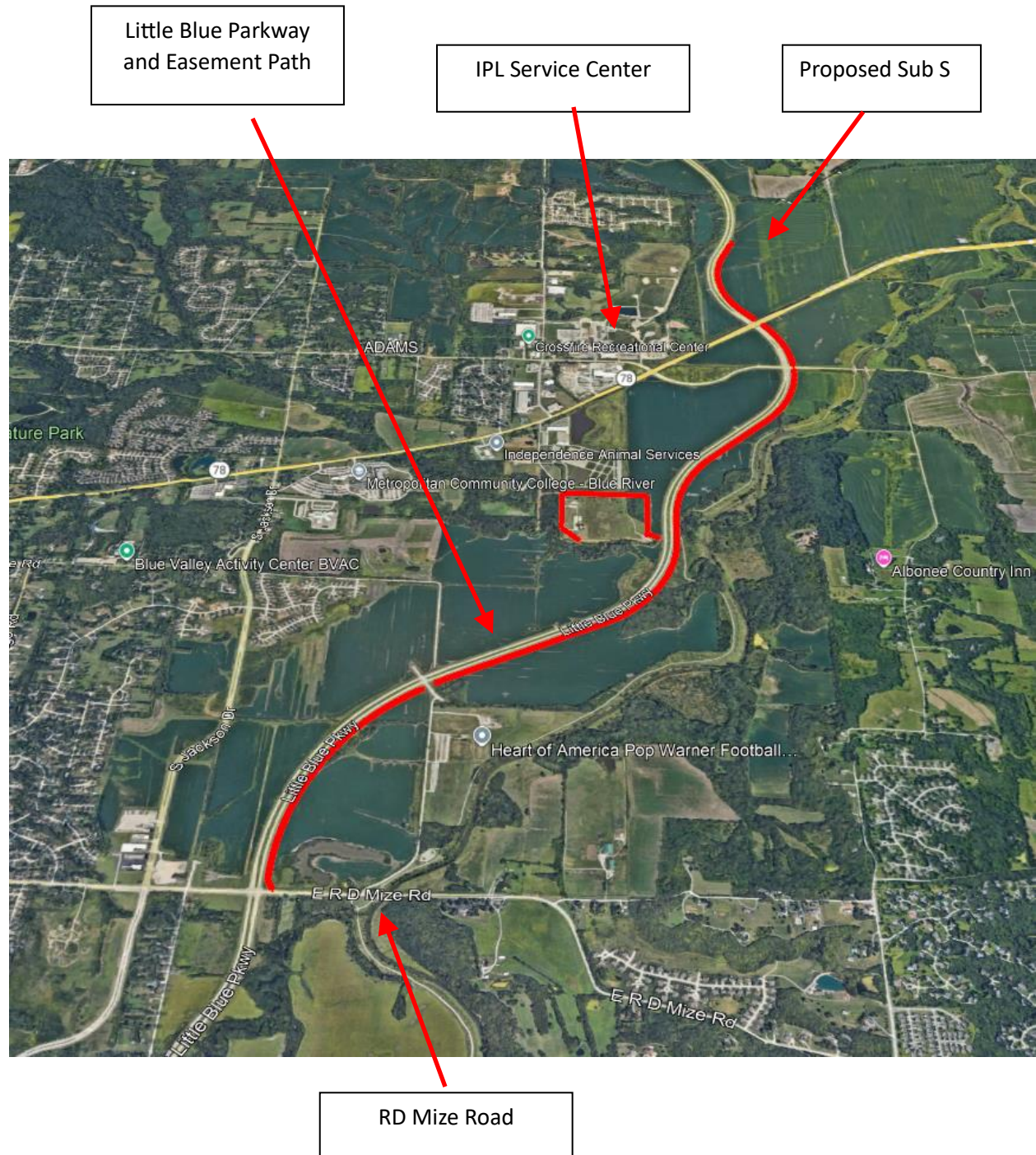
APPROVED – FORM AND LEGALITY:

City Counselor

REVIEWED BY:

City Manager

Vicinity Map
Little Blue Parkway
IPL Underground Easement Locations



City of Independence

AGENDA ITEM COVER SHEET

Agenda Title:

25-007 **1R** An ordinance vacating a portion of an existing water line easement and dedicating a new water line easement, located generally in Section 8, Township 49, Range 31, and situated in, on, and across 1656 and 1716 S. Speck Road in Independence, Jackson County, Missouri. **1R**

Recommendations:

Council approval is recommended.

Background:

City staff were approached by the Independence School District with a request to partially vacate 15 feet of a water line easement to support additional property development at 1656 and 1716 S. Speck Road. Staff recommend approving this vacation.

Emergency Justification:**Fiscal Impact:**

There is no fiscal impact to the City.

Council Action:

Department / Contact	Municipal Services /
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REVIEWERS

Richard Kemple
Jeremy Cover
Melissa Cabrera
Zachary Walker
Susanne Holland

ATTACHMENTS:

1. ISD Bingham-Pioneer Vacation and Dedication Ordinance

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF AN EXISTING WATER LINE EASEMENT AND DEDICATING A NEW WATER LINE EASEMENT LOCATED GENERALLY IN SECTION 8 TOWNSHIP 49 AND RANGE 31 AND LYING IN, ON, AND ACROSS 1656 & 1716 S SPECK RD IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.

WHEREAS the Water Line Easement was recorded in 1997 on page 2204 in Book *I3022* of the Jackson County, Missouri Deed Records; and,

WHEREAS the partial vacation of the fifteen (15) feet Water Line Easement will support additional development of the property; and,

WHEREAS, the City has received a request for vacation from the property owner.

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 a portion of the Water Line Easement, Recorded in 1997 Book *I3022*, Page 2204, the portion to be vacated is described as follows:

Water Line Partial Vacation Description

Description for the vacation of a portion of a water line easement as described in I3022 Page 2204, recorded in Jackson County, Missouri, to wit:

This description vacates only the portion of the water line to be relocated and is 15 feet in width, 7.5 feet on each side of the following described centerline with sidelines to be prolonged as required:

Commencing at the Northwest Corner of Section 8, Township 49N, Range 31W in Independence, Jackson County, Missouri; thence on the North line of the Northwest Quarter of said section S87°57'49"E a distance of 439.28'; thence departing said line S83°33'26"E a distance of 207.18' to the Point of Beginning of the centerline of the subject vacated portion; thence N41° 21' 49"E a distance of 74.99' to the Point of Terminus on the existing easement centerline.

SECTION 2. That the City Council of the City of Independence, Missouri does hereby accept a Water Line Easement that is described as follows:

Water Line Relocation Easement

Description for the relocation of a portion of a water line easement as described in I3022 Page 2204, recorded in Jackson County, Missouri, to wit:

This description locates only the portion of the water line to be relocated and is 15 feet in width, 7.5 feet on each side of the following described centerline with sidelines to be prolonged as required:

Commencing at the Northwest Corner of Section 8, Township 49N, Range 31W in Independence, Jackson County, Missouri; thence on the North line of the Northwest Quarter of said section S87°57'49"E a distance of 439.28'; thence departing said line S83°33'26"E a distance of 207.18' to the Point of Beginning of the centerline of the subject easement; thence N48° 38' 53"W a distance of 9.86'; thence N03°38'53"W a distance of 9.72' to a point on the North line of said Section 8; thence continuing N03°38'53"W into the Southwest Quarter of Section 5 in said

Township and Range a distance of 11.02'; thence N41°21'49"E a distance of 45.33'; thence N86°21'49"E a distance of 21.21'; thence S48°38'53"E a distance of 9.53' to the Point of Terminus on the existing easement centerline.

SECTION 3. 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 _____, 2025, 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



MEMORANDUM

DATE: February 4, 2025

TO: Mayor and Members of the City Council

FROM: Susanne Holland, City Clerk

SUBJECT: Boards and Commissions Report

Advisory Board of Health

- A recommendation has been made to appoint Genesis Rivera to the Advisory Board of Health.
- Staff requests direction to add a resolution to the next regular meeting for the appointment of these individuals to the above board.

Heritage Commission

- A recommendation has been made to appoint Audrey Elder to the Heritage Commission.
- Staff requests direction to add a resolution to the next regular meeting for the appointment of these individuals to the above board.

Independence Square Advisory Committee

- A recommendation has been made to appoint Eric Strack to the Independence Square Advisory Board.
- Staff requests direction to add a resolution to the next regular meeting for the appointment of these individuals to the above board.



Truman Memorial Scholarship Fund Committee

- A recommendation has been made to reappoint Sara Zorich and appoint Hayley Woods to the Truman Memorial Scholarship Fund Committee.
- Staff requests direction to add a resolution to the next regular meeting for the reappointment of these individuals to the above board.

MUNICIPAL DIVISION SUMMARY REPORTING FORM

Refer to instructions for directions and term definitions. Complete a report each month even if there has not been any court activity.

<u>I. COURT INFORMATION</u>		Municipality: Independence Municipal		Reporting Period: Nov 27, 2024 - Dec 31, 2024	
Mailing Address: 111 EAST MAPLE, INDEPENDENCE, MO 64050					
Physical Address: 111 EAST MAPLE, INDEPENDENCE, MO 64050			County: Jackson County		Circuit: 16
Telephone Number:			Fax Number:		
Prepared by: Erin Chatterton			E-mail Address:		
Municipal Judge:					
<u>II. MONTHLY CASELOAD INFORMATION</u>					
		Alcohol & Drug Related Traffic	Other Traffic	Non-Traffic Ordinance	
A. Cases (citations/informations) pending at start of month		395	17,864	8,341	
B. Cases (citations/informations) filed		24	1,159	530	
C. Cases (citations/informations) disposed					
1. jury trial (Springfield, Jefferson County, and St. Louis County only)		0	0	0	
2. court/bench trial - GUILTY		0	2	9	
3. court/bench trial - NOT GUILTY		0	0	0	
4. plea of GUILTY in court		11	705	197	
5. Violations Bureau Citations (i.e. written plea of guilty) and bond forfeiture by court order (as payment of fines/costs)		0	241	0	
6. dismissed by court		0	45	42	
7. <i>nolle prosequi</i>		5	70	51	
8. certified for jury trial (not heard in Municipal Division)		0	0	0	
9. TOTAL CASE DISPOSITIONS		16	1,063	299	
D. Cases (citations/informations) pending at end of month [pending caseload = (A+B)-C9]		403	17,960	8,572	
E. Trial de Novo and/or appeal applications filed		0	0	0	
<u>III. WARRANT INFORMATION (pre- & post-disposition)</u>					
1. # Issued during reporting period		1,241	<u>IV. PARKING TICKETS</u>		
2. # Served/withdrawn during reporting period		455	☐ Court staff does not process parking tickets		
3. # Outstanding at end of reporting period		19,543			

MUNICIPAL DIVISION SUMMARY REPORTING FORM

COURT INFORMATION	Municipality: Independence Municipal	Reporting Period: Nov 27, 2024 - Dec 31, 2024
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<u>V. DISBURSEMENTS</u>			
Excess Revenue (minor traffic and municipal ordinance violations, subject to the excess revenue percentage limitation)		Other Disbursements: Enter below additional surcharges and/or fees not listed above. Designate if subject to the excess revenue percentage limitation. Examples include, but are not limited to, arrest costs and witness fees.	
Fines - Excess Revenue	\$174,871.50	Court Automation	\$13,863.06
Clerk Fee - Excess Revenue	\$18,441.37	Law Enf Arrest-Local	\$3,384.00
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Excess Revenue	\$568.59	Total Other Disbursements	\$17,247.06
Bond forfeitures (paid to city) - Excess Revenue	\$800.00	Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited	\$321,162.75
Total Excess Revenue	\$194,681.46	Bond Refunds	\$23,036.50
Other Revenue (non-minor traffic and ordinance violations, not subject to the excess revenue percentage limitation)		Total Disbursements	\$344,199.25
Fines - Other	\$60,317.25		
Clerk Fee - Other	\$5,323.85		
Judicial Education Fund (JEF) ☐ Court does not retain funds for JEF	\$0.00		
Peace Officer Standards and Training (POST) Commission surcharge	\$1,980.47		
Crime Victims Compensation (CVC) Fund surcharge - Paid to State	\$14,120.51		
Crime Victims Compensation (CVC) Fund surcharge - Paid to City/Other	\$164.15		
Law Enforcement Training (LET) Fund surcharge	\$3,950.00		
Domestic Violence Shelter surcharge	\$7,895.50		
Inmate Prisoner Detainee Security Fund surcharge	\$3,950.00		
Restitution	\$0.00		
Parking ticket revenue (including penalties)	\$0.00		
Bond forfeitures (paid to city) - Other	\$11,532.50		
Total Other Revenue	\$109,234.23		

Municipal Division Summary Reporting

16th Judicial Circuit - Jackson County - Independence Municipal Division

I. COURT INFORMATION

Reporting Period:		
December	2024	Court activity occurred in reporting period: Yes
Clerk's Physical Address:	Mailing Address:	Vendor
111 East Maple Independence, MO 64051	PO Box 1019 Independence, MO 64051	Incode (Tyler Technologies)
Telephone Number:	Fax Number:	
(816) 325-7235		
Prepared by:	Prepared by E-mail Address:	Municipal Judge(s) Active During Reporting Period:
Dawna Cordon	dawna.cordon@courts.mo.gov	Garry L. Helm, Susan G. Watkins

II. MONTHLY CASELOAD INFORMATION		Alcohol & Drug Related Traffic	Other Traffic	Non-Traffic Ordinance
A. Cases (citations / informations) pending at start of month		8,611	79,987	44,631
B. Cases (citations / informations) filed		0	0	0
C. Cases (citations / informations) disposed				
1. jury trial (Springfield, Jefferson County, and St. Louis County only)		0	0	0
2. court / bench trial - GUILTY		0	0	2
3. court / bench trial - NOT GUILTY		0	2	0
4. plea of GUILTY in court		0	0	0
5. violations Bureau Citations (i.e., written plea of guilty) and bond forfeitures by court order (as payment of fines / costs)		1	134	54
6. dismissed by court		0	0	7
7. nolle prosequi		1	11	16
8. certified for jury trial (not heard in the Municipal Division)		0	0	0
9. TOTAL CASE DISPOSITIONS		2	147	79
D. Cases (citations / informations) pending at end of month [pending caseload = (A + B) – C9]		8,609	79,840	44,552
E. Trial de Novo and / or appeal applications filed		0	0	0

Municipal Division Summary Reporting

Court Information	Municipality: 16th Judicial Circuit - Jackson County - Independence Municipal Division	Reporting Period: December - 2024
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III. WARRANT INFORMATION (pre- & post-disposition)		IV. PARKING TICKETS	
1. # Issued during reporting period:	362	Does court staff process parking tickets? Yes	
2. # Served/withdrawn during reporting period:	519	1. # Issued during reporting period:	0
3. # Outstanding at end of reporting period:	39,422		

V. DISBURSEMENTS	
Excess Revenue (minor traffic and municipal ordinance violations, subject to the excess revenue percentage limitation)	
Fines – Excess Revenue	\$5,395.00
Clerk Fee – Excess Revenue	\$589.00
Crime Victims Compensation (CVC) Fund surcharge – Paid to City/Excess Revenue	\$0.00
Bond forfeitures (paid to city) – Excess Revenue	\$630.00
Total Excess Revenue	\$6,614.00
Other Revenue (non-minor traffic and ordinance violations, not subject to the excess revenue percentage limitation)	
Fines – Other	\$10,520.11
Clerk Fee – Other	\$693.50
Judicial Education Fund (JEF) Court does not retain funds for JEF: Yes	
Peace Officer Standards and Training (POST) Commission surcharge	\$107.00
Crime Victims Compensation (CVC) Fund surcharge – Paid to State	\$759.91
Crime Victims Compensation (CVC) Fund surcharge – Paid to City/Other	\$0.00
Law Enforcement Training (LET) Fund surcharge	\$212.00
Domestic Violence Shelter surcharge	\$424.00
Inmate Prisoner Detainee Security Fund surcharge	\$214.00
Restitution	\$0.00
Parking ticket revenue (including penalties)	\$0.00
Bond forfeitures (paid to city) – Other	\$1,450.00
Total Other Revenue	\$14,380.52
Other Disbursements: Enter below additional surcharges and/or fees not listed above. Designate if subject to the excess revenue percentage limitation. Examples include, but are not limited to, arrest costs and witness fees.	
Total Other Disbursements	\$0.00
Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited	\$20,994.52
Bond Refunds	\$1,942.50
Total Disbursements	\$22,937.02