



City Council Regular Meeting Minutes

March 3, 2025 6:00 PM

Council Chambers - 111 E. Maple Ave.

INVOCATION

1. The invocation will be given by Ken Truax, Elder with the East Independence Church of Christ

Ken Truax, Elder with the East Independence Church of Christ, 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, Heather Wiley, and Mayor Rory Rowland. Absent – none.

CITIZEN REQUESTS

Councilmember Perkins moved to allow non-residents to speak. Motion seconded by Councilmember Fears.

All yays; no nays, motion passes

Brian Etter spoke about the rezoning item 25.001.01 on the agenda tonight for Elsea Smith Road.

Adam Cone spoke about the public transit.

Brandon Davis spoke about the public transit.

Becky Hake spoke about the Noland Road CID.

Renay Roby spoke about the public transit.

Mary Tackett spoke about the public transit.

David Titus spoke about the internet and wanting more options for service. He also spoke about Spire messing up Truman Road.

Lisa Yewell spoke about the public transit.

Laura Dominik spoke about the ISD YouTube contract that is on the agenda tonight.

PRESENTATION RESOLUTIONS

Councilmember Fears moved to do the Presentation Proclamation out of order and before Citizen Requests. Motion seconded by Councilmember Perkins.

All yays, no nays - motion passes

Councilmember Fears moved to Approve resolution for the ISTAR Award. Motion seconded by Councilmember Perkins. Motion Passed.

All yays; no nays - motion passes

1. 25-725 A Resolution recognizing Brandie Gardner, Property Maintenance Officer, in the Community Development Department as the ISTAR recipient for March 2025.

Passes 7-0 Res. No. 7105

Councilmember Fears made a motion to do the Presentation Resolution out of order. This was seconded by Councilmember Perkins. All yays, no nays, motion passes.

Councilmember Fears moved to Approve the item as presented. 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):

All says, no nays; motion passes

PROCLAMATIONS

CONSENT AGENDA

Reports and Recommendations of the City Manager

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

Councilmember Perkins asked to pull item number 6 for special consideration.

Councilmember McCandless asked to pull item number 7 for special consideration.

Councilmember Stewart asked to pull item number 8 for special consideration.

Councilmember Vaught asked to pull resolution 25-715 for special consideration.

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

NAYS (0): None

ABSENT (0):

All other items approved, 7-0

1. Approval of minutes for the Regular Meetings on February 4th and February 17th 2025 **Approved**
2. Council approval is requested to expend \$136,641.86 to the Mid-America Regional Council (MARC) for the City of Independence's participation in the Intergovernmental Agreement related to the disposal of Household Hazardous Waste (HHW) by the Municipal Services Department. **Approved**
3. Council approval is requested to expend \$246,670.52 with Graybar Electric for failing 15KV distribution switchgear cabinets, also called Desert Storm Cabinets, for the Power & Light Department. **Approved**
4. Council approval is requested for a change order to Purchase Order 25000778 to acquire an additional Freightliner single-axle dump truck chassis from PTG Premier Truck Group for \$109,483. This purchase is for the Street Maintenance Division of the Municipal Services Department. The total expenditure will increase to \$218,966. **Approved**
5. Council approval is requested to authorize an additional \$100,000 in expenditures with Ozark Kenworth for heavy equipment fleet repairs at the Central Garage of the Municipal Services Department. This adjustment will bring the total authorized expenditures to \$300,000. **Approved**
6. Council approval is requested to authorize the City Manager to approve Purchase Order Change Order #1 to the design contract (PO#25000852) with Alfred Benesch & Company, increasing the total contract amount to \$124,290. Additionally, authorization is requested for future change orders not to exceed \$12,429 for the E. Kentucky Road Bridge over Mill Creek portion of the Emergency Transportation Project (No. 112203-2). **Item Passes 7-0**

This item was pulled by Councilmember Perkins.

Councilmember Perkins made a motion to approve. Seconded by Councilmember Fears.

This bridge should be open by later this fall. There were additional deficiencies found with this bridge but we are working with the contractor to move it along as quickly as possible.

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

7. Council action is requested to authorize the City Manager to approve a construction contract with Linaweaver Construction, Inc. for an amount not to exceed \$3,447,758. This authorization includes future minor change orders not to exceed \$344,775.80 and any necessary time extensions as part of the Leslie to Crane at Hereford Stormwater Project (No. 132201). **Item Passes 7-0**

This item was pulled by Councilmember McCandless.

Councilmember McCandless moved to approve this item. It was seconded by Councilmember Fears.

Funding for this project is coming from the City's Storm Water Sales Tax Fund as well as funds from ARPA and the Department of Natural Resources.

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

8. Council action is requested to approve a revised Video Broadcast Agreement with the Independence School District to allow for School Board meetings to be broadcast on City7 and the City's YouTube channel. **Item Fails 3-4**

This item was pulled by Councilmember Stewart. Seconded by Councilmember Perkins. This item is being brought to Council at the request of the Independence School District. The contract allows them to archive the school board meetings on the City's YouTube account. School staff would send the files to City staff who would upload them to the YouTube page. There would not be any financial reimbursement for City staff time to do this. There could be some confusion as to who is responsible for the videos on YouTube and the ownership and maintenance of the material.

AYES (3): Mayor Rowland, Councilmember Fears, Councilmember Perkins

NAYS (4): Councilmember Stewart, Councilmember McCandless, Councilmember Vaught, Councilmember Wiley

ABSENT (0):

Item fails 3-4

RESOLUTIONS

1. 25-715 A Resolution accepting the City of Independence Bicycle and Pedestrian Plan. *Postponed from 2/3/25* **Item Passes 6-1 Res. No. 7106**

This item was pulled by Councilmember Vaught.

Councilmember Vaught moved to approve this item. Seconded by Councilmember Wiley.

Councilmember Vaught said she supports the overall plan, but has some concerns with narrowing some streets as it could cause more congestion and possibly some safety concerns.

This does not designate a specific street or specific plan. That will be finalized later. So there is

still an opportunity for citizens to have input on this project. This is to set how it will be approached.

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

NAYS (1): Mayor Rowland

ABSENT (0):

Item passes 6-1

2. 25-726 A Resolution appointing Hayley Woods and Deputy Chief Michelle Sumstad to the Truman Memorial Scholarship Fund Candidate Selection Committee **Approved Res. No. 7107**
3. 25-727 A Resolution appointing Laura Garcia-Siegfried to the Japanese Sister City Committee **Approved Res. No. 7108**
4. 25-728 A Resolution appointing Caleb Holder as an alternate to the Board of Adjustment **Approved Res. No. 7109**

REGULAR AGENDA

PUBLIC HEARING(S)

1. A public hearing for the application to rezone the property at 2000 N. Elsea Smith Road from R-A, Residential-Agricultural, to R-4, Single Family Residential Low Density. **New Information Only.**

Rick Arroyo, Assistant Community Development Director, presented this item.

This Rezoning was considered by the Planning Commission on January 14th of this year.

The Planning Commission did not vote in favor of this Rezoning.

The applicant seeks to rezone this property along Elsea Smith Road to allow the creation of a second lot to sell for the construction of another single-family residence.

No new information to provide.

There is no way a second house can be built without a rezoning.

The difference between an R-A and an R-4 is the frontage requirement.

The applicant states that the intent is to sell the property, not necessarily to a family member.

25-008 **2R** An ordinance approving a rezoning from District R-A (Residential-Agricultural) to District R-4 (Single-Family Residential Low Density) for the property at 2000 N. Elsea Smith Road. **2R Item Fails 0-7**

AYES (0): None

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

Councilmember Wiley
ABSENT (0):

Item fails 0-7

2. A public hearing for the application to rezone the property at 9408 E. Winner Road from O-1, Office-Residential, to R-6, Single-Family Residential, and the properties located at 715 & 717 S. Brookside, 812, 818 & 820 S. Glenwood, 9306 & 9310 E. 9th Street S, and 9400, 9402, 9404 & 9406 E. Winner Road from R-30/PUD, High Density Residential/Planned Unit Development, to R-6, Single-Family Residential. ***New Information Only.***

Rick Arroyo, Assistant Community Development Director, presented this item.

This City Initiated Rezoning was considered by the Planning Commission on January 14th of this year.

The Planning Commissions voted in favor of this Rezoning.

This is a corrective rezoning that began with a request from a property owner along Winner Road that highlighted the number of properties in this area that are currently legally non-conforming. This case seeks to corrects the zoning for single family homes currently zoned O-1, and R30-PUD to R-6.

No new information to provide.

25-009 **2R** An ordinance approving a rezoning from District O-1 (Office-Residential) and District R-30/PUD (High Density Residential/Planned Unit Development) to District R-6 (Single-Family Residential) for the properties along Winner Road, Brookside Boulevard, Glenwood Avenue and 9th Street S in Independence, Missouri. **2R Item Passes 7-0 Ord. No. 19655**

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. A public hearing for the application to rezone the properties located at 1420, 1422, 1424 & 1426 S. Liberty Street from R-30/PUD, High Density Residential/Planned Unit Development, to R-6, Single-Family Residential. ***New Information Only.***

Rick Arroyo, Assistant Community Development Director, presented this item.

This City Initiated Rezoning was considered by the Planning Commission on January 14th of this year.

The Planning Commissions voted in favor of this Rezoning.

This is a corrective rezoning that began with a building permit request to rehab a structure at 1424 S Liberty Street. The request highlighted the number of properties in this area that are currently legally non-conforming. This case seeks to corrects the zoning for single family

homes currently R30-PUD to R-6.
No new information to provide.

25-010 **2R** An ordinance approving a rezoning from District R-30/PUD (High Density Residential/Planned Unit Development) to District R-6 (Single-Family Residential) for the properties along Liberty Street South of 23rd Street in Independence, Missouri. **2R Item Passes 7-0 Ord. No. 19656**

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

4. A full public hearing for a Retail Selling of Intoxicating Liquor of all kinds in the original package for Galaxy Liquors that will be located at 2321 S. Lee's Summit Rd.
Full Public Hearing.

This is a full public hearing presented by Tom Scannell, the Community Development Director. Galaxy Liquor is asking to open a liquor store at the old QuikTrip on south Lee's Summit Road. QuikTrip sold liquor at this location. There are other establishments within close proximity that also have liquor licenses. This application is within 300 feet of a residential area. This facility would not be a convenience store. They will primarily sell beer and alcohol.

David Feingold of the Micha Feingold Real Estate Company represents the buyers of this property. The owners have other locations in the Kansas City area. They are a good corporate neighbor.

The public hearing was closed.

The item was presented, and discussion followed.

AYES (0): None

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

ABSENT (0):

Item fails 0-7

Council action is requested on the application received from KC Galaxy, LLC for Retail Selling of Intoxicating Liquor of all kinds in the original package for Galaxy Liquors that will be located at 2321 S. Lee's Summit Rd. **Item Fails 0-7**

5. A full public hearing for a Retail Selling of Intoxicating Liquor of all kinds in the original package for Fast Zone 8 located at 2561 S. M 291 Hwy. **Full Public Hearing.**

This is a full public hearing presented by Tom Scannell, the Community Development Director.

Fast Zone is purchasing the convenience store located at 291 and Gudgell. There are two other establishments nearby with liquor licenses. The property is within 300 feet of a residential area.

No one else spoke on this item.

Council action is requested on the application received from KC Stores, LLC for Retail Selling of Intoxicating Liquor of all kinds in the original package for Fast Zone 8 located at 2561 S. M 291 Hwy. **Item Passes 7-0**

Councilmember Perkins clarified that this is a transfer of an existing liquor license.

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

ORDINANCES

1. 25-011 **2R** An ordinance vacating an existing electric easement, utility easement, sanitary sewer easement, and general utility easement, all of which are part of 18785 E. 39th Street South, lying in, on, and across Tracts 4 & 5 of Independence Center, a subdivision of Independence, Jackson County, Missouri. **2R Item Passes 7-0 Ord. No. 19657**

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. 25-012 **2R** An ordinance authorizing the award of funds to Burns & McDonnell, Inc. and AspenTech OSI totaling \$841,711 for a six-year project to fulfill the Federal Energy Regulatory Commission (FERC) Order No. 881; further authorizing Council action to issue purchase orders for fiscal year 2025 to Burns & McDonnell in the amount of \$309,225 and AspenTech in the amount of \$99,470 for a total of \$408,695 for the Power and Light Department; and authorizing future change

orders not to exceed 10% of the entire six-year project, \$84,171.10; and appropriating \$408,695 from the Power & Light reserve fund balance to fund the fiscal year 2025 portion of the project. **2R Item Passes 7-0 Ord. No. 19658**

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

FIRST READING(S)

1. 25-013 **1R** An ordinance approving a Final Plat for Timber Creek Ranch - 5th Plat generally located north of Bundschu and Old Mill Road in Independence, Jackson County, Missouri. **1R Read**

This item was read.

2. 25-014 **1R** An ordinance approving a rezoning from Districts I-1 (Industrial), C-2 (General Commercial), and R-12 (Two-Family Residential) to District I-1 (Industrial) for the property at 10900 East Truman Road. **1R Read**

This item was read.

3. 25-015 **1R** An ordinance approving a rezoning from District I-1 (Industrial) to District R-6 (Single-Family Residential) for the property at 336 N. Hocker Avenue. **1R Read**

This item was read.

INFORMATION ONLY

1. Case 25-100-03, a request by Dustin Ferrell to rezone the property located at 10900 E. Truman Road from I-1 (Industrial), C-2 (General Commercial), and R-12 (Two-Family Residential) to I-1 (Industrial), was advertised for a new information only public hearing at the March 3, 2025, City Council meeting. As this case was continued by the Planning Commission, the new information only public hearing will be held at the March 17, 2025, City Council meeting.
2. **Please Note:** *In accordance with RSMo. 610.021, the City Council may convene in an Executive Session during or after the meeting, in the Council Chambers and move to Conference Room D for the closed meeting, on matters of litigation, legal action, and/or attorney client communications, as permitted by Sec. 610.021(1), on matters of personnel, as permitted by Sec. 610.021(3) and personnel records, as permitted by 610.021(13), on matters of contracts, as permitted by 610.021(12), on matters of real estate, as permitted by 610.021(2) and/or matters of labor negotiations, as permitted*

by 610.021(9).

COUNCILMEMBER COMMENTS

Councilmember Fears stated he went to Washington DC last week to the American Public Power Association Legislative Rally. He learned that not only is IPL struggling to obtain materials but public power utilities across the nation are as well. He also learned that Independence is in the top 100 public power organizations in the United States.

Councilmember Wiley stated that last week she volunteered at the Good Shepherd drop-in Center and served soup and coffee to residents that needed to get out of the cold. She thanked CSL and the Good Shepherd congregation for donating the space to do this. She also thanked IPD for sponsoring Coffee with a Cop at the Main Street Coffee House a couple weeks ago. She also stated that the police department is offering tours of their building so citizens can see the condition of police headquarters.

Councilmember McCandless stated that Independence Together has engaged in a contract with MODOT to pick up trash along I-70. They have now exceeded one million pounds of trash in the last 23 months. This has helped their participants save money, helped them retire old debt, and 15 of them have been granted permanent housing. She also stated that Independence is a part of the Mid-America Regional Council (MARC) which allows the City to coordinate with other municipalities with regard to things that are not restricted by City borders, such as air pollution, storm water runoff, etc. We approved a household hazardous waste tonight, which is something that is done in coordination with MARC along with license plate readers, senior meals program and headstart funds. All are done through cooperative grant programs that helps the City fund these projects.

She asked the City Manager, Zach Walker to speak to a comment made by one of the citizen speakers tonight suggesting ARPA funds be used for the transit system. Zach stated the municipalities received ARPA Funds as a result of the pandemic. Jackson County received about \$70 million in ARPA funds. These funds do not belong to the City of Independence. The City has also developed a policy to not use one-time revenues for projects that would be an ongoing service, such as transit.

Councilmember McCandless also addressed another comment regarding road conditions in an area where utility work has been done. The weather is too cold to fully repair the street at this time.

She also asked if we could do a review of the short-term rental policy that was recently passed.

Councilmember Perkins thanked Charlie Dissell, Assistant City Manager for his work related to the Englewood Theatre. There will be a community meeting regarding the theater on Monday, March 10th at 6 p.m. at the Englewood Arts Center, 10901 E. Winner Road. He also addressed the transit system. He stated that on February 24th, Council went had a discussion regarding the transit system and the budget for it, during the study session. Terry O'Toole, a representative from IRIS was at this study session and citizens had an opportunity to come to that meeting to have their concerns addressed.

Mayor Rowland thanked the City Manager and Communications staff for assisting with

recording videos and helping a number of animals to be adopted.

Zach Walker, City Manager, stated his appreciation to the Councilmembers who addressed some citizen comments. KCATA is running the bus service from 24 Highway to Kansas City and the paratransit system. They do not run the fixed route system. The only way to get the bus service back next year is to come up with \$3 million and then \$7 million the following year. He welcomed citizens to call his office so staff can assist, if they can, with issues they are having. He also discussed the Noland Road CID and stated that businesses within that district voted to voluntarily join that entity. Noland Road CID pays a 3/4 cent sales tax. There is a right of way property near the Five Guys property that was voluntarily annexed to allow a monument signage. The Hiram Young park that sits along Noland Road and Truman, near City Hall was voluntarily annexed in as well as a portion of the Sermon Center to allow a monument sign to be constructed at some point.

ADJOURNMENT

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

ATTEST:

City Clerk