



City Council Regular Meeting Minutes

March 17, 2025 6:00 PM

Council Chambers - 111 E. Maple Ave.

INVOCATION

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

Stephen Ballentyne gave the invocation.

THE PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor Pro-tem John Perkins presided over this meeting as Mayor Rowland appeared via Teams.

Upon roll call, the following members were present: Jared Fears, Brice Stewart, Bridget McCandless, Jennie Vaught, John Perkins and Heather Wiley. None were absent.

CITIZEN REQUESTS

Leigh Phillips spoke on the General Obligation Bond

Becky Hake spoke on fire station bonds

David Morgan spoke on the Green Light Dispensary

PROCLAMATIONS

There were no proclamations

CONSENT AGENDA

The item was presented, and discussion followed.

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

Items pulled for special consideration were
Item #2 pulled by Mayor Rowland
Item #5 pulled by Councilmember McCandless
Item #6 pulled by Mayor Rowland
Item 25-731 pulled by Councilmember Wiley

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

NAYS (0): None

ABSENT (0):

Consent Agenda minus the special consideration items passes 7-0

Reports and Recommendations of the City Manager

1. Council approval is requested to authorize the City Manager to execute a construction contract with Superior Bowen Asphalt Co., LLC, for an amount not to exceed \$2,180,880.67. This authorization includes the ability to approve future minor change orders not exceeding \$218,088 and/or time extensions, as needed, for asphalt overlay work under the Pavement Preventative Maintenance Project (Project No. 112201-11). **Approved**
2. Council approval is requested for the 2025-2026 Liability Insurance Program with Obsidian Specialty Insurance Company with an estimated annual cost of \$875,000.

Passes 7-0

This item was pulled by Mayor Rowland for special consideration. This is to approve a contract for services to a company to provide casualty and liability insurance for the City.

The Mayor asked if the City Council could review any settlements over \$1 million before the settlement is offered. City Attorney Jeremy Cover stated the City only has control of settlements up to the deductible. After that, it is up to the insurance company to make the decisions as it is their money. The Mayor stated he will prepare a resolution and putting it before the City Council to decide how they will handle their liability claims going forward. City Attorney Jeremy Cover stated that if the City was self-insured, it would have more control over settlements.

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. Council approval is requested to issue a purchase order in the amount of \$170,000.00

to MacQueen for turnout gear for the Fire Department. **Approved**

4. Council approval is requested to enter into contracts with Complete Lawn Care Professionals, LLC and Galvan's Lawn & Landscape, LLC for Fiscal Years 2024-25 and 2025-26 for mowing services for the Parks, Recreation and Tourism Department (PRT), Independence Power & Light Department (IPL) and Municipal Services Department. **Approved**
5. Council approval is requested to issue a purchase order for \$230,000 to PGAV Architects (PGAV) for a Feasibility Study for the National Frontier Trails Museum and Cultural Center for the Parks, Recreation and Tourism Department (PRT).

Postponed Indefinitely 7-0

This item was pulled by Councilmember McCandless for special consideration. Councilmember McCandless stated the City is currently committed to many different projects at this point, and taking on an additional one would be overreach for the city, along with additional financial questions for this for the budget. She motioned to postpone this item indefinitely. This was 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):

Motion passes 7-0. The item was postponed indefinitely.

6. Council action is requested to approve the Construction Manager at Risk agreement with McCownGordon Construction on the Independence Municipal Commons (IMC) renovation project located at 20201 E. Jackson Drive, Independence, MO 64057.

Passes 7-0

This item was pulled by Mayor Rowland for special consideration.

This item is for the costs of renovating the new building on Jackson Drive that will house the City offices. This is an at-risk contract which means if the cost exceeds what the contractor has quoted, he will incur that expense and not the City.

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

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.

RESOLUTIONS

1. 25-729 A Resolution amending the Personnel Policies and Procedures of the City of Independence, Missouri to update Article III (Recruitment, Selection, Probation, and Promotion) and Article V (Compensation and Benefits) **Approved Res. No. 7110**
2. 25-730 A Resolution appointing Ted Luce and Terri Hoeflicker to the Independence Animal Welfare Committee. **Approved Res. No. 7111**
3. 25-731 A Resolution supporting the establishment of an Animal Cruelty Task Force to enhance animal welfare, law enforcement coordination, and community education in the City of Independence, Missouri. (*Sponsored by Councilmember Wiley*) **Passes 7-0 Res. No. 7112**

This item was pulled by Councilmember Wiley for special consideration.

Councilmember Wiley 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):

Item passes 7-0

REGULAR AGENDA

PUBLIC HEARING(S)

1. A public hearing for the application to rezone the property at 10900 E. Truman Road from I-1, Industrial, C-2, General Commercial, and R-12, Two Family Residential, to I-1, Industrial. ***New Information Only.***

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

This Rezoning was considered by the Planning Commission on January 28th of this year. The Planning Commission voted in favor of this Rezoning.

The applicant seeks to build a structure to secure vehicles at this refuse collection business. Recognizing this property is divided into 4 parcels, the applicant wishes to consolidate the property into one, however two areas contain inconsistent zonings (C-2 and R-12). The applicant wishes to rezone these two areas consistent with I-1 conforming with the majority of the site.

No new information to provide.

25-014 **2R** 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. **2R Passes 7-0**
Ord. No. 19659

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. A public hearing for the application to rezone the property at 336 N. Hocker Avenue from I-1, Industrial, to R-6, Single Family Residential. ***New Information Only.***

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

This Rezoning was considered by the Planning Commission on January 28th of this year.
The Planning Commissions voted in favor of this Rezoning.

The applicant is wishing to rehabilitate a legal non-conforming single-family structure at 336 N. Hocker. This rezoning is a corrective rezoning to change the current I-1 industrial zoning to R-6 Single family. Staff has recognized and is working on a City Initiated rezoning for many properties along this block in a similar situation, however this applicant is working on an accelerated schedule and wished to proceed sooner.

No new information to provide.

25-015 2R 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. **2R Passes 7-0 Ord. No. 19660**

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 full public hearing for a Retail Selling of Intoxicating Liquor by the Drink License for Harvey's Happy Hour that will be located at 10129 E. US 40 Hwy. ***Full Public Hearing.***

Tom Scannell, Director of the Community Development Dept. spoke on this item. This establishment is within 30 feet of a church, school and/or residential area which requires it have a public hearing.

Warren Goutreau, co-owner of Harveys' spoke in support of this license. No other speakers came forward.

Council action is requested on the application received from Harvey's Happy Hour, LLC for Retail Selling of Intoxicating Liquor by the Drink for Harvey's Happy Hour that will be located at 10129 E. US 40 Hwy. **Passes 7-0**

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. 25-013 **2R** 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. **2R Passes 7-0 Ord. No. 19661**

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. 25-016 **1R** An ordinance authorizing the borrowing of not to exceed \$50,000,000 from the Missouri Development Finance Board to finance certain project costs for the City; approving the form of and authorizing the execution of a Financing Agreement with the Missouri Development Finance Board; and prescribing other matters relating thereto. **1R Read**
2. 25-017 **1R** An ordinance authorizing the acceptance of a monetary donation to the George Owens Nature Park (GONP) to establish a butterfly garden and adopting amendments to the Fiscal Year 2024-2025 budget, which was approved by Ordinance No. 19561. **1R Read**
3. 25-018 **1R** An ordinance authorizing the acceptance of funding from the US Department of Agriculture's Gus Schumacher Nutrition Incentive Program, through a recipient award from the Mid-America Regional Council (MARC) and sub-recipient Cultivate KC, which allocates \$11,992.50 to the City of Independence, Missouri, for nutrition incentives for the Double Up Food Bucks Program and adopting amendments to the Fiscal Year 2024-2025 budget, which was approved by ordinance NO. 19561. **1R Read**

4. 25-019 **1R** An ordinance approving a rezoning from Districts R-12 (Two-Family Residential) to District R-6 (Single-Family Residential) for the property at 1009 North Kiger Road. **1R Read**

INFORMATION ONLY

1. Independence Municipal Court Report for February 2025
2. **Please Note:** *In accordance with RSMo. 610.021, the City Council may convene in an Executive Session during or after the meeting, in the Council Chambers and move to Conference Room D for the closed meeting, on matters of litigation, legal action, and/or attorney client communications, as permitted by Sec. 610.021(1), on matters of personnel, as permitted by Sec. 610.021(3) and personnel records, as permitted by 610.021(13), on matters of contracts, as permitted by 610.021(12), on matters of real estate, as permitted by 610.021(2) and/or matters of labor negotiations, as permitted by 610.021(9).*

COUNCILMEMBER COMMENTS

Councilmember Stewart asked City Manager Zach Walker to address a comment made by a citizen this evening where they stated money from the Marijuana Sales Tax was used for Square redevelopment. The marijuana sales tax is to be allocated to address the facility needs of the police department. A portion of the marijuana sales tax is allocated to be used to restructure the area where the police headquarters is located, should the General Obligation Bond pass. This falls within those requirements. Councilmember Stewart suggested a citizen oversight committee for the General Obligation Bond and asked Zach to have a resolution ready for the Council's review should the bond pass.

Councilmember Fears followed up on Councilmember Stewart's comment, stating that in the resolution regarding the General Obligation Bond, the City Council was to get a full report once a year from the Audit and Finance Committee and that the Audit and Finance Committee would get quarterly reports making sure the bond money was being used accordingly. Therefore, the spending will be well represented. He also stated that the City received its yearly audit from the State, and it stated that everything is being done the way it's supposed to be done.

Councilmember Vaught talked about the Clarion Point Hotel closure, saying she received an email from a resident stating that there has been a noticeable decrease in police activity in her neighborhood due to the closure. Councilmember Vaught thanked City staff for their dedicated efforts regarding the hotels throughout the city and recent closures of the Budget Inn and Executive Inn. These hotels did not maintain compliance with the city ordinances, which coupled with numerous police calls, ultimately led to their closure.

Councilmember Wiley stated she went to the Independence School District Achievement Awards at William Chrisman High School last week. She congratulated the 8th grade award winners and all of the McCoy winners. She also stated the Independence Arts council had their first meeting and are looking into participating in the 2026 Parade of Hearts.

Councilmember McCandless discussed the most recent house fire in Independence and reminded everyone of the importance of having an evacuation plan and working smoke detectors. We have also already seen a couple of big tornadoes in Missouri and encouraged citizens to think ahead of these kind of storms to be prepared. Our Emergency Preparedness Department is available to go to neighborhood meetings and assist neighborhoods with getting prepared if anyone is interested in that. She also addressed a citizen that discussed the Green Light Dispensary signs he talked about tonight. Those signs are controlled by MoDOT and she will help him get in touch with them. She also reminded the police department is still doing tours of the building to see the issues that the building has.

Mayor Rowland thanked the Communications Department and Christina Heinen for her work in helping with the animal videos. They have gotten six animals adopted. They highlight three dogs in every video and have averaged one dog being adopted per video.

Mayor ProTem Perkins addressed the Chrysler Ave bridge that was discussed by a Citizen this evening. They are working on this as diligently as possible. The Kentucky Ave. bridge is controlled half by the City of Independence and half by the City of Kansas City. The City of Kansas City is refusing to help with getting this bridge repaired but the City of Independence is working on this as best we can. He also addressed the comment regarding an audit and stated that there was an audit done by the State a few years ago and encouraged citizens to contact the State for a copy of it.

City Manager Zach Walker invited citizens to attend neighborhood meetings regarding the General Obligation Bond. There will be another overview of the bond discussed in the Study Session next Monday. He also addressed a citizen's comment regarding the use of sales tax. Mr. Walker stated that the construction inflation rate is 3.9%. Our sales tax growth does not match that money to cover the inflation rate. There is more cost in doing projects now, with less money coming in, so we are not able to keep up with projects in this city. That is why we are trying to mimic our peer cities and the bonds they have passed to keep up with the infrastructure needs. It was also mentioned that tax increment finance projects are city-backed. That was the case with the Falls at Crackerneck Creek; However, that is not the case with other city-backed projects.

There is actually a 44% reduction in the number of tax increment financing projects, including eliminating eight of those projects within the last five years alone. We have eliminated all general fund subsidies for tax increment fund projects. The City Manager's Office has worked very hard to consolidate departments and reduce city staffing. In 2016, our general fund reserve fund was at 4.7% and is now at 17.4%. We have been tightening our belts for the last several years. Now we are trying to utilize a General Obligation bond to take care of our major capital projects like our peer cities.

ADJOURNMENT

ATTEST:

City Clerk