



City Council Regular Meeting Minutes

April 21, 2025 6:00 PM

Council Chambers - 111 E. Maple Ave.

INVOCATION

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

Stephen Ballentyne 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, and John Perkins. Heather Wiley appeared via Teams. Absent – None.

CITIZEN REQUESTS

Becky Hake spoke on the Streetscape item for the square.

Leigh Phillips spoke on item number 25-745, Parade of Hearts item.

John Marshall spoke on HOAs

PROCLAMATIONS

There were no proclamations.

CONSENT AGENDA

Councilmember Perkins moved to approve the consent agenda minus the pulled items listed below. 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):

Items pulled for special consideration are items 1 and 2 by Councilmember McCandless, item number 3 by Councilmember Fears and items numbered 11 and 12 by Councilmember Stewart.

All other items pass 7-0

Reports and Recommendations of the City Manager

1. Council action is requested to approve expenditures for a multi-year agreement for Radio System Maintenance with Motorola Solutions for the Police Department.

Item passes 7-0

This item was pulled by Councilmember McCandless. This item is paid for by other jurisdictions as well as Independence. Independence pays for 60% and other jurisdictions such as Blue Springs and Central Jackson County Fire pay 40% which is not included in the fiscal note. The amount listed is what Independence will pay. She appreciates a multi-year budget, but is concerned there is not a cost escalation included. Zach assures they are planning on a cost escalation in the budget. She agrees this is a very wise item to approve.

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

AYES (0): None
NAYS (0): None
ABSENT (0):

Item passes 7-0

2. Council approval is requested to authorize the City Manager to approve Change Order #1 to the construction contract (C#500000899) with J.M. Fahey Construction Company, increasing the total contract amount to \$2,626,929.50, and to authorize future minor change orders, not to exceed \$262,692.95, as part of the Square Streetscape Project (No. 111902). **Item passes 7-0**

The item was pulled by Councilmember McCandless. This is about the Independence Square. This is a fundamental improvement to pipes that are more than 100 years old, as well as other infrastructure. There is no anticipation of these funds not being delivered. The County voted today for the right of access for the improvements to be done on the Square. Councilmember Perkins said these improvements will also be done in Englewood and Fairmont.

Councilmember McCandless moved to approve this item. Motion 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):

Item passes 7-0

3. Council approval is requested to expend \$907,356.00 with Luke Draily Construction for a truck shed for the Transmission and Distribution division of the Power & Light Department. **Item passes 7-0**

The item was pulled by Councilmember Fears. This item is budgeted in our capital budget and has been planned for several years. There is nothing new, just moving forward with it now.

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):

Item passes 7-0

RESOLUTIONS

1. 25-734 A Resolution appointing Linda Pringle, Linda Humphrey, Tammy Huff and Rachel Eis to the Independence Animal Welfare Committee **Approved Res. No. 7115**
2. 25-735 A Resolution appointing Amanda McIntyre and Grant Watkins Davis to the Tax Increment Financing Commission **Approved Res. No. 7116**
3. 25-736 A Resolution appointing Haven Herndon and reappointing Lee Argo to the Heritage Commission **Approved Res. No. 7117**
4. 25-737 A Resolution reappointing Katie Gall to the Japanese Sister City Committee **Approved Res. No. 7118**
5. 25-738 A Resolution appointing Katherine Leiker to the City Parks Commission **Approved Res. No. 7119**
6. 25-739 A Resolution appointing Jim Hannah to the Tree Commission **Approved Res. No. 7120**
7. 25-740 A Resolution appointing Nancy Eppert to the Independence Arts Council **Approved Res. No. 7121**

8. 25-741 A Resolution appointing the Successor Directors to the Eastgate Commerce Center Community Improvement District. **Approved Res. No. 7122**
9. 25-742 A Resolution appointing Daniel Montgomery as a Member of the Storm Water Control Oversight Committee **Approved Res. No. 7123**
10. 25-743 A Resolution to Demonstrate the City of Independence's Commitment to the Public Safety and Crime Reduction and Stating the Desire to Participate in the Blue Shield City Program Established by Governor Mike Kehoe. **Approved Res. No. 7124**
11. 25-744 A Resolution authorizing reward money for the information leading to the resolution of specific unsolved cases and funding DNA testing for cases as determined by the City Manager. *(Requested by Councilmember Brice Stewart)* **Item passes 7-0 Res. No. 7125**

The item was pulled for special consideration by Councilmember Stewart. This will use money from the Marijuana Sales Tax to help solve cold cases in Independence.

Councilmember Stewart 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):

Item passes 7-0

12. 25-745 A Resolution directing the City Manager to commit the City of Independence to participation in "Legacy Project: TC3" as part of the 2026 Parade of Hearts Program. *(Requested by Councilmember Heather Wiley)*. **Item passes 7-0 Res. No. 7126**

The item was pulled for special consideration by Councilmember Stewart. Council received an email from a constituent after the study session last week addressing this item and claiming that there is a conflict of interest with this item and the City Manager due to the City Manager's wife being an employee and owner of a company associated with the Parade of Hearts.

Councilmember Stewart sent an email asking for a legal opinion on this. James Klahr, who is an attorney with Lauber Municipal Law Firm responded to the email. Mr. Klahr is a former Executive Director of the Ethics Commission and was an Assistant Attorney General of the Government Affairs Section of the Attorney General's Office.

Councilmember Stewart read the following excerpt from the response from Mr. Klahr.

"The complaint lodged with the City Council raises questions about whether the City Council's recent discussion at a Study Session triggered a conflict of interest for the City Manager to the

extent the City Manager participated in the discussion about the proposed resolution. The documentation for the agenda item includes a disclosure informing council members that Everstrive Solutions is a contract consultant for Parade of Hearts, the entity the City would be working with and making a related financial commitment to work for Parade of Hearts to work with the City on the regional economic development initiative. The Parade of Hearts is a separate entity from Everstrive, organized as an LLC and having its own board of directors. Based on the information I have reviewed, the provisions in Section 105.452, RSMo, and 105.454, RSMo, do not apply to this situation. There appears to be no special monetary benefit for Everstrive if the Council moves forward with a \$10,000 commitment with this initiative. There does not appear to be any violation of Section 105.454 because any service to be performed will be performed by Parade of Hearts. Nothing in the complaint alleges that the City Manager or the City Manager's spouse has a financial interest in Parade of Hearts. Finally, the complaint asserts that the failure of those at the Study Session to voice specific concerns about any potential conflict of interest during the Study Session amounts to either "a lapse of diligence – or at worst, willful disregard." I do not see any merit to this assertion, particularly given the clear disclosure included in the Study Session packet. It is logical to conclude that a reasonable person reviewing the disclosure about the proposed resolution would not ask follow-up questions about the disclosure."

Councilmember Stewart moved to approve the item. Motion seconded by Councilmember McCandless.

This will be coming from the Tourism budget.

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 420 S. M291 Highway from C-2, General Commercial, to I-1, Industrial. ***New Information Only.***

Rick Arroyo, Assistant Community Development Director. This rezoning was considered by the Planning Commission on March 11th. They recommended approval of the rezoning. It will be developed for a CDL Truck Driving Course.

25-021 **2R** An ordinance approving a rezoning from District C-2 (General Commercial) to District I-1 (Industrial) for the property at 420 S M-291 Highway.

2R Item passes 6-1 Ord. No. 19667

This was brought before the Council in December 2023. The only difference is more

specificity as to where they will be located. Other code specifications still need to be met. Councilmember Fears discussed neighbors being concerned with the noise of the tractor-trailers at this location. Councilmember McCandless was also concerned about the noise. There is a buffer screening (treeline) to help with noise. They will not be leaving trucks there. The preservation of trees helps with visibility from the road and noise.

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

NAYS (1): Councilmember Fears

ABSENT (0):

Item passes 6 in favor, one opposed

ORDINANCES

1. 25-020 **2R** An ordinance amending articles of Chapter 11 of the Code of the City of Independence, Missouri, pertaining to food establishment and retail sanitation and adopting the sections of the Food and Drug Administration Model Food Code, 2022 Edition, as the food establishment and retail sanitation code. **2R Item passes 7-0 Ord. No. 19666**

This will keep us consistent with municipalities around us, so it is consistent, and to keep up with industry updates.

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. 25-022 **2R** An ordinance amending the Independence City Code Chapter 3 Animals and Fowl **2R Item Passes 7-0 Ord. No. 19668**

This is for responsible ownership of animals and to not allow commercial breeders within 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

FIRST READING(S)

1. 25-023 **1R** An Ordinance approving a rezoning from District I-1 (Industrial) to District R-6 (Single-Family Residential) for the property located along Zaun Avenue and Hocker Avenue, north of Truman Road. **1R Read**
2. 25-024 **1R** An Ordinance approving a rezoning from District O-1 (Office Residential) to District C-2 (General Commercial) for the property located at 20201 and 20221 E. Jackson Drive. **1R Read**
3. 25-025 **1R** An Ordinance changing the name of a segment of “Necessary Road” to “S. Pop Warner Drive.” **1R Read**
4. 25-026 **1R** An Ordinance finding, determining, and declaring the necessity of acquiring temporary construction easements for the Sidewalks Program Phase 2 Project (Project No. 112209); authorizing negotiation with property owners and the initiation of eminent domain proceedings, if necessary; approving the plans and specifications for the project; authorizing the use of experts, as needed; and authorizing and directing the execution of documents and the payment of funds to property owners or others holding property rights in connection with the project. **1R Read**

INFORMATION ONLY

1. Municipal Court Report for March 2025
2. Records Request Log January 1 through April 1 2025
3. Arrowhead CID Proposed Budget FYE 6/30/2026
4. New Town at Harmony CID Annual Budget FYE 6/30/2025 and Preliminary Budget FYE 6/30/2026
5. Noland Fashion Square CID Budget FY 2026
6. Ramsgate CID Budget 2025
7. ***Please Note:*** In accordance with RSMo. 610.021, the City Council may convene in an Executive Session during or after the meeting, for a 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 talked about the governance of IPL meeting that occurred this morning. The meeting went well, and he encouraged the public to watch the meeting. He also said a special thank you to the individuals that come to each meeting to do the invocation.

Councilmember Vaught let us know that this Saturday, April 26th, the Fire Department and the Red Cross are partnering for a program called Sound the Alarm. They are looking for volunteers to help with going door-to-door to install smoke alarms in the Englewood neighborhood. She participated in something like this a few weeks ago and was surprised at how many homes did not have working smoke detectors. Everyone was very appreciative of having them installed. There will be two sessions, one at 8 a.m. and one at 1 p.m. Breakfast and lunch will be provided. For more information, contact the fire department or Red Cross at 816-500-5644.

Councilmember McCandless talked about celebrating National Volunteer Appreciation Day.

People don't realize how many volunteers it takes to run a city. There are many people who give up their time to serve on committees and commissions, work for the retirees and at Bingham and Vaille Mansion and the library. She thanked everyone for the contribution of time, energy and effort. She has plenty of ideas for those who are looking for volunteer opportunities. She gave a shoutout to Sgt. Hininger, who received a special commendation from Hope House, their Everyday Hero Award. The police help with children who need supervised visits with their parents and the police help with scheduling and making sure someone is there at the right times.

She had the privilege of going to the Council Chambers at Kansas City. She got to go to the Neighborhood Committee and they recommended unanimously to pass the Blue Ridge CID for the shops that are in the KC portion. This will be for increased security and some landscaping.

She requested reports from them to see what KC is generating. Our utilization of the IRIS Transportation Program is picking up. It's good that riders are using it. Just a reminder that paratransit did not change. Recognition that the Pope passed. She then asked City Attorney, Jeremy Cover for direction on what the City can do when citizens have issues with neighbors and when an HOA is involved. Jeremy said there isn't a place for the City to get involved. It is a civil issue between the neighbors unless it rises to some sort of criminal activity.

Councilmember Perkins stated that he tries to respond back to telephone calls and emails as quickly as he can. One of the things he enjoys is facilitating conversations with people when there is a lack of understanding of something. He likes to hear from people with their questions and hearing their experiences. He encouraged everyone to contact him to have conversations with him and said that if he doesn't know the correct answers he will find it. He addressed some citizen comments. He stated that there were comments that showed complete lack of understanding of what is taking place regarding our TIF and other developments.

Councilmember Perkins asked City Manager, Zach Walker to give an overview of the TIF.

Zach said the TIF project for the Square is working just like any other TIF project. They have to have a finding of blight, have a plan and go before the TIF Committee. It is ultimately approved by the City Council. 90% of these funds have to be spent on facade grant improvements. The merchants apply to make the facade improvements. 10% of the funds are available for public improvements, which could be sidewalks, street maintenance, beautification, etc. There is over 100 property owners on the Square. The first one to apply had a cost of \$70,000 for facade.

Mayor Rowland gave a shout-out to IPL for earning the National Recognition Diamond Award for the third year in a row. The Diamond Award is the top safety level for the American Public Power Association. For the past 5 years, our team has worked very hard to reduce injuries on the job. April 18th was lineman appreciation day. We do appreciate our lineman for their work especially during the winter and storm seasons. He also gave a shout-out to Councilmember Vaught for her work and collaboration with the Police Dept. and the Community Development Unit for their work in cleaning up the area at I-70 and Noland Road and showing a 35% reduction in crime. This was from the revocation of the license of a hotel in that area. Bongo has now been at the shelter for one year and encouraged adopting or fostering Bongo. The Mayor also asked City Manager Walker if it was a possibility to record the Street Tax Oversight Committee Meetings. This was requested by Wes Epperson.

City Manager Walker discussed the General Obligation Bond information. The bond that passed will fund three areas, one being bridges. The Crysler Ave. bridge is in need of repair. Also, the Council approved some of the ARPA funds for the design of the Kentucky Ave. bridge over Mill Creek. The plan is to get bids for both of these projects and get them completed by the fall, contingent on contractor availability. We now have \$30M from the GO Bond and also have \$4.75 M for street improvement on the street sales tax fund. The plan is to bid each fall a certain allocation of street improvements that would be paid for by bond funds that would be completed in the spring and then in the spring bid projects from the sales tax fund that would be completed in the fall. We are beginning to have conversations with the principals at the seven elementary schools so we can start to plan the construction needs of sidewalks.

Councilmember Fears moved to go into Executive Session under RSMo. 610.021(1) legal matters and (2) for real estate. 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. Council adjourned to go into executive session.

ADJOURNMENT

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

ATTEST:

City Clerk