



City Council Regular Meeting Minutes

October 6, 2025 6:00 PM

Council Chambers - 111 E. Maple Ave.

INVOCATION

1. The Invocation will be given by Stephen Ballentyne, Assistant Pastor at the Mount Zion Restoration Branch

Dennis Green 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, Bridget McCandless, Jennie Vaught, John Perkins, and Heather Wiley. Brice Stewart appeared via Teams. Absent – None.

PRESENTATIONS

1. 2025 Legislative Advocate of the Year

Doug Cowan, President of Community Services League, presented City Manager Zach Walker with the Legislative Advocate of the Year Award.

An award was presented to IPL for their mutual aid work with Springfield

PRESENTATION RESOLUTIONS

1. 25-793 A resolution recognizing Jodi Baker, Community Development Program Specialist, as the ISTAR Award Recipient for October 2025. **Item passes 7-0 Res. No. 7172**

PROCLAMATIONS

National Night Out proclamation was presented to the Interim Police Chief Doug Brinkley.
Fire Prevention Week proclamation was presented to Assistant Fire Chief John Dixon.

CITIZEN REQUESTS

Cody Atkinson spoke about the Sermon Center
Michael Talcott spoke about Wally's
Lucy Young spoke about Wally's
Becky Hake spoke about Wally's
Gary George spoke about VOYA
William Torres spoke about Wally's
Lynne Baker spoke about Wally's
Mike Huff spoke about utility increases
John Marshall spoke about his HOA
Judy Brooks spoke on Wally's

CONSENT AGENDA

Reports and Recommendations of the City Manager

Items pulled for special consideration were:
Councilmember Perkins pulled items 2 and 7 for special consideration.

Councilmember Perkins moved to approve the consent agenda. 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):

Consent agenda minus items 2 and 7 passes 7-0

1. Approval of minutes for the Regular Meetings for September 2 and September 15 2025. **Approved**
2. Council action is requested to authorize the City Manager to execute a construction contract with Louis-Company LLC, in an amount not to exceed \$3,596,546.82, for Chrysler Ave. over Union Pacific Railroad Bridge (No. 542601-1) and E. Kentucky Rd. over Mill Creek Bridge (No. 542601-2) as part of the Bridges - GO Bond Project (No. 542601). **Item approved 7-0**

This item was pulled by CM Perkins. Repairs will begin in early spring for the Kentucky bridge and in the summer for the Chrysler bridge.

Councilmember Perkins 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

3. Council action is requested to authorize the City Manager to execute a construction contract with Abay Construction, Inc., for an amount not to exceed \$829,206 for the 6" Water Main Replacement along E. Rankin Rd. and Bellevista Dr. Project (no. C26-126-401301) as part of the Water Main Replacement Program (No. 9749).

Approved

4. Council action is requested to authorize the City Manager to approve an emergency construction contract with, and issue a purchase order to, TC Fuller, for an amount not to exceed \$209,670 as part of the Sanitary Sewer Main Relocation from Streambanks Project (No. 302203-3). **Approved**

5. Council action is requested to authorize the City Manager to approve a design services contract and issue a purchase order to Affinis Corp for an amount not to exceed \$540,481.09 as part of the 23rd Street Complete Streets, Phase 3 Project (No. 112111-3). **Approved**

6. Council action is requested to authorize the City Manager to approve Purchase Order Change Order #1 on the design contract (PO #26000434) with Burns & McDonnell for a new contract totaling \$131,030, as part of the emergency construction on the Sanitary Sewer Main Relocation from Streambanks Project (No. 302203-3).

Approved

7. Council action is requested to award a contract to Voya Financial to provide recordkeeping and administration services for the City's 457(b) Deferred Compensation plan and 401(a) Defined Contribution retirement program.

Amendment passes 5-2; Item passes 5-2

CM Perkins made a motion to amend this item to replace Option 2 with Option 1.

Councilmember Perkins moved to amend the item as presented. Motion seconded by Councilmember Wiley.

AYES (5): Mayor Rowland, Councilmember Stewart, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (2): Councilmember Fears, Councilmember McCandless

ABSENT (0):

Amendment passes 5-2

Main item vote:

AYES (5): Mayor Rowland, Councilmember Stewart, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (2): Councilmember Fears, Councilmember McCandless

ABSENT (0):

Item passes 5-2

8. Council approval is requested to enter into a lease agreement with Stryker, manufacturer of the LifePak 35 cardiac monitor, for lease purchase for the Fire Department and to issue a Purchase Order for the first year's payment. **Approved**
9. Council action is requested to authorize the City Manager to issue a purchase order to Insituform Technologies USA, LLC., for an amount not to exceed \$107,360 for emergency lining repair as part of the Trenchless Technologies Project (No. 130508). **Approved**
10. Council action is requested to authorize the City Manager to issue a purchase order with Independent Salt Company for the purchase of de-icing road salt by the Municipal Services Department and authorize purchases not to exceed \$250,000 in FY 2025-2026. **Approved**

REGULAR AGENDA

PUBLIC HEARING(S)

1. A public hearing for the application to rezone the properties at 710 & 720 W Maple Avenue from R-30, High Density Residential, and C-2, General Commercial, to R-6, Single Family Residential. ***New Information Only.***

Assistant Community Development Director Rick Arroyo discussed this item. This item was heard by the Planning Commission on 8/12/25. They voted in favor of correctly zoning these addresses. The applicant will restore and repair the interior and exterior of both structures.

25-085 **2R** An ordinance approving a rezoning from District R-30/PUD (High Density Residential/Planned Unit Development) and District C-2 (General Commercial) to District R-6 (Single-Family Residential) for the properties located at 710 & 720 W. Maple Avenue. **2R Item passes 7-0 Ord. No. 19729**

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 amendment to the Unified Development Ordinance, Chapter 14, of the Independence City Code relating to fuel sales & auto repair.
Full Public Hearing.

Assistant Community Development Director Rick Arroyo discussed this item.

On 8/26/25, the Planning Commission voted in favor of this amendment. Currently, motor repair and fuel sales must have a 750 ft separation from each other. This change would exempt properties that are within 400 feet of the interstate.

25-086 **2R** An ordinance amending the Unified Development Ordinance, Chapter 14, of the Independence City Code pertaining to motor vehicle repair and gasoline and fuel sales. **2R Item passes 7-0 Ord. No. 19730**

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 Special Use Permit application to operate a gas station at 4023 S. Noland Road. ***New Information Only.***

Assistant Community Development Director Rick Arroyo.

This is a special use permit that the Planning Commission voted in favor of on 8/26/25. The application is to operate a gas station (Wally's) that has more than 25 pumps at 4023 S. Noland Road.

25-087 **2R** An ordinance approving a Special Use Permit to operate a gas station at 4023 South Noland Road, Independence, Missouri. **2R Amendment passes 4-3; Item passes 7-0 Ord. No. 19731**

Councilmember Fears made a motion to amend this ordinance, adding in Section 2 where the conditions are listed under the special use permit, after the words traffic impact study, he would like to add including but not limited to South Noland Road, Lynn Court Drive and Canterbury Place. He also stated that an additional condition should be included regarding substantive proposed modification to the conditions, shall only be approved by the City Council through an ordinance amendment.

Councilmember McCandless wanted to ensure that the substantive changes were actually substantive, so they wouldn't have to come back to council for items such as changing

light poles or manhole covers; that these are functional changes to a submitted plan, such as changing their footprint by 10% or rerouting their stormwater plan.

Mayor Rowland made a motion to amend the ordinance to require Cargo Largo to close its business until the railroad crossing it is responsible for is repaired. There was no second to the Mayor's motion.

Mayor Rowland asked the City Attorney, Jeremy Cover, to give a definition of substantive. Jeremy said that it is hard to define and that it would be up to city staff to decide what is substantive.

Mayor Rowland invited a representative from Wally's development team, Mr. Rubenstein, to come forward and speak. Mr. Rubenstein stated he is concerned about the offered amendment, number 15.

Mayor Rowland made a motion to strike number 15 from the amendment. This was seconded by Councilmember Stewart.

The vote to strike number 15 from the amendment was:

Councilmember Fears - No

Councilmember Stewart - Yes

Councilmember Perkins - No

Councilmember McCandless - Yes

Councilmember Wiley - No

Councilmember Vaught - Yes

Mayor Rowland - Yes

4 yes, 3 no - Item number 15 is stricken from the amendment

Vote on the main amendment, which now only includes the change in section 2 related to the traffic study.

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

NAYS (0): Councilmember Stewart, Councilmember Wiley, Councilmember Vaught

ABSENT (0):

Amendment passes 4-3

The vote to approve 25-087 was as follows:

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

NAYS (0): None

ABSENT (0):

25-087 is approved 7-0

4. A public hearing on a petition for the addition of property to the Noland Road

Community Improvement District. **Full Public Hearing. Postponed to
10/20/25**

David Martin of Gilmore and Bell asked that this be postponed to the next Council meeting on October 20 2025

Councilmember Perkins made a motion to postpone this hearing. 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; item is postponed to October 20

ORDINANCES

1. 25-082 **2R** An ordinance adopting the attached Schedule of Sanitary Sewer Rates, with the first change scheduled for all bills dated November 1, 2025. **2R Item passes 6-1 Ord. No. 19732**

The last time the sewer rates were increased was on July 1, 2020.

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. 25-083 **2R** An ordinance adopting amendments to the Fiscal Year 2024-2025 budget, which was approved by Ordinance No. 19561. **2R Item passes 7-0 Ord. No. 19733**

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. 25-084 **2R** An ordinance approving the petition to amend the five-year budget for the Noland South Shopping Center Community Improvement District, making findings and authorizing other actions, and approving the first amendment to the

cooperative agreement among the City of Independence, Missouri, the Noland South Shopping Center Community Improvement District, and the Noland South Development Company, L.L.P. **2R Item passes 5-2 Ord. No. 19734**

AYES (5): Councilmember Fears, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (2): Mayor Rowland, Councilmember Stewart

ABSENT (0):

Item passes 5-2

4. 25-088 (formerly listed as 25-086) **2R** An ordinance to adjust the City of Independence Power & Light Department customer charge to be effective for the monthly billing period beginning January 1, 2026, under which the charge will be increased by \$5 for rate classifications MR1 and MR5 (i.e. residential) and increased by \$10 for rate classification MG1, MG2, MG3, MG4, and MG5 (i.e. commercial/industrial). **2R Item passes 6-1 Ord. No. 19732**

Councilmember Stewart made a motion to amend this item. The amendment would change the increase from \$5 to \$3.90 which is \$1 more than what Everygy currently charges.

AYES (2): Mayor Rowland, Councilmember Stewart

NAYS (5): Councilmember Fears, Councilmember McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

ABSENT (0):

Amendment fails 2-5

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

NAYS (0): None

ABSENT (0):

25-088 passes 7-0

FIRST READING(S)

1. 25-089 **1R** An ordinance amending Article 6 of Chapter 8 and Article 4 of Chapter 20, of the Independence City Code pertaining to the adoption of a revised Procurement Policy. **1R**
2. 25-090 **1R** An ordinance exempting the City of Independence from temporary extended hours for selling, serving, and allowing consumption of intoxicating liquor within the City of Independence during the 2026 FIFA World Cup. **1R**
3. 25-091 **1R** An ordinance finding, determining and declaring the necessity of acquiring temporary construction easements for the Fairmount Loop Project

(Project No. 112501); 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. **1R**

4. 25-092 **1R** An ordinance amending the Unified Development Ordinance, Chapter 14, of the Independence City Code pertaining to community gardens. **1R**
5. 25-093 **1R** An ordinance amending the Unified Development Ordinance, Chapter 14, of the Independence City Code to allow electronic message signs in the ARTS District. **1R**
6. 25-094 **1R** An ordinance authorizing the acceptance of a grant for \$2,500 from the MO Department of Conservation (MDC) to remove invasive honeysuckle at George Owens Nature Park (GONP). **1R**
7. 25-095 **1R** An ordinance adopting amendments to the Fiscal Year 2024-2025 budget, which was approved by Ordinance No. 19561. **1R**
8. 25-096 **1R** An ordinance authorizing the acceptance of an agreement with the City of Sugar Creek, Missouri for Independence Police to provide dispatching services for an annual fee and allocating that fee to a special revenue account to support related communications expenses; appropriating the necessary funds; and authorizing future change orders and appropriations for the same project. **1R**

INFORMATION ONLY

1. **Please Note:** In accordance with RSMo. 610.021, the City Council may convene in a Closed Executive Session during or after the 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 discussed the review of the year-end financial statements done by the Audit and Finance Committee. IPD had their National Night Out last week. The City received 13 responses to the RFP to hire a recruiter for the City Manager position. He also gave a farewell to City Manager Zach Walker for his last City Council meeting.

Councilmember Vaught said the Sonic at 35th and Noland has finally re-opened. She also expressed her gratitude and gave a farewell to Zach.

Councilmember Wiley said she toured the new disc golf course at Pioneer Ridge Middle School this week. She also mentioned IPD's National Night Out and gave a farewell to Zach.

Councilmember McCandless welcomed Wally's to Independence. She welcomed Interim Police Chief Brinkley. She discussed the availability of City 7 to citizens and asked that staff bring recommendations back to Council for other resources to broadcast meetings. There are enormous changes at the CDC at the City level which may bring a reduction funds to the City's health department. She asked that City staff start working toward a plan to ensure the health needs of the city are still met. She attended a regional transit meeting. There is a review of a county-wide approach to the transit services for citizens in Independence and Jackson County. She also gave a farewell to Zach.

Councilmember Perkins said he celebrated the 80 year anniversary for the Englewood Baptist Church. He also gave a farewell to Zach.

Mayor Rowland gave a farewell to Zach.

City Manager Zach Walker gave a farewell to the City as he closed the last City Council Meeting.

Meeting adjourned at 8:37 p.m.

ADJOURNMENT

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

ATTEST:

City Clerk