



City Council REGULAR MEETING Minutes

July 15, 2024 6:00 PM

Council Chambers - 111 E. Maple Ave.

INVOCATION

Sergio Quintero gave the invocation in Spanish.

1. Sergio Quintero will give the Invocation in Spanish

Sergio Quintero 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: Brice Stewart, Bridget McCandless, Jared Fears, Jennie Vaught, John Perkins, Heather Wiley, and Mayor Rory Rowland. None were absent.

City Counselor Jeremy Cover asked for a moment of privilege. He apologized on behalf of his firm and co-worker, Attorney Todd Smith for inappropriate remarks made by Todd at the last study session meeting. A written letter from Todd was handed to each council member.

CITIZEN REQUESTS

A motion was made by Councilmember McCandless to suspend the rules and allow non-residents to speak. This was seconded by Councilmember Perkins. Motion Passed.

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

NAYS (0): None

ABSENT (0):

Lucy Young spoke against a proposed resolution allowing the City Council to appoint board

members.

Mike Talcott spoke about free speech and the 1st Amendment and the need for politicians to represent the beliefs of the people, not their own.

Bob Sorenson spoke about the approval of post 65 health insurance with CIGNA and expressed his thanks for the work the City did on this topic.

Marla Kimzey spoke in favor of consent agenda item number 8, the post 65 health insurance with CIGNA.

Leigh Phillips spoke against the Charter changes on the upcoming ballot.

Tony Sommer spoke in favor of the Truman Connected Plan and in favor of the Charter changes.

Mary Wilcox spoke against the Charter changes.

Elisa Breighenbach spoke about Todd Smith and his presentation at the last study session. She also spoke against the Charter changes.

Laura Dominick spoke about the Charter changes and clarified that the City Manager will not have the full say on items before the City/Council. She also spoke about the resolution on the agenda regarding rules and policies for members of boards and commissions.

Wes Epperson spoke about fireworks and the need to outlaw specific larger fireworks and also enforcing the timeframe fireworks are allowed to be shot.

PROCLAMATIONS

1. A Proclamation recognizing the 40th Anniversary of the Harry S. Truman Chapter of the Sons of the American Revolution **PRESENTED**

A proclamation was presented for the 40th Anniversary of the Harry S. Truman Chapter of the Sons of the American Revolution.

CONSENT AGENDA

Reports and Recommendations of the City Manager

The item was presented, and discussion followed.

City Council, District 1 Perkins moved to the item as presented. Motion seconded by City Council At Large Fears. Motion Passed.

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

NAYS (0): None

ABSENT (0):

Items pulled for further discussion were item #5 by Councilmember Vaught; #24-739 pulled by Councilmember Stewart

1. Council action is requested to expend \$106,159.44 in purchase orders for fiscal year 2024-2025 to AVI-SPL for the continuation of licensing and vendor support for the

utility customer service call center telephone system. **APPROVED**

2. Council action is requested to issue a purchase order to Olathe Ford in the amount of \$60,864.00 for a 4X4 Ford F-550 Chassis for the Water Construction Division of the Municipal Department. **APPROVED**
3. Council action is requested to award a purchase order to Power Engineers, Inc. in the amount of \$132,296.00 to cover Augmented Engineering Services for the Power & Light Department. **APPROVED**
4. Council action is requested to expend \$710,232.00 in purchase orders for fiscal year 2024-2025 to ConvergeOne for the renewal of Microsoft Office Licensing.
APPROVED
5. Council action is requested to authorize the City Manager to enter into a design contract with, and issue a purchase order to, Burns & McDonnell, in the amount of \$844,876, authorizing future minor change orders not to exceed \$84,487.60, for engineering and design services as part of the Truman Connected Phase II Project (No. 112401). **PP for 30 days to 8/19/24; Will go to Study Session 8/12/24**

A motion was made by Councilmember Vaught to postpone this item for 30 days so she has time to learn more about it.

Seconded by Councilmember Stewart. Councilmember Stewart stated he wanted it to go to a study session first.

Motion to PP for 30 days Passed

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

NAYS (0): None

ABSENT (0):

Councilmember Stewart stated he wanted it to go to a study session first. City Counselor Jeremy Cover stated a vote was not needed to place it on the study session since the motion to postpone for 30 days had already passed.

6. Council action is requested to issue purchase orders to Design Mechanical for an amount not to exceed \$338,650 for HVAC maintenance services, repairs and replacements. **APPROVED**
7. Council action is requested to issue a purchase order to TMS Inc. for an amount not to exceed \$53,762.00 for Filter Surface Wash System Piping Replacement at the Courtney Bend Water Treatment Plant for the Municipal Services Department.
APPROVED
8. Council action is recommended to enter a contract with Cigna for Post-65 Medical Insurance Coverage, for one year with four, one-year renewal options. **APPROVED**

9. Council action is requested to authorize a contract with the Kansas City Area Transportation Authority for the purpose of providing transit services for the period of July 1, 2024 through December 31, 2024, in the amount of \$492,299.00, and authorizing future minor change orders not to exceed \$49,229.00. **APPROVED**

Resolutions

1. 24-739 A Resolution establishing standards for the recruitment and selection of board members, amending Resolution 6975 **POSTPONED INDEFINITELY**

Councilmember Stewart made a motion to postpone the item indefinitely to send back to staff to clarify the changes that are being proposed. Seconded by Councilmember Wiley.

Motion passed 5-2

AYES (5): Mayor Rowland, Stewart, McCandless, Vaught, Wiley

NAYS (2): Fears, Perkins

ABSENT (0):

2. 24-740 A Resolution nominating Successor Directors to the Arrowhead CID **Res. No. 7019**
3. 24-741 A Resolution appointing Councilmembers to certain Boards and Commissions as Councilmember Liaisons **Res. No. 7020**

REGULAR AGENDA

Public Hearing(s)

Ordinances

1. 24-049 **2R** An ordinance authorizing acceptance of a grant in the amount of \$1,021,000.00 from the Missouri Department of Transportation for reimbursement for DRE Conference Fees and overtime programs for the Police Department for Impaired Driving Enforcement and Youth Alcohol Liquor Compliance Checks from October 1, 2024, to September 30, 2025; authorizing future change orders and/or time extensions for the same project and making the necessary appropriations. **2R Ord. No. 19568**

This will cover the salary and all benefits for the staff including LAGERS.

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

NAYS (0): None

ABSENT (0):

Item passes 7-0

2. 24-050 **2R** An ordinance authorizing acceptance of a grant in the amount of \$485,250.00 from the Missouri Department of Transportation for reimbursement for LETSAC Conference Fees and Overtime Program for Hazardous Moving Violations Enforcement from October 1, 2024, to September 30, 2025; authorizing future change orders, extensions, amendments, or addendums for additional funding for the same project and making the necessary appropriations. **2R Ord. No. 19569**

No discussion on the item.

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

NAYS (0): None

ABSENT (0):

Item passes 7-0

3. 24-051 **2R** An ordinance finding, determining, and declaring the necessity of acquiring right of way and temporary construction easements for the Truman Connected Phase 1 Project (Project No. 112102); 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. **2R Ord. No. 19570**

No discussion on this item

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

NAYS (0): None

ABSENT (0):

Item passes 7-0

4. 24-052 **2R** An ordinance authorizing a contract with the Missouri Department of Health and Senior Services to provide financial assistance for the Public Health Emergency Preparedness Grant Program for the period of July 1, 2024, through June 30, 2025; accepting funds for the period in the amount of \$125,685; authorizing future change orders for additional funding and/or time extensions for the same project; and authorizing certain future appropriations. **2R Ord. No. 19571**

No discussion on this item

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

NAYS (0): None

ABSENT (0):

Item passes 7-0

5. 24-053 **2R** An ordinance authorizing the acceptance of funding from the U.S. Department of Justice, Bureau of Justice Assistance, Office of Justice Programs, FY 2023 Byrne Justice Assistance Grant (JAG) program, through a Memorandum of Understanding with Jackson County, Missouri, which allocates \$62,360.00 to the City of Independence, Missouri, for the Police Department's use; appropriating the necessary funds; and authorizing future change orders and appropriations for the same project. **2R Ord. No. 19572**

No discussion on this item

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

NAYS (0): None

ABSENT (0):

Item passes 7-0

6. 24-054 **2R** An ordinance authorizing acceptance of a grant in the amount of \$76,250.00 from the Missouri Department of Transportation for reimbursement of overtime for Occupant Protection Enforcement Programs from October 1, 2024, to September 30, 2025; authorizing future change orders, extensions, amendments, or addendums for additional funding for the same project and making the necessary appropriations. **2R Ord. No. 19573**

No discussion on this item

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

NAYS (0): None

ABSENT (0):

Item passes 7-0

7. 24-055 **2R** An ordinance finding, determining, and declaring the necessity of acquiring general utility easements and temporary construction easements for the 24 HWY Improvement Steel Pole Installation Project (Project No. 500000835); 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. **2R Ord. No. 19574**

No discussion on this item

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

NAYS (0): None

ABSENT (0):

Item passes 7-0

8. 24-056 **2R** An ordinance authorizing the City Manager to execute a certain grant agreement with the Missouri Highways and Transportation Commission for the Truman Connected Phase II Project (City Project No. 112102 / Federal Project No. CMAQ-3379(441) & CRP 3379 (446)). **2R POSTPONED TO 8/19/24**

Motion made by Councilmember Vaught to postpone this item for 30 days to send to a study session. Seconded by Councilmember Perkins
Postponing this will not cause any issues with MODOT.

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

NAYS (0): None

ABSENT (0):

Motion to postpone for 30 days and send to study session passes 7-0

9. 24-057 **2R** An ordinance authorizing the execution of a change order to the construction contract (C#500000804) and design contract (PO#24000282) for the Truman Depot and Pacific Trail Project (No. 511702) and making necessary appropriations. **2R Ord. No. 19575**

No discussion on this item

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

NAYS (0): None

ABSENT (0):

Item passes 7-0

10. 24-058 **2R** An ordinance finding, determining, and declaring the necessity of acquiring right-of-way, general utility easements, and temporary construction easements for the Truman Depot Renovations and Pacific Ave Trail Project (Project No. 511702); 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.
2R Ord. No. 19576

No discussion on this item

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

NAYS (0): None

ABSENT (0):

Item passes 7-0

11. 24-059 **2R** An ordinance vacating an existing right-of-way of all that part of the

southeast 1/4 of Section 3 Township 49 North Range 32 West located in Independence, Jackson County, Missouri. **2R Ord. No. 19577**

No discussion on this item

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

NAYS (0): None

ABSENT (0):

Item passes 7-0

12. 24-060 **2R** An ordinance authorizing final disposition of certain city records that have met all requirements to be eligible for such disposition. **2R Ord. No. 19578**

No discussion on this item

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

NAYS (0): None

ABSENT (0):

Item passes 7-0

13. 24-061 **2R** An ordinance amending Article 6 of Chapter 8 of the City Code changing the procurement policy to align with Revised Statutes of Missouri (RSMo Chapter 34) **2R Ord. No. 19579**

A majority of what is being changed here are guidelines enacted by the General Assembly and are required by the Missouri Revised Statutes and also clarifies the spending authority for city department heads.

A motion was made by Councilmember Stewart to amend the City Manager's authority from \$150,000 back to \$100,000 (keep it as it is). This was seconded by Councilmember Vaught.

This item was brought to the Audit and Finance Committee who recommended approval. This will make the spending authority the same across the board. These would be budgeted items.

Doing this would eliminate the need to put these extra items on the consent agenda. This limit is also what our peer cities have required.

AYES (1): Stewart

NAYS (6): Mayor Rowland, Fears, McCandless, Vaught, Perkins, Wiley

ABSENT (0):

The amendment fails

This is to be in compliance with state law.

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

NAYS (0): None

ABSENT (0):

Item passes as is 7-0

14. 24-062 **2R** An ordinance amending the Fiscal Year 2024-25 Submitted Budget by reducing the Museum Fundraising account in the Tourism Fund by \$150,000. **2R POSTPONED INDEFINITELY**

Councilmember Stewart moved to postpone the item definitely as he feels it is not ready for approval at this time. There was no second.

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

NAYS (0): None

ABSENT (0):

Motion to table item indefinitely passes 7-0

15. 24-063 **2R** An ordinance amending the Fiscal Year 2024-25 Submitted Budget by increasing the Communications Department account in the General Fund by \$130,000. **2R Ord. No. 19580**

One of the recommendations in the budget was to reconfigure our communications division. The department was reconfigured from 6 to 4 people. The budget that was adopted by the Council only included 3 positions. The Public Information Office position was inadvertently left off. This change adds that position back into the budget. This covers salary and benefits.

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

NAYS (1): Mayor Rowland

ABSENT (0):

Item passes 6-1

First Reading(s)

1. 24-064 **1R** An ordinance approving a rezoning from district C-2 (General Commercial) to C-2/PUD (General Commercial/Planned Unit Development) and a preliminary development plan for the properties located at 300 and 315 W. Maple Avenue. **1R READ**
2. 24-065 **1R** An ordinance finding, determining, and declaring the necessity of acquiring general utility easements for the E. Heidelberger Rd. Bridge Replacement Project (Project No. 112203); 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 READ**

INFORMATION ONLY

1. Boards/Commissions Report **READ AND APPROVED**
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 had Counselor Cover clarify the terms of attire of candidate/campaign shirts or hats. Unless it is causing some kind of problem or is offensive to someone, we will not address it as long as it is someone in the audience. The one caveat to this is that the City cannot utilize resources to promote a candidate or ballot issues. Once a person approaches the podium, it becomes a potential violation of state law. So we will ask them to either turn the shirt inside out or not speak.

Councilmember Wiley stated she had a conversation with HOA members of Cardinal Woods and walked around the neighborhood. She and Councilmember Vaught were given a tour of the Courtney-Bend Water Treatment Plant. It was very interesting and she is very proud of the work they do.

Councilmember McCandless reminded everyone of the extreme temperatures and that the Sermon Center is open as a cooling center Monday through Thursday, 8am - 8pm and Friday and Saturday from 8am to 5pm. Shoutout to traffic department for combined traffic enforcement with IPD, Sugar Creek and the Jackson County Sheriff's Dept. She has heard a lot of complaints from citizens regarding fireworks and the volume of high-powered fireworks. She asked the City Manager to schedule an item on the study session for fireworks ordinance discussion and the possibility of restricting the size of fireworks and times they can be lit. She also expressed her concern and sadness for the attempted assassination on former President Trump last weekend.

Councilmember Perkins stated there is a KCATA opportunity for the Blue Ridge Crossing area. This can have a very good financial and growth impact for this area. He also welcomed the new Assistant City Manager Charlie Dissell.

Mayor Rowland talked about the event at Bingham Wagoner that occurred last weekend. He also asked City Manager Zach Walker to give more information regarding the KCATA Blue Ridge Crossing item. Zach stated that we will be sharing information on several different media platforms for the City of where you can go to comment and promote this. This is an item that will rely heavily on public comment to determine funding. He also expressed his sadness

and concern for the attempted assassination on former President Trump. Political violence is not discourse, it is violence.

City Manager Walker also reminded everyone to send questions or comments about the City Charter changes to citycharter@indepmo.org There will also be a second public open house next Monday at 4:00 pm to give the public the opportunity to come and discuss these changes with the Council. It is construction season . In 2002, the City began a new method of street repair called scrub sealing. This is when a sand/gravel/oil mixture is put down on streets that aren't necessarily ready for an overlay but will help to seal cracks. This will help preserve the roads for another 4-6 years until the roads and is way more cost effective, at .30-.50 cents to the dollar in comparison to overlay. The Kentucky Ave. bridge is a step closer to having federal funds to replace this bridge. He also stated he is a credentialed member of the International City and County Manager's Association. Part of their code of ethics is a committed form of government. There are no changes in the proposed Charter that strip the Council of their duties or responsibilities. He is still hired and serves at the pleasure of the Council, and he takes direction from this group as a body and meets with everyone individually to understand their goals and policies. Nothing in the proposed changes to the Charter will change that.

ADJOURNMENT

ADJOURNMENT 7:53 p.m.

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

ATTEST:

City Clerk