



City Council Regular Meeting Minutes

January 20, 2026 6:00 PM

Council Chambers - 111 E. Maple Ave.

INVOCATION

1. The invocation will be given by Reverend Michael Jones from the Grace Connection Church.

Jessica Bidola 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, and Heather Wiley, Absent – None.

PROCLAMATIONS

There were no proclamations.

CITIZEN REQUESTS

Councilmember McCandless made a motion to suspend the residency requirement for citizen speakers. Motion seconded by Councilmember Perkins.

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

NAYS (0): None

Motion carries 7-0

ABSENT (0): Christopher Fielding spoke about the Data Center
Laura Dominik spoke about mass incarceration facilities

Becky Hake spoke about Marketplace CID
Mike Veit spoke about the IFD Union contract

CONSENT AGENDA

Reports and Recommendations of the City Manager

Councilmember Perkins moved to approve the consent agenda. Motion seconded by Councilmember Fears. No items were pulled for special consideration.

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

NAYS (0): None

ABSENT (0):

Consent agenda passes 7-0

1. Council action is requested to approve a change order to purchase order 26000661, for an additional \$100,000.00 and to authorize change orders of up to ten percent (10%) of the authorized amount, with Healy Law Offices LLC for legal and contract assistance for the Power & Light (IPL) department. The total of the purchase order will increase to \$150,000.00. **Approved**
2. Council action is requested to authorize the City Manager to issue a purchase order to Crossland Heavy Construction for an amount not to exceed \$109,795, and to authorize change orders of up to ten percent (10%) of the authorized amount, to repair and replace a failed pipe system in Filter Valve House 2 at the Courtney Bend Water Treatment Plant. **Approved**

RESOLUTIONS

1. 26-703 A resolution appointing Stacey Carlson and reappoint Alex Gonzalez to the Industrial Development Authority **Approved Res. No. 7195**
2. 26-704 A resolution reappointing Mara Bradford to the Human Relations Committee **Approved Res. No. 7196**
3. 26-705 A resolution reappointing John Ruddy and Larry Legler to the Advisory Board of Health **Approved Res. No. 7197**
4. 26-706 A resolution reappointing R. Scott Smith to the Storm Water Control Oversight Committee **Approved Res. No. 7198**
5. 26-707 A resolution appointing Steve Ward to the Public Utility Advisory Board **Approved Res. No. 7199**

6. 26-708 A resolution appointing Diane Papiernik to the Sustainability Commission
Approved Res. No. 7200
7. 26-709 A resolution reappointing Bud Perrin, Christina Leakey and Herbert Bankston to the Housing Authority **Approved Res. No. 7201**

REGULAR AGENDA

ORDINANCES

1. 26-001 **2R** An ordinance authorizing final disposition of certain city records that have met all requirements to be eligible for such disposition. **2R Item passes 7-0 Ord. No. 19773**

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. 26-002 **2R** An ordinance authorizing the Interim City Manager to execute on behalf of the City of Independence, the Firm and/or Deliverable Capacity Agreement with NextEra Energy Marketing LLC, providing for the 12-month purchase of a projected total of 57.8 megawatts summer season and 70.3 megawatts winter season of Southwest Power Pool accredited capacity sourced; payable on a monthly basis with an estimated total of \$5,467,000, in accordance with the Master Agreement. **2R Item passes 7-0 Ord. No. 19774**

This item and the next three are all capacity agreements to provide capacity for the period between the new generation coming into production at Blue Valley and when we are committed to providing Nebius with capacity. The plant will be online in June 2027. This bridges the gap from June 2026 to June 2027. These are broken out into different resources.

These are already covered by the PPAs and ESAs that the Council has already passed, so there is no increase to rate payers. If the off-taker were to go away, then we have the right to stop the capacity build-out at certain junctures. We are not lending anything on these; we are still fronting the money, but it is repaid later.

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. 26-003 **2R** An ordinance authorizing the Interim City Manager to execute, on behalf of the City of Independence, the Deliverable Capacity Agreement with NextEra Energy Marketing LLC, providing for the 4-month purchase of a projected total of 100 megawatts summer season Southwest Power Pool accredited capacity sourced; payable on a monthly basis with an estimated total of \$5,200,000, in accordance with the Master Agreement. **2R Item passes 7-0 Ord. No. 19775**

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. 26-004 **2R** An ordinance authorizing the Interim City Manager to execute on behalf of the City of Independence, the Firm and/or Deliverable Capacity Agreement with Evergy Kansas Central, Inc., providing for the 6-month purchase of a projected total of 73 megawatts of Southwest Power Pool accredited summer season capacity sourced; payable on a monthly basis with an estimated total of \$3,723,000 in accordance with the Master Agreement. **2R Item passes 7-0 Ord. No. 19776**

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

5. 26-005 **2R** An ordinance authorizing the Interim City Manager to execute, on behalf of the City of Independence, the Deliverable Capacity Agreement with Evergy Kansas Central, Inc., providing for the 6-month purchase of a projected total of 37 megawatts summer season of Southwest Power Pool accredited capacity sourced; payable on a monthly basis with an estimated total of \$1,887,000 in accordance with the Master Agreement. **2R Item passes 7-0 Ord. No. 19777**

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

6. 26-006 **2R** An ordinance amending City Code Section 12.02.002 regarding controlled substances, to regulate the consumption of recreational marijuana in public places. **2R Item passes 7-0 Ord. No. 19778**

Councilmember McCandless made a motion to amend this item. Motion seconded by Councilmember Perkins. Motion Passed.

The changes are as follows:

Section 1. changing add the following to read as follows:

Adding a new paragraph 2. The smoking or vaping of marijuana in a public place, which is any location accessible to the general public, shall be unlawful.

Adding subsection e. A person who smokes or vapes marijuana in a public place in violation of this subsection is subject to a fine not exceeding \$100.00. If this passes, it will go into effect 11 days from now.

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

NAYS (0): None

ABSENT (0):

Motion to amend is approved 7-0

Vote on the item as amended:

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

NAYS (0): None

ABSENT (0):

Item passes as amended 7-0

FIRST READING(S)

1. 26-007 **1R** An ordinance adopting amendments to the Fiscal Year 2025-2026 Budget, which was approved by Ordinance No. 19682; and authorizing the Interim City Manager to execute Change Order #1 in the amount of \$14,365,742 with Turner Construction Company, and authorizing future change orders of up to ten percent (10%) of the authorized amount. **1R Emergency Item Read twice Item passes 7-0 Ord. No. 19779**

Councilmember Perkins moved this as an emergency ordinance as contractor pricing is set to expire on February 4, 2026.

We did receive revenue bonds to fund this project; however, since this is the first item like this, the money has not yet been appropriated.

First reading was done by the City Clerk.

AYES (7): Mayor Rowland, Councilmember Fears, Councilmember Stewart, Councilmember

McCandless, Councilmember Vaught, Councilmember Perkins, Councilmember Wiley

NAYS (0): None

ABSENT (0):

Motion to make this an emergency item passes 7-0

The second reading was done by the City Clerk.

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

INFORMATION ONLY

1. Municipal Court Report for December 2025
2. Noland South Shopping Center CID Annual Report
3. Susquehanna East Shopping Center CID Annual Report
4. Marketplace Shopping Center CID Annual Report
5. Fairmount CID Annual Report
6. Noland Road CID Annual Report
7. Englewood CID Annual Report
8. **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

CM Fears discussed Nebius and the communications he has received from citizens in the past week. He is working to get additional information out to the community about the data center.

Once common concern is the noise. Assistant City Manager Charlie Dissell looked into this for the Councilmember and found that the 85 decibel figure is an estimate. Nebius believes the level will be lower than that. The highest level would be at the property line. Article 10, Chapter 7 regulates the sound emission based on what is heard by the nearest residential or land use. Our code requires that between 8 p.m. and 10 p.m., the maximum would be 60 decibels; between 10 p.m. and 8 a.m., it would be 50 decibels, and in commercial settings, it would be 62 decibels at all times. This falls under the Department of Health and must be measured with a

sound level meter per the manufacturer's instructions.

CM Stewart asked City Counselor Jeremy Cover about the gaming device issue and what the status is. Mr. Cover stated that there is pending litigation regarding these gaming devices, therefore, it has been put on hold. CM Stewart asked him to get a status on this so the issue can be revisited.

Councilmember Stewart asked if Nebius would be having more forums. Interim City Manager Lisa Reynolds said they are working on scheduling more forums. The Chapter 100 first reading will occur on second meeting in February and the second reading will occur on the first meeting in March. CM Stewart said he would like to see citizens be able to have a microphone to ask questions. Ms. Reynolds reminded CM Stewart that Nebius staff would have to travel overseas for this so local representatives would likely be the ones to attend.

CM Vaught gave an update on Wally's. There will be a groundbreaking event in early April with an estimated 14-16 month build with a targeted opening date of summer 2027. The only remaining hurdle is completing a few right-of-way acquisitions. Otherwise, the project is moving forward and on track.

CM Wiley said she has also been having conversations with constituents about the data center.

One of the questions she got was what happens if the data center stops operating. There is a decommissioning requirements are built into the Chapter 100 lease agreements. If operations cease for more than a year, the data center must remove data-specific infrastructure, such as cooling systems, and restore the area to a greenfield condition. If they fail to do so, the City has the authority to complete the decommissioning itself or hire a company to do so at the data center's expense. The Chapter 100 lease requires Nebius to comply with all federal, state, and local laws and standards, and any future environmental laws.

CM McCandless gave examples of the decibel level of a sound. Seventy decibels is the sound of your dishwasher or the sound of a shower. Fifty decibels is the background sound of your refrigerator. Thirty decibels is a whisper. This information came from the Purdue Department of Engineering. Eighty-five decibels is the sound of your kitchen blender or the sound of a busy street. She appreciates the good questions she is getting from constituents.

She gave an update on the search for a new City Manager. The pool has been narrowed to seven candidates. Preliminary interviews will occur next Monday with all of the Council present. She also asked for staff to research the questions Ms. Hake had during her citizen request.

ADJOURNMENT

Meeting adjourned at 6:58 p.m.

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

ATTEST:

City Clerk