

REGULAR MEETING  
January 22, 2019

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The Independence City Council met for a Regular Meeting, January 22, 2019, at 6:03 p.m., in the Council Chambers, 111 E. Maple.

Elizabeth Strobel, Pastor of Trinity Presbyterian Church, provided the invocation followed by the Pledge of Allegiance.

Mayor Eileen Weir, Presiding Officer of the City Council, called the meeting to order. Upon roll call, the following members of the City Council were present: Mike Huff, John Perkins, Karen DeLuccie, Scott Roberson, Tom Van Camp and Eileen Weir. Absent: Curt Dougherty.

CITIZEN REQUESTS:

Crystal Henley requested to speak to Council regarding the homeless population. Ms. Henley did not come forward to speak.

PRESENTATION RESOLUTIONS:

Councilmembers DeLuccie and Roberson moved to approve Bill No.19-702.

Bill No. 19-702, entitled, [Res. #6401]

“A RESOLUTION RECOGNIZING MERRIE JETER, METER RECORDS CLERK, IN THE POWER AND LIGHT DEPARTMENT, AS THE EMPLOYEE OF THE MONTH FOR JANUARY, 2019.”

Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, DeLuccie, Roberson, Van Camp and Mayor Weir. Noes – None. Absent – Councilmember Dougherty. The Mayor declared the bill passed.

Mayor Weir presented Ms. Jeter with her certificate and thanked her for her service.

City Manager Zach Walker introduced the new Power and Light Manager Brenda Hampton.

Councilmember DeLuccie requested that Bill No. 19-703 be pulled for separate consideration.

Councilmembers Van Camp and Roberson moved to approve the AMENDED CONSENT AGENDA, minus Bill No. 19-7

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

1. Council action is recommended to enter into a contract with Ed M. Feld Equipment Co., Inc (Feld Equipment) for Self-Contained Breathing Apparatus (SCBA) for one year with two possible one-year extensions.
2. Council action is requested to issue a contract to Genesis Environmental Solutions, in the amount of \$170,092.00 for the replacement of the Protective Coating System for Water Filter No. 9 at the Courtney Bend Water Plant for the Water Department.
3. Approval is recommended to amend the Schedule of Fees for the City of Independence effective January 23, 2019.
4. Council action is requested to issue a purchase order to Electric Power Systems International for substation M transformer testing and repair, in the amount of \$77,450, for the Power & Light Department.

Bill No. 19-704, entitled, [Res. #6403]

“A RESOLUTION AFFIRMING THE APPOINTMENT OF DIANE KYSER TO THE INDEPENDENCE PARK COMMISSION FOR THE CITY OF INDEPENDENCE, MISSOURI.” *[Requested by Councilmember Dougherty]*

Upon roll call, the vote to approve the AMENDED CONSENT AGENDA was: Ayes – Councilmembers: Huff, Perkins, DeLuccie, Roberson, Van Camp and Mayor Weir. Noes – None. Absent

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– Councilmember Dougherty. The Mayor declared the motion carried and the AMENDED CONSENT AGENDA, was approved, minus Bill No. 19-703.

In response to Councilmember DeLuccie, Assistant City Manager Adam Norris stated that the main goal of the amendment is to remove city staff from the committee and have them serve as a support role. Mayor Weir stated that maybe the notice process needs to be reviewed for all public meetings. In response to Mayor Weir, Mr. Walker confirmed that the purpose of this committee is to carry out the recommendations of the Downtown Redevelopment Coordinating Committee. In response to Councilmember DeLuccie, Mr. Walker stated he would need to see if the meeting can be televised.

Councilmembers DeLuccie and Huff moved to approve Bill No. 19-703.

Bill No. 19-703, entitled, [Res. #6402]

“A RESOLUTION AMENDING SECTIONS 2, 3, AND 4 OF RESOLUTION NO. 6383 WHICH ESTABLISHED INDEPENDENCE ON A ROLL WORKING GROUP COMMITTEE; AMENDING COMMITTEE MEMBERSHIP, MEETING SCHEDULE, AND CLARIFY THE ROLE OF CITY STAFF.”

Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, DeLuccie, Roberson, Van Camp and Mayor Weir. Noes – None. Absent – Councilmember Dougherty. The Mayor declared the bill passed.

#### PUBLIC HEARINGS:

Mayor Weir opened a new information only public hearing for the application by Eastgate Business Park, LLC requesting a rezoning from districts R-6, Single-Family Residential, C-1, Neighborhood Commercial, and O-1, Office-Residential, to B-P, Business Park, for the properties located at 2800 S. Little Blue Parkway and 20226 E. R D Mize Road. Community Development Director Tom Scannell stated that there was no new information to report. In response to Mayor Weir, Mr. Scannell stated that there has not been a development plan submitted or a traffic study completed. In response to Councilmember Perkins, Mr. Scannell stated that once zoned Business Park then anything that falls under the Business Park section in the UDO could occupy the space. In response to Councilmember Roberson, Mr. Scannell confirmed that the land would need to be rezoned for any major business. There being no speakers the Mayor closed the public hearing. *New Information Only.*

Bill No. 19-001, entitled

“AN ORDINANCE AMENDING THE ZONING DISTRICT MAP AS TO TWO TRACTS OF GROUND LOCATED AT 20226 E. RD MIZE ROAD AND 2800 S. LITTLE BLUE PARKWAY FROM DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL), O-1 (OFFICE-RESIDENTIAL) AND C-1 (NEIGHBORHOOD COMMERCIAL) TO B-P (BUSINESS PARK) IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.”

was given its second reading by title and placed on final passage. In response to Councilmember DeLuccie, Mr. Scannell stated that they are currently working with the applicant to get a development agreement. Mr. Walker stated that the city is wanting to attract better jobs and industrial and business park projects will bring those jobs. Mayor Weir stated that she is supportive of the opportunity. She stated that she is concerned about the rezoning, and not know what will be going there. She stated she also thinks there needs to be a traffic study completed.

Mayor Weir and Councilmember Huff moved to postpone Bill No. 19-001 until there is a development agreement. In response to Councilmember Roberson, Mr. Walker provided some background information regarding the area and past conversations regarding the development of the area. In response to Councilmember Roberson, Mr. Scannell stated that if someone wanted to develop the land as single family you would have to going through the planning process. Mayor Weir stated that she is very reluctant to approve the rezoning if there is no information on what will be there once it is rezoned. Councilmember Van Camp stated that he is in support of postponing the item. Councilmember DeLuccie stated that she believes that it is too early to do a traffic study since they do not know what is going to be

there. Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, DeLuccie, Van Camp and Mayor Weir. Noes – Councilmember Roberson. Absent – Councilmember Dougherty. The Mayor declared the motion approved.

Mayor Weir opened a new information only public hearing for the application by Capital Growth Buchalter, Inc. requesting a rezoning from I-1, Industrial, to C-1, Neighborhood Commercial, for the properties located at 909 and 911 S. Crysler Avenue. Community Development Director Tom Scannell stated that there was no new information to report. There being no speakers the Mayor closed the public hearing. *New Information Only.*

Bill No. 19-002, entitled, [Ord. #18982]  
“AN ORDINANCE AMENDING THE ZONING DISTRICT MAP AT 909 AND 911 S. CRYSLER AVENUE FROM DISTRICT I-1 (INDUSTRIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL) IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.”  
was given its second reading by title and placed on final passage. Councilmember Perkins stated that he has heard no negative feedback, and this seems to be a good project. Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, DeLuccie, Roberson, Van Camp and Mayor Weir. Noes – None. Absent – Councilmember Dougherty. The Mayor declared the bill passed.

Mayor Weir opened a new information only public hearing for the application by Licata Properties requesting a rezoning from O-1, Office-Residential, to C-2, General Commercial, for the property located at 17301 E. 32nd Street S. Community Development Director Tom Scannell stated that there was no new information to report. There being no speakers the Mayor closed the public hearing. *New Information Only.*

Bill No. 19-003, entitled, [Ord. #18983]  
“AN ORDINANCE AMENDING THE ZONING DISTRICT MAP FOR 17301 E. 32ND STREET FROM DISTRICT O-1 (OFFICE RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL) IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.”  
WAS GIVEN ITS FIRST READING.  
was given its second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, DeLuccie, Roberson, Van Camp and Mayor Weir. Noes – None. Absent – Councilmember Dougherty. The Mayor declared the bill passed.

Mayor Weir opened a new information only public hearing for the application by Dan Jensen requesting a Preliminary Development Plan (PUD) for Cargo Largo located at 3232 S. Noland Road Community Development Director Tom Scannell stated that there was no new information to report. There being no speakers the Mayor closed the public hearing. *New Information Only.*

Bill No. 19-004, entitled, [Ord. #18984]  
“AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR CARGO LARGO LOCATED AT 3232 S. NOLAND ROAD.”  
was given its second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, DeLuccie, Roberson, Van Camp and Mayor Weir. Noes – None. Absent – Councilmember Dougherty. The Mayor declared the bill passed.

ORDINANCES:

Bill No. 19-005, entitled, [Ord. #18985]  
“AN ORDINANCE VACATING A PORTION OF ONE (1) WATER LINE EASEMENT SOUTH OF 32ND STREET AND WEST OF M-291 ON THE STAR FUEL (FORMERLY KING KONG SUBDIVISION) PROPERTY LYING IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 49, RANGE 31W, INDEPENDENCE, JACKSON COUNTY, MISSOURI.”

was given its second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, DeLuccie, Roberson, Van Camp and Mayor Weir. Noes – None. Absent – Councilmember Dougherty. The Mayor declared the bill passed.

FIRST READINGS:

Bill No. 19-006, entitled

“AN ORDINANCE AMENDING THE ZONING DISTRICT MAP AS TO A TRACT OF GROUND LOCATED AT 16200 E. US 24 HIGHWAY FROM DISTRICT C-2 (GENERAL COMMERCIAL) TO DISTRICT C-3 (SERVICE COMMERCIAL) IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.”

was given its first reading by title.

Bill No. 19-007, entitled

“AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE A VEHICLE RENTAL BUSINESS AT 3701 S. NOLAND ROAD IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.”

was given its first reading by title.

Bill No. 19-008, entitled

“AN ORDINANCE AUTHORIZING A CONTRACT WITH BLUE NILE CONTRACTORS, INC., IN THE AMOUNT OF \$483,293.00; FOR THE INSTALLATION OF PIPE AND WATER MAIN ON QUEEN RIDGE AND ELLISON WAY SOUTH OF 23RD STREET; AND AUTHORIZING FUTURE MINOR CHANGE ORDERS NOT TO EXCEED \$48,329.00 AND/OR TIME EXTENSIONS.”

was given its first reading by title.

Bill No. 19-009, entitled

“AN ORDINANCE AUTHORIZING FINAL DISPOSITION OF CERTAIN CITY RECORDS THAT HAVE MET ALL REQUIREMENTS TO BE ELIGIBLE FOR SUCH DISPOSITION.”

was given its first reading by title.

Bill No. 19-010, entitled

“AN ORDINANCE FINDING, DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING FEE SIMPLE TITLE FOR THE 10520 US HWY 40 DRAINAGE IMPROVEMENT PROJECT. 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.”

was given its first reading by title.

Bill No. 19-011, entitled

“AN ORDINANCE FINDING, DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING GENERAL UTILITY EASEMENTS, AND TEMPORARY CONSTRUCTION AND GRADING EASEMENTS FOR THE BLUE LAWN STORMWATER IMPROVEMENTS PROJECT (NO. 70131603); 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.”

was given its first reading by title.

Bill No. 19-012, entitled

“AN ORDINANCE FINDING, DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING GENERAL UTILITY EASEMENTS, AND TEMPORARY CONSTRUCTION AND GRADING EASEMENTS FOR THE CRESCENT MEADOWS STORMWATER IMPROVEMENTS PROJECT (NO. 70131701); 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.”

was given its first reading by title.

INFORMATION ONLY:

1. The Law Department is providing the following notification to the City Council of the claims paid and received during December, 2018.
2. Municipal Court Monthly Case summary Report for December 2018.

COUNCILMEMBER COMMENTS:

Councilmember Roberson stated that he attended the Chamber Banquet and the Martin Luther King Jr. Celebration. Councilmember Roberson requested that the City Manager have staff work on an RFP regarding the dark fiber network and development.

Councilmember DeLuccie stated that the sub-committee has not met regarding the Pioneer Spring Cabin. She stated that the sub-committee has not made any official recommendations. Mayor Weir stated that she would like to have a formal recommendation from the committee. Councilmember Perkins stated that he had spoken to Councilmembers Dougherty and DeLuccie to set a meeting date and time.

Councilmember Perkins thanked staff who are working outside to accomplish city functions.

Mayor Weir stated that she had attended the State of the State. She stated that the information from the State of the State aligns with our own Strategic Plan. She stated that she attended the Community for all Ages Awards, and provided a brief explanation of the program. She stated that the city received a silver and gold award. Mayor Weir stated that we should take pride in our programs and how they account for all ages, and thanked staff for their work.

City Manager Zach Walker stated that the next Study Session will be held at the Independence Utilities Center. He stated that it will not be broadcasted live on City 7. In response to Councilmember DeLuccie, Mr. Walker stated that the goal is to have a more conversational dialogue with the Council during presentations. He stated that on average approximately seven viewers watch the meeting on City 7. Councilmember Van Camp stated that he felt the room was too small and didn't provide a good spot for open discussion. In response to Councilmember DeLuccie, Mayor Weir stated that we should have the upcoming Study Session in the same location, but try and fix some of the issues that occurred during the first meeting, and determine then if future Study Sessions should be held there.

Mayor Weir encouraged everyone to check on cancellations due to the bad weather, and to stay safe.

At 7:05 p.m., there being no further business, the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., February 4, 2019, in the Council Chambers.

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

ATTEST:

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City Clerk