

The Independence City Council met for a Regular Meeting, March 18, 2019, at 6:00 p.m., in the Council Chambers, 111 E. Maple.

Rachel Williams Glenn, Pastor, St Paul African Methodist Episcopalian 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, Curt Dougherty, Karen DeLuccie, Scott Roberson, Tom Van Camp and Eileen Weir.

CITIZEN REQUESTS:

Grant Watkins Davis spoke to Council regarding the proposed location for the new City Justice Center. Mr. Watkins Davis provided information on why he believes the Justice Center should be located in an easily accessible part of town.

J. Lowell Kroft spoke to Council regarding AMI. Mr. Kroft stated that he recommended that the Council approve AMI and award the contract to Core and Main.

Mark Velder spoke to Council regarding flags on the city flag poles. He stated that if Council approved to fly certain organizational flags, then all organizational flags should be flown on city flag poles.

Ken Love spoke to Council regarding Rental Ready. Mr. Love thanked the Rental Ready program for getting some property owners compliant. He stated that he hopes that the processes get updated, so staff is not spending countless hours contacting people who are not compliant.

Lucy Young spoke to Council regarding AMI. Ms. Young provided information from other communities that have adopted AMI. She stated that more information needs to be provided regarding the actual cost savings.

Erin Talcott spoke to Council regarding AMI. Ms. Talcott stated that the AMI system will increase utility bills, and the residents cannot afford higher bills. She stated that she had concerns regarding the opt-out since a formal opt-out has not been created.

Mary Chance spoke to Council regarding AMI. Ms. Chance stated from her seat that she agreed with the comments made by the previous speakers regarding AMI.

Denise Wiss spoke to Council regarding AMI and radiation risks. Ms. Wiss stated that she is concerned about radiation and the potential risk to children. She encouraged the Council to vote no on the item.

Councilmember Van Camp requested that Bill No. 19-712 be pulled for separate consideration.

Councilmember Dougherty requested that Bill No. 19-714 be pulled for separate consideration

Councilmember Perkins requested that Bill No. 19-720 be pulled for separate consideration.

Councilmember DeLuccie requested that Item No. 3, Bill No. 19-715 and Bill No. 19-716 be pulled for separate consideration

Councilmembers Van Camp and DeLuccie moved to approve the AMENDED CONSENT AGENDA, minus Bill No. 19-712, Bill No. 19-714, Bill No. 19-720, Bill No. 19-715, Bill No. 19-716 and item No. 3.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER:

1. Council action is requested to authorize the City Manager to approve Change Order #1 for the Noland Road Culvert Improvements Project (No. 70131801) with Rodriguez Mechanical for an amount not to exceed \$85,563.00.

2. Council action is requested to authorize the City Manager to approve a construction contract with VF Anderson Builders for an amount not to exceed \$917,813.00, authorizing future minor change orders for an amount not to exceed \$91,781.00 and/or time extensions, for the Rock Creek Neighborhood Storm Drainage Projects (No. 70131501).

Bill No. 19-717, entitled, [Res. #6414]

“A RESOLUTION APPOINTING MICHELLE DEMOSS TO THE TOURISM COMMISSION OF THE CITY OF INDEPENDENCE, MISSOURI.”

Bill No. 19-718, entitled, [Res. #6415]

“A RESOLUTION AFFIRMING THE APPOINTMENT OF CHRISTOPHER HARRIS TO THE PUBLIC SAFETY SALES TAX OVERSIGHT COMMITTEE FOR THE CITY OF INDEPENDENCE, MISSOURI.” *[Requested by Councilmember Perkins.]*

Bill No. 19-719, entitled, [Res. #6416]

“A RESOLUTION CREATING THE BRAND INDEPENDENCE COMMITTEE.”

Upon roll call, the vote to approve the AMENDED CONSENT AGENDA was: Ayes – Councilmembers: Huff, Perkins, Dougherty, DeLuccie, Roberson, Van Camp and Mayor Weir. Noes – None. Absent – None. The Mayor declared the motion carried and the AMENDED CONSENT AGENDA, was approved, minus Bill No. 19-712, Bill No. 19-714, Bill No. 19-720, Bill No. 19-715, Bill No. 19-716 and item No. 3.

Councilmembers Van Camp and Roberson moved to indefinitely postpone Bill No. 19-712. Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, Dougherty, DeLuccie, Roberson, Van Camp and Mayor Weir. Noes – None. Absent –None. The Mayor declared the motion approved.

Bill No. 19-712, entitled

“A RESOLUTION ADVISING THE JACKSON COUNTY LEGISLATURE THAT THE INDEPENDENCE CITY COUNCIL DOES NOT SUPPORT THE REZONING OF THE FORMER JOHN K. STARK SCHOOL ALLOWING A FEDERAL HALFWAY HOUSE TO BE LOCATED AT THAT SITE.” *[Requested by Councilmember Van Camp.] [Postponed from March 4, 2019 Council Meeting.]*

Councilmember Dougherty stated that the flags should be kept as they currently are. He stated that this was discussed last summer, and doesn’t need to be revisited again.

Councilmembers Dougherty and Van Camp moved to approve Bill No. 19-714.

BILL No. 19-714, entitled

“A RESOLUTION AMENDING RESOLUTION NO. 6347 BY ADDING ADDITIONAL FLAGS TO BE DISPLAYED AT CITY HALL AND OTHER MUNICIPAL FACILITIES.” *[Requested by Mayor Weir.]*

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

Councilmembers Perkins and DeLuccie moved to postpone Bill No. 19-720 until the April 1, 2019 Council Meeting. Councilmember Perkins stated that he needed a better copy of the map, so he could see which streets were being referenced. In response to Councilmember Perkins, City Manager

Zach Walker stated that Kentucky Bridge was no longer deemed safe, so it was closed. He stated that this appears to be a Kansas City, Missouri structure and they are working with Kansas City at this time. In response to Mayor Weir, Mr. Walker stated that it has been found that the earlier we get a contractor the more competitive pricing that is available, and the project would be completed in October. Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, Dougherty, DeLuccie, Roberson, Van Camp and Mayor Weir. Noes – None. Absent –None. The Mayor declared the motion approved.

Bill No. 19-720, entitled

“A RESOLUTION APPROVING THE 2019 ASPHALT OVERLAY LOCATIONS AND DIRECTING STAFF TO ISSUE THE INVITATION TO BID FOR THE PROJECT.”

In response to Councilmember DeLuccie, Finance and Administration Director Bryan Kidney provided information regarding our current vendor and the increase in premiums, and how the new vendor will allow us to keep the same premiums. In response to Councilmember Van Camp, Mr. Kidney stated that the savings is in the fact that we will not have a premium increase, which is approximately \$50,000.00 a month.

Councilmembers DeLuccie and Roberson moved to approve Item No. 3.

3. Approval is recommended to transfer the City’s Liability Insurance Program to States Self-Insurers Retention Group, Inc. submitted through Lockton Companies, effective April 1, 2019, with an estimated annual premium of \$598,704.00. Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, Dougherty, DeLuccie, Roberson, Van Camp and Mayor Weir. Noes – None. Absent –None. The Mayor declared the item approved.

In response to Councilmember DeLuccie, Mr. Walker stated that staff is trying to align positions within the pay plan with anticipation for the upcoming budget. Councilmember DeLuccie stated that she is not in support of this item.

Councilmembers DeLuccie and Roberson moved to approve Bill No. 19-715.

Bill No. 19-715, entitled, [Res. #6412]

“A RESOLUTION AMENDING THE PAY PLAN FOR NON-REPRESENTED CITY EMPLOYEES AS ENUMERATED HEREIN ON AND AFTER THE 18TH DAY OF MARCH 2019; ADDING SAFETY AND TRAINING SPECIALIST I (LEVEL 10); ADDING SAFETY AND TRAINING SPECIALIST II (LEVEL 12); RECLASSIFYING SAFETY AND TRAINING SPECIALIST TO SAFETY AND TRAINING SPECIALIST III; RECLASSIFYING ENVIRONMENTAL PROGRAM SPECIALIST I TO ENVIRONMENTAL HEALTH & SAFETY SPECIALIST I; RECLASSIFYING ENVIRONMENTAL PROGRAM SPECIALIST II TO ENVIRONMENTAL HEALTH & SAFETY SPECIALIST II; RECLASSIFYING ENVIRONMENTAL PROGRAM SPECIALIST III TO ENVIRONMENTAL HEALTH & SAFETY SPECIALIST III; RECLASSIFYING ACCOUNTING SUPERVISOR FROM LEVEL 11 TO LEVEL 12; REMOVING DEPUTY DIRECTOR-FINANCE & ADMINISTRATION (LEVEL 15) POSITION; RECLASSIFYING EMERGENCY PREPAREDNESS PLANNER TO ASSISTANT EMERGENCY PREPAREDNESS MANAGER.”

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

In response to Councilmember DeLuccie, Mr. Walker stated that the travel policy for Council was worked on through the Audit and Finance Committee and the Management Analyst. He stated that this item will align the Council with the city staff travel policy. He stated that funds will be budgeted each fiscal year for council travel. Mr. Walker stated that the update to this policy will allow for more transparency. Councilmember DeLuccie stated that reports will be provided to Council as a whole regarding the information obtained during travel.

Councilmembers DeLuccie and Roberson moved to approve Bill No. 19-716.

Bill No. 19-716, entitled, [Res. #6413]

“A RESOLUTION AMENDING THE ADMINISTRATIVE TRAVEL POLICY TO INCLUDE PROVISIONS RELATED TO THE REVIEW AND NOTIFICATION OF OVERNIGHT TRAVEL FOR THE MAYOR AND CITY COUNCIL.”

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

Mayor Weir called for a five minute recess.

PUBLIC HEARINGS:

Mayor Weir opened a new information only public hearing for the application by Chao Vang requesting a rezoning from O-1, Office-Residential, to R-6, Single-Family Residential, for the property located at 2116 S. Sterling Avenue. Community Development Director Tom Scannell stated that there was no new information to report. There being no speakers the Mayor declared the public hearing closed. *New Information Only.*

Bill No. 19-018, entitled, [Ord. #18998]

“AN ORDINANCE AMENDING THE ZONING DISTRICT MAP AS TO A TRACT OF GROUND LOCATED AT 2116 S. STERLING AVENUE FROM DISTRICT O-1 (OFFICE-RESIDENTIAL) TO DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) IN 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, Dougherty, DeLuccie, Roberson, Van Camp and Mayor Weir. Noes – None. Absent –None. The Mayor declared the bill passed.

Mayor Weir opened a new information only public hearing for the application by Lynette Woods requesting a rezoning from R-12, Two-Family Residential, to R-18/PUD, Moderate Density Residential/Planned Unit Development, for the properties located at 1917 and 1919 S. Scott Avenue. . Community Development Director Tom Scannell stated that there was no new information to report. There being no speakers the Mayor declared the public hearing closed. *New Information Only.*

Bill No. 19-019, entitled, [Ord. #18999]

“AN ORDINANCE AMENDING THE ZONING DISTRICT MAP AS TO A TRACT OF GROUND LOCATED AT 1917 AND 1919 S. SCOTT AVENUE FROM DISTRICT R-12 (TWO-FAMILY RESIDENTIAL) TO DISTRICT R-18/PUD (MODERATE DENSITY RESIDENTIAL/PLANNED UNIT DEVELOPMENT) AND APPROVE A PRELIMINARY DEVELOPMENT PLAN, IN 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, Dougherty, Van Camp and Mayor Weir. Noes – Councilmembers: DeLuccie and Roberson. Absent –None. The Mayor declared the bill passed.

NON-ORDINANCE ACTION ITEMS:

1. Council action is requested to authorize the City Manager to enter into a contract with Honeywell for the purchase and installation of Advanced Metering Infrastructure (AMI) for the Water, Water Pollution Control, and Power & Light Departments. In response to Councilmember Roberson, Mr. Walker stated that staff would be looking for direction from the Council to include an opt-out. Councilmember Roberson stated that he was concerned that there was no a final contract for Honeywell, for the Council to see what they were approving. In response to Councilmember Roberson, Assistant City Manager Mark Randall stated that the amount includes the cost for installation. He stated the savings is different per vendor. In response to Councilmember Roberson, City Counselor Shannon Marcano stated that staff is looking for direction from the Council to get one of the agreements wrapped up. Councilmember Roberson provided information regarding the different aspects of mesh and point to point.

In response to Councilmember Huff, Mr. Walker stated that there would be 11 IPL positions in flux with the implementation of AMI. He also stated that the 15% contingency is so we can move forward with a vendor and get the issue of AMI decided. Councilmember Huff stated that he is looking for rate reduction in the city, but this system seems as if the rates will be increased. In response to Councilmember Huff, Mr. Randall stated that there are different elements to the initial costs, but ultimately it is possible to include a rate reduction if AMI were implemented. Councilmember Huff stated that he is opposed to both items. He stated that he is in support of rate reduction. Councilmember Van Camp stated that he is opposed to AMI, and there are bigger issues that need to be addressed such as Blue Valley.

In response to Councilmember Perkins, Mr. Walker stated that staff will use the technology that we currently have to the best of their abilities, and will work on cycling out equipment that needs to be cycled out. He stated that there would be ongoing maintenance with the new equipment and there will be warranty information included in the contract. Ms. Marcano stated that staff is still working on the information to ensure the Council is getting what they are expecting. Councilmember Perkins stated that he does not think there should be a formal vote if all the details are not available. Mr. Walker stated that at this point the Council needs to make a decision on whether they are moving forward with AMI so staff knows where they need to direct their time.

In response to Mayor Weir, Mr. Walker stated that as the details are being filled in staff can come back to Council with this information. Councilmember Van Camp stated that there needs to be an opt-out. Mr. Walker stated that the Council would be approving working with a vendor if an item is approved. In response to Councilmember Huff, Mr. Walker stated that these systems would be compatible with the new billing system. In response to Councilmember Perkins, Mr. Walker stated that there would be continuous communication with the community to advise why bills would potentially increase due to better accuracy of usage. He stated that this process should come with less issues than the implementation of the utility billing system. Councilmember Van Camp stated that he did not think the time was right.

Mayor Weir and Councilmember Perkins moved to ensure that there will be an opt-out option with any negotiation for AMI. Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, Dougherty, DeLuccie, Roberson, Van Camp and Mayor Weir. Noes – None. Absent –None. The Mayor declared the motion approved.

Mayor Weir called for a roll call to approve Item No. 1. Upon roll call, the vote was: Ayes – Councilmember Dougherty and Mayor Weir. Noes – Councilmembers: Huff, Perkins, DeLuccie, Roberson and Van Camp. Absent –None. The Mayor declared the item failed.

In response to Councilmember Roberson, Mayor Weir confirmed that the opt-out would be for this vendor as well. Councilmember Roberson stated that the old existing meters can be inaccurate and if the AMI measure does not pass something needs to be put in place in order to replace the older meters. Councilmember Roberson stated that that the big savings is not the elimination of the meter reader positions, but other factors such as shutting off and turning on utilities and people using resources that they are not actually paying for. In response to Councilmember Perkins, Mr. Walker stated that it is not possible to determine what will be compatible in 15 years, but we know the impact that this system would have today which is why it is being recommended by staff. Councilmember Huff stated that there are replacement plans in place for the existing meters, and he is not certain how a new meter would eliminate people from stealing utilities. Councilmember Van Camp stated that more people will need to be hired to run the computers for the new meters, and AMI does not seem like the right thing to do.

Mayor Weir called for a roll call to approve Item No. 2. Upon roll call, the vote was: Ayes – Councilmember Roberson and Mayor Weir. Noes – Councilmembers: Huff, Perkins, Dougherty, DeLuccie, and Van Camp. Absent –None. The Mayor declared the item failed.

2. Council action is requested to authorize the City Manager to enter into a contract with Core & Main for Advanced Metering Infrastructure (AMI) for the Water, Water Pollution Control, and Power & Light Departments.

ORDINANCES:

Bill No. 19-013, entitled, [Ord. #18997]

“AN ORDINANCE AMENDING CITY OF INDEPENDENCE POWER & LIGHT DEPARTMENT SCHEDULES OF ELECTRIC RATES TO INCLUDE AN ELECTRIC VEHICLE CHARGING RATE SCHEDULE (EV-1) BEGINNING MARCH 1, 2019, UNDER WHICH ELECTRIC UTILITY SERVICE SHALL BE FURNISHED TO ALL CUSTOMERS OF INDEPENDENCE POWER & LIGHT AT ITS PUBLIC CHARGING STATIONS.” *[Postponed from March 4, 2019 Council Meeting.]*

was given its second reading by title and placed on final passage. Mayor Weir stated that she supported the item, but asked the City Manager to ensure that further research is done in order to obtain a better rate. Upon roll call, the vote was: Ayes – Councilmembers: Huff, Perkins, Dougherty, DeLuccie, Roberson, Van Camp and Mayor Weir. Noes – None. Absent –None. The Mayor declared the bill passed.

Bill No. 19-020, entitled, [Ord. #19000]

“AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF INDEPENDENCE, ACTING THROUGH ITS MUNICIPAL UTILITY, INDEPENDENCE POWER AND LIGHT AND MCIMETRO ACCESS TRANSMISSION SERVICES CORP, FOR POLE ATTACHMENTS. THIS WILL HAVE NO EFFECT ON ANY TAX REVENUES OR GENERAL REVENUES.”

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

FIRST READINGS:

Bill No. 19-021, entitled

“AN ORDINANCE AUTHORIZING EXECUTION OF MUNICIPAL AND COST APPORTIONMENT SUPPLEMENTAL AGREEMENT NO. 1 WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE US 24 HIGHWAY BRIDGE REPLACEMENT PROJECT; AUTHORIZING THE CITY MANAGER TO APPROVE MINOR AMENDMENTS TO THE AGREEMENT; AND MAKING THE NECESSARY APPROPRIATIONS.”

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 February, 2019.
2. The City Clerk's Office is in receipt of the Independence Events Center Community Improvement District's Proposed Budget for Fiscal Year 2019-2020.
3. Council notification of an emergency purchase order issued to Cargill, in the amount of \$63,970.00 for a load of bulk salt for the Public Works Department.
4. Municipal Court Monthly Case Report February 2019

COUNCILMEMBER COMMENTS:

Councilmember Dougherty stated that he plans to have discussion at the next Study Session regarding temporary signs.

Councilmember Roberson thanked everyone who attended the HOA Summit this week. He thanked staff for their assistance with the summit as well as those who provided presentations.

Councilmember Van Camp stated that the Rental Ready Program has been successful.

Mayor Weir provided an update on her travel to Washington D.C. She provided information regarding a bill that Senator Blunt introduced regarding the relocation of the National Parks Service Visitor Center. She stated that this new site is in favor, and this will become a priority for this district. She stated that the other benefit is that the city will get Fire Station 1 back, and use that space for something else. She stated that she also visited with Senator Blunt regarding the Cops Program, which is a grant that can fund up to 15 police officers. She stated that the grant application process has been held up, and they are asking the senator to advocate moving that process forward. She stated that with the President's budget there are potential cuts to programs that we use, so we'll need to be looking at those cuts. She stated that there has been a lot of time and research put into AMI. She stated that there have been several studies and most show that we should move forward with AMI. Mayor Weir stated that this is something that the City needs, but the Council will continue to listen to the constituents and manage the funds and look for opportunities to manage the utilities.

At 7:56 p.m., there being no further business, the Mayor declared the meeting adjourned to a Regular Meeting at 6:00 p.m., April 1, 2019, in the Council Chambers.

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

ATTEST:

City Clerk