The Independence City Council met for a Regular Council Meeting, July 1, 2013, at 6:01 p.m., in the Council Chambers, 111 E. Maple.

Brian Nelson, Church of Jesus Christ of Latter-Day Saints, gave the invocation followed by the Pledge of Allegiance.

Mayor Don Reimal, Presiding Officer of the City Council, called the meeting to order. On roll call, the following members of the City Council were present: Councilmembers Chris Whiting, Marcie Gragg, Curt Dougherty, Jim Schultz and Myron Paris. Absent: Councilmember Weir.

Councilmembers Schultz and Gragg moved to approve the minutes of the Regular Meetings on June 3, 2013 and June 17, 2013. Upon vote, motion carried.

Mayor Reimal recognized the new Postmaster Roland Tidmore.

Councilmembers Schultz and Paris moved to read Resolution Bill No. 13-737 out of order. Upon vote, motion carried.

Bill No. 13-737, entitled [Res. #5828]
"A RESOLUTION RECOGNIZING JOHN CHAPMAN, MAINTENANCE AND UTILITY WORKER, IN THE WATER DEPARTMENT, AS THE EMPLOYEE OF THE MONTH FOR JULY, 2013."
was given its first and only reading in its entirety and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Whiting, Gragg, Dougherty, Schultz, Paris and Mayor Reimal. Noes – none. Absent – Councilmember Weir. The Mayor declared the bill passed. Mayor Reimal presented the July, 2013, Employee of the Month presentation copy to John Chapman.

Mayor Reimal opened the full public hearing on an application by Midwest BBQ Ventures Independence, LLC for a Restaurant Bar Intoxicating Liquor by Drink License and Sunday Sales License for Famous Dave's located at 17700 E. 39th Street. Budget Manager Calvin Holst stated there was no new information. The owner of Famous Dave's, David Jones, stated he was available for any questions. There being no other speakers and no questions or comments from the City Council, Mayor Reimal declared this public hearing closed.

Mayor Reimal opened the full public hearing for the proposed text amendments to Chapter 14, the Unified Development Ordinance. Case # 13-100-05. Assistant Community Development Director Tom Scannell stated this would add a new special purpose district for Drumm Farm and noted Planning Commission recommended approval. There being no speakers and no questions or comments from the City Council, Mayor Reimal declared this public hearing closed.

Mayor Reimal opened the full public hearing on an application by Drumm Farm Center for Children, Inc. requesting to rezone property at 3210 Lee's Summit Road from R-6 (Single-Family Residential) to DFD (Drumm Farm District). *New Information Only.* Case # 13-100-05. Assistant Community Development Director Tom Scannell stated there was no new information. There being no questions or comments from the City Council, Mayor Reimal declared this public hearing closed.

Councilmember Dougherty asked that Consent Agenda Item No. 3 be removed for separate consideration.

Councilmembers Schultz and Paris moved to approve the AMENDED CONSENT AGENDA, minus Bill No. 13-737 previously considered and Item No. 3 to be considered separately.

Reports and Recommendations of the City Manager:

1. Approval is recommended to enter into a price agreement (238-13) with City Wide Fire Extinguisher Service LLC for fire apparatus maintenance and repair services for the Fire Department, for the period July 2, 2013, through June 30, 2014 with renewal options. Expenditures will not exceed budgeted amounts.

2. Approval is recommended to enter into a price agreement (207-13) with Polydyne, Inc., for polymer for the Water Pollution Control Department for the period August 1, 2013, through July 31, 2014, with two, one-year renewal options. Expenditures will not exceed budgeted amount.

4. Approval is recommended to enter into a price agreement with Municipal Emergency Services for turnout gear for the period of July 2, 2013, through March 31, 2014. This is a one-year agreement with two, one-year renewal option. Expenditures will not exceed budgeted amounts.

5. Approval is requested on the application submitted by Midwest BBQ Ventures Independence, LLC for a Restaurant Bar Intoxicating Liquor by Drink License and Sunday Sales License for Famous Dave's located at 17700 E 39th Street.

Bill No. 13-738, entitled [Res. #5829]
"A RESOLUTION REAPPOINTING TRUDY BEARD AND GREG A. HUNSUCKER AND APPOINTING GREG FINKE TO THE ENHANCED ENTERPRISE ZONE BOARD IN THE CITY OF INDEPENDENCE, MISSOURI."

Bill No. 13-739, entitled [Res. #5830]
"A RESOLUTION REAPPOINTING TRUDY BEARD AND GREG A. HUNSUCKER AND APPOINTING GREG FINKE TO THE ENHANCED ENTERPRISE ZONE WEST BOARD IN THE CITY OF INDEPENDENCE, MISSOURI."

Bill No. 13-740, entitled [Res. #5831]
"A RESOLUTION APPOINTING CINDY R. MCCLAIN AND DOUGLAS C. BRENCHLEY AS MEMBERS OF THE TOURISM ADVISORY BOARD OF THE CITY OF INDEPENDENCE, MISSOURI."

Bill No. 13-741, entitled [Res. #5832]
"A RESOLUTION ESTABLISHING THE BARGAINING UNIT PAY PLAN FOR CITY EMPLOYEES AS ENUMERATED HEREIN ON AND AFTER THE 1ST DAY OF JULY, 2013."

Bill No. 13-742, entitled [Res. #5833]
"A RESOLUTION AMENDING THE PAY PLAN FOR NON-REPRESENTED CITY EMPLOYEES AS ENUMERATED HEREIN ON AND AFTER THE FIRST DAY OF JULY, 2013, TO ADD SIXTEEN POSITIONS; RECLASSIFY AND/OR RETITLE ELEVEN POSITIONS; ELIMINATE ONE POSITION; ADJUST THE PAY RANGE FOR CLASSIFIED AND UNCLASSIFIED POSITIONS BY 0% MINIMUM AND 2.5 % MAXIMUM RANGE IN THE "B" GRADES AND "F" GRADES AS NOTED, AND CHANGE THE "T" AND "U" GRADES AS NOTED."

Upon roll call, the vote to approve the AMENDED CONSENT AGENDA was: Ayes – Councilmembers: Whiting, Gragg, Dougherty, Schultz, Paris and Mayor Reimal. Noes – none. Absent – Councilmember Weir. The Mayor declared the motion carried and the AMENDED CONSENT AGENDA was approved.

Councilmembers Gragg and Dougherty moved to approve Consent Agenda Item No. 3.

3. Approval is recommended to enter into a price agreement (152-13) with Maywood Printing for CityScene newsletter printing for the period of August 1, 2013, through July 31, 2014, with two, one-year renewal options. Expenditures will not exceed budgeted amounts.

Councilmember Dougherty commented there is a need for more Police Officers and believes there is better use for the money. Upon roll call, the vote was: Ayes – Councilmembers: Whiting, Gragg, Schultz, Paris and Mayor Reimal. Noes – Councilmember Dougherty. Absent – Councilmember Weir. The Mayor declared Item No. 3 of the Consent Agenda approved.

ORDINANCES:

Bill No. 13-068, entitled [Ord. #18126]
"AN ORDINANCE AMENDING SECTION 18.13.031 OF ARTICLE 13, "MISCELLANEOUS RULES", CHAPTER 18, OF THE CITY CODE TO MAKE THE USE OF SAFETY BELTS A PRIMARY OFFENSE AND INCREASE THE PROSCRIBED FINE."
was given its second reading by title and placed on final passage. Councilmember Paris clarified that it currently is an offense, but this would allow it to be a primary offense. Councilmember Gragg commented making seat belts a primary offense is a good move and she supports this item. Councilmember Dougherty stated the State doesn't list the seat belt offense as a primary offense and believes the City should not either. Councilmember Schultz asked for more information from the Chief of Police. Police Chief Tom Dailey commented in 2011 there were five fatalities, nine in 2012 and several were not wearing their seatbelts. He added this addresses the safety issue and noted on August 28th the State's changes are going into effect. Chief Dailey stated the City is trying to mirror what the State is adopting. Councilmember Dougherty commented he agrees it is a safety issue, but drag racing and speeding are illegal and the ordinance doesn't change driver behavior. Councilmember Gragg stated the driver isn't the only one affected by a possible violation and that the fine is enough to make her wear her seatbelt every day. Councilmember Gragg and Whiting called for the previous question. Councilmember Dougherty requested a roll call vote on the motion to end debate. Upon vote, Ayes – Councilmembers: Whiting, Gragg, Schultz and Mayor Reimal. Noes – Councilmembers Dougherty and Paris. Absent – Councilmember Weir. With at least 2/3 voting in favor of ending debate, Mayor Reimal announced the result of the vote and asked the clerk to call the roll on the ordinance. Upon roll call for Bill No. 13-068, the vote was: Ayes – Councilmembers: Whiting, Gragg, Schultz and Mayor Reimal. Noes – Councilmembers Dougherty and Paris. Absent – Councilmember Weir. The Mayor declared the bill passed.

Bill No. 13-069, entitled [Ord. #18127]
"AN ORDINANCE AUTHORIZING THE REMOVAL AND DESTRUCTION OF APPROXIMATELY 143 CUBIC FEET OF MUNICIPAL COURT RECORDS THAT HAVE MET ALL REQUIREMENTS TO BE ELIGIBLE FOR SUCH DESTRUCTION AND ARE THE SUBJECT OF CIRCUIT COURT ADMINISTRATIVE ORDER NO. 2013-186."
was given its second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Whiting, Gragg, Dougherty, Schultz, Paris and Mayor Reimal. Noes – none. Absent – Councilmember Weir. The Mayor declared the bill passed.

First Readings:

Bill No. 13-070, entitled
"AN ORDINANCE AMENDING CHAPTER 14, UNIFIED DEVELOPMENT ORDINANCE, OF THE INDEPENDENCE CITY CODE. CASE # 13-175-02."
was given its first reading by title.

Bill No. 13-071, entitled
"AN ORDINANCE APPROVING A ZONING MAP AMENDMENT CHANGING THE ZONING CLASSIFICATION FOR THE PROPERTY LOCATED AT 3210 S. LEE'S SUMMIT ROAD FROM DISTRICT R-6 (SINGLE-FAMILY RESIDENTIAL) TO DFD (DRUMM FARM DISTRICT). CASE#13-100-05."
was given its first reading by title. Councilmember Schultz and Paris moved to postpone 2nd reading of this ordinance to the August 5, 2013 Council meeting. Upon vote, motion passed.

Bill No. 13-072, entitled
"AN ORDINANCE ACCEPTING FUNDING FROM THE MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES TO PROVIDE FINANCIAL ASSISTANCE FOR INVESTMENT IN LOCAL PUBLIC HEALTH SERVICES (CORE FUNCTIONS) FOR THE SECOND YEAR PERIOD OF JUNE 1, 2013, THROUGH MAY 31, 2014; IN THE AMOUNT OF $130,430.00; AUTHORIZING FUTURE CHANGE ORDERS FOR ADDITIONAL FUNDING AND/OR TIME EXTENSIONS FOR THE SAME PROJECT; AND AUTHORIZING CERTAIN FUTURE APPROPRIATIONS."
was given its first reading by title.

Bill No. 13-073, entitled
"AN ORDINANCE AUTHORIZING APPLICATION TO CIGNA, FOR PHARMACY BENEFITS MANAGEMENT SERVICES FOR THE STAY WELL HEALTH CARE PLANS FOR THE PERIOD BEGINNING JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 WITH PROVISIONS FOR FOUR ANNUAL RENEWALS."
was given its first reading by title.

Bill No. 13-074, entitled
"AN ORDINANCE FINDING, DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING GENERAL UTILITY EASEMENTS FOR THE SUBSTATION F TRANSMISSION LINE IMPROVEMENTS FOR INDEPENDENCE POWER & LIGHT, PROJECT NO. 70211004-5406-1718; 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 AND OTHERS HOLDING PROPERTY RIGHTS, IN CONJUNCTION WITH THE PROJECT."
was given its first reading by title.

Bill No. 13-075, entitled
"AN ORDINANCE AUTHORIZING CHANGE ORDER NUMBER 4 TO THE CONTRACT WITH HOLTHOUSE CONSTRUCTION FOR THE 24 HIGHWAY AND 291 HIGHWAY SEWER IMPROVEMENT PROJECT FOR AN INCREASE OF $186,033.00."
was given its first reading by title.

Bill No. 13-076, entitled
"AN ORDINANCE TO CORRECT THE LEGAL DESCRIPTION OF THE REDEVELOPMENT AREA FOR THE I-70 AND LITTLE BLUE PARKWAY TAX INCREMENT FINANCING PLAN."
was given its first reading by title.

Bill No. 13-077, entitled
"AN ORDINANCE TO CORRECT THE LEGAL DESCRIPTION OF THE REDEVELOPMENT AREA FOR THE NOLAND ROAD AND 23RD STREET TAX INCREMENT FINANCING PLAN."
was given its first reading by title.

Bill No. 13-078, entitled
"AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE SOUTHWEST POWER POOL, INC. RELATED TO THE IMPLEMENTATION OF THE SOUTHWEST POWER POOL BALANCING AUTHORITY."
was given its first reading by title.

Bill No. 13-513, entitled [Ord. #18128]
"AN EMERGENCY ORDINANCE AUTHORIZING AN AGREEMENT WITH THE FRATERNAL ORDER OF POLICE, LODGE NO. 1 BARGAINING UNIT, FOR THE TERM OF JULY 1, 2013, THROUGH JUNE 30, 2014."
was given its first and second readings by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Whiting, Gragg, Dougherty, Schultz, Paris, Weir and Mayor Reimal. Noes – none. Absent – none. The Mayor declared the bill passed.

INFORMATION ONLY:

1. The City Clerk has received notification that the City Manager has accepted a grant from the State Emergency Management Agency in the amount of $2,325.00, for the Fire Department, for the period of January 1, 2012 to August 31, 2013. These funds will be used for equipment purchases.

2. The City Clerk has received notification that the City Manager has accepted a grant from the State of Missouri Division of Tourism (Leisure Marketing Coop Marketing Grant) in the amount of $49,928.90, for the Tourism Department, for the period of July 1, 2013 to June 30, 2014. These funds will be used to expand marketing opportunities to amateur sporting events through a variety of media outlets.

3. The City Clerk has received notification that the City Manager has accepted a grant from the State of Missouri Division of Tourism (Convention Marketing Coop Marketing Grant) in the amount of $24,875.00, for the Tourism Department, for the

period of July 1, 2013 to June 30, 2014. These funds will be used to expand marketing opportunities to amateur sporting events through a variety of media outlets.

4. The City Clerk has received notification that the City Manager has accepted a grant from the State of Missouri Division of Tourism (Amateur Sports Coop Marketing Grant) in the amount of $17,940.00, for the Tourism Department, for the period of July 1, 2013 to June 30, 2014. These funds will be used to expand marketing opportunities to amateur sporting events through a variety of media outlets.

5. The City Clerk has received notification that the City Manager has accepted a grant from the State of Missouri Division of Tourism (Tourism Research Coop Marketing Grant) in the amount of $5,000.00, for the Tourism Department, for the period of July 1, 2013 to June 30, 2014. These funds will be used to test the conversion rate of the marketing and advertising efforts of the Tourism Department.

COUNCILMEMBER COMMENTS:

Councilmember Schultz commented there is a free 4th of July concert at 6:00 p.m. and a fireworks display afterwards at the Community of Christ Auditorium.

Councilmember Dougherty suggested the increase in fines for not wearing seatbelts could help pay for the CityScene newsletter.

Mayor Reimal read from a letter he received from the Mayor of Hannibal, Missouri, thanking the Power and Light Department for its assistance after a storm. Mayor Reimal stated there was an early morning ceremony to launch switching to the new LED streetlights and added it is a great project.

At 6:37 p.m., Councilmembers Dougherty and Schultz moved to adjourn and convene in a Regular Meeting at 6:00 p.m., July 15, 2013, in the Council Chambers. Upon vote, the motion carried and the Mayor declared the meeting adjourned.

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

ATTEST:

_____
City Clerk