The Independence City Council met for a Regular Council Meeting, October 7, 2013, at 6:00 p.m., in the Council Chambers, 111 E. Maple.

Chaplain Tim Allison, Hospice Care of the Midwest, 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 Eileen Weir. Absent: none. *Due to the resignation of Councilmember Myron Paris on September 24, 2013, the Council District 3 seat on the City Council is now vacant.*

Councilmembers Schultz and Weir moved to approve the minutes of the Regular Meetings on September 3, 2013 and September 23, 2013 and the Adjourned Meeting on September 9, 2013. Upon vote, motion carried.

Councilmembers Schultz and Gragg moved to read Resolution Bill No. 13-763 out of order. Upon vote, motion carried.

Bill No. 13-763, entitled [Res. #5847]
"A RESOLUTION RECOGNIZING JEFF BARNETT, TRANSMISSION & DISTRIBUTION SUPERINTENDENT, IN THE POWER AND LIGHT DEPARTMENT, AS THE EMPLOYEE OF THE MONTH FOR OCTOBER, 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, Weir and Mayor Reimal. Noes – none. Absent – none. The Mayor declared the bill passed. Mayor Reimal presented the October, 2013, Employee of the Month presentation copy to Jeff Barnett.

City Clerk Jane Sharon read the proclamation for Fire Prevention Week, in Independence, October 6-12, 2013. Battalion Chief Doug Short accepted the proclamation from the Mayor on behalf of the Fire Department.

Councilmembers Schultz and Gragg moved to approve the CONSENT AGENDA, minus Bill No. 13-763 previously considered.

Reports and Recommendations of the City Manager:

1. Approval is recommended to issue a purchase order, in the amount of $81,320.78, to Black & McDonald for the Blue Valley Arc Flash Mitigation Installation Project for the Power & Light Department.

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

ORDINANCES:

Bill No. 13-109, entitled [Ord. #18181]
"AN ORDINANCE AUTHORIZING RENEWAL WITH THE HARTFORD FOR LIFE AND LONG-TERM DISABILITY INSURANCE FOR THE PERIOD OF JANUARY 1, 2014 THROUGH DECEMBER 31, 2014, WITH FOUR, ONE-YEAR RENEWAL OPTIONS."
was given its second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Whiting, Gragg, Dougherty, Schultz, Weir and Mayor Reimal. Noes – none. Absent – none. The Mayor declared the bill passed.

Bill No. 13-110, entitled [Ord. #18182]
"AN ORDINANCE EXTENDING THE MORATORIUM ON THE NEW CONSTRUCTION LICENSE SURCHARGE PROVIDED FOR IN CHAPTER 5, ARTICLE 18 OF THE CITY CODE FOR THE PERIOD OF NOVEMBER 1, 2013 THROUGH OCTOBER 31, 2014."
was given its second reading by title and placed on final passage. Councilmember Dougherty commented he had an issue with this last time because single family construction is just as important as commercial construction. He added the City wouldn't be losing very much money by adding residential construction. Mayor Reimal commented the License Surcharge Annual Review Committee considered adding Residential property to the moratorium, but decided against it. Councilmember Dougherty asked if the Committee considered that the City may lose some residential development to other cities. Mayor Reimal commented none of the residential builders on the committee opposed what is being brought forward and that it added $1,300 to $1,400 to each house price. Upon roll call, the vote was: Ayes – Councilmembers: Whiting, Gragg, Schultz, Weir and Mayor Reimal. Noes – Councilmember Dougherty. Absent – none. The Mayor declared the bill passed.

Bill No. 13-111, entitled [Ord. #18183]
"AN ORDINANCE VACATING A PORTION OF EASEMENT ABUTTING THE PROPERTY AT 4005 S. LITTLE BLUE PARKWAY 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: Whiting, Gragg, Dougherty, Schultz, Weir and Mayor Reimal. Noes – none. Absent – none. The Mayor declared the bill passed.

Bill No. 13-112, entitled [Ord. #18184]
"AN ORDINANCE AUTHORIZING AN AGREEMENT WITH AMERICAN HEALTHWAYS SERVICES TO PROVIDE THE SILVER SNEAKERS PROGRAM AT THE PALMER CENTER."
was given its second reading by title and placed on final passage. Councilmember Gragg asked Parks and Recreation Director Eric Urfer to speak more about this item. She stated this will fill a role that was vacated by the YMCA closing. Mr. Urfer commented American Healthways Services contacted the Parks Department about adding the program to the Palmer Center. He stated Silver Sneakers is a nationally recognized fitness program for older adults. He added it's the largest full Medicare funded program. There are three primary insurance companies that participate, allowing those senior adults to participate in the programs at no cost. Mr. Urfer added the City bills American Healthways $2.25 per participant per month. The equipment is provided by American Healthways. American Healthways will also help provide instructors. Mr. Urfer hopes these classes can start in December. Councilmember Gragg commented there may be additional parking concerns. Mr. Urfer stated the department is looking at off-site parking for staff and other Parks Department vehicles that are currently parked at the Palmer Center. Councilmember Gragg added some participants may be able to carpool. Upon roll call, the vote was: Ayes – Councilmembers: Whiting, Gragg, Dougherty, Schultz, Weir and Mayor Reimal. Noes – none. Absent – none. The Mayor declared the bill passed.

Bill No. 13-113, entitled [Ord. #18185]
"AN ORDINANCE AMENDING THE STAY WELL OPEN ACCESS HEALTH CARE PLANS 1 AND 2 DOCUMENT RELATED TO OUT-OF-POCKET MAXIMUMS; COPAYS AND COINSURANCE; IMPLEMENTING CIGNA PRESCRIPTION PLAN MANAGEMENT FEATURES; ELIMINATING THE WAITING PERIOD FOR PRE-EXISTING CONDITIONS; ENHANCING COVERAGE; AND IMPLEMENTING A TRUE OUT-OF-POCKET LIMITATION TO BE EFFECTIVE JANUARY 1, 2014."
was given its second reading by title and placed on final passage. Councilmember Weir stated the Stay Well Committee was challenged to come up with changes needed and very complex issues were discussed. Councilmember Weir thanked the Stay Well Committee members for their service and working through this process. Upon roll call, the vote was: Ayes – Councilmembers: Whiting, Gragg, Dougherty, Schultz, Weir and Mayor Reimal. Noes – none. Absent – none. The Mayor declared the bill passed.

Bill No. 13-114, entitled [Ord. #18186]
"AN ORDINANCE AUTHORIZING A CONTRACT WITH AT&T CORPORATION IN AN AMOUNT NOT-TO-EXCEED $138,053.00, FOR PLEXAR CUSTOM TELEPHONE SERVICES, BUSINESS VOICE MESSAGING SERVICES AND ASSOCIATED CIRCUITS FROM AT&T FOR A THREE-YEAR PERIOD; AND AUTHORIZING MINOR CHANGE ORDERS IN THE AMOUNT OF $13,805.00; AND/OR TIME EXTENSIONS."
was given its second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Whiting, Gragg, Dougherty, Schultz, Weir and Mayor Reimal. Noes – none. Absent – none. The Mayor declared the bill passed.

Bill No. 13-115, entitled [Ord. #18187]
"AN ORDINANCE AUTHORIZING EXECUTION OF A CONTRACT WITH SEGA INC., IN AN AMOUNT NOT TO EXCEED $227,000.00, FOR SUBSTATION DESIGN AND CONSTRUCTION MANAGEMENT SERVICES; AND AUTHORIZING FUTURE MINOR CHANGE ORDERS IN THE AMOUNT OF $22,700.00 AND/OR TIME EXTENSIONS."
was given its second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Whiting, Gragg, Dougherty, Schultz, Weir and Mayor Reimal. Noes – none. Absent – none. The Mayor declared the bill passed.

Bill No. 13-116, entitled [Ord. #18188]
"AN ORDINANCE AMENDING ORDINANCE NO. 18075, BY CORRECTING AND REVISING TWO (2) LEGAL DESCRIPTIONS RELATED TO THE SUGAR CREEK INTERCEPTOR IMPROVEMENTS – SEGMENT 10A; PROJECT NO. 70301004, IN ORDER TO ACQUIRE GENERAL UTILITY EASEMENTS AND TEMPORARY CONSTRUCTION AND GRADING EASEMENTS FOR THE PROJECT."
was given its second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Whiting, Gragg, Dougherty, Schultz, Weir and Mayor Reimal. Noes – none. Absent – none. The Mayor declared the bill passed.

Bill No. 13-117, entitled [Ord. #18189]
"AN ORDINANCE AUTHORIZING A CONTRACT WITH THE DEPARTMENT OF JUSTICE FOR A SUPPLEMENTAL AWARD TO THE 2009 GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS PROGRAM IN THE AMOUNT OF $300,000.00; APPROPRIATING THE NECESSARY FUNDS IN THE POLICE DEPARTMENT AND LAW DEPARTMENT OPERATING BUDGETS; AUTHORIZING FUTURE CHANGE ORDERS FOR THE SAME PROJECT; AND MAKING THE NECESSARY APPROPRIATIONS."
was given its second reading by title and placed on final passage. Upon roll call, the vote was: Ayes – Councilmembers: Whiting, Gragg, Dougherty, Schultz, Weir and Mayor Reimal. Noes – none. Absent – none. The Mayor declared the bill passed.

First Readings:

Bill No. 13-118, entitled
"AN ORDINANCE AUTHORIZING AN AGREEMENT WITH CAL RIPKEN, SR. FOUNDATION, INC. TO DEVELOP AN ABILITY BASEBALL FIELD IN MCCOY PARK."
was given its first reading by title.

Bill No. 13-119, entitled
"AN ORDINANCE AUTHORIZING A CONTRACT WITH CLASSIC PROTECTIVE COATINGS, INC., TO PAINT THE INTERIOR AND EXTERIOR AND COMPLETING IMPROVEMENTS ON THE N. MAIN TOWER FOR THE FULL SUM OF $435,170.00; AUTHORIZING FUTURE MINOR CHANGE ORDERS IN A TOTAL AMOUNT NOT TO EXCEED $43,517.00; AND/OR TIME EXTENSIONS."
was given its first reading by title.

Bill No. 13-120, entitled
"AN ORDINANCE AMENDING THE STAY WELL OPEN ACCESS HEALTH CARE PLANS 1 AND 2 DOCUMENT RELATED TO CHIROPRACTIC CARE AND REHABILITATIVE THERAPY TO BE EFFECTIVE JANUARY 1, 2014."
was given its first reading by title.

Bill No. 13-121, entitled
"AN ORDINANCE FINDING, DETERMINING AND DECLARING THE NECESSITY OF ACQUIRING TEMPORARY CONSTRUCTION AND GRADING EASEMENTS FOR THE U.S. 24 HIGHWAY SIDEWALK IMPROVEMENTS, BROOKSIDE AVENUE TO OVERTON AVENUE, PROJECT NO. 70111202; 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. 13-122, entitled
"AN ORDINANCE AUTHORIZING EXECUTION OF A CERTAIN LICENSE AGREEMENT WITH DRUMM FARM CENTER FOR CHILDREN TO PLACE A MONUMENT SIGN WITHIN THE STREET RIGHT-OF-WAY AT 3210 LEE'S SUMMIT ROAD IN INDEPENDENCE, JACKSON COUNTY, MISSOURI."
was given its first reading by title.

Bill No. 13-123, entitled
"AN ORDINANCE AUTHORIZING EXECUTION OF A CERTAIN IMPROVEMENT REIMBURSEMENT AGREEMENT WITH BUCKEYE TANK TERMINAL'S SUGAR CREEK, MISSOURI TERMINAL FOR THE SUGAR CREEK INTERCEPTOR IMPROVEMENTS – SEGMENT 4."
was given its first reading by title.

Bill No. 13-124, entitled
"AN ORDINANCE AUTHORIZING A CONTRACT WITH PERFORMANCE CONTRACTING, INC. TO PAINT THE INTERIOR AND EXTERIOR OF SETTLING BASIN NO. 5 AT THE COURTNEY BEND WATER PLANT FOR THE FULL SUM OF $321,108.00; AUTHORIZING FUTURE MINOR CHANGE ORDERS IN A TOTAL AMOUNT NOT TO EXCEED $32,111.00; AND/OR TIME EXTENSIONS."
was given its first reading by title.

Bill No. 13-125, entitled
"AN ORDINANCE AUTHORIZING A CONTRACT WITH MIDWEST MEDIATION & CONSULTING, LLC, FOR LOBBYING SERVICES IN THE AMOUNT OF $55,000 FOR THE FIRST YEAR AND $58,000 FOR THE SECOND YEAR OF THE TWO-YEAR CONTRACT, WITH THREE ONE-YEAR RENEWAL OPTIONS."
was given its first reading by title.

Bill No. 13-525, entitled [Ord. #18190]
"AN EMERGENCY ORDINANCE AUTHORIZING EXECUTION OF A FUNDING AGREEMENT FOR $161,480.00 WITH TRUMAN HERITAGE HABITAT FOR HUMANITY TO PROVIDE SERVICES AS A COMMUNITY HOUSING DEVELOPMENT ORGANIZATION UNDER THE HOME PROGRAM GUIDELINES, MAKING THE NECESSARY APPROPRIATIONS."
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, Weir and Mayor Reimal. Noes – none. Absent – none. The Mayor declared the bill passed.

Bill No. 13-526, entitled [Ord. #18191]
"AN EMERGENCY ORDINANCE APPROVING THE FINAL PLAT OF QUIKTRIP #152 LOCATED AT 4005 E. LITTLE BLUE PARKWAY. CASE NO. 13-320-02."
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, Weir and Mayor Reimal. Noes – none. Absent – none. The Mayor declared the bill passed.

INFORMATION ONLY:

1. Due to the resignation of Councilmember Myron Paris, effective September 24, 2013, the District 3 seat on the City Council is now vacant. By Ordinance No. 18180, the Council called for a Special Election in 2014 to fill the unexpired term. As the next general election is less than fifteen months away, Section 2.8 of the City Charter states, "the council shall elect a successor to serve until the election". Any Council discussion or action related to filling this Council vacancy would occur on the agenda during "Councilmember Comments".

2. Purchase Order 138823 (pre-completed corporation purchase) was issued to Viking-Cives Midwest, in the amount of $169,950, for three heavy duty dump truck bed packages including spreader and plow equipment for use during snow removal operations of the Public Works Department.

COUNCILMEMBER COMMENTS:

Mayor Reimal stated the Council was provided a possible procedure for the Council election. Councilmember Weir asked what the procedure would be if none of the nominees receives four affirmative votes. City Clerk Jane Sharon reviewed options related to the procedure Council adopts related to the Council election. Councilmembers Schultz and Weir moved to use the Council Election timeline and procedure. Upon vote, motion passed.

Mayor Reimal commented a Council LAGERS Representative needed to be named. Councilmembers Schultz and Gragg moved to elect Councilmember Whiting as the City's Employer Delegate to attend the LAGERS annual meeting later this month. Upon vote, motion passed.

Councilmember Weir commented the new CVS at 23rd Street is a great addition to the area. She stated there was some question about the alcohol policy. Councilmember Weir commented the alcohol policies for that store were set by CVS and are not conditions of the Liquor License the City Council approved. Councilmember Weir asked that the store manager ensure CVS employees are aware of this information.

Councilmember Whiting commented on October 8th there will be a demolition ceremony for the anniversary of a fire at Mother's Refuge. He thanked those who have helped this organization.

Councilmember Gragg recognized the City Council Executive Assistant Sheila Saxton for her 30 years of service.

Councilmember Dougherty commented he would like to see paperless agenda packets and requested other Councilmembers think about going to a paperless agenda.

City Clerk Jane Sharon commented the Mid-America Regional Council (MARC) has formed, with KCATA, a Regional Transit Coordinating Council. There is a seat on the Regional Transit Coordinating Council for a representative from the City Council.

At 6:45 p.m., Councilmembers Weir and Whiting moved to adjourn and convene in a Regular Meeting at 6:00 p.m., October 21, 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