The Independence City Council met for a Regular Council Meeting, October 21, 2013, at 6:00 p.m., in the Council Chambers, 111 E. Maple.

Bishop Howard McFarland, United Association of Christian Chaplains and Counselors International, 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.*

Mayor Reimal recognized three scouts and one leader from Boy Scout Troop #161, East Alton Community of Christ Church. The scouts present are working on their Citizenship in the Community merit badge.

Mayor Reimal recognized a homeschooled student who is a freshman in high school observing a Council meeting as part of a Social Studies class.

Mayor Reimal noted Independence won first place in the Municipal Challenge and congratulated those who participated.

COUNCIL ELECTION:

"A Council Election to fill the vacant District 3 Council seat, pursuant to the City Charter and the process adopted by the City Council." City Clerk Jane Sharon reviewed the Council Election process adopted by the City Council. She added that the adopted procedure states a nominee must receive four affirmative votes to fill the vacancy. Ms. Sharon read the name of each councilmember's nominee, if a nomination was given, in a roll call order: Councilmember Whiting- Barbara Roxann Thorley; Mayor Reimal- Scott A. Roberson. Councilmember Whiting and Mayor Reimal provided information on their respective nominees. Ms. Sharon then read each nominee in roll call order until and unless at least four affirmative votes were given. The results of the Council Election were as follows:

Barbara Roxann Thorley- Upon roll call, the vote was: Ayes – Councilmembers: Whiting, Dougherty and Weir. Noes – Councilmembers: Gragg, Schultz and Mayor Reimal;

Scott A. Roberson- Upon roll call, the vote was: Ayes – Councilmembers: Gragg, Schultz and Mayor Reimal. Noes – Councilmembers: Whiting, Dougherty and Weir;

Barbara Roxann Thorley- Upon roll call, the vote was: Ayes – Councilmembers: Whiting, Gragg, Dougherty and Weir. Noes – Councilmembers: Schultz and Mayor Reimal.

Ms. Sharon stated that Ms. Thorley received at least four affirmative votes and declared her to be the person elected by the Council to fill the District 3 vacancy.

Mayor Reimal thanked the individuals who participated and congratulated Ms. Thorley.

Ms. Sharon noted that Ms. Thorley would be sworn in at the Adjourned Meeting on October 28, 2013, to serve as the District 3 Councilmember until the Special Election could be held.

Councilmembers Schultz and Weir moved to approve the CONSENT AGENDA.

Reports and Recommendations of the City Manager:

1. Approval is recommended to enter into a price agreement (323-13) with Jackson County Electrical Services, to provide electrical services for City buildings, for the period November 1, 2013, through October 31, 2014, with two, one-year renewal options. Expenditures will not exceed budgeted amounts.

2. Approval is recommended to issue a purchase order, in the amount of $56,850.00, to Manta Test Systems for a three phase protective relay test system for the Power & Light Department.

3. Approval is recommended to enter into a price agreement (227-13) with Electric Power Systems for breaker replacement parts for the Power & Light Department for the period of October 22, 2013 through September 30, 2014. The agreement contains two, one-year renewal options. Expenditures will not exceed budgeted amounts.

4. Approval is recommended to enter into price agreements (251-14) with Dick Smith Ford, Diamond International Trucks, Landmark Dodge, Cable-Dahmer Chevrolet, Olathe Ford, Shawnee Mission Ford, KC Freightliner, MHC Kenworth, Westfall GMC Truck, Roberts Chevrolet Buick for various departments for the period November 1, 2013, through October 31, 2014, with two, one-year renewal options. Expenditures will not exceed budgeted amounts.

5. Approval is recommended to issue a purchase order to Fimco Services, LLC, in the amount of $72,281.00, for the service of removing, providing and installing new filter media for the Water Department.

Bill No. 13-764, entitled [Res. #5854]
"A RESOLUTION REAPPOINTING ROGER HERSHEY TO THE LICENSE SURCHARGE ANNUAL REVIEW COMMITTEE FOR THE CITY OF INDEPENDENCE, MISSOURI."

Bill No. 13-765, entitled [Res. #5855]
"A RESOLUTION REAPPOINTING DR. MOHAMED ALI NUR AND TIA TUALA AND APPOINTING ROMAN A. DAVIS, SR. AND DONALD E. SCOTT AS MEMBERS OF THE HUMAN RELATIONS COMMISSION OF THE CITY OF INDEPENDENCE, MISSOURI."

Bill No. 13-766, entitled [Res. #5856]
"A RESOLUTION REAPPOINTING KATY PETERSON TO THE STREET IMPROVEMENT OVERSIGHT COMMITTEE."

Bill No. 13-767, entitled [Res. #5857]
"A RESOLUTION REAPPOINTING DR. CHRISTOPHER SULLIVAN AS A LICENSED MEDICAL PRACTITIONER AND APPOINTING BILLIE RAY PRESTON AS A LAY MEMBER TO THE ADVISORY BOARD OF HEALTH OF THE CITY OF INDEPENDENCE, MISSOURI."

Bill No. 13-768, entitled [Res. #5858]
"A RESOLUTION REAPPOINTING JONATHAN ZERR TO THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE CITY OF INDEPENDENCE, MISSOURI."

Bill No. 13-769, entitled [Res. #5859]
"A RESOLUTION AFFIRMING THE REAPPOINTMENT OF JONATHAN ZERR TO THE PUBLIC SAFETY SALES TAX OVERSIGHT COMMITTEE."

Upon roll call, the vote to approve the 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 CONSENT AGENDA was approved.

ORDINANCES:

Bill No. 13-118, entitled [Ord. #18192]
"AN ORDINANCE AUTHORIZING AN AGREEMENT WITH CAL RIPKEN, SR. FOUNDATION, INC. TO DEVELOP AN ABILITY BASEBALL FIELD IN MCCOY PARK."
was given its second reading by title and placed on final passage. Councilmember Weir asked the Parks and Recreation Director to discuss the City's role in this project. Parks and Recreation Director Eric Urfer stated the Cal Ripken, Sr. Foundation is assisting in constructing an ability baseball field, where children with disabilities can play baseball. The Foundation coordinated the design and helped with the fundraising and with the construction. Mr. Urfer stated they helped change the initial design to fit the

strict standards. The Foundation helped with fundraising, including going to the Kansas City Royals Baseball Club. Now that the funds have been raised, the Foundation is sending a construction team that will oversee the construction. Mr. Urfer commented the Parks Department had to get the site reviewed for historic and environmental impact. Once the project is complete, the City will be responsible for the upkeep and programs held at the ball field. He added this contract states the ball field will remain a ball field for 15 years. Councilmember Weir stated McCoy Park is in a Historic neighborhood and asked for additional information about the historic study that was done. Mr. Urfer commented the study involved a site visit and research. After the report came back, the State advised that, because of the past disruption of the land, anything found on that site would be classified as a random finding. At the earlier request of a councilmember, Mr. Urfer stated that any spelling errors in the contract would be corrected. Councilmember Gragg stated she has been watching the progress of the ball field and is very excited for its completion. Mr. Urfer stated it is anticipated the completion date will be in the spring and there will be a Miracle League game held in May. Mr. Urfer also provided information on how the public can keep up with the progress online. 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. 13-119, entitled [Ord. #18193]
"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 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. 13-120, entitled [Ord. #18194]
"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 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. 13-121, entitled [Ord. #18195]
"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 second reading by title and placed on final passage. Councilmember Gragg asked for an update on the time frame for this project. Public Works Director John Powell stated the sidewalks will be added to help pedestrians and crosswalks will be added as well. There are nine easements that need to be acquired and there is also approval needed from the railroad. The construction should start next summer. 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. 13-122, entitled [Ord. #18196]
"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 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. 13-123, entitled [Ord. #18197]
"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 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. 13-124, entitled [Ord. #18198]
"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 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. 13-125, entitled [Ord. #18199]
"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 second reading by title and placed on final passage. Councilmember Weir asked how much of an increase this contract includes. City Manager Robert Heacock commented he believes the previous contract was in the mid $30,000 range and stated this expands lobbying services on a federal level. Councilmember Weir stated because the City owns it owns utilities there is more involvement on the federal level, but asked if this is enough. Councilmember Weir asked if this can be revisited during the term of the contract to see if the City has providing enough resources to be effective. Mayor Reimal stated the City doesn't want to put in too much. The City can't do what a private company can do. Councilmember Dougherty commented he agrees with Councilmember Weir and issues would dictate the ability to increase if needed. 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. 13-126, entitled
"AN ORDINANCE AMENDING ORDINANCE NO. 18148 WHICH LEVIED A TAX ON ALL REAL PROPERTY SUBJECT TO TAXATION ON JANUARY 1, 2013, WITHIN THE CORPORATE LIMITS OF THE CITY OF INDEPENDENCE, MISSOURI, FOR GENERAL REVENUE AND PUBLIC HEALTH AND RECREATION PURPOSES, AND FOR THE INDEPENDENCE SQUARE SPECIAL BUSINESS BENEFIT DISTRICT; SAID LEVIES AND ASSESSMENTS BEING SEPARATE AND DISTINCT, ALL FOR THE FISCAL YEAR COMMENCING ON THE 1ST DAY OF JULY, 2013, AND ENDING ON THE 30TH DAY OF JUNE, 2014."
was given its first reading by title.

Bill No. 13-127, entitled
"AN ORDINANCE AUTHORIZING A CONTRACT WITH V.F. ANDERSON BUILDERS FOR THE 26TH STREET, GLENDALE, AND WINDSOR STORM WATER PROJECT FOR AN AMOUNT NOT TO EXCEED $569,363.60 AND AUTHORIZING FUTURE MINOR CHANGE ORDERS FOR AN AMOUNT NOT TO EXCEED $56,900.00 AND/OR TIME EXTENSIONS."
was given its first reading by title.

Bill No. 13-128, entitled
"AN ORDINANCE AUTHORIZING EXECUTION OF AN AMENDED AGREEMENT TO THE NEIGHBORHOOD STABILIZATION PROGRAM AGREEMENT WITH BUILDERS DEVELOPMENT CORPORATION, TO ALLOW FOR

THE CONVEYANCE OF CERTAIN REAL ESTATE OWNED BY THE CITY TO THE DEVELOPER AND EXECUTION OF REAL ESTATE DOCUMENTS."
was given its first reading by title.

Bill No. 13-129, entitled
"AN ORDINANCE AUTHORIZING CHANGE ORDER NUMBER 2 TO THE CONTRACT WITH V.F. ANDERSON BUILDERS FOR THE ROCK CREEK SEGMENT 2 SEWER IMPROVEMENT PROJECT FOR AN INCREASE OF $778,258.00."
was given its first reading by title.

Bill No. 13-527, entitled [Ord. #18200]
"AN EMERGENCY ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE MISSOURI DIVISION OF FAMILY SERVICES AT JEFFERSON CITY, MISSOURI, FOR PARTICIPATION IN THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM DURING FISCAL YEAR 2013-2014."
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 Council is expected to adjourn to an Adjourned Meeting at 6:00 p.m. on Monday, October 28, 2013 in the Council Chambers.

2. The Law Department is providing the following notification to the City Council of the claims paid and received during September, 2013.

3. Municipal Court Monthly Case Summary Report for September, 2013.

COUNCILMEMBER COMMENTS:

Councilmember Dougherty welcomed the new Councilmember and thanked Councilmember Paris for his service.

Councilmember Gragg also welcomed the new Councilmember and thanked Councilmember Paris for his service.

Councilmember Whiting welcomed Ms. Thorley to the City Council and thanked Mr. Roberson for being willing to serve on the City Council. Councilmember Whiting mentioned the Halloween Parade would take place on Saturday on the Independence Square.

Councilmember Schultz welcomed Ms. Thorley to the City Council.

Councilmember Weir commented the resignation of Councilmember Paris leaves several vacancies on Committees and she would like to see those vacancies filled as soon as possible.

Mayor Reimal welcomed Ms. Thorley to the City Council. Mayor Reimal commented was a MARC/KCATA Regional Transit Committee has been created and a request made for an appointment from the Independence City Council. Mayor Reimal commented he would like to appoint Councilmember Gragg to the committee. Councilmembers Schultz and Dougherty moved to sustain Councilmember Gragg's appointment to the committee. Upon vote, motion passed.

Mayor Reimal commented on Saturday there is a contest at the Historic Jackson County Courthouse for a decorated pumpkin. He stated each City picked a charity and created a pumpkin. Votes are cast with dollar bills and charities receive the money donations. Mayor Reimal commented the Boys

& Girls Club created a pumpkin for Independence. He requested the public to come out and vote for the Independence pumpkin.

At 6:45 p.m., Councilmembers Gragg and Dougherty moved to adjourn and convene in an Adjourned Meeting at 6:00 p.m., October 28, 2013, in the Council Chambers. Upon vote, the motion carried and the Mayor declared the meeting adjourned.

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

ATTEST:

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City Clerk