



City Council Meeting

Regular Session Minutes
July 11, 2011

I. CALL TO ORDER

A regular meeting of the City Council of the City of Liberty, Missouri was held in the Council Chambers at City Hall on July 11, 2011 with Mayor Greg Canuteson presiding. Mayor Canuteson called the meeting to order at 7:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Harold Phillips, who then led the pledge of allegiance.

III. ROLL CALL

Council Members Present: Harold Phillips and Paul Jenness, Ward I
Greg Duncan and Jeff Moore, Ward II
Lyndell Brenton and Jeff Watt, Ward III
Michael Hagan and Nick King, Ward IV

Council Members Absent: None

Staff Present: Curt Wenson, City Administrator
Dan Estes, Assistant City Administrator
Steve Hansen, Public Works Director
Dennis Dovel, Parks and Recreation Director
Amy Brusven, Human Resources Director
James Simpson, Acting Police Chief
Brad Boone, Information Systems Specialist III
Katherine Sharp, Planner
Shawna Funderburk, Asst. to the City Administrator
Janet Pittman, Deputy City Clerk

Public Present: 12 members of the public

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION

Karen Sprinkle, 504 W. Kansas, read a prepared statement from the Tree Board reiterating their request that City Council enforce the Tree Preservation Ordinance requiring Star Development to meet its contractual obligation for the Clayview development project and plant 1,060 trees at their expense. The Board states that Star was aware of the requirements and credits paid to the Missouri DNR for stream containment should not preclude the need to meet the Tree Preservation Ordinance. In addition, the 200 donated trees should not be deducted from the requirement because City funds were used to transport and plant the trees, many of which were not the required 2" caliper size.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Study Session Summary of June 6, 2011

Council member Brenton requested that this item be removed from the consent agenda and voted on separately.

Council Member King moved to approve the summary as distributed. Council Member Phillips seconded the motion, which carried 7-0-1. Council Member Brenton abstained due to absence.

B. Regular Session Minutes of June 13, 2011

Council Member King moved to approve the minutes as distributed. Council Member Moore seconded the motion, which carried unanimously.

C. Executive Session Minutes of June 13, 2011

Council Member King moved to approve the minutes as distributed. Council Member Moore seconded the motion, which carried unanimously.

D. Special Session Minutes of June 20, 2011

Council Member King moved to approve the minutes as distributed. Council Member Moore seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

A. Resolution amending the Future Land use Map of the Comprehensive General Plan of the City of Liberty by Changing the Land Use Designation of approximately 1.94 acres located south of the Liberty Community Center and west of Withers Road from Mixed Use to Low-Density Residential [P&Z Case #11-20A]

Mayor Canuteson opened the public hearing and asked if anyone wished to speak either in favor or against the application. Steve Warger, Warger Associates, stated that the intention of the owner is to create more conventional lots that would match the existing housing and should sell better.

Seeing no one else wishing to speak, Mayor Canuteson closed the public hearing.

Action: Council Member King moved to approve the resolution. Council Member Duncan seconded the motion.

Vote: Motion passed 8-0-0

Yes: Council Members Phillips, Jenness, Moore, Brenton, Hagan, Watt, Duncan and King

No: None

Abstain: None

Inscribed in Resolution No. 2512.

- B. Resolution approving a Special Use Permit to allow a seasonal Halloween Haunted House on the dates specified from September 16th to October 31st, 2011 at the Odd Fellows Home Property, 1325 Odd Fellows Road. [P&Z Case #11-21SUP]

Mayor Canuteson opened the public hearing and asked if anyone wished to speak either in favor or against the application. Shannon Yates and Judy Strange, 1306 W. 12th Street, Kansas City, responded to Council's questions stating: the length of the attraction would be approximately 20 minutes; sounds would consist of low key/night sounds; the applicant has special event insurance and understand the integrity of some of the buildings is in question (those deemed un-useable would be securely walled off and not accessible to the public).

Seeing no one else wishing to speak, Mayor Canuteson closed the public hearing.

Action: Council Member Brenton moved to add the additional stipulation that the property must be locked down and the premises vacated by midnight each evening the attraction is in operation. Council Member Hagan seconded the motion.

Vote: Motion passed 8-0-0

Yes: Council Members Phillips, Jenness, Moore, Brenton, Hagan, Watt, Duncan and King

No: None

Abstain: None

Action: Council Member Watt moved to approve the resolution as amended. Council Member Phillips seconded the motion.

Vote: Motion passed 8-0-0

Yes: Council Members Phillips, Jenness, Moore, Brenton, Hagan, Watt, Duncan and King

No: None

Abstain: None

Inscribed in Resolution No. 2513.

- C. Amendments to Chapter 30, "Unified Development Ordinance" (UDO) [P&Z#11-23A]

1. Ordinance amending Chapter 30, "Unified Development Ordinance", of the Code of the City of Liberty, Clay County, Missouri (*signs on stand-alone buildings*)

Mayor Canuteson opened the public hearing and asked if anyone wished to speak either in favor or against the amendment. Seeing no one wishing to speak, Mayor Canuteson closed the public hearing.

Document No. 7345 was read. Mayor Canuteson stated the item would be on second reading at the July 25 Regular Session meeting.

2. Ordinance amending Chapter 30, "Unified Development Ordinance", of the Code of the City of Liberty, Clay County, Missouri (*signs on strip centers*)

Mayor Canuteson opened the public hearing and asked if anyone wished to speak either in favor or against the amendment. Seeing no one wishing to speak, Mayor Canuteson closed the public hearing.

Document No. 7346 was read. Mayor Canuteson stated the item would be on second reading at the July 25 Regular Session meeting.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Ordinance Acknowledging Vendor Payments for the period of June 10, 2011 to July 1, 2011

1. Ordinance excluding KCP&L and Westland Landscape payments

Document No. 7347 was read.

Action: Council Member Hagan moved to approve the vendor payments. Council Member Phillips seconded the motion.

Vote: Motion passed 8-0-0

Yes: Council Members Phillips, Jenness, Moore, Brenton, Hagan, Watt, Duncan and King

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9740

2. Ordinance including KCP&L payments

Document No. 7348 was read.

Action: Council Member King moved to approve the vendor payments. Council Member Hagan seconded the motion.

Vote: Motion passed 7-0-1

Yes: Council Members Phillips, Jenness, Moore, Hagan, Watt, Duncan and King

No: None

Abstain: Council Member Brenton, due to potential conflict of interest

Approved by the Chair and inscribed in Ordinance No. 9740.

3. Ordinance including Westland Landscape payments

Document No. 7349 was read.

Action: Council Member Hagan moved to approve the vendor payments. Council Member King seconded the motion.

Vote: Motion passed 8-0-0

Yes: Council Members Phillips, Moore, Brenton, Hagan, Watt, Duncan and King

No: None

Abstain: Council Member Jenness, due to potential conflict of interest

Approved by the Chair and inscribed in Ordinance No. 9740

B. Fairview Cemetery Storm Improvement project

1. Ordinance amending Ordinance No. 9696 approving a contract with Clay County Sanitary & Ditching Service, Inc. for the Fairview Cemetery Storm Sewer Repair Project

Document No. 7350 was read. Mayor Canuteson stated the item would be on second reading at the July 25 Regular Session meeting.

2. Resolution accepting the Fairview Cemetery Storm Sewer Repair Project

This item will be heard at the July 25 Regular Session meeting.

C. Ordinance accepting Warranty Deeds Dedicating Public Right-of-Way along North Water Street and East Kansas Street.

Document No. 7351 was read.

Action: Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Hagan seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member Hagan moved to approve the ordinance. Council Member King seconded the motion.

Vote: Motion passed 8-0-0

Yes: Council Members Phillips, Jenness, Moore, Brenton, Hagan, Watt, Duncan and King

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9741.

D. Ordinance approving a Contract with Arcadis U.S., Inc. for engineering services for a water treatment plant optimization study

Document No. 7352 was read.

Action: Council Member Moore moved to waive the rules and consider the ordinance on first reading and seconded by Council Member King. The motion failed to pass unanimously.

Mayor Canuteson stated the item would be on second reading at the July 25 Regular Session meeting.

E. Ordinance approving a Contract with Burns & McDonnell for engineering services for 2011 Water Distribution System Enhancement Program

Document No. 7353 was read. Mayor Canuteson stated the item would be on second reading at the July 25 Regular Session meeting.

- F. Ordinance approving an Inter-Governmental Cooperative Agreement with the Tax Increment Financing Commission of Kansas City, Missouri

Document No. 7354 was read. Mayor Canuteson stated the item would be on second reading at the July 25 Regular Session meeting.

- G. Employee Compensation

1. Ordinance awarding a base salary compensation adjustment to the employees of the City of Liberty in the amount of 2%, effective July 11, 2011, and amending ordinance No. 9652 Adoption of the 2011 Budget for the City of Liberty, Missouri

Document No. 7355 was read.

Action: Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Moore seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member King moved to approve the ordinance. Council Member Jenness seconded the motion.

Vote: Motion passed 8-0-0

Yes: Council Members Phillips, Jenness, Moore, Brenton, Hagan, Watt, Duncan and King

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9742.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 9:00 p.m.

Mayor

Attest:

Deputy City Clerk