



City Council Meeting

Regular Session Minutes
August 22, 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 August 22, 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 Greg Duncan, 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
Charlie Stevens, Utilities Director
Anna Slocum, Assistant Parks and Recreation Director
Amy Brusven, Human Resources Director
James Simpson, Acting Police Chief
Mike Snider, Fire Chief
Tony Sage, Information Technology Director
Katherine Sharp, City Planner
Shawwna Funderburk, Asst. to the City Administrator
Karan Johnson, Economic & Business Dev. Manager
Janet Pittman, Deputy City Clerk

Public Present: 7 members of the public

IV. APPROVE MINUTES AND SUMMARIES

A. Regular Session Minutes of August 8, 2011

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

V. CITIZENS' PARTICIPATION

Gordon Hadden, Historic Downtown Liberty, Inc. (HDLI) member, noted that in addition to the City's recent rankings as a great place to live in Family Circle Magazine and CNN Money

Magazine, the City was also recognized at the recent Missouri Main Street Annual Conference. 12 W Kansas, LLC won the Best Economic Restructuring Project Award. The award was for the development of new retail space, The Green House on the Hill, 14 W. Kansas. Developing and implementing the Chapter 353 economic incentive policy was cited as a reason for this award. In addition, Heritage Hall, 117 W Kansas, was a finalist for the Business Excellence Award.

A Certificate of Excellence was awarded to Michael Burton, HDLI Design Committee Chair, for volunteer service. Karan Johnson, City of Liberty Economic and Business Development Manager, was recognized for her commitment and service to HDLI.

All 4 nominations were submitted by Historic Downtown Liberty, Inc. HDLI is a Main Street organization and is part of the National Trust for Historic Preservation. Mr. Hadden thanked City Council, Karan Johnson, and the implementation of the 353 program.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Boards and Commissions Reappointments

1. Roger's Plaza Community Improvement District
 - a. Appoint James Stevan Rogers – 4 year term
 - b. Appoint Cynthia Ann Rogers – 4 year term

Council Member King moved to approve the appointments. Council Member Hagan seconded the motion, which carried unanimously, and is inscribed in Resolution No. 2522.

B. Amusement License for Fall Festival

Council Member King moved to approve the Amusement License. Council Member Hagan seconded the motion, which carried unanimously.

- ### C. Authorize an Executive Session to be held August 22, 2011 in the Council Conference Room, immediately following the Regular Session, to discuss Personnel Matters as authorized by 610.021(3) Rsmo.

Council Member King moved to authorize the Executive Session. Council Member Hagan seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

A. Liberty Triangle Community Improvement District (CID) [Cont'd from August 8, 2011]

1. Ordinance approving a request to remove property (Dick's Sporting Goods) from the Liberty Triangle Community Improvement District

Action: Council Member Moore moved to continue the public hearing to September 6, 2011. Council Member Hagan seconded the motion.

Vote: Motion passed unanimously.

Mayor Canuteson stated that this item will now be considered at a Special Session meeting at 3:00 pm on September 6 at the Liberty Community Center.

2. Ordinance approving the first amendment to the Intergovernmental Cooperation Agreement between the City of Liberty, Missouri and the Liberty Triangle Community Improvement District, associated with the Liberty Triangle Tax Increment Financing Plan

Action: Council Member Hagan moved to postpone consideration of this item until September 6, 2011. Council Member King seconded the motion.

Vote: Motion passed unanimously.

Mayor Canuteson stated that this item will now be considered at a Special Session meeting at 3:00 pm on September 6 at the Liberty Community Center.

- B. Ordinance approving the Rezone of 164 acres at the Odd Fellows/ Belvoir Winery Property from R-1A, R-1C, CP-0, CP-1 to PD, Planned Development [Case No. 11-36R&PDP]

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. 7375 was read.

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

Vote: Motion passed unanimously.

Action: Council Member Phillips moved to approve the ordinance. Council Member Moore 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. 9765.

- C. Ordinance establishing the 2011 Ad Valorem Tax Levies for City operations for 2012 Budget year

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. 7376 was read.

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

Vote: Motion passed unanimously.

Action: Council Member Jenness moved to amend the ordinance by replacing the General Fund Levy Value of \$0.8743 with \$0.8465 and replacing the Parks Fund Levy Value of \$0.1541 with \$0.1492. Council Member Moore seconded the motion.

Vote: Motion passed 6-2-0

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

No: Council Members Phillips and Hagan

Abstain: None

Action: Council Member King moved to approve the ordinance as amended. 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. 9766.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Acknowledgement of vendor payments for the period of July 29 to August 12, 2011.

1. Ordinance excluding KCP&L payments

Document No. 7377 was read.

Action: Council Member King 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. 9767.

2. Ordinance including KCP&L payments

Document No. 7378 was read.

Action: Council Member King moved to approve the vendor payments. Council Member Watt 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 a potential conflict of interest.
Approved by the Chair and inscribed in Ordinance No. 9767.

- B. Ordinance approving the Master Development Agreement between the City and BioRealty, Inc. to implement the development of a 42 acre parcel of Real Property within the Heartland Meadows Industrial Park for Science and Technology uses; and approving the assignment agreement between BioRealty, Inc., BRI Holdings, LLC and the City assigning BioRealty's rights under the Master Development Agreement to BRI Holdings, LLC.

Stan Wendzel, Managing Director, BioRealty, Inc. presented information to the Council regarding the company's qualifications and projects.
Document No. 7379 was read.

Action: Council Member Jenness 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 Phillips moved to approve the ordinance. Council Member Moore 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. 9768.

- C. Ordinance approving the organization of the Liberty Municipal Redevelopment Corporation as an Urban Redevelopment Corporation pursuant to Missouri's Urban Redevelopment Corporations Law, authorizing the execution and filing of the Corporation's Articles of Agreement, and Approving the Naming of the Corporation's Initial Directors

Document No. 7380 was read.

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

Vote: Motion failed to pass unanimously.

Mayor Canuteson stated that this item will now be considered at a Special Session meeting at 3:00 pm on September 6 at the Liberty Community Center.

- D. Ordinance approving the purchase and installation of playground surfacing materials from S. Bollinger & Associates in the amount of \$34,595.00

Document No. 7381 was read.

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

Vote: Motion passed unanimously.

Action: Council Member King moved to approve the ordinance. 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

Approved by the Chair and inscribed in Ordinance No. 9769.

E. Ordinance amending Chapter 20, "Motor Vehicles and Traffic" of the City Code of the City of Liberty, Clay County

Document No. 7382 was read.

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

Vote: Motion passed unanimously.

Action: Council Member Jenness moved to approve the ordinance. 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

Approved by the Chair and inscribed in Ordinance No. 9770.

F. Lease/purchase agreement with Security Bank of Kansas City for ambulances and police cars

1. Ordinance authorizing the City of Liberty to execute an equipment lease/purchase agreement and certain other docs in connection with the financing of equipment; and authorizing certain other actions in connection with said financing.

Document No. 7383 was read.

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

Vote: Motion passed unanimously.

Action: Council Member Phillips moved to approve the ordinance. Council Member Watt 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. 9771.

2. Ordinance amending ordinance no. 9652 Adoption of the 2011 Budget for the City of Liberty

Document No.7384 was read.

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

Vote: Motion passed unanimously.

Action: Council Member King moved to approve the ordinance. 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. 9772.

3. Resolution of the City of Liberty stating the Council's desire to reserve certain 2011 budgeted funds for use in 2012

Action: Council Member Hagan moved to approve the resolution. 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. 2521.

G. Purchase of Police Cars

1. Approve the purchase of four police cars from Wright Automotive in an amount not to exceed \$95,116

Council Member Hagan moved to approve the purchase. Council Member Moore seconded the motion, which carried unanimously.

2. Ordinance amending Ordinance No. 9652, Adoption of the 2011 Budget for the City of Liberty, Missouri

Document No. 7385 was read.

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

Vote: Motion passed unanimously.

Action: Council Member Phillips moved to approve the ordinance. Council Member Watt 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. 9773.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 8:35 p.m.

Mayor

Attest:

Deputy City Clerk