



City Council Meeting

Regular Session Minutes
April 23, 2012

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 April 23, 2012 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 Jeff Watt, who then led the pledge of allegiance.

III. ROLL CALL

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

Council Members Absent: Jeff Moore, Ward I
Michael Hagan, Ward IV

Staff Present: Curt Wenson, City Administrator
Dan Estes, Assistant City Administrator
Steve Hansen, Public Works Director
Anna Slocum, Assistant Parks and Recreation Director
Charlie Stevens, Utilities Director
Amy Brusven, Human Resources Director
James Simpson, 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
David Jones, Planner
Greg Arnold, Police Sgt.

Public Present: 20 members of the public

IV. APPROVE MINUTES AND SUMMARIES

A. Executive Session Minutes of April 9, 2012

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

V. CITIZENS' PARTICIPATION

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Regular Session Minutes of April 9, 2012

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

B. Resolution approving a Temporary Event Liquor License for the Liberty Sertoma Club for an event to be held June 1, 2012

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Brenton, Watt, Duncan and King
No: None
Abstain: None
Inscribed in Resolution No. 2552.

VIII. PUBLIC HEARINGS

A. Resolution approving a Special Use Permit to allow the sale of fireworks by Liberty Discount Fireworks from June 20 to July 4, 2012 on a 6.34 acre lot south of Blue Jay Crossing and northwest of Liberty High School, Liberty, Missouri. [P&Z Case 12-12SUP]

Action: Council Member King moved to move consideration of the resolution to May 14, 2012. Council Member Phillips seconded the motion.

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Brenton, Watt, Duncan and King
No: None
Abstain: None
Mayor state the Resolution will be considered on May 14, 2012.

B. Resolution approving a Special Use Permit to allow the sale of fireworks by Independence Fireworks from June 20 to July 4, 2012, on a 3.18 acre lot south of Old Withers Road and West of Withers Road, Liberty, Missouri. [P&Z Case 12-13SUP]

Mayor opened the Public Hearing and asked if anyone wish to speak either in favor or against the application. Seeing no one, he closed the Public Hearing.

In response to Council's questions, the applicant Bryan Hunter, 12840 Sagamore, Leawood KS, stated that the beam at the entrance of the location would be excavated approx. 40 ft. wide. They stated they would be willing to do additional excavating if visibility requirements necessitate.

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Brenton, Watt, Duncan and King
No: None
Abstain: None
Inscribed in Resolution No. 2553.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Ordinance acknowledging vendor payments for the period of March 30, 2012 to April 13, 2012

1. Ordinance excluding KCP&L and Westland Landscape payments

Document No. 7509 was read.

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

Roll Call

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Brenton, Watt, Duncan and King
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 9872.

2. Ordinance including KCP&L payments

Document No. 7510 was read.

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

Roll Call

Vote: Motion passed 5-0-1
Yes: Council Members Phillips, Jenness, 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. 9872.

3. Ordinance including Westland Landscape payments

Document No. 7511 was read.

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

Roll Call

Vote: Motion passed 5-0-1
Yes: Council Members Phillips, Brenton, 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. 9872.

B. Liberty Animal Shelter

1. Ordinance accepting and approving a Final Plat for the Liberty Animal Shelter in the City of Liberty, Clay County, Missouri [P&Z Case No. 12-10FP] (second reading - **postponed** from April 9, 2012 - REQUEST TO BE TABLED)

Action: Council Member Watt moved to table the ordinance. Council Member King seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

2. Resolution approving a Final Development Plan for the construction of a 9,072 square foot Liberty Animal Shelter building on a 1.19 acre parcel northwest of the B Highway and H Highway Junction in the City of Liberty, Clay County, Missouri [P&Z Case No. 12-11FDP] (**postponed from April 9, 2012 - REQUEST TO BE TABLED**)

Action: Council Member King moved to table the resolution. Council Member Jenness seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

- C. Ordinance approving a Missouri Department of Transportation Commission Road Relinquishment Agreement for Southview Drive (second reading)

Document No. 7507 was read.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9873.

- D. Ordinance accepting and approving a Final Plat for Heartland Meadows, Thirteenth Plat in the City of Liberty, Clay County, Missouri. [P&Z Case 12-15FP]

Document No. 7512 was read.

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

Vote: Motion passed 5-0-1

Yes: Council Members Phillips, Brenton, 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. 9874.

- E. Resolution approving a Final Development Plan for the construction of a 210,000 square foot industrial building Heartland Meadows Industrial Park, Lot 7, in Liberty, Clay County, Missouri. [P&Z Case 12-16FDP]

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

Vote: Motion passed 5-0-1

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

No: None

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

Inscribed in Resolution No. 2554.

- F. Employee Benefits Agreements for Plan Year July 1, 2012 through June 30, 2013

1. Ordinance approving a Contract with Midwest Public Risk (MPR) to provide Employee Medical Insurance Coverage for the City of Liberty

Document No. 7513 was read.

Action: Council Member King 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 Phillips seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9875.

2. Ordinance approving a contract with Metropolitan Life Insurance Company to provide employee dental insurance coverage for the City of Liberty

Document No. 7514 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9876.

3. Ordinance approving a contract with Prudential Insurance Company to provide employee life and AD&D, and short-term disability insurance coverage for the City of Liberty

Document No. 7515 was read.

Action: Council Member King moved to waive the rules and consider the ordinance on first reading. Council Member Phillip 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 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9877.

4. Ordinance approving a contract with Prudential Insurance Company to provide employee short-term disability coverage for the City of Liberty.

Document No. 7516 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 Watt moved to approve the ordinance. Council Member Phillips seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9878.

5. Ordinance approving a contract with Vision Care Direct to provide employee vision insurance coverage for the City of Liberty

Document No. 7517 was read.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9879.

6. Ordinance approving a contract with Assurant Insurance Company of Columbus, Georgia (AFLAC) to provide employee long-term disability insurance coverage for the City of Liberty

Document No. 7518 was read.

Action: Council Member King 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 Watt seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9880.

7. Ordinance approving a contract with American Family Life Assurance Company to provide employee supplemental insurance coverage for the City of Liberty

Document No. 7519 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 Watt moved to approve the ordinance. Council Member King seconded the motion.

Vote: Motion passed 6-0-0

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

No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 9881.

8. Ordinance approving a contract with Colonial Insurance Company to provide employee supplemental insurance coverage for the City of Liberty

Document No. 7520 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 Phillips moved to approve the ordinance. Council Member King seconded the motion.

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Brenton, Watt, Duncan and King
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 9882.

9. Ordinance approving a contract with Pre-Paid Legal Services to provide employee ID theft and pre-paid legal insurance coverage for the City of Liberty

Document No. 7521 was read.

Action: Council Member Watt 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 Phillips seconded the motion.

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Brenton, Watt, Duncan and King
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 9883.

10. Ordinance approving a contract with MHM Business Services, LLC. to provide employee flexible benefits (section 125 of the IRS Code), for the City of Liberty

Document No. 7522 was read.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9884.

- G. Ordinance approving a Contract with Utility Service Company, Inc. for services of filter media cleaning at City of Liberty Water Treatment Plant in an amount not to exceed \$70,080

Document No. 7523 was read.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9885.

- H. Ordinance approving a Contract with Tetra Tech Geo for Environmental Services for Lee Chemical Site in an amount not to exceed \$76,450

Document No. 7524 was read.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9886.

- I. CDBG Grant Agreement Approval (Project Victory)

1. Ordinance approving a Grant Agreement between the State of Missouri, Department of Economic Development (DED) and the City of Liberty regarding

the funding of a Community Development Block Grant in an amount not to exceed \$938,000.

Document No. 7525 was read.

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

Vote: Motion passed 5-0-1

Yes: Council Members Phillips, Brenton, 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. 9887.

2. Ordinance amending Ordinance No. 9819, Adoption of the 2012 Budget for the City of Liberty, Missouri

Document No. 7526 was read.

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

Vote: Motion passed 5-0-1

Yes: Council Members Phillips, Brenton, 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. 9888.

J. Ordinance approving an Agreement with Mid-America Regional Council for Professional Administrative Services for Administration of the City's Community Development Block Grant in an amount not to exceed \$20,000.

Document No. 7527 was read.

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

Vote: Motion passed 5-0-1
Yes: Council Members Phillips, Brenton, Watt, Duncan and King
No: None
Abstain: Council Member Jenness, due to conflict of interest
Approved by the Chair and inscribed in Ordinance No. 9889.

- K. Ordinance approving a Contract with Superior Bowen Asphalt, LLC for the 2012 street maintenance pavement restoration project in an amount not to exceed \$746,031.90

Document No. 7528 was read.

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Brenton, Watt, Duncan and King
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 9890.

- L. Resolution Authorizing the Filing of an Application with the Missouri Division of Highway Safety for a Highway Safety Law Enforcement Grant

Action: Council Member Phillips moved to approve the resolution. Council Member Jenness seconded the motion.

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Brenton, Watt, Duncan and King
No: None
Abstain: None
Inscribed in Resolution No. 2555.

- X. OTHER BUSINESS
XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR
XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL
XIII. ADJOURNMENT

The meeting adjourned at 8:10 p.m.

Mayor

Attest:

Deputy City Clerk