



City Council Meeting

Regular Session Minutes
May 14, 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 May 14, 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 Greg Duncan, 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
Michael Hagan, Ward IV

Council Members Absent: Jeff Moore, Ward II (*arrived at 8:25*)
Nick King, 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
Mike Snider, Fire Chief
Katherine Sharp, City Planner
Karan Johnson, Economic & Business Dev. Manager
Janet Pittman, Deputy City Clerk
Brian Hess, Assistant Public Works Director
Jonna Wensel, Community Development Manager
John Mills, Fire Captain
David Jones, Planner
Dave Tedesco, Police Captain

Public Present: Angie Borgealden, Liberty Tribune
40 members of the public

IV. APPROVE MINUTES AND SUMMARIES

A. Special Session Minutes of April 16, 2012

Council Member Hagan moved to approve the minutes as distributed. Council Member Phillips seconded the motion, which carried 5-0-1. Council Member Jenness abstained due to absence.

B. Regular Session Minutes of April 23, 2012

Council Member Watt moved to approve the minutes as distributed. Council Member Duncan seconded the motion, which carried 5-0-1. Council Member Hagan abstained due to absence.

V. CITIZENS' PARTICIPATION

Mayor Canuteson read and presented the National Historic Preservation Month Proclamation Vicki Vance, representative of Historic Downtown Liberty, Inc.

Helene Miller, 1206 Downing, spoke on the tree replacement for the Blue Jay Crossing project. Ms. Miller disapproved of the City settling for 530 trees, which is half of the 1,060 trees owed and required by Code at the time the project was approved. Ms. Miller stated the 530 trees not planted could have provided Liberty citizens with many benefits, saving money as well as making money in some cases. Ms. Miller stated the City misrepresented the account by giving credit for trees that are required by Code to be planted, whereas the code prohibits a count for this purpose. The City further gave credit for 175 landscape design trees to be planted as street trees and as offsets for building square footage and parking lot spaces. Ms. Miller stated that City Code specifically prohibits doing that and also that double counting removes all incentives for people to save existing trees. The City also counted the 200 trees that were donated by the developer last spring and paid \$20,000 in labor and equipment to have them planted. Some of the trees were low quality and 40% (80 trees) have died, despite the excellent care that the City gives them. Ms. Miller stated she would agree with giving credit for the 120 trees that are still alive, if Star Development would reimburse the City for the planting cost. The City agreed to receive 155 trees of the original 1,060 trees required by Star Development to plant without warranty and agreed to pay for planting. This adds up to conservatively an estimated subsidy of \$176,500 to Star Development over and above what was agreed in the original development agreement. The City has ignored City Code at least twice on this matter. Ms. Miller stated that the after the fact deal done behind closed doors with no public input or no public vote is a sad statement as to how Liberty is being run. Liberty citizens deserve a well-run open, and accountable government. Ms. Miller stated the manner in which this whole tree deal has been handled is appalling.

Christine Veach, 11850 Hidden Oaks Courts, stated since 2008, the 29,149 citizens of Liberty have been asking the Mayor and City Councilmen to enforce the City Code, which clearly indicates that 1,060 trees should be planted by the developer of the former Clayview site. Ms. Veach discussed two reasons as to why tree replacements are very important to Liberty. Due to the addition of impervious surfaces from the addition of roadways and parking lots there is much more storm water coursing through our neighborhoods. Council has heard from many citizens who are having trouble with erosion due to storm water. Trees are valued for their storm water control. Due to Liberty's location in the metro and the prevailing winds that go northeast, Liberty has a great deal of pollution. The air quality department at Mid-America Regional Council has offered to come and speak to Council about air quality in Liberty. On April 23, 2012 Lindsey Shivley of NBC Action News did a segment on air quality and Clay County received an "F". Trees are very important for air quality and very important for the health of our citizens. Not only do trees remove gaseous pollutants but they remove particular pollutants from the air as well.

Ms. Veach stated she did not understand the reluctance of Council to enforce a clearly stated tree ordinance and felt confident that staff reviewed the contract between Star Development and the City of Liberty which stated adherence to the City Codes. Ms. Veach stated the tree issue has gone beyond City Hall and Council Chambers. There are people from St. Joseph to Powell Gardens, from Blue Springs to Manhattan, KS asking about Liberty's tree issue. This does not reflect positively upon our community. Ms. Veach expressed concern if Liberty would remain a livable and desirable community to the current residents as well as be a community that attracts new home owners. Ms. Veach stated that this would certainly affect future property values. The decisions on the 1,060 trees owed to the City will have many tangible and intangible implications in the future. Ms. Veach is optimistic about the city weighing this very carefully as Council's decision will set the course for the future of Liberty.

Jeremy Huffman, 608 Butternut Lane, announced a blood drive will be held from 2:30 pm to 6:30 pm on June 4, 2012 at Second Baptist Church in honor of Mickey Harris. She has chronic granulomatous disease which is an immunodeficiency disorder. She will require lot of blood transfusions and blood transplants along with chemotherapy in order to try to heal her.

Elaine Reynolds, 409 E. Franklin, stated that two things concern her about the tree question. One is the apparent favoritism in enforcing the law. The law applies to some apparently and not to all equally and two, the lack of transparency in the way this issue has been handled and is hoping that the City can step back from both concerns and find a solution.

Bill Niffin, 1853 Mourning Dove Drive, stated he has been recently made aware of the agreement that the City has made with the developer over the replacement of trees and if you know anything about him outside of the Park Board he is proud and concerned about the City of Liberty and as a Park Board member came to address the issue of the trees. In Dec 2008 and again in January 2009 the Park Board met to discuss the Uniform Development Ordinance based on some things that could happen in 5 years. No resolutions or recommendations were made, but Mr. Niffen strongly suggested that Council take a look at those minutes because every single Park Board member at that time was concerned about how the developers could take advantage of the ordinance as it was proposed to do things that would be to the city's detriment.

Mr. Niffen asked Council not to forget how the trees gave character to the City, and that they communicated to people who came here, right off, that this was an established community, and the kind of stability in a community they were looking for. Every time you see a missing tree, you should be concerned. There were 200 trees donated, unfortunately 60 of those trees are dead that the City planted at the cost of the City's time, material and equipment. The City got a discount for the developer because they were able to purchase the trees through a local business otherwise they would have retail cost, and there was no warranty. In the time the trees have been planted at the City's expense, 60 of those trees have died which is a pretty good indication the City didn't get a great deal on those trees. There should have been a warranty and the City should not have spent the City's time and material on the installation of the trees.

Mr. Niffen urged the Council to think long and hard about the City's ranking even though it may not move down to 4 or 28 because of this decision, but that the more

often these kinds of trades are made: giving up the benefits that Liberty citizens like; reasons as to why people come here to live; and the more this is done in the name of development and progress and pride that Council can have in the things that have been developed and the tax revenues gained, the more likely they will find Liberty creeping down that list. The people in the City would prefer that not happen and if you love the City enough to donate your time and energy I suspect you care too. There may be nothing that can be done about this decision regarding the trees except to have the developers keep their end of the bargain. Mr. Niffen strongly urged the Council in the future to come to the Park Board and talk with them about their thoughts, take their concerns into consideration when making decisions on ordinances and whether or not a developer should be allowed to use the Park Dept. benefits, discounts, employees and materials to put trees in. Ask yourself is that something to be proud of, or something to be concerned about?

Pat Roth, 1584 Ridgeway, stated she sent a letter to Council dated April 18, 2011 expressing her concern to Council about following the Code and enforcing the Code so that Liberty got the trees that we need as citizens. Ms. Roth stated she came to Liberty from San Gabriel Valley where she grew up playing in orchards, fields and among the orange groves and oak groves. It was wonderful, but by the time she graduated from high school it had become a sea of buildings & cement, houses and more buildings and so forth, it had all been developed. Ms. Roth stated when she came to Missouri she was glad to see something that was not all paved over into a parking lot. When she came to Liberty, she saw the schools, hospital, college, and all the trees and beautiful downtown and she fell in love immediately. She wanted a nice town that was close to a big city, but not in the big city, with a good school district and a nice community flavor. Ms. Roth stated she still feels that way about Liberty, but cautioned this is a slippery slope and admonished Council to not let the developers sway them into thinking progress is progress at no cost. Progress is inevitable but Council should be sensible about it and not give up those things that make Liberty a good place to live.

Sherry Herrington, 1574 Carriage Court, remembers a big beautiful oak tree when she moved to Liberty about 15 years ago and what a beautiful first impression of the City it made upon her. The oak trees are no longer there. She states we have to have commercial growth or else we can't exist and that development and trees can co-exist together. 49 trees can lower the noise factor by 6 to 10 decibels on noise pollution in this very busy area. Ms. Herrington shared how Sacramento had a problem with their commercial and lack of trees and resolved their problem with the use of parking lot trees. They planted 50% more trees into already existing parking lot areas and sales in that shopping area increased by 4.9 million. We can co-exist; you don't have to be a tree hugger or an economist just wanting money for Liberty. Ms. Herrington stated that what bothers her the most is that the Council are all elected officials for the benefit of Liberty and she voted for some of the Council Members and to see how the Council's making deals, or letting someone else control the City is very disturbing to herself and to other citizens. They are upset and want this issue resolved.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Executive Session Minutes of April 16, 2012

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

B. Appointments/Reappointments

- i. Citizen Sales Tax Oversight Committee
 - a. Appoint Robert Saunders to a term expiring 5-15-2014
- ii. Liberty Arts Commission
 - a. Reappoint Michael Burton to a term expiring 5-15-2015
 - b. Reappoint Karen Orrill to a term expiring 5-15-2015
 - c. Reappoint Heather Jones to a term expiring 5-15-2015
- iii. Liberty Community Christmas Tree Advisory Commission
 - a. Reappoint Joe Dugdale to a term expiring 5-15-2015
 - b. Reappoint Mary Sallee to a term expiring 5-15-2015

Council Member Phillips moved to approve the appointments. Council Member Hagan seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

- A. Resolution approving a Special Use Permit to allow the temporary 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] {moved from April 23, 2012}

Mayor Canuteson opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the application. Council asked the applicant, Gus Giammalva, if he was aware of the new site clean-up requirements as a number of complaints were received last year. The applicant stated he was aware and the site would be restored within the 2 week period as required. Seeing no one else wishing to speak, he closed the public hearing.

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Brenton, Hagan, Watt, and Duncan
No: None
Abstain: None
Inscribed in Resolution No. 2556.

- B. Resolution Approving a Special Use Permit to Allow the Temporary Sale of Fireworks by Compton's Fireworks, from June 20 to July 4, 2012, on a 3.28 Acre Lot in Oakwood Business Park Approximately 600 feet west of Clay County Health Center in the City of Liberty, Clay County, Missouri [P&Z Case 12-20SUP]

Mayor Canuteson opened the Public Hearing and asked if anyone wish to speak either in favor or in opposition of the application. Seeing no one wishing speak, he closed the public hearing.

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Brenton, Hagan, Watt, and Duncan
No: None
Abstain: None
Inscribed in Resolution No. 2557.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Ordinance acknowledging vendor payments for the period of April 13, 2012 to May 4, 2012

1. Ordinance excluding KCP&L payments

Document No. 7529 was read.

Action: Council Member Brenton 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, Hagan, Watt, and Duncan
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 9891.

2. Ordinance including KCP&L payments

Document No. 7530 was read.

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

Roll Call
Vote: Motion passed 5-1-0
Yes: Council Members Phillips, Jenness, Hagan, Watt, and Duncan
No: None
Abstain: Council Member Brenton, due to potential conflict of interest.
Approved by the Chair and inscribed in Ordinance No. 9891.

B. Resolution Approving an Amended Preliminary Development Plan for Blue Jay Crossing in Liberty, Clay County, Missouri [P&Z Case 12-22PDP]

Council Member Brenton read a compromise drafted by Council and unanimously endorsed as the best practical solution with 3 key components: 1) Star Development will provide 530 trees to meet the City's replacement requirements; 2) Star Development will replace any trees that do not survive; and 3) The settlement of this issue is a unique situation and circumstances and the compromise that Council is offering is applicable solely to this particular matter. Council asked applicant to respond to the proposed compromise.

John Davis, Star Development, stated he believes Star Development has met its legal obligations but recognizes they have an ethical obligation to satisfy the constituents of this community and to ensure that they are bringing quality developments and doing the right thing for the community. Star's intention is to provide another 155 trees leading to the 530 trees in similar form and fashion to the trees that were donated last year. The intent is to donate those trees for the City to plant at their discretion. The intent was not for the trees to carry a warranty, but the intent is that they will certainly be of high quality. Star does not want to undermine what they believe is their legal position; believing Star has met their obligation. However, they do not want to have any qualms with the City. Liberty has supported Star for years and particularly on this project. If Council doesn't feel this is fair and justified then we will probably open discussions again to see what is fair and justified. In answer to Councils' question tonight, no that is not Star's intent. Star's intent is to provide 155 two inch caliber high quality shade trees from the City's approved tree list; and are willing to replace the dead trees from the ones donated last year, just as a gesture of good faith. Beyond that, he stated he doesn't think there is any room to budge, just from the principal that Star believes this is fair and in accordance with the ordinances that were in effect at the time this project was approved.

Action: Council Member Brenton moved to table this item until a satisfactory compromise can be reached regarding the tree issue. Council Member Hagan seconded the motion.

Vote: Motion passed unanimously.

- C. Ordinance Accepting and Approving a Final Plat for Blue Jay Crossing, Second Plat in the City of Liberty, Clay County, Missouri [P&Z Case 12-23FP]

Action: Council Member Hagan moved to table the ordinance. Council Member Phillips seconded the motion.

Vote: Motion passed unanimously.

- D. Resolution Approving a Final Development Plan for the Construction of a 10,300 square foot office building in Blue Jay Crossing, Lot 4 in Liberty, Clay County, Missouri [P&Z Case 12-24FDP]

Action: Council Member Hagan moved to table the resolution. Council Member Phillips seconded the motion.

Vote: Motion passed unanimously.

- E. Ordinance approving a Contract with Omega Door and Hardware, of Kansas City, for the modifications of bay doors at Fire Station No. 1 in an amount not to exceed \$17,176.

Document No. 7531 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 Watts moved to approve the ordinance. Council Member Phillips seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9892.

- F. Ordinance Approving a Contract with Thompson Electric, LLC, of Cameron, MO for the purchase and installation of Emergency Power Generators at Fire Station No 1 and Fire Station No. 3 in an amount not to exceed \$44,100.

Document No. 7532 was read.

Action: Council Member Hagan moved to waive the rules and consider the ordinance on first reading. Council Member Brenton 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, Hagan, Watt, and Duncan

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9893.

- G. Ordinance Amending Chapter 11 of the City Code of the City of Liberty, Clay County, Missouri, Repealing Section 11-1., "Ward Boundaries", and Establishing a New Section 11-1., "Ward Boundaries"

Document No. 7533 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 Phillips seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9894.

H. Ordinance Amending Chapter 20, "Motor Vehicles and Traffic Code" of the City Code of the City of Liberty, Clay County, Missouri pertaining to Tinted Windows

Document No. 7534 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 Jenness seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9895.

I. Ordinance Accepting an Easement for Storm Drainage Facilities for Blackberry Second Plat

Document No. 7535 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 Hagan seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9896.

J. Ordinance Disclaiming and Abandoning Sanitary Sewer Easement for Blue Jay Crossing - First Plat and Blue Jay Crossing - Second Plat

Document No. 7536 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 Hagan moved to approve the ordinance. Council Member Jenness seconded the motion.

Vote: Motion passed 6-0-0

Yes: Council Members Phillips, Jenness, Brenton, Hagan, Watt, and Duncan
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 9897.

K. Ordinance Accepting Easements for Public Sanitary Sewer Mains, Public Water Mains, and Stormwater Detention Facilities for New Liberty Hospital District - Liberty Clinic

Document No. 7537 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 Jenness seconded the motion.

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Brenton, Hagan, Watt, and Duncan
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 9898.

L. Ordinance Authorizing the Granting and Acceptance of Right-of-Way by the City of Liberty for the Flintlock Overpass Project

Document No. 7538 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 Phillips moved to approve the ordinance. Council Member Watt seconded the motion.

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Brenton, Hagan, Watt, and Duncan
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 9899.

Council Member Jeff Moore entered at 8:25 pm.

M. Utility Billing Procedures

1. Ordinance Adopting the City of Liberty Utility Billing Procedures

Document No. 7539 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 Watt moved to approve the ordinance. Council Member Phillips seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Not approved by the Chair. Ordinance goes into effect June 14, 2012 inscribed in Ordinance No. 9900.

2. Ordinance Amending Chapter 29, "Water and Sewers", of the City Code of the City of Liberty, Clay County, Missouri pertaining to Utility Billing Procedures

Document No. 7540 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 Watt moved to approve the ordinance. Council Member Hagan seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9901.

- N. Ordinance Amending Ordinance 9819, Adoption of the 2012 Budget for the City of Liberty - Capital Sales Tax Water/Wastewater

Document No. 7541 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 Hagan seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None
Approved by the Chair and inscribed in Ordinance No. 9902.

- O. Ordinance Approving a Contract for Professional Engineering Services with AGC Engineers, Inc. for the Utility Improvements at Heartland Meadows Industrial Park in an amount not to exceed \$47,000.

Document No. 7542 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 Hagan seconded the motion.

Vote: Motion passed 6-0-1

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

No: None

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

Approved by the Chair and inscribed in Ordinance No. 9903.

- P. Ordinance Approving a Contract for Professional Engineering Services with Transystems Corporation for the Roadway Improvements at Heartland Meadows Industrial Park in an amount not to exceed \$41,200.

Document No. 7543 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 Watt moved to approve the ordinance. Council Member Hagan seconded the motion.

Vote: Motion passed 6-0-1

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. 9904.

- Q. Ordinance Approving a Contract with HDR Engineering, Inc. for Engineering and Related Services for a New Liberty Wastewater Treatment Facility in an amount not to exceed \$177,620.

Document No. 7544 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 Jenness moved to approve the ordinance. Council Member Brenton seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9905.

- R. Ordinance Approving a Contract with K.W. Boring for Services of Auger Boring and Directional Drilling Operations for Watermain Installation for Birmingham Road, Ruth Ewing Road and Grover Drive Project in an amount not to exceed \$43,440.

Document No. 7545 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 Hagan seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9906.

- S. Ordinance Amending Ordinance No. 9652, Adoption of the 2011 Budget for the City of Liberty - 2011 Budget Amendments

Document No. 7546 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 Hagan moved to approve the ordinance. Council Member Brenton seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9907.

X. OTHER BUSINESS

- A. Motion to Authorize the Purchase of Construction Materials from MCS Waterworks for the Birmingham Holt to Ruth Ewing Water Main Extension in the amount of \$100,983.75.

Action: Council Member Hagan moved to approve the purchase of construction materials from MCS Waterworks. Council Member Jenness seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

- B. Motion to Authorize the Purchase of Chemical Feed Equipment for Water Treatment Plant Potassium Permanganate System from Enpro Technology in the amount of \$58,000.

Action: Council Member Watt moved to approve the purchase of Chemical Feed Equipment for Water Treatment Plant Potassium Permanganate System from Enpro Technology. Council Member Phillips seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 8:45 p.m.

Mayor

Attest:

Deputy City Clerk