



## City Council Meeting

Regular Session Minutes

July 8, 2013

### 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 8, 2013 with Mayor Lyndell Brenton presiding. Mayor Brenton called the meeting to order at 7:00 p.m.

### II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Michael Hagan, 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  
Kevin Graham and Jeff Watt, Ward III  
Michael Hagan and Gene Gentrup, Ward IV

Council Members Absent: None

Staff Present: Curt Wenson, City Administrator  
Dan Estes, Assistant City Administrator (arrived at 7:30 p.m.)  
Steve Hansen, Public Works Director  
Janet Snook, Parks and Recreation Director  
James Simpson, Police Chief  
Mike Snider, Fire Chief  
Katherine Sharp, City Planner  
David Jones, Planner  
Janet Pittman, Deputy City Clerk

Public Present: 12 members of the public

### IV. APPROVE MINUTES AND SUMMARIES

### V. CITIZENS' PARTICIPATION

Pat Miller, 1955 Kings Highway, stated that Devin Skillman, horticulturist with the Parks Department, does a fantastic job and she wanted to commend him for his efforts.

### VI. MEETING SCHEDULE

### VII. CONSENT AGENDA

Council Member Hagan requested that Item C. 3. be removed from the Consent Agenda and considered separately.

A. Study Session Summary of June 17, 2013

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

B. Regular Session Minutes of June 24, 2013

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

C. Temporary Event Liquor Licenses

1. Resolution approving a Temporary Event Liquor License for the Knights of Columbus at Fountain Bluff Sports Complex for a Men's ASA National tournament to be held August 30 – September 2, 2013

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 2617.

2. Resolution approving a Temporary Event Liquor License for Historic Downtown Liberty's Dog Days of Summer and Craft Beer Crawl to be held August 17, 2013 on the Square

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 2618.

3. Resolution approving a Temporary Event Liquor License for Historic Downtown Liberty's Trivia Night to be held at Heritage Hall, 117 West Kansas Street on October 3, 2013 [removed from Consent Agenda and considered separately]

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

Vote: Motion passed 7-0-1

Yes: Council Members Phillips, Jenness, Moore, Graham, Watt, Duncan and Gentrup

No: None

Abstain: Council Member Hagan, due to potential conflict of interest.  
Inscribed in Resolution No. 2619.

D. Resolution of the City of Liberty authorizing participation in First Lady Michelle Obama's "Let's Move!" Campaign

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 2620.

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Acknowledgement of vendor payments for the period of June 14 to June 28, 2013.

Mayor Pro Tem Duncan took over as Chair of the meeting.

Document No. 7756 was read.

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

Roll Call

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10080.

Mayor Brenton resumed as chair of the meeting.

B. Ordinance accepting and approving a Final Plat for Shoppes at Liberty Triangle, Seventh Plat in the City of Liberty, Clay County, Missouri [P&Z Case No. 13-29FP] (second reading)

Document No. 7749 was read.

Tamara Evans, 1009 Aspen Drive, Director of Real Estate for Liberty Hospital, stated that the proposed facility is the relocation of an existing outpatient facility located at S. Stewart Road. They have outgrown the current location and need a larger facility, which will also include an expansion into sports medicine. Dan Carr, representative of the Liberty Triangle, stated that numerous outpatient clinics have been built in retail settings throughout the country and this facility will be a nice addition to the Triangle.

Mr. Carr stated this would be a 15 year lease with a right of first refusal for the hospital to purchase. Council stated concerns regarding future potential tax revenue implications for not-for-profit entities purchasing property in a TIF district. Council noted that even with the proposed development, non-sales tax producing square footage is within the limits of the Triangle TIF agreement.

Mayor Brenton called a recess at 7:15 p.m. to address malfunctioning microphones. The meeting resumed at 7:20 p.m.

John Parry, 2101 Liberty Drive, stated that services were being lost at Liberty Hospital. If the City loses the hospital, or if it is downgraded, it would be devastating to the community. He is concerned the hospital is investing in a building for services that may not get paid for in the future with healthcare reform.

**Action:** Council Member Watt moved to table the ordinance until July 22, 2013 so that further information could be gathered regarding tax revenue implications of not-for-profit ownership within a TIF district. Council Member Graham seconded the motion.

Vote: Motion failed 3-5-0  
Yes: Council Members Moore, Graham and Watt  
No: Council Members Phillips, Jenness, Hagan, Duncan and Gentrup  
Abstain: None

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

Vote: Motion passed 8-0-0  
Yes: Council Members Phillips, Jenness, Moore, Hagan, Graham, Watt, Duncan and Gentrup  
No: None  
Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10081.

- C. Resolution approving a Final Development Plan for the construction of a 12,000 square foot Freedom Therapy Medical building in Liberty, Clay County Missouri [P&Z Case 13-30 FDP] (postponed from June 24, 2013)

**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, Hagan, Graham, Watt, Duncan and Gentrup  
No: None  
Abstain: None  
Inscribed in Resolution No. 2621.

- D. 2013 Street Restoration

1. Ordinance approving a contract with Superior Bowen Asphalt Co. LLC for the 2013 Street Restoration Project in an amount not to exceed \$1,662,353.95

The Street Restoration Project includes cold milling, full depth pavement repair, curb repair, overlay, and installation of ADA pedestrian ramps. The base budget established for the project was \$1.34 million. To accommodate the budgeted funding, the contract amount and scope from the lowest bid is being reduced to fit budget parameters.

Document No. 7757 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 Jenness moved to approve the ordinance. Council Member Hagan seconded the motion.

**Vote:** Motion passed 8-0-0

**Yes:** Council Members Phillips, Jenness, Moore, Hagan, Graham, Watt, Duncan and Gentrup

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10082.

2. Ordinance amending the Ordinance approving a contract with Superior Bowen Asphalt Co. LLC for the 2013 Street Restoration Project by decreasing the contract amount by \$532,953.95 to a not to exceed total of \$1,129,400.00

Document No. 7758 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 Watt moved to approve the ordinance. Council Member Hagan seconded the motion.

**Vote:** Motion passed 8-0-0

**Yes:** Council Members Phillips, Jenness, Moore, Hagan, Graham, Watt, Duncan and Gentrup

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10083.

## X. OTHER BUSINESS

### A. County Collection of City Taxes

Council discussed the matter of contracting with Clay County to bill and collect City taxes. Council directed staff to bring forward a contract for their consideration.

- 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