



## City Council Meeting

Regular Session Minutes

August 12, 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 August 12, 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 Jeff Moore 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  
Steve Hansen, Public Works Director  
Janet Snook, Parks and Recreation Director  
Charlie Stevens, Utilities Director  
James Simpson, Police Chief  
Mike Snider, Fire Chief  
Tony Sage, Information Technology Director  
Shawna Funderburk, Asst. to the City Administrator  
Janet Pittman, Deputy City Clerk

Public Present: 6 members of the public

### IV. APPROVE MINUTES AND SUMMARIES

#### A. Study Session Summary of July 15, 2013

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

#### B. Regular Session Minutes of July 22, 2013

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

C. Executive Session Minutes of July 22, 2013

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

V. CITIZENS' PARTICIPATION

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Resolution appointing Directors to the Rogers Plaza CID Board of Directors

**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. 2622.

B. Resolution approving a Temporary Event Liquor License for a St. James School event at 309 South Stewart Road on Friday, August 23 and Saturday, August 24, 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. 2623

C. Resolution expressing the City of Liberty's support for bringing the Republican National Convention to the Kansas City Region in 2016

**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. 2624.

D. Acceptance of the Certification of August 6, 2013 Special Election Results.

The question of whether the City of Liberty, Missouri, shall issue its sewerage system revenue bonds in an amount not to exceed \$95,000,000 for the purpose of extending and improving its sewerage system, including without limitation the possible construction of a new wastewater treatment plant and / or capital improvements related to the treatment of wastewater provided by Kansas City, Missouri, the principal of and interest on said revenue bonds to be payable solely from the net revenues derived by the City from the operation of its sewerage system, including all future extensions and improvements thereto, passed by a vote of 91.46%

**Action:** Council Member Watt moved to accept the Certification of the August 6, 2013 Election Results. 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

E. Authorize an Executive Session to be held in the Administration Conference Room immediately following the Regular Session to discuss Contract Negotiations as authorized by 610.021(12) RSMo

Council Member Watt moved to authorize the Executive Session. Council Member Phillips seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Acknowledgement of vendor payments for the period of July 12 to August 2, 2013.

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

1. Ordinance excluding Westland Landscape payments

Document No. 7766 was read.

**Action:** Council Member Phillips moved to approve the vendor payments. Council Member Hagan 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. 10089.

2. Ordinance including Westland Landscape payments

Document No. 7767 was read.

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

Roll Call

Vote: Motion passed 7-0-1  
Yes: Council Members Phillips, Moore, Hagan, Graham, Watt, Duncan and Gentrup  
No: None  
Abstain: Council Member Jenness, due to potential conflict of interest.  
Approved by the Chair and inscribed in Ordinance No. 10089.

Mayor Brenton resumed as chair of the meeting.

B. Ordinance approving a maintenance services agreement with the City of Kansas City, Missouri for the Liberty Motorola P25 Digital radio network known as MARRS (Metropolitan Area Regional Radio System) [second reading]

Document No. 7762 was read.

**Action:** Council Member Phillips moved to approve the ordinance. Council Member Jenness 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. 10090.

C. Ordinance amending Chapter 10, "Court Costs, Fines and Imprisonment" of the Code of the City of Liberty, Missouri implementing \$3.00 Sheriffs Retirement Fund fee [second reading]

Document No. 7765 was read.

**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. 10091.

D. Ordinance accepting easements for public water mains for H Highway to LaFrenz Road Water Main Extension

Acceptance of public water main easements for a water main extension from H Highway to the north end of LaFrenz Road. Easements are required for the construction and maintenance of public water main improvements.

Document No. 7768 was read.

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

**Vote:** Motion passed unanimously.

**Action:** Council Member Jenness moved to approve the ordinance. 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

Approved by the Chair and inscribed in Ordinance No. 10092.

E. Ordinance approving a contract with Genesis Environmental Solutions, Inc. for paint coating services for clarifiers and other surfaces at the City of Liberty Water Treatment Plant in an amount not to exceed \$553,452.

Contract provides for surface preparation and coatings application to essential treatment components to prevent corrosion and extend equipment life. This will enable the Water Utility to be in compliance with Missouri Department of Natural Resources' requirements to properly care for the City's equipment systems.

Document No. 7769 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 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. 10093.

F. Ordinance approving a contract with the Missouri Center for Patient Safety

The agreement provides legal protection of EMS quality improvement materials. The protection is provided by The Patient Safety & Quality Improvement Act of 2005.

Document No. 7770 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 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. 10094.

G. Ordinance authorizing the Director of Public Works to accept conveyance of easements and real property from the Missouri Highways and Transportation Commission

The Council has approved agreements with the Missouri Highways and Transportation Commission to accept State owned property in the form of right-of-ways in association with various Municipal agreements. These agreements include the Flintlock Overpass agreement and the I-35/US69/M33 project agreement. In order to complete the property transaction with the Missouri Highways and Transportation Commission, the documentation for acceptance requires the signature of an authorized representative of the City.

Document No. 7771 was read.

Council requested that the ordinance reflect that the action was only for the two current projects.

Mayor Brenton stated the ordinance would be considered on second reading at the August 19<sup>th</sup> Special Session Meeting.

H. Ordinance authorizing re-establishment of a procedure to disclose potential conflicts of interest and substantial interests for certain municipal officials and employees

The State of Missouri allows political subdivisions with annual operating budgets greater than one million dollars to adopt their own financial disclosure regulations. The City's ordinance requires the mayor, council members and city administrator to disclose personal and business entity transactions with the City over \$500.

Document No. 7772 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 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. 10095.

I. Ordinance authorizing the Temporary Single Family Residential Homebuilding Incentive Program – Phase II

Phase II of the Single Family Residential Homebuilding Incentive Program provides for permits to be issued at a 65% reduced incentive rate through January 31, 2014. An estimated 53 infill lots remain available.

Document No. 7773 was read.

Council Member Phillips stated for the record that this program feels like a “gimme” to builders to do what they would do anyway; however, they may say differently. The homes built utilizing the incentive program have not been constructed / landscaped any better or more environmentally friendly than those previously built. Nor have home builders reduced the price to buyers. Council Member Watt stated the program enabled Liberty to be competitive with Kansas City, and spurred development by having infill homes built in existing sub-divisions.

**Action:** Council Member Moore 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 Watt 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. 10096.

J. Ordinance establishing the 2013 Ad Valorem Tax Levies for City operations for 2014 Budget year (first reading only)

The Budget Committee met on July 31<sup>st</sup> to discuss the levy. They recommended setting the levy at \$1.0092 per \$100 assessed valuation.

Document No. 7774 was read.

Mayor Brenton stated a public hearing on this item is scheduled for August 19, 2013 at 7 pm. Second reading will be at the August 26, 2013 Regular Session meeting.

- K. Ordinance approving a grant-funding agreement with Mid-America Regional Council for transportation, senior center administration and Meals on Wheels in the amount of \$101,785.10

Each year the City of Liberty is awarded operating contracts by the Mid-America Regional Council (MARC) to support senior services including transportation services, senior center administration and Meals on Wheels administration.

Document No. 7775 was read.

**Action:** Council Member Watt 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 Graham 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. 10097.

- L. Grooms Addition Property

1. Resolution declaring surplus property and disposal of Lots 23 and 24 Grooms Addition and the north five feet of a vacated alley adjoining the described lots on the south

**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. 2625.

2. Ordinance accepting a utility easement over the entirety of Lots 23 and 24 Grooms Addition and the north five feet of a vacated alley adjoining the described lots on the south

Document No. 7776 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 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. 10098.

#### X. OTHER BUSINESS

Janet Snook, Parks and Recreation Director, provided a brief update on the Community Center Task Force. She noted the task force was waiting for Kansas City to complete its parks feasibility study to determine whether they will partner on a project or not. Different groups also continue discussions.

#### XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

#### XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

#### XIII. ADJOURNMENT

The meeting adjourned at 8:00 p.m.

\_\_\_\_\_  
Mayor

Attest:

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Deputy City Clerk