



## City Council Meeting

Regular Session Minutes

September 23, 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 September 23, 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 Watt, 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  
Mike Snider, Fire Chief  
Tony Sage, Information Technology Director  
Katherine Sharp, City Planner  
Shawwna Funderburk, Asst. to the City Administrator  
Janet Pittman, Deputy City Clerk

Public Present: 3 members of the public

### IV. APPROVE MINUTES AND SUMMARIES

#### A. Regular Session Minutes of September 9, 2013

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

### V. CITIZENS' PARTICIPATION - None

### VI. MEETING SCHEDULE

### VII. CONSENT AGENDA

- A. Appointments  
1. Resolution appointing Directors to the Liberty Enhanced Enterprise Zone Board

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

Inscribed in Resolution No. 2629.

## VIII. PUBLIC HEARINGS

- A. Resolution approving a Special Use Permit to allow a Haunted House from October 11 to October 31, 2013 at the Odd Fellows Home Property, 1325 Odd Fellows Road [P&Z Case 13-38SUP]

The proposed operational dates are October 11<sup>th</sup>, 12<sup>th</sup>, 18<sup>th</sup> 19<sup>th</sup> and 25<sup>th</sup> through 31<sup>st</sup>. The event will open at 6 pm and ticket sales will close at 11 pm. All persons and staff must vacate the premises no later than midnight each night of operation.

Mayor Brenton opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the resolution. Seeing no one wishing to speak, the Mayor closed the Public Hearing.

**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. 2630.

## IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Acknowledgement of vendor payments for the period of August 30 to September 13, 2013.

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

1. Ordinance excluding Westland Landscape payments

Document No. 7787 was read.

**Action:** Council Member Watt moved to approve the vendor payments. Council Member Phillips 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. 10108.

2. Ordinance including Westland Landscape payments.

Document No. 7788 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  
Approved by the Chair and inscribed in Ordinance No. 10108.

Mayor Brenton resumed as chair of the meeting.

B. Unified Development Ordinance Amendments

1. Ordinance amending Chapter 30, "Unified Development Ordinance", of the Code of the City of Liberty, Clay County, Missouri pertaining to Temporary Use Permits [P&Z Case No. 13-11A] (2<sup>nd</sup> Reading – To be Tabled)

Document No. 7777 was read.

**Action:** Council Member Hagan moved to table 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

C. Final Contract Amendment to the Design-Build Construction Agreement with Emery Sapp & Sons, Inc. and Final Acceptance of the Brookview Gardens Neighborhood Improvement Project

The Brookview Gardens Neighborhood was identified in the CIP development as the next neighborhood improvement project and was completed using a Design-Build Construction contract. The improvements consisted of roadway reconstruction, stormwater and water main improvements in the vicinity of Middlebrook, Thompson, Mack, Cross and Circle in the Brookview Gardens subdivision.

1. Approve an Ordinance amending Ordinance No. 9955 approving a design-build construction agreement with Emery Sapp & Sons, Inc. for the Brookview Gardens Neighborhood Improvement Project by decreasing the agreement

amount by \$224,883.11.

Document No. 7789 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 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. 10109.

2. Approve a Resolution accepting the Brookview Gardens Neighborhood Improvement Project and authorizing final payment to Emery Sapp & Sons, Inc

**Action:** Council Member Watt moved to approve the resolution. Council Member Moore 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. 2631.

D. Ordinance approving a contract with RubinBrown LLP to provide audit services for the City of Liberty in an amount not to exceed \$54,500.

The City of Liberty traditionally issues a "Request for Proposals (RFP's)" for audit services every five years. Work demands and staffing issues have precluded Finance from going out with an RFP in 2013 and to ensure continuity of audit services, RubinBrown was asked to price a one-year contract extension. RubinBrown has provided said one year extension price quote plus provided two optional years.

Document No. 7790 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 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. 10110.

X. OTHER BUSINESS

- A. Blanket Purchase Order for Road Salt from Independent Salt in the amount of \$40,000

**Action:** Council Member Hagan moved to approve the purchase. Council Member Moore 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

- B. Purchase of computer equipment from Pomeroy in an amount not to exceed \$30,230.50.

**Action:** Council Member Phillips moved to approve the purchase. 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

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:25 p.m.

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Mayor

Attest:

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Deputy City Clerk