



City Council Meeting

Regular Session Minutes

April 14, 2014

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 14, 2014 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 Bartnik, Parks and Recreation Director
Brian Hess, Interim Utilities Director
Amy Brusven, Human Resources Director
James Simpson, Police Chief
Mike Snider, Fire Chief
Shawwna Funderburk, Asst. to the City Administrator
Karan Johnson, Economic & Business Dev. Manager
Janet Pittman, Deputy City Clerk

Public Present: Stacy Burt, Liberty Tribune
26 members of the public

IV. APPROVE MINUTES AND SUMMARIES

A. Study Session Summary of March 17, 2014

Council Member Hagan moved to approve the minutes as distributed. Council Member Phillips seconded the motion, which carried 6-0-2. Council Members Moore and Jenness abstained due to absence.

B. Regular Session Minutes of March 24, 2014

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

V. CITIZENS' PARTICIPATION

A. Presentation of Clay County Health Center's Annual Report and 2013 Liberty Community Health Improvement Plan

Gary Zaborac, Director of Public Health presented Clay County Health Department's 2013 Annual Report. He noted that the organization is in its first year of a three year strategic plan (Community Health Improvement Plan). The plan includes the development of a community health action team (L-CHAT) in cooperation with community partners to focus on dealing with the childhood obesity issue. The goal is to develop a community where healthy habits are the easy choice. He stated that walkability is a huge part of the Activity Task Force and that the Parks and Recreation Dept's. play an important role in that. Mr. Zaborac also highlighted that the health center completed all requirements necessary to apply for national accreditation from the Public Health Accreditation Board.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Special Session Minutes of April 7, 2014

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

B. Appointments/Reappointments

i. Planning and Zoning Commission

1. Reappoint Ann Waterman to a term expiring 1/1/2017
2. Reappoint Amy Howard to a term expiring 1/1/2017
3. Reappoint Tom Reiner to a term expiring 1/1/2017

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

VIII. PUBLIC HEARINGS

A. Ordinance approving a Plan for an Industrial Development Project for LMV Automotive Systems, a division of Dieomatic Incorporated, and authorizing the issuance of taxable industrial revenue bonds (Dieomatic Incorporated Project), Series 2014, in a maximum aggregate principal amount of not to exceed \$34,200,000; authorizing and approving certain other documents; and authorizing certain other actions in connection with the issuance of said bonds (Public Hearing)

LMV is a company currently located within Heartland Meadows that produces auto assembly parts for the Ford Transit van. The City and LEDC, as a part of a KCADC request for proposal, submitted a proposal to LMV to allow an expansion of approximately 250,000 square feet to accommodate a potential new contract. The investment will be approximately \$49 million.

Mayor Brenton opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the ordinance.

Andy Hrasky, Assistant General Manager for LMV, stated the company is appreciative of the historical support it has received from City Council, and they look forward to a continued future with Liberty.

Seeing no one else wishing to speak, the Mayor closed the Public Hearing

Document No. 7886 was read.

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

Vote: Motion passed 7-0-1

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

No: None

Abstain: Council Member Jenness, potential conflict of interest
Approved by the Chair and inscribed in Ordinance No. 10189.

- B. Ordinance approving and authorizing the issuance of Taxable Industrial Revenue Bonds (Becknell Investors LLC Project), Series 2014, in a maximum aggregate principal amount of not to exceed \$14,850,000; authorizing and approving certain other documents; and authorizing certain other actions in connection with the issuance of said bonds.

Document No. 7887 was read.

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

Vote: Motion passed 7-0-1

Yes: Council Members Phillips, Moore, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: Council Member Jenness, potential conflict of interest
Approved by the Chair and inscribed in Ordinance No. 10190.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Acknowledgement of vendor payments for the period of March 14 to April 4, 2014.

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

Document No. 7888 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. 10191.

Mayor Brenton resumed as chair of the meeting.

B. Employee Benefit Agreements for Plan Year July 1, 2014 through June 30, 2015

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

Document No. 7877 was read.

Action: Council Member Watt 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. 10192.

2. Ordinance approving a contract with Aetna Insurance Company to provide employee dental insurance coverage for the City of Liberty (second reading)

Document No. 7878 was read.

Action: Council Member Hagan moved to approve the ordinance. 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

Approved by the Chair and inscribed in Ordinance No. 10193.

3. Ordinance approving a contract with Prudential Insurance Company to provide employee life and AD&D coverage for the City of Liberty (second reading)

Document No. 7879 was read.

Action: Council Member Phillips moved to approve the ordinance. 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

Approved by the Chair and inscribed in Ordinance No. 10194.

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

Document No. 7880 was read.

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. 10195.

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

Document No. 7881 was read.

Action: Council Member Phillips 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. 10196.

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

Document No. 7882 was read.

Action: Council Member Watt 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. 10197.

7. Ordinance approving a contract with American Fidelity Company to provide employee supplemental insurance coverage for the City of Liberty (second reading)

Document No. 7883 was read.

Action: Council Member Hagan 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. 10198.

8. 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 (second reading)

Document No. 7884 was read.

Action: Council Member Phillips moved to approve the ordinance. 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

Approved by the Chair and inscribed in Ordinance No. 10199.

9. Ordinance approving a contract with American Fidelity to provide section 125 plan administration for the City of Liberty (second reading)

Document No. 7885 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. 10200.

C. Blue Jay Crossing TIF

1. Ordinance approving the First Amendment to the Amendment to the Liberty Triangle Tax Increment Financing Plan (Clayview Parcel) dated September 3, 2008

Council Member Hagan recused himself due to a potential conflict of interest.

The addition of the Clayview parcel in 2008 was an amendment to the original Liberty Triangle Project and was added as Area I. Area I was approved with a separate budget and TIF eligible expenses are reimbursed from revenue generated from Area I only. There are no bonds, this is a pay-as-you-go project; reimbursement is only achieved if revenue is generated. However, future bonds could be sought.

Document No. 7889 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10201.

2. Ordinance approving an Amendment to the TIF Contract between the City of Liberty, MO and Star Development Corporation for the Amendment to the Liberty Triangle Tax Increment Financing Plan Project Area I

Document No. 7890 was read.

Action: Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Duncan 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 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10202.

Council Member Hagan re-entered the meeting at the this time.

- D. Ordinance approving the Amended Master Development Agreement between the City and BioRealty, Inc. to implement the development of a 42 acre parcel of Real Property within the Heartland Meadows Industrial Park for Science and Technology Uses; and approving the Assignment Agreement between BioRealty, Inc., BRI Holdings, LLC and the City, Assigning BioRealty's Rights Under the Master Development Agreement to BRI Holdings, LLC.

Document No. 7891 was read.

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

Approved by the Chair and inscribed in Ordinance No. 10203.

- E. Ordinance approving a Contract with JA Lillig Excavating, Inc. for the CDBG Public Improvements -Tier II Heartland Meadows Industrial Park in an amount not to exceed \$641,612.35

Document No. 7892 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 Moore 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. 10204.

F. Ordinance accepting Right-of-Way Deed Dedicating Public Right-of-Way along Nashua Road

Document No. 7893 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 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. 10205.

G. Ordinance approving an Agreement with GP RED pertaining to Professional Services for the Healthy Communities Project in an amount not to exceed \$25,000.

Document No. 7894 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 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
Approved by the Chair and inscribed in Ordinance No. 10206.

H. Ordinance approving a Contract with Foster's Cleaners to supply Laundry and Dry Cleaning Services for the Police and Fire Departments

Document No. 7895 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 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. 10207.

I. Ordinance amending Ordinance No. 10067 approving an agreement with Tusa Consulting Services II, LLC to provide consultation and design for a Public Safety Radio System in the amount of \$7,200.

Document No. 7896 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 Moore 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. 10208.

X. OTHER BUSINESS

A. Motion to authorize a reimbursement payment to Liberty United Methodist Church for oversized water main expense in the amount of \$11,585.00

Action: Council Member Watt moved to approve the reimbursement payment.
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

- B. Motion to authorize the purchase of a 2014 International 2 ½ ton dump truck in the amount of \$155,396 from Diamond International

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 8:05 p.m.

Mayor

Attest:

Deputy City Clerk