



## City Council Meeting

Regular Session Minutes

August 25, 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 August 25, 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 Council Member Phillips, 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, Utilities Director  
Jonna Wensel, Community Development Manager  
James Simpson, Police Chief  
Vicki McClure, Assistant Finance Director  
Katherine Sharp, City Planner  
Shawwna Funderburk, Asst. to the City Administrator  
Karan Johnson, Economic & Business Dev. Manager  
Sara Cooke, Communications Manager  
Janet Pittman, Deputy City Clerk

Public Present: 11 members of the public

### IV. APPROVE MINUTES AND SUMMARIES

### V. CITIZENS' PARTICIPATION

#### A. Historic Downtown Liberty, Inc. – Presentation of Awards

Vicki Vance, Historic Downtown Liberty, Inc. Executive Director stated they were recently awarded two awards at the State Main Street Convention. HDLI's Economic Improvement Team received an award as well as Bedinger Properties for the Best Large Scale Project, featuring the Bell Restaurant and Bar and Rock and Run Brewery

and Pub.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

- A. 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 – Motion

**Action:** Council Member Hagan moved to authorize the Executive Session. 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. Resolution of Support for Greenway Estates Apartments, a proposed development for Senior Citizens

**Action:** Council Member Hagan moved to approve the resolution. 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

Inscribed in Resolution No. 2697.

VIII. PUBLIC HEARINGS

- A. Resolution amending the Comprehensive General Plan of the City of Liberty, Clay County, Missouri for the adoption of the Trails and Greenways Plan (continued from July 28, 2014)

Mayor Brenton opened the Public Hearing continued from July 28, 2014 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.

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

Inscribed in Resolution No. 2698.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of August 1 to August 15, 2014.

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

1. Ordinance excluding Westland Landscape payments

Document No. 7947 was read.

**Action:** Council Member Hagan 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. 10248.

2. Ordinance including Westland Landscape payments.

Document No. 7948 was read.

**Action:** Council Member Watt moved to approve the vendor payments. Council Member Hagan 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. 10248.

Mayor Brenton resumed as chair of the meeting.

- B. Ordinance establishing the 2014 Ad Valorem Tax Levies for City operations for 2015 Budget year (Second Reading)

Document No. 7946 was read.

**Action:** Council Member Hagan moved to amend the ordinance to establish the total 2014 levy at \$1.0080, with the proration of the levy allocated to General and Park operations established in the same percentages as the 2013 levy. Council Member Phillips seconded the motion.

Vote: Motion passed 7-1-0

Yes: Council Members Phillips, Jenness, Moore, Hagan, Graham, Watt and Gentrup  
No: Council Member Duncan  
Abstain: None

**Action:** Council Member Phillips moved to approve the ordinance as amended. 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. 10249.

- C. Ordinance calling an election in the City of Liberty, Missouri on the question of adopting an Economic Development Sales Tax in the amount of three-eighths of one percent (0.0375%) for a 20-year period (Second Reading)

Document No. 7943 was read.

**Action:** Council Member Moore moved to table the ordinance. Council Member Watt seconded the motion.

Vote: Motion failed 2-6-0  
Yes: Council Members Moore and Watt  
No: Council Members Phillips, Jenness, Hagan, Graham, Duncan and Gentrup  
Abstain: None

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

Vote: Motion passed 6-2-0  
Yes: Council Members Phillips, Jenness, Hagan, Graham, Duncan and Gentrup  
No: Council Members Moore and Watt  
Abstain: None  
Approved by the Chair and inscribed in Ordinance No. 10250.

- D. Ordinance calling an election in the City of Liberty, Missouri on the question of imposing a use tax for general revenue purposes at the rate of two and one-half percent (2.5%) (Second Reading)

Document No. 7944 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. 10251.

- E. Ordinance calling an election in the City of Liberty, Missouri on the question of imposing a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in Liberty, Missouri at a rate of five percent (5%) (Second Reading)

Document No. 7945 was read.

**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. 10252.

- F. Ordinance amending Chapter 30, "Unified Development Ordinance", of the Code of the City of Liberty, Clay County, Missouri [Section 30-94.1 Parks and Open Space – Parkland] (Second Reading)

Document No. 7934 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. 10253.

- G. Resolution granting a Certificate of Appropriateness for alterations to the façades at 1 E. Kansas Street and 3, 9 & 15 S. Main Street, Liberty Square Historic District [HDRC Case No. 14-013LS]

**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. 2699.

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

- H. Ordinance amending Ordinance No. 9844 approving a Contract with Affinis Corp. for Engineering Services for the Liberty Drive Improvements Project increasing the contract amount by \$10,000. to a not to exceed amount of \$157,505.00

Street lights in the City of Liberty have historically been designed, constructed, owned, and maintained by Kansas City Power & Light and leased to the City of Liberty. In the past, staff would submit requests for street lighting design and installation to KCP&L for new street lights in new developments, public improvements, and infill locations. However, the KCP&L policy of designing the street lights has recently changed, and they no longer provide the design service for liability reasons. This policy change occurred after the design of the Liberty Drive improvements was already underway. Since the design and installation of street lighting was not in the original design scope of this project, staff directed the design engineer to proceed with preparing a street lighting plan under the understanding that the not-to-exceed limit of the design contract would be increased if necessary to cover the design should the original limit be exceeded.

Document No. 7949 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. 10254.

Mayor Brenton resumed as chair of the meeting.

- I. Ordinance approving a certain Agreement between the New Liberty Hospital District and the City of Liberty for use of the warm pool and hot tub located in the Liberty Community Center, Liberty, Missouri

Document No. 7950 was read.

**Action:** Council Member Jenness 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 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. 10255.

- X. OTHER BUSINESS
- XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR
- XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL
- XIII. ADJOURNMENT

The meeting adjourned at 8:10 p.m.

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Mayor

Attest:

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Deputy City Clerk