



City Council Meeting

Regular Session Minutes

October 27, 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 October 27, 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 Paul Jenness, 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
Vicki McClure, Assistant Finance Director
Steve Hansen, Public Works Director
Janet Bartnik, Parks and Recreation Director
Brian Hess, Utilities Director
James Simpson, Police Chief
Katherine Sharp, City Planner
David Jones, Planner
Karan Johnson, Economic & Business Dev. Manager
Janet Pittman, Deputy City Clerk

Public Present: 12 members of the public

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION - NONE

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

VIII. PUBLIC HEARINGS

- A. Resolution amending the Future Land Use Map of the Comprehensive General Plan of the City of Liberty pertaining to a lot which comprises approximately 148 acres southwest of the intersection of N. Church Road and NE 104th Street, by removing on said property designations for Traditional Residential, Traditional High Density, and Parks, and adding designations for High-Density Residential and Commercial [P&Z 14 -01A]

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

Mr. Art Akin, AGC Engineers, spoke on behalf of the applicants Mr. and Mrs. Sieker. He stated that the proposed amendment was to tweak the existing land use map to make the property more marketable for development in the future.

Ms. Marlene Jeffers, stated she was concerned about where high density residential would exit out of the property as A Highway is not adequate for an additional high volume of traffic, especially during school start/end times.

Mr. John Davis, 10301 N. Hedges, Kansas City, noted that his property backs onto the property. He was concerned about what type of businesses could end up on that plat of ground, and what the definition of what high density residential and low density residential is.

Planner David Jones stated that a commercial designation is a broad definition and it is too soon in the process to know what type of businesses may be proposed. High density residential is seven units or more per acre and low density residential is 6 units or fewer per acre.

Mr. Mike Ingram, 10109 N. Hedges, Kansas City, stated that his property was just outside the conservation area and he was concerned that the area wouldn't be kept as conservation.

Mr. James Erbanksi, 1422 Lynette Street, stated he was concerned about stormwater management for the area as he has had flooding on his property in the past. Staff stated that stormwater management would be addressed when a plan for the property would come forward.

Mr. William Sieker, property owner, stated that the old map did not properly incorporate the terrain of the land. This proposed land use amendment takes this into consideration. He noted that by amending the land use map, a potential developer can see what is envisioned for the area and would be more likely to proceed.

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

Action: Council Member Jenness 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. 2709.

- B. Ordinance amending Chapter 30, "Unified Development Ordinance", of the Code of the City of Liberty, Clay County, Missouri (pertaining to definitions of deck and porch) [P&Z 14-41A]

In response to the need for clarification on the definition of decks and porches staff has prepared an addition to the definitions listed in Article II of the Unified Development Ordinance (UDO)

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

Document No. 7976 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 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. 10278.

- C. Ordinance adopting and approving the Fifth Amended Development Plan submitted by the Liberty Municipal Redevelopment Corporation, reaffirming the finding that the property within said Fifth Amended Development Plan is a Blighted Area in need of development and redevelopment as determined in ordinance No. 9794, authorizing certain tax abatement within the redevelopment area described within the Fifth Amended Development Plan; authorizing execution of a 353 Development Agreement for implementation of the 1 E. Kansas Redevelopment Project and providing for expiration of development rights

Project improvements will include the interior and exterior. The cost of the project eligible for tax abatement is \$250,000. The project will result in a new event space and office and potential retail space.

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

Document No. 7977 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. 10279.

- D. Rezone 1.71 acres at the SW corner of N. Prairie St. and W. Mississippi St. from Central Business Service District (CBS) and Neighborhood Conservation Residential District (RNC) to Planned Development (PD) to allow the construction of a 57 unit independent living facility

Council Member Hagan moved to postpone the item as requested by the applicant. Council Member Phillips seconded the motion, which carried unanimously.

- E. Chapter 353 Downtown Area Redevelopment Project expansion

Council Member Hagan moved to postpone the item until the Liberty Municipal Redevelopment Corporation provides a recommendation to Council. Council Member Phillips seconded the motion, which carried unanimously.

- F. Chapter 353 Tax Abatement for 201 W. Mississippi (Seventh Amended Development Plan)

Council Member Hagan moved to postpone the item until the Liberty Municipal Redevelopment Corporation provides a recommendation to Council. Council Member Graham seconded the motion, which carried unanimously.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of October 3 to October 17, 2014.

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

1. Ordinance excluding Westland Landscape payments

Document No. 7978 was read.

Action: Council Member Watt 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. 10280.

2. Ordinance including Westland Landscape payments.

Document No. 7979 was read.

Action: Council Member Hagan moved to approve the vendor payments. Council Member Watt 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. 10280.

Mayor Brenton resumed as chair of the meeting.

B. Ordinance approving an Intergovernmental Agreement with the Mid-America Regional Council Solid Waste Management District for participation in the Regional Household Hazardous Waste Program

The agreement allows for participation in the Regional Household Hazardous Waste Program offered by MARC. The cost to participate in the program for 2015 is \$30,314.96, which is the same cost as that in as 2014.

Document No. 7980 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 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. 10281.

- C. Ordinance approving an Amendment to the Contract with Veenstra & Kimm, Inc. for Technical Engineering Services for the Wastewater Treatment Facility Project increasing the amount by \$421,056.00 from \$281,262.00 to a not to exceed amount of \$702,318.00

Veenstra & Kimm, Inc. became a part of the team to develop the Wastewater Treatment Facility project in February 2010. Staff is now recommending approval of the contract amendment for technical engineering services for the Wastewater Treatment Facility Project which increases the contract amount by \$421,056.00 from \$281,262.00 to a not-to- exceed amount of \$702,318.00.

Document No. 7981 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 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. 10282.

- D. City-Owned Cemeteries

Periodically the City reviews potential changes that may be warranted due to changing technologies, trends, community preference, grammatical errors in the code, or advisory committee direction. Several revisions are being presented for consideration.

1. Resolution approving the City of Liberty Rules and Regulations for City-owned Cemeteries

Action: Council Member Gentry 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. 2710.

2. Ordinance amending Chapter 8, "Cemeteries", of the City Code of the City of Liberty, Clay County, Missouri

Document No. 7982 was read.

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

Action: Council Member Phillips moved to amend the ordinance by inserting the words "floral or evergreen" before blanket in Section 8-18(b). 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

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. 10283.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 8:25 p.m.

Mayor

Attest:

Deputy City Clerk