



City Council Meeting

Regular Session Minutes

December 8, 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 December 8, 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
Vicki McClure, Assistant Finance Director
Steve Hansen, Public Works Director
Janet Bartnik, Parks and Recreation Director
Brian Hess, Utilities Director
James Simpson, Police Chief
Mike Snider, Fire Chief
Shawna Funderburk, Asst. to the City Administrator
Karan Johnson, Economic & Business Dev. Manager
Jonna Wensel, Community Development Manager
Linda Bell, Assistant Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

A. Special Session Minutes of November 17, 2014

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

B. Executive Session Minutes of November 17, 2014

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

C. Study Session Summary of November 17, 2014

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

D. Executive Session Minutes of November 24, 2014 (1st set)

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

E. Executive Session Minutes of November 24, 2014 (2nd set)

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

V. CITIZENS' PARTICIPATION

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Study Session Summary of December 1, 2014

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

B. Authorize an Executive Session to be held December 8, 2014 in the Council Conference Room located at City Hall, 101 E. Kansas, immediately following the Regular Session to discuss Contract Negotiations as authorized by 610.021 (12) RSMo, and Real Estate Matters as authorized by 610.021 (2) RSMo

Council Member Watt moved to authorize the executive session. Council Member Phillips seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

A. 2015 Recommended Utility Rates

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

Assistant City Administrator and Finance Director, Dan Estes stated that state law requires that a public hearing be held for the adoption of sanitary sewer rates. We take this opportunity to provide a public hearing on our overall Utility rates in which Sanitary Sewer is but a component of it. The Budget Committee recommendations are the rates necessary for the operation, maintenance and capital improvements of our utility systems which are built on a number of efficiencies that have been implemented over a number of years. Mr. Estes emphasized the importance of the SRF Funding for the WWTP; the WWTP construction will begin in 2015; and that the Water and Wastewater, and Solid Waste Program will continue for seniors over 65 years of age. Mr. Estes stated there is considerable information on the City website regarding budget, budget ordinances, study session materials on the utilities and encouraged the public to utilize the city website as source of information.

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

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of November 14 to November 21, 2014.

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

1. Ordinance excluding Westland Landscape payments

Document No. 7994 was read.

Action: Council Member Hagan 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. 10292.

2. Ordinance including Westland Landscape payments.

Document No. 7995 was read.

Action: Council Member Hagan moved to approve the vendor payments. Council Member Moore 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. 10292.

Mayor Brenton resumed as chair of the meeting.

B. Certification of November 4, 2014 Election Results

1. Ordinance declaring the results of the Election held November 4, 2014, submitting to the voters of the City of Liberty the Question of Imposing and Levying a New Sales Tax for Economic Development Purposes in the amount of Three-Eighths of One Percent (0.375%) for a Twenty (20) Year Period; establishing an Economic Development Tax Board; and related actions.

Document No. 7996 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 Jenness moved to approve the ordinance. 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. 10293.

2. Ordinance declaring the results of the Election held November 4, 2014, submitting to the voters of the City of Liberty the Question of Imposing and Levying a New Tax on Charges for all Sleeping Rooms paid by the Transient Guests of Hotels and Motels situated within the City of Liberty, Missouri at a rate of Five Percent (5%)

Document No. 7997 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 Gentrup 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. 10294.

- C. Ordinance authorizing the City of Liberty, Missouri to enter into a Master Equipment Lease/Purchase Agreement and certain other documents in connection with the acquisition of equipment and improvements to buildings used by the Fire Department; and authorizing certain other actions in connection with said financing

Document No. 7998 was read.

Action: Council Member Jeness 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 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. 10295.

- D. Ordinance approving a Contract with Rubin Brown LLP to provide audit services for the City of Liberty in an amount not to exceed \$57,800.

Document No. 7999 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 Gentrup moved to approve the ordinance contingent upon final approval of the 2015 Budget. 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. 10296.

- E. Ordinance approving a certain Memorandum of Understanding with Clay County Senior Services, for Grant Funding Support for physical activity classes and facility memberships at the Liberty Community Center, Liberty Missouri in an amount not to exceed \$36,000.

Document No. 8000 was read.

Action: Council Member Hagan 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 Phillips 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. 10297.

- F. Ordinance approving a Guaranteed Pricing Agreement with Liberty Sports Officials in an amount not to exceed \$135,000 for FY 2015 Youth and Adult Sports Officiating Services.

Document No. 8001 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 Gentrup moved to approve the ordinance contingent upon final approval of the 2015 Budget. 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. 10298.

- G. Ordinance approving a Fee for Services Agreement with Historic Downtown Liberty, Inc. in an amount not to exceed \$30,000.

Document No. 8002 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 Gentrup moved to approve the ordinance contingent upon final approval of the 2015 Budget. 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. 10299.

- H. Ordinance approving a Fee for Services Agreement with the Liberty Economic Development Corporation in an amount not to exceed \$55,000. and Executive Director health care benefits of approximately \$15,000.

Document No. 8003 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 Gentrup moved to approve the ordinance contingent upon final approval of the 2015 Budget. 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. 10300.

- I. Ordinance approving the 2015 Kansas City Area Transportation Authority (KCATA) Agreement for the Route #434x-Shoal Creek/Liberty Express Bus Service in the amount of \$43,220.

Document No. 8004 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 contingent upon final approval of the 2015 Budget. 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. 10301.

- J. Ordinance adopting the Annual Budget for the City of Liberty, Clay County, Missouri for the Fiscal Year 2015

Document No. 8005 was read.

Mayor Brenton stated the ordinance will be on second reading at the Special Session meeting on December 15, 2014.

K. Resolution approving the 2015-2019 Capital Improvement Plan for the City of Liberty, Missouri

Action: Council Member Hagan moved to postpone consideration of the resolution until the December 15th Special Session meeting. Council Member Gentrup seconded the motion.

Vote: Motion passed 8-0-0

L. 2015 Utility Rates

1. Ordinance amending Section 29-25 (a) "Water Rates" of the City Code of the City of Liberty, Missouri

Document No. 8006 was read.

Mayor Brenton stated the ordinance will be on second reading at the December 15th Special Session Meeting.

2. Ordinance amending Section 29-49.1 "Sanitary Sewer Rates" of the City Code of the City of Liberty, Missouri

Document No. 8007 was read.

Mayor Brenton stated the ordinance will be on second reading at the December 15th Special Session meeting.

3. Resolution adopting Solid Waste (Sanitation) Service

Action: Council Member Phillips moved to postpone consideration of the resolution until the December 15th Special Session meeting. Council Member Moore seconded the motion.

Vote: Motion passed 8-0-0

4. Resolution Modifying the Monthly Utility Infrastructure Repair and Maintenance Fee

Action: Council Member Watt moved to postpone consideration of the resolution until the December 15th Special Session meeting. Council Member Moore seconded the motion.

Vote: Motion passed 8-0-0

X. OTHER BUSINESS

- A. Motion to authorize payment to HD Supply Waterworks, LTD in the amount of \$47,412.48 for purchase of (32) American Darling three way steamer type fire hydrants

Action: Council Member Hagan moved to approve the payment to HD Supply Waterworks. 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

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:30 p.m.

Mayor

Attest:

Deputy City Clerk