



City Council Meeting

Regular Session Minutes

November 24, 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 November 24, 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 Kevin Graham, who then led the pledge of allegiance.

III. ROLL CALL

Council Members Present: Harold Phillips and Paul Jenness, Ward I
Greg Duncan, Ward II
Kevin Graham and Jeff Watt, Ward III
Michael Hagan and Gene Gentrup, Ward IV

Council Members Absent: Jeff Moore, Ward II

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
Vicki McClure, Assistant Finance Director
James Simpson, Police Chief
Andy Noll, Assistant Public Works Director
Tony Sage, Information Technology Director
Katherine Sharp, City Planner
David Jones, Planner
Karan Johnson, Economic & Business Dev. Manager
Janet Pittman, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION

Pat Miller, 1955, Kings Hwy., stated that on November 4th the three yes questions were on the ballot and one failed. The Animal Shelter was part of number one, but you had to be a Rhodes Scholar to know that. With the wording of the question, folks wouldn't have a clue it had a thing to do with the shelter. Liberty's is the poorest shelter around. If the question had been better written, people would have understood it. Ms. Miller stated that she hopes this

issue doesn't die, and that next time the wording is clearer.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Regular Session Minutes of November 10, 2014

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

B. Resolution approving a Temporary Event Liquor License for a St. James School event at 309 South Stewart Road on Saturday, January 10, 2015

Council Member Hagan moved to approve the resolution. Council Member Phillips seconded the motion, which carried unanimously and is inscribed in Resolution No. 2713.

C. Authorize an Executive Session to be held November 24, 2014 in the Council Conference Room located at City Hall, 101 E. Kansas, immediately following the Regular Session to discuss Personnel Matters as authorized by 610.021(13) RSMo; Contract Negotiations as authorized by 610.021 (12) RSMo, and Real Estate Matters as authorized by 610.021 (2) RSMo

Council Member Hagan moved to authorize the Executive Session. Council Member Phillips seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

A. Ordinance amending the Official Zoning Map of the City of Liberty, Missouri by Rezoning Liberty Commons in the City of Liberty, Clay County, Missouri from CP-1, CP-2, CP-3 and MU to PD Planned Development District [P&Z No. 14-44R&PDP]

Document No. 7987 was read.

RED Legacy VI proposes to rezone 23.18 acres of the former Sears/K-Mart site and associated out-parcels, along with the former Liberty Clinic, to Planned Development for a retail and commercial development. This development plan contains approximately 332,315 square feet of space, including an in-line shopping center, lifestyle center, and stand-alone commercial in Area 1 (258,695 sf) and stand-alone commercial with a hotel in Area 2 (73,620 sf).

Mayor Brenton opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the ordinance. David Clafin, representing RED Legacy VI, provided a brief company history. He noted that all of their projects have some similar elements, such as an eye for detailed aesthetics (pleasing to the shoppers, and also benefits the retailers). RED has long standing relationships with many Class A retailers. Liberty Commons would be a 'hybrid project' with a combination of styles and spaces, as well as a hotel. This mix works well and they have had a strong response from retailers.

Tim Devine, Hoefler Wysocki Architects, stated that they have worked with the City's Planning staff on this project, and are trying to listen to what the City likes, where folks will want to come shop/spend time with friends. There will be connectivity between the theatre and retail locations with linkages that will slow/calm traffic and allow for pedestrian crossing. They have added more material/patterns to the back of the buildings to make them look similar to the store fronts. In addition, they are trying to incorporate some building elements in order to have a similar feel/character of downtown Liberty. Rather than each pad site having its own monument sign, they are proposing clustering on one large pole sign.

Seeing no one else wishing to speak, the Mayor stated the Public Hearing will be continued to December 15th.

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

- B. Ordinance approving the Liberty Commons Tax Increment Financing Plan, Establishing a Redevelopment Area, and Designating RED Legacy VI as the Developer of Projects 1 and 2

Document No. 7988 was read.

The redevelopment area consists of approximately 29 acres of property located at the southeast corner of I-35 and Kansas Street. The redevelopment plan proposes to redevelop the blighted retail commercial area and adjacent properties into a newly constructed retail, commercial and hospitality center. The plan proposes to develop two separate project areas; the first project area south of Stewart Road and the second project area north of Stewart Road. Portions of the property will be demolished and new construction will occur. Although RED Legacy VI does not currently own the property they will be required to purchase the property subject to a Development Agreement that will require the developer to provide the funds necessary for acquisition, with the option that acquisition costs can be reimbursed.

Tom Kaleko, Springstead, presented the "But For" Report. The report determined that the proposed project would not occur on this site without public incentive.

John Hansen, Integra Realty, stated there are many benefits with this project. This would be a high quality development at the City's gateway, reducing sales tax leakage while also strengthening the I-35/152 Hwy. commercial hub. It is anticipated that approximately 500 new jobs will be created with \$48,000,000+ in private investment. It's estimated there will be \$1,300,000+ in new annual tax revenue for the taxing districts, and the TIF has a projected 14 year repayment (revenue bonds do not require City backing).

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 stated the Public Hearing will be continued to December 15th.

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

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of October 31 to November 14, 2014.

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

1. Ordinance excluding Westland Landscape payments

Document No. 7989 was read.

Action: Council Member Phillips moved to approve the vendor payments. Council Member Hagan seconded the motion.

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10288.

2. Ordinance including Westland Landscape payments

Document No. 7990 was read.

Action: Council Member Hagan moved to approve the vendor payments. Council Member Graham seconded the motion.

Roll Call

Vote: Motion passed 6-0-1

Yes: Council Members Phillips, 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. 10288.

Mayor Brenton resumed as chair of the meeting.

- B. Resolution approving a Preliminary Plat for Liberty Commons along S. Stewart Road, West of Conistor Street, a subdivision of land in Liberty, Clay County, Missouri [P&Z No. 14-45PP]

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

C. Ordinance accepting an Easement for Public Sanitary Sewer Mains for Highland Dental Clinic

Document No. 7991 was read.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10289.

D. Ordinance disclaiming and abandoning Easement for Public Sanitary Sewer Mains for Highland Dental Clinic

Document No. 7992 was read.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10290.

E. Ordinance approving a Contract with Reddi Services Industries for the Sanitary Collection System Cleaning and Televising in an amount not to exceed \$40,000.00

Document No. 7993 was read.

Action: Council Member Watt 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 Hagan seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10291.

X. OTHER BUSINESS

- A. Motion to approve payment to KC Winwater Company in the amount of \$30,446.67 for the purchase of construction materials for the Brookview Gardens Wastewater Trunk Collection System Relocation Project

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

Vote: Motion passed 7-0-0

Yes: Council Members Phillips, Jenness, 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 8:20 p.m.

Mayor

Attest:

Deputy City Clerk