



City Council Meeting

Split Session of Outgoing and Incoming City Council
Regular Session Minutes
April 13, 2015

1st Session

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 13, 2015 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 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
Amy Brusven, Human Resources Director
James Simpson, Police Chief
Mike Snider, Fire Chief
Katherine Sharp, Planning Manager
Shawwna Funderburk, Asst. to the City Administrator
Karan Johnson, Economic & Business Dev. Manager
Janet Pittman, Deputy City Clerk

Public Present: Amy Neal, Liberty Tribune
20 members of the public

IV. APPROVE MINUTES AND SUMMARIES

A. Study Session Summary of March 2, 2015

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

V. CITIZENS' PARTICIPATION

- A. Mayor Brenton read the National Animal Control Officer Appreciation Week Proclamation and presented it to Animal Control Officers Samantha Lehman and Meredith Weaver.
- B. Mayor Brenton read the National Telecommunicator's Week Proclamation and presented it to Dispatchers Lauren Bramwell, Jerry Clark and Lindsey Vannatta.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

- A. Regular Session Minutes of March 9, 2015

Council Member Phillips moved to approve the minutes. Council Member Jenness seconded the motion, which carried unanimously.

- B. Study Session Summary of March 16, 2015

Council Member Phillips moved to approve the summary. Council Member Jenness seconded the motion, which carried unanimously.

- C. Regular Session Minutes of March 23, 2015

Council Member Phillips moved to approve the minutes. Council Member Jenness seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of March 13 to April 3, 2015.

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

Document No. 8062 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. 10360.

Mayor Brenton resumed as chair of the meeting.

- B. Ordinance amending the Official Zoning Map of the City of Liberty, Missouri by Rezoning 1.71 Acres Southwest of the Intersection of W. Mississippi Street and N. Prairie Street, in the City of Liberty, Clay County, Missouri from RNC and CBS to PD, Planned Development District [P&Z Case 14-50R&PDP] – **To be postponed until April 27, 2015 at the request of the applicant**

Council Member Watt moved to postpone 2nd reading of the ordinance to April 27, 2015. Council Member Jenness seconded the motion, which carried unanimously.

Mayor Brenton stated the ordinance would be postponed to April 27, 2015, at the request of the applicant

X. OTHER BUSINESS

- A. Certification of results of the April 7, 2015 Municipal Election

Action: Council Member Phillips moved to acknowledge receipt of the certified results. 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

- B. Oath administered to elected officials

The Oath of Office was administered by Janet Pittman, Deputy City Clerk, to the following elected officials:

Lyndell Brenton, Mayor
Paul Jenness, Council Member, Ward One
Greg Duncan, Council Member, Ward Two
Kevin Graham, Council Member, Ward Three
Michael Hagan, Council Member, Ward Four
David Fulk, City Clerk
Terry Mills, City Auditor

Ms. Pittman stated the Oath of Office would be administered to Harvey Seely, Constable, and Margaret James, City Treasurer, later this week.

XI. ADJOURNMENT OF 1ST SESSION

The meeting adjourned at 7:20 p.m.

Attest:

Mayor

Deputy City Clerk

2nd Session

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 13, 2015 with Mayor Lyndell Brenton presiding. Mayor Brenton called the meeting to order at 7:25 p.m.

II. 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
Amy Brusven, Human Resources Director
James Simpson, Police Chief
Mike Snider, Fire Chief
Katherine Sharp, Planning Manager
Shawwna Funderburk, Asst. to the City Administrator
Karan Johnson, Economic & Business Dev. Manager
Janet Pittman, Deputy City Clerk

Public Present: Amy Neal, Liberty Tribune
12 members of the public

III. PUBLIC HEARINGS

A. 353 Development Agreement for Implementation of the 100 W. Kansas Redevelopment Project

The project will include interior and exterior improvements, including demolition and reframing of the front façade of the building. The cost of the project eligible for tax abatement is \$109,909.00.

Document No. 8071 was read.

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.

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. 10361.

B. 353 Development Agreement for Implementation of the 6 E. Franklin Redevelopment Project

The project consists of interior and exterior improvements, including replacement of the roof, patio doors, windows and front door. The cost of the project eligible for tax abatement is \$40,879.00.

Document No. 8072 was read.

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.

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 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. 10362.

IV. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance amending Ordinance No. 10304, Adoption of the 2015 Budget for the City of Liberty, Missouri – Encumbrances

The 2015 adopted budget does not include 2014 open encumbrances which are 2014 commitments related to contracts for goods or services approved in 2014 which were either partially received or not received in 2014 and the commitment was either partially or not paid out in 2014. The remaining 2014 funds are reserved as part of the end of the year close out process and must be appropriated in 2015.

Document No. 8073 was read.

Action: Council Member Jenness 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 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. 10363.

- B. Ordinance amending Ordinance No. 10135, Adoption of the 2014 Budget for the City of Liberty, Missouri – Budget Adjustments

There is a need to make certain 2014 budget adjustments to align the 2014 budget with both the 2014 forecast and year end close out. Due to timing of bond issuance, the following budgets need to be adjusted: the Transportation sales Tax Fund Bond proceeds account needs to be reduced by \$4,200,000; the Capital Sales Tax – Bond Construction Fund Bond proceeds account needs to be reduced by \$2,092,280; the PFA Fund's debt was refinanced in 2014, eliminating the debt in the PFA Fund and made that debt a part of the Parks Sales Tax Fund. The value of the PFA debt payout was \$910,000.

Document No. 8074 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. 10364.

C. Ordinance approving a Contract with Education Plus for Fire Station No. 3 Roofing Replacement in an amount not to exceed \$230,000.00

The project will consist of the roof and mansard replacement, to be funded by the Fire Department's ¼ cent Fire Sales Tax.

Document No. 8075 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 Graham 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. 10365.

D. Employee Benefit Agreements for Plan Year July 1, 2015 through June 30, 2016

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

Document No. 8076 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. 10366.

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

Document No. 8077 was read.

Action: Council Member Watt 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 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. 10367.

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

Document No. 8078 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 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. 10368.

4. Ordinance approving a contract with Prudential Insurance Company to provide

employee short-term disability insurance coverage for the City of Liberty

Document No. 8079 was read.

Action: Council Member Gentrup 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.

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. 10369.

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

Document No. 8080 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 Moore 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. 10370.

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

Document No. 8081 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 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. 10371.

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

Document No. 8082 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 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. 10372.

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

Document No. 8083 was read.

Action: Council Member Watt 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 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. 10373.

9. Ordinance approving a contract with American Fidelity to provide Section 125 plan administration for the City of Liberty

Document No. 8084 was read.

Action: Council Member Hagan moved to waive the rules and consider the ordinance on first reading. Council Member Gentrup_ 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 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. 10374.

E. Resolution adopting the Legal Defense Policy for the City of Liberty, Missouri

The proposed policy will be maintained in the Personnel Policies Manual.

Action: Council Member Hagan 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. 2741.

F. Resolution of the City Council of the City of Liberty, Missouri, authorizing the City to acquire Real Property located at 522 Choctaw Street for Park Purposes in an amount not to exceed \$4,486.

The Parks and Recreation Board desires to create a community in which the healthy choice is the easy choice, and that includes locating parks accessible to neighborhoods. Locating a neighborhood park in Arthur's Addition creates an opportunity to serve an area of the City not currently within walking distance of a park

Action: Council Member Moore moved to approve the resolution. 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

Inscribed in Resolution No. 2742.

G. Resolution of the City Council of the City of Liberty, Missouri, amending the City's Schedule of Fees pertaining to Liberty Community Center Service Rates

Liberty Community Center access fees have not changed since January 2007. Recommended is inclusion of fitness classes and child watch services within annual membership rates. This is becoming a standard practice in fitness centers and community centers throughout the metro.

Action: Council Member Hagan moved to approve the resolution. 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

Inscribed in Resolution No. 2743.

H. Resolution of the City Council of the City of Liberty, Clay County, Missouri, declaring a Moratorium on Applications for the Development of Storage Units, Thrift Stores, and Car Washes in the City of Liberty. Such Moratorium to remain in effect for Nine (9) Months unless extended or replaced by amending Ordinance.

Action: Council Member Hagan moved to approve the resolution. 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

Inscribed in Resolution No. 2744.

V. OTHER BUSINESS

VI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

VII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

VIII. ADJOURNMENT OF 2ND SESSION

The meeting adjourned at 8:20 p.m.

Mayor

Attest:

Deputy City Clerk