



## City Council Meeting

Regular Session Minutes

September 14, 2015

### 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 September 14, 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 Harold 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  
Chris Wilson, Parks Open Spaces Manager  
Donna Kay Taylor, Community Center Manager  
Brian Hess, Utilities Director  
Andy Noll, Assistant Public Works Director  
James Simpson, Police Chief  
Karan Johnson, Economic & Business Dev. Manager  
Janet Pittman, Deputy City Clerk

Public Present: Kellie Houx, Liberty Tribune  
15 members of the public

### IV. APPROVE MINUTES AND SUMMARIES

#### A. Study Session Summary of August 3, 2015

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

#### B. Special Session Minutes of August 17, 2015 – 1<sup>st</sup> Meeting

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

C. Executive Session Minutes of August 17, 2015

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

V. CITIZENS' PARTICIPATION

A. Mayor Brenton read and presented the Liberty Storm Swim Team Proclamation to Coaches Stacy Witzk, Laurel Shoger and Michael Wienands.

B. Mayor Brenton read and presented the Constitution Week Proclamation to Jerre Robertson, DAR Alexander Doniphan Chapter Regent and Toby Proctor, SAR William C. Corum Chapter.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Regular Session Minutes of July 27, 2015

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

B. Regular Session Minutes of August 10, 2015

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

C. Special Session Minutes of August 17, 2015

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

D. Regular Session Minutes of August 24, 2015

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

E. Executive Session Minutes of August 24, 2015

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

F. Motion to approve an Amusement License for Jones & Co. Carnival to operate a carnival during Fall Festival September 25-27, 2015

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

G. Liberty Community Center Alcoholic Beverages Service applications

1. Resolution approving a Liberty Community Center (LCC) Alcoholic Beverages Service Application for Robert Fenemore for an Anniversary party to be held on September 19, 2015

**Action:** Council Member Hagan moved to approve the motion. 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. 2778.

2. Resolution approving a Liberty Community Center (LCC) Alcoholic Beverages Service Application for Jo Ann Strong for a Wedding Reception to be held on October 24, 2015.

**Action:** Council Member Hagan moved to approve the motion. 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. 2779.

3. Resolution approving a Liberty Community Center (LCC) Alcoholic Beverages Service Application for Melissa Allbee for a Wedding Reception to be held on November 7, 2015

**Action:** Council Member Hagan moved to approve the motion. 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. 2780.

## VIII. PUBLIC HEARINGS

- A. An Ordinance Approving the First Amendment to the Downtown Liberty Residential 353 Development Plan by Authorizing a certain increase in the maximum annual tax abatement within the Redevelopment Area described within the Development Plan.

A cap on the amount of total tax abatement per year was approved in the amount of \$15,000. The most recent application will result in approximately \$800 over the maximum cap per year. On July 27, 2015 a request to City Council was made to increase the maximum amount of tax abatement per year by 10,000 bringing the total allowed maximum amount of tax abatement per year to \$25,000.

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. 8153 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 Phillips 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. 10437.

## IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Acknowledgement of vendor payments for the period of August 14 to September 4, 2015.

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

1. Ordinance excluding Westland Landscape payments

Document No. 8154 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. 10438.

2. Ordinance including Westland Landscape payments.

Document No. 8155 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. 10438.

Mayor Brenton resumed as chair of the meeting.

B. South Liberty Parkway Phase II

Approval of agreements with each of the Design-Build firms to provide proposals in response to the Request for Proposals issued for the South Liberty Parkway , Phase 2 project.

1. Ordinance approving an Agreement with Clarkson/HDR to prepare a Priced Proposal for the South Liberty Parkway Phase II Project

Document No. 8156 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 Gentrup 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. 10439.

2. Ordinance approving an Agreement with Radmacher/Burns & McDonnell to prepare a Priced Proposal for the South Liberty Parkway Phase II Project

Document No. 8157 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 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. 10440.

3. Ordinance approving an Agreement with Emery Sapp & Sons/TranSystems to prepare a Priced Proposal for the South Liberty Parkway Phase II Project

Document No. 8158 was read.

**Action:** Council Member Jenness 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. 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. 10441.

C. Missouri Highways and Transportation Commission

The City Council has previously approved an agreement with Missouri Highways and Transportation Commission to accept State owned property in the form of right-of-ways in association with the I-35/US69/M33 project agreement.

1. Ordinance approving a Missouri Highways and Transportation Commission Acceptance of Conveyance

Document No. 8159 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 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. 10442.

2. Ordinance approving a Quitclaim Deed from the Missouri Highways and Transportation Commission

Document No. 8160 was read.

**Action:** Council Member Hagan 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 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. 10443.

D. Ordinance accepting an Easement for Sanitary Sewer Mains for Wastewater Treatment Plant Project

To facilitate the construction and operation of the Wastewater Treatment Facility and infrastructure to the facility, a public sanitary sewer easement of varying width was required to be dedicated to the City of Liberty. The easement will allow for construction of the public gravity sanitary sewer main to the Wastewater Treatment Facility.

Document No. 8161 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 Gentrup 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. 10444.

E. Park Land Acquisition

Locating a small neighborhood park in Arthur's Addition creates an opportunity to serve an area currently not within walking distance of a park. Staff proposes to complete the sale using park land fee-in-lieu funds for that portion of the cost that exceeds the Park Sales Tax funding.

1. Ordinance amending Ordinance No. 10304, 'Adoption of the 2015 Budget for the City of Liberty, Missouri'

Document No. 8162 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 Moore 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. 10445.

2. Resolution authorizing the expenditure of an amount not to exceed \$27,300 to acquire Real Property described as "Cumpton Addition Lots 3, 4, and 6" for Park purposes

**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. 2781.

- F. Ordinance of the City of Liberty amending a Memorandum of Understanding with The Great Americans Project pertaining to the Installation of a Sculpture on City owned property

The Great American Project (GAP) has raised funds to commission a second sculpture to be placed in the City's parking lot property at the corner of Missouri and Kansas Streets.

Document No. 8163 was read.

**Action:** Council Member Jenness 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 Gentrup 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. 10446.

- G. Ordinance Correcting Ordinance No. 10283, amending Chapter 8, 'Cemeteries' and Ordinance No. 10305, amending Section 29-25 (A) 'Water Rates' of the Code of the City of Liberty, Clay County, Missouri

Correction of minor typographical errors noted during the 2015 ordinance codification process.

Document No. 8164 was read.

**Action:** Council Member Phillips 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. 10447.

X. OTHER BUSINESS

- A. Authorization for payment to The Waldinger Corporation in an amount not to exceed \$22,903.72 for City Hall HVAC repairs.

Earlier this year, the HVAC compressor for one of the condensing units at City Hall failed. The City's contractor, The Waldinger Corp., replaced the compressor and repaired the unit back to operating condition. The total cost of repair was \$22,903.72.

**Action:** Council Member Hagan moved to approve payment to The Waldinger Corporation. 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

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:45 p.m.

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Mayor

Attest:

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Deputy City Clerk