



## City Council Meeting

Regular Session Minutes

February 8, 2016

### 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 February 8, 2016 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 Gene Gentrup, who then led the pledge of allegiance.

### III. ROLL CALL

Council Members Present: 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: Harold Phillips, Ward I

Staff Present: Dan Estes, Assistant City Administrator, Finance Director  
Steve Hansen, Public Works Director  
Janet Bartnik, Parks and Recreation Director  
Brian Hess, Utilities Director  
James Simpson, Police Chief  
Katherine Sharp, Planning Manager  
Karan Johnson, Economic & Business Dev. Manager  
Linda Bell, Assistant Deputy City Clerk

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

### IV. APPROVE MINUTES AND SUMMARIES

### V. CITIZENS' PARTICIPATION - NONE

### VI. MEETING SCHEDULE

### VII. CONSENT AGENDA

#### A. Regular Session Minutes of January 25, 2016

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

#### B. Liberty Community Center Alcoholic Beverages Service Applications

1. Resolution approving a Liberty Community Center Alcoholic Beverages Service Application for Janie Adkins for a small Bridal Shower to be held Saturday, February 27, 2016.

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

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Inscribed in Resolution No. 2809.

2. Resolution approving a Liberty Community Center Alcoholic Beverages Service Application for Emily Smith for a small Bridal Shower to be held on Saturday, April 16, 2016.

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

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Inscribed in Resolution No. 2810.

- C. Purchase of a Solids Density Meter from Haynes Equipment Company, Inc. in the amount of \$26,500.00

The Liberty water production system requires lime to soften well water prior to additional treatment steps. As a waste product of this softening process, lime solids are pumped to storage lagoons for later disposal. The density meter measures, in real time, the pounds of solids being pumped from the production plant, allowing staff to monitor the lime solids contributed to the lime solids lagoon.

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

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

## VIII. PUBLIC HEARINGS

- A. Ordinance adopting and approving the Tenth Amended Development Plan submitted by the Liberty Municipal Development Corporation, reaffirming the finding that the property within said Tenth 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 Tenth Amended Development Plan; authorizing Execution of a 353 Development Agreement for Implementation of the 1-5 N. Water Redevelopment Project and providing for Expiration of Development Rights

Downtown Liberty Investments LLC, property owner of 1-5 N Water, desires to utilize the 353 program to improve and remove blighting factors from the property (1-5 N Water), which includes several addresses. The project improvements include interior improvement: strengthening the structure with new supports, floor and ceiling joist reinforcement, new HVAC, plumbing, and electrical systems. Exterior improvements include: the roof and storefronts will be replaced, exterior brick will be restored, and all the windows will be replaced, and the windows that have been closed up will be reopened.

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

Document No. 8242 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 Jenness moved to approve the ordinance. Council Member Gentrup seconded the motion.

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10517.

## IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

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

- A. Ordinance acknowledging vendor payments for the period of January 15, 2016 to January 29, 2016.

Document No. 8243 was read.

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

**Roll Call**

**Vote:** Motion passed 7-0-0

Yes: Council Members Jenness, Moore, Hagan, Graham, Watt, Duncan and Gentrup  
No: None  
Abstain: None  
Approved by the Chair and inscribed in Ordinance No. 10518.

Mayor Brenton resumed as chair of the meeting.

B. Ordinance amending Article IV of the Unified Development Ordinance, Chapter 30 of the Code of the City of Liberty, Clay County, Missouri (pertaining to storage facilities and vehicle related uses) – **second reading**

In 2015, City Council passed an interim resolution prohibiting storage facilities, thrift stores and car washes to allow time for City Council, Planning Commission and the Planning and Development Department to study these items. At that meeting, staff was directed to amend the code pertaining to storage facilities and car washes; and to continue allowing thrift stores in commercial areas. Staff, after researching these issues recommended that there be additional limitations in auto-related uses, such as car lots, vehicle service centers, and gas stations. City Council passed a moratorium which will expire on February 20, 2016.

In response to Council's concerns at the January 25, 2016 meeting, the proposed ordinance presented was amended to remove vehicle dealerships, gas stations and other auto related uses from Sec 30-25.5, "Special Use Permit – Uses to be considered". These uses will be discussed at a future Study Session.

Document No. 8231 was read.

**Action:** Council Member Gentrup moved to approve the ordinance as amended and presented. 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 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10519.

C. Ordinance allowing the "2016 Show Me Green Sales Tax Holiday" to apply to the Local Sales Taxes of the City of Liberty, Missouri from April 19 to April 25, 2016

The State of Missouri has established a seven day period from April 19<sup>th</sup> to April 25<sup>th</sup> as the "Show Me Green Sales Tax Holiday". During this period, qualifying Energy Star certified new appliances are exempted at the time of purchase from State sales taxes for each item costing up to \$1,500 per appliance.

Document No. 8244 was read.

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

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10520.

- D. Ordinance approving a Contract with JCI Industries, Inc. for the Purchase and Installation of a Submersible Pump for the Rush Creek Lift Station in an amount not to exceed \$59,300.00

The proposed submersible pump will replace 1 of 3 pumps in the Rush Creek Lift Station with a new, higher quality unit ideally suited for the application. The Liberty wastewater collection system requires pumps to move water to the Kansas City Birmingham Wastewater Treatment Plant and will require these same pumps to direct wastewater flows to the City's new Wastewater Treatment Plant (WWTP).

Document No. 8245 was read.

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

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10521.

- E. Ordinance amending Ordinance No. 10497, Adoption of the 2016 Budget for the City of Liberty, Missouri

Due to various open questions/concerns expressed at the November 23<sup>rd</sup> meeting, the 2016 Transient Guest Tax Budget was not fully developed at the time of the adopting of the 2016 Budget. Staff has been working to resolve the open questions/concerns

and believes a resolution has been secured. To provide 2016 budget authority, a 2016 budget amendment is required.

Document No. 8246 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 Moore moved to approve the ordinance. Council Member Graham seconded the motion.

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10522.

F. Resolution of the City of Liberty accepting the Donation of Property located in the New Hope Cemetery, Liberty, Missouri

Block 31 in New Hope Cemetery is used for infant burials. Church Archer Funeral Home made several lot purchases in Block 31, managing infant burials there and not charging the family for the plots. Church Archer desires for the land to be returned back to the City so that any funeral home, not just Church Archer, could arrange to bury an infant for a family without plot purchase cost to the family.

**Action:** Council Member Gentrup moved to approve the resolution. Council Member Moore seconded the motion.

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Inscribed in Resolution No. 2811.

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:22 p.m.

Attest:

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Mayor

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Deputy City Clerk