



## City Council Meeting

Regular Session Minutes

March 28, 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 March 28, 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 Michael Hagan, who then led the pledge of allegiance.

### III. ROLL CALL

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

Council Members Absent: Paul Jenness, Ward I [entered at 7:03 p.m.]  
Jeff Moore, Ward II

Staff Present: Curt Wenson, City Administrator  
Dan Estes, Assistant City Administrator, Finance Director  
Steve Hansen, Public Works Director  
Andy Noll, Assistant Public Director  
Brian Hess, Utilities Director  
Janet Bartnik, Parks and Recreation Director  
James Simpson, Police Chief  
Karan Johnson, Economic & Business Dev. Manager  
Mike Peterman, City Planner  
George Kapke, Legal Counsel  
Janet Pittman, Deputy City Clerk

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

### IV. APPROVE MINUTES AND SUMMARIES

#### A. Executive Session Minutes of March 7, 2016

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

### V. CITIZENS' PARTICIPATION - NONE

### VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. City Council Retreat Summary of February 29, 2016

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

B. Special Session Minutes of March 7, 2016

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

C. Study Session Summary of March 7, 2016

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

D. Regular Session Minutes of March 14, 2016

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

E. Utilities Department Truck Purchase

The Utilities Operations Division is highly dependent upon this utility maintenance truck for daily activities for distribution and collection tasks. The vehicle and equipment are necessary for the repair and maintenance of the City's infrastructure and assists in the removal of snow. The existing vehicle was purchased in 2004 and is experiencing excessive upkeep and repair cost.

1. Motion to approve the purchase of a F-350 XL 4x4 truck from Thoroughbred Ford in the amount of \$24,523.64

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

2. Motion to authorize payment to Knapheide Truck Equipment for the installation of a snow plow, utility box and safety strobe lights onto the truck in the amount of \$9,280.00

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

Vote: Motion passed 6-0-0

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

No: None  
Abstain: None

- F. Resolution approving a Liberty Community Center (LCC) Alcoholic Beverages Service Application for a Parks Department/Liberty Area Chamber of Commerce Event on Thursday, May 19, 2016

The Liberty Parks Department/Liberty Area Chamber of Commerce is hosting a small (under 50 people), private speed networking event at the Community Center on Thursday, May 19, 2016 from 5:00 p.m. to 8:00 p.m.

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

Vote: Motion passed 6-0-0  
Yes: Council Members Phillips, Hagan, Graham, Watt, Duncan and Gentrup  
No: None  
Abstain: None  
Inscribed in Resolution No. 2823.

- G. Resolution of the City Council of the City of Liberty, Missouri, adopting a Policy on the Interment of Infants in City-owned Cemeteries

The policy describes the practice and provides guidance to staff in the administration of qualified plot sales within Block 31 of New Hope Cemetery, to ensure the compassionate interment of infants at no burial cost to the family.

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

Vote: Motion passed 6-0-0  
Yes: Council Members Phillips, Hagan, Graham, Watt, Duncan and Gentrup  
No: None  
Abstain: None  
Inscribed in Resolution No. 2824.

Council Member Jenness entered the meeting.

## VIII. PUBLIC HEARINGS

- A. Ordinance amending the Official Zoning Map of the City of Liberty, Missouri by Rezoning 17.31 acres at the Northeast Corner of South Liberty Parkway and Flintlock Road from R-1A, Suburban Residential District to PD, Planned Development District to allow the development of Liberty Parkway Heights, a 204 Unit Apartment and Commercial Development [P&Z Case 16-11R&PDP]

The rezoning is to allow the development of Liberty Parkway Heights, a 204 multi-family development and 58,000 sq. ft. of commercial space. The project includes 7 residential buildings, split into 3 designs, and all are three stories tall. The plan proposes there to be 96 one bedroom units, 96 two bedroom units and 12 three bedroom units. The commercial portion will be single story.

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

Curt Petersen, Polsinelli PC, 900 W. 48<sup>th</sup> Place, Kansas City, Missouri, spoke on behalf of the applicant. He noted that this is a two phase project comprised of 17 acres of challenging topography. The project will include public improvements to Plummer Road, improving it to residential street standards; a new east/west street; and, public water and sewer mains. Phase 1 will include the multi-family buildings and clubhouse/pool amenities. All units will have a balcony and the buildings will include internal hallways (some buildings will have an elevator). Phase 2 will be the commercial portion. He noted that the applicant is prepared to start construction on Phase 1 immediately, and Phase 2 will come online when the market can support it. He noted that the project does not comply with the Future Land Use Map, which denotes that area as neighborhood commercial; however, the current zoning is for large lot residential. The applicant took the risk of not requesting an amendment to the Future Land Use Map as that would delay the project, and the applicant feels that multi-family fits the spirit of the definition of walkability/access associated with a neighborhood commercial use and its future sustainability.

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

Document No. 8271 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 Watt moved to approve the ordinance. Council Member Graham 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. 10545.

## IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of March 4, 2016 to March 18, 2016

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

Document No. 8272 was read.

**Action:** Council Member Hagan moved to approve the vendor payments. Council Member Watt 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. 10546.

Mayor Brenton resumed as chair of the meeting.

- B. Resolution approving a Preliminary Plat for Liberty Parkway Heights at the Northeast Corner of South Liberty Parkway and Flintlock Road, a Subdivision of Land in Liberty, Clay County, Missouri [P&Z Case 16-12PP]

A preliminary plat is required for the general subdivision of land to ensure the layout of a proposed subdivision conforms to the comprehensive plan and the UDO.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 2825.

- C. Ordinance approving a Contract with All Inclusive Rec, LLC, in an amount not to exceed \$127,813.70 for the purchase and installation of spectator Shade Structures for the Fountain Bluff Sports Complex

Originally, the facility was designed with shade areas between the ball fields. Those structures were not replaced following their deterioration due to budget constraints. A Parks Special Obligation Bond issued in 2015 included funding for a project to replace spectator shade structures at the Fountain Bluff Sports Complex.

Document No. 8273 was read.

**Action:** Council Member Watt 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 Hagan 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. 10547.

- D. Ordinance approving a Partnership Agreement with Liberty Symphony Orchestra for Use of the Liberty Performing arts Theatre located at the Liberty Community Center, Liberty

Community orchestras provide significant value to its community by providing opportunities for community members to participate in live classical music events, either as players or listeners, and live performing arts enrich the cultural life of communities. After more than five years of a very successful partnership, staff brings before Council a renewal of the partnership agreement for an additional five year agreement.

Document No. 8274 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 Graham 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. 10548.

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

Encumbrances result from an approved 2015 purchase which due to the timing of the receipt of the good or service cannot be paid by the end of the 2015 fiscal year. In 2016 the bill is actually paid and the need to appropriate the value of each item encumbered into the 2016 budget. This sort of treatment is prescribed by accounting requirements and does not represent new 2016 funds for departments to use.

Document No. 8275 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. 10549.

F. Ordinance Disclaiming and Abandoning of Sanitary Sewer Easement for 304 Murray Court

A new house addition is being built at 304 Murray Court and to facilitate the construction of the house addition, a previously platted sanitary sewer easement under the proposed addition is no longer needed and needs to be disclaimed.

Document No. 8276 was read.

**Action:** Council Member Phillips 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 Hagan moved to approve the ordinance. Council Member Watt 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. 10550.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:40 p.m.

---

Mayor

Attest:

---

Deputy City Clerk