



City Council Meeting

Regular Session Minutes

May 23, 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 May 23, 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: Harold Phillips and Paul Jenness, Ward I
Kevin Graham and Jeff Watt, Ward III
Michael Hagan and Gene Gentrup, Ward IV

Council Members Absent: Greg Duncan and Jeff Moore, Ward II

Staff Present: Curt Wenson, City Administrator
Dan Estes, Assistant City Administrator, Finance 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
Katherine Sharp, Assistant Planning Director
Mike Peterman, Planner
Linda Bell, Assistant Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION - NONE

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

Mayor Brenton requested that item F be removed from the consent agenda and considered separately.

- A. Motion to authorize the purchase of a 2017 Utility Operations Maintenance Vehicle from Midway Ford in an amount not to exceed \$82,105.10

The Utilities Operations Division is highly dependent upon this utility maintenance truck for daily activities of distribution and collection tasks. The vehicle and equipment are necessary for the repair and maintenance of the City's infrastructure.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

- B. Motion to authorize the purchase of a Kubota M5-11HDC12 Tractor from Coleman Equipment in an amount not to exceed \$51,177.40

The proposed purchase of a Kubota M5-11HDC12 Tractor will replace a 1994 Ford 3930 tractor. The tractor will primarily be utilized to operate a 16 foot finish mower which maintains large area of turf among all the parks. Other uses for this tractor will include grading, brush cutting, and blading of snow on parking lots.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

- C. Motion to authorize the purchase of a Bobcat S770 skid steer loader from KC Bobcat in an amount not to exceed \$55,151.27

The 2016 Capital plan for Public Works Equipment purchases includes the purchase of a 2.5 ton dump truck, a one tone dump truck, a crack sealer, hydraulic sign tools, and a skid steer loader. This purchase of a Bobcat S770 skid steer loader from KC Bobcat in the amount of \$55,151.27 will leave remaining funding for Public Works Equipment in the amount of \$50,538.25.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

- D. Resolution authorizing the Filing of an application with the Missouri Department of Conservation for Financial Assistance for the Management, Improvement and Conservation of Trees within the City of Liberty, Missouri

The 2016 TRIM grant would pay for two-thirds of the Year 3 EAB Management Plan for Street Trees. The total project cost is \$15,000. Of that amount \$10,000 will come

from the TRIM Grant program, and \$5,000 will be matched by the City via payments to a contractor for larger tree removals, as well as staff labor for treatment, removals and replanting.

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Hagan, Graham, Watt, and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 2837.

- E. Resolution approving a Temporary Event Liquor License for the Liberty Area Chamber of Commerce for Liberty4thFest at the Fountain Bluff Sports Complex on July 4, 2016

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Hagan, Graham, Watt, and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 2838.

- F. Boards and Commissions Reappointments

a. Tax Increment Financing Commission

- i. Reappoint Mark Ellebracht to a term expiring October 31, 2019
- ii. Reappoint Kevin Graham to a term expiring October 31, 2020
- iii. Reappoint Lowell Mayone to a term expiring October 31, 2018
- iv. Reappoint David Fees to a term expiring October 31, 2018

Council Member Watt moved to approve the reappointments. Council Member Phillips seconded the motion, which carried 5-0-1. Council Member Graham abstained.

VIII. PUBLIC HEARINGS

- A. Resolution approving a Special Use Permit to allow the Temporary Sale of Fireworks by Belfonte Fireworks, from June 20, 2016 to July 4, 2016 on a 2.44 acre lot in Oakwood Business Park Southwest of Clay County health Center, Liberty, Missouri [P&Z Case 16-19SUP]

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

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Hagan, Graham, Watt, and Gentrup

No: None
Abstain: None
Inscribed in Resolution No. 2839.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of April 29, 2016 to May 13, 2016

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

Document No. 8303 was read.

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

Roll Call

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10573.

Mayor Brenton resumed as chair of the meeting.

- B. Cottages at Bluebird Creek

This is an application for the Final Development Plan at 1010 N. Lightburne to allow the development of the Cottages at Bluebird Creek, a 48 unit senior housing development. This development will be built specifically for seniors and those with special needs, has received funding from Missouri Housing Development Commission, and will be for low-income senior and special needs housing.

1. Resolution approving a Final Development Plan for the Cottages at Bluebird Creek (48 Units) at 1010 N. Lightburne, in Liberty, Clay County, Missouri [P&Z Case 16-21FDP]

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 2840.

2. Ordinance accepting and approving a Final Plat for the Cottages at Bluebird Creek, in the City of Liberty, Clay County, Missouri [P&Z Case 16-20FP]

Document No. 8304 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 Gentrup seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10574.

- C. Ordinance approving a Contract with Douglas Pump Service, Inc. for the purchase of Wellfield Services in an amount not to exceed \$54,176.00

Each year staff identifies multiple wells in need of service. These service tasks include but are not limited to: well pump removal and inspection, well chemical cleaning and TV inspection of the well casing and screen. By purchasing these services, the utility will be able to take advantage of a bulk purchasing discount of up to 15% and reduce the delays associated with multiple bids for individual wellfield maintenance events.

Document No. 8305 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 Watt moved to approve the ordinance. Council Member Hagan seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10575.

- D. Ordinance authorizing the Public Works Director and, or, the Assistant Public Works Director to negotiate and execute a Break In Access Agreement with the Missouri Department of Transportation Commission

The South Liberty Parkway, Phase 2 project includes a signalized intersection at Missouri Route 291 as a termination point of the parkway. The Missouri Department of Transportation, MoDOT, requires a break in access agreement to be in place before any construction will be allowed in the State right of way. The design/build team of ESS and TranSystems is now under contract and will provide many of the required documents necessary to complete the request of MoDOT for a break in access. One of the documents required to complete the request is an enabling ordinance that

stipulates and authorizes a representative of the City to negotiate and execute the agreement.

Document No. 8306 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 Hagan moved to approve the ordinance. Council Member Graham seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10576.

- E. Ordinance approving an Amendment to Ordinance No. 10493, Approving a Fee For Services Agreement with Historic Downtown Liberty, Inc.

The proposed Amendment to Contract or Service Agreement includes a portion of the compensation for services to HDLI shall be paid utilizing Guest Tax revenue; a portion to reimburse HDLI for tourism and promotion activities and services; and, the Guest Tax Annual Allocation Budget outlining the services to be provided by HDLI jointly or separately from the City.

Document No. 8307 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 Jenness moved to approve the ordinance. Council Member Gentrup seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10577.

- F. Ordinance amending Chapter 10, 'Court Costs, Fines and Imprisonment' and Chapter 20, 'Motor Vehicles and Traffic,' of the Code of the City of Liberty, Clay County, Missouri

The proposed City Code amendments are generally of a housekeeping nature. The update of downtown parking times from two time schedules to one; update the Municipal Court cost references to refer back to the applicable City Code: clarified

language as it pertains to two warning tickets being issued prior to an actual ticket for parking violations around the downtown Square; update private parking tow signage currently reflected in the City Code to mirror the State.

Document No. 8308 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 Gentrup seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10578.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:22 p.m.

Mayor

Attest:

Deputy City Clerk