



City Council Meeting

Regular Session Minutes
January 23, 2017

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 January 23, 2017 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 Rae 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
Andy Noll, Public Works Director
Brian Hess, Utilities Director
Janet Bartnik, Parks and Recreation Director
James Simpson, Police Chief
Mike Snider, Fire Chief
Karan Johnson, Economic & Business Dev. Manager
Katherine Sharp, Assistant Planning Director
Janet Pittman, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION - NONE

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

- A. Motion to authorize payment of \$350,000 to Denali Water Solution, LLC for stored water plant residuals disposal

In 2016, just over 4,000 dry tons of lime sludge were removed and applied to local pasture land. In 2017, the contract will allow for the same amount of lime sludge

disposal in a similar manner. This project began the process of removing residuals from storage lagoons to create the necessary space for ongoing production residuals.

Action: Council Member Watt moved to approve the motion. 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

- B. Motion to approve the annual payment to Utility Service Co., Inc. for the Water Tank Maintenance Services for Gordon Tower and Nashua Tower in the amount of \$71,464.08

The maintenance services provide for visual and interior inspections on an annual basis along with a written report; interior removal and washout of accumulated materials biennially; renovation of the towers on a fixed schedule; and on-going monitoring, maintenance, repair and replacement of the mixing systems installed in the Gordon Tower.

Action: Council Member Watt moved to approve the motion. 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

- C. Appointments

1. Liberty Municipal Redevelopment Corporation

- a. Appointment of Ryan Joy

Council Member Watt moved to approve the appointment. Council Member Phillips seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

- A. Ordinance amending the Official Zoning Map of the City of Liberty, Missouri by Rezoning 2.23 acres at 8301 NE 69 Highway, South of South Liberty Parkway from R-1A, Suburban Residential District to PD, Planned Development District to allow the Development of a Logistics Business {P&Z Case 16-41R&PDP} [to be further postponed to February 27, 2017]

Action: Council Member Watt moved to further postpone consideration of the ordinance to February 27, 2017. Council Member Phillips seconded the motion which carried unanimously.

- B. Ordinance amending Article VII of the Unified Development Ordinance, Chapter 30 of the City Code of the City of Liberty, Clay County, Missouri, to add PD-Flex Zoning District

The purpose of the PD-Flex district is to facilitate the development of a master planned, mixed-use development containing a minimum of 500 acres. As the district's name implies, the intent is to provide flexibility in land uses, densities, setbacks and building heights to address change over an extended period of time.

The PD Flex district is similar to the existing PD district, given that the use, height and setbacks are requested through the zoning. PD allows variation in yards and setbacks; and allows a developer to address geologic, topographical and environmental factors. At the same time, a PD district must conform to the requirements of the UDO in requiring adequate standards necessary to protect the public health, safety and general welfare. In addition to the requirements of the PD district, the PD-Flex district would require specific design guidelines that are applicable to a particular project. The guidelines will include the flexibility allowance (percentage of change in allowed regulations) that allows some modifications to a project, but requires public process to remain if the modifications are above the set flexibility allowance.

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. 8418 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 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. 10675.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Acknowledgment of vendor payments for the period of December 30, 2016 to January 13, 2017.

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

1. Ordinance excluding Westland Landscape payments

Document No. 8419 was read.

Action: Council Member Hagan moved to approve the vendor payments. Council Member Phillips 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. 10676.

2. Ordinance including Westland Landscape payments.

Document No. 8420 was read.

Action: Council Member Gentrup moved to approve the vendor payments. Council Member Phillips 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. 10676.

Mayor Brenton resumed as chair of the meeting.

B. Ordinance Calling an Election in the City of Liberty, Missouri on the Question of Imposing a Public Safety Sales Tax of One-Half of One Percent of the Receipts from the Sale at Retail within the City of Liberty, Missouri (second reading)

The City Council has established as one of its priorities increasing available funding for public safety to assist in safety and parity. The authority of the City to pursue a one-half of one percent sales tax is provided under section 94.902.1 RSMo and must be completed by ordinance. The one-half of one percent sales tax, if approved by the voters, will be on all retail sales made in the City which are subject to taxation under chapter 144 for the purpose of improving the public safety for the City.

Document No. 8417 was read.

Action: Council Member Watt moved to approve the ordinance. Council Member Graham 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. 10677.

- C. Ordinance approving a Contract with MC Janitorial for Third Shift Contractual Custodial Services at the Liberty Community Center in an amount not to exceed \$29,920.80

The Liberty Community Center began utilizing third shift contractual custodial services in March 2013 for the locker rooms and fitness center. In March 2015, third shift contractual custodial services were extended to all primary facility areas, seven days per week. Third shift custodial provides an opportunity for a thorough cleaning of the high profile areas of the facility when guests aren't utilizing the facilities

Document No. 8421 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 Phillips 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. 10678.

- D. Ordinance accepting a Waterline Easement for a Public Waterline serving Liberty Commons

A public waterline easement is to be constructed on the east side of Conistor Street as part of the Liberty Commons redevelopment project. An easement is required over public infrastructure to allow for construction and future maintenance.

Document No. 8422 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 Watt seconded the motion.

Vote: Motion passed 7-0-1

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

No: None

Abstain: Council Member Hagan due to potential conflict of interest.

Approved by the Chair and inscribed in Ordinance No. 10679.

- E. Ordinance approving an Intergovernmental Agreement with the Mid-America Regional

Council Solid Waste Management District for participation in the Regional Household Hazardous Waste Program in the amount of \$31,668.00

Participation in the program allows Liberty residents to use permanent collection facilities located at 4707 Deramus, Kansas City, MO and 2101 S.E. Hamblen Road, Lee's Summit, MO, as well as to participate in mobile collection events throughout the metropolitan area without additional charge.

Document No. 8423 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 Gentrup 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. 10680.

F. Ordinance approving a Contract with Waldinger Corporation for HVAC Preventative Maintenance and On-Call Repair Services in an amount not to exceed \$75,000.00

Several City Departments utilize an independent contractor to manage preventive maintenance and on-call repair services for HVAC systems in City facilities. Services covered by this contract include quarterly preventive maintenance activities as well as on-call repair services.

Document No. 8424 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 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. 10681.

G. Ordinance accepting a Warranty Deed dedicating Public Parkland for Homestead First Plat, Liberty, Missouri

All proposed residential development is required to dedicate park land or an equivalent fee-in-lieu of dedication for public use. The City of Liberty approved the Homestead First Plat with a dedicated 4 acres of parkland and an envisioned trail within the riparian corridor. The trail is in the final process of being built, with some items of repair scheduled for spring. The City will then accept the trail, as is the process with any infrastructure improvements.

Document No. 8425 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. 10682.

- X. OTHER BUSINESS
- XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR
- XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL
- XIII. ADJOURNMENT

The meeting adjourned at 7:35 p.m.

Mayor

Attest:

Deputy City Clerk