



City Council Meeting

Regular Session Minutes

April 24, 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 April 24, 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 Kevin Graham, who then led the pledge of allegiance.

Deputy City Clerk Janet Pittman administered the Oath of Office to Rae Moore, Council Member Ward II.

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
Dan Estes, Assistant City Administrator, Finance Director
Andy Noll, Public Works Director
Mike Peterman, Planner
Amy Brusven, Human Resources Director
Janet Bartnik, Parks and Recreation Director
James Simpson, Police Chief
Mike Snider, Fire Chief
John Mills, Fire Captain
Katherine Sharp, Assistant Planning Director
Sara Cooke, Communications Manager
Janet Pittman, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

A. Split/Regular Session Minutes of April 10, 2017

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

V. CITIZENS' PARTICIPATION

Allison Otte, Discovery Middle School Teacher, introduced students from her 6th Grade Advanced Communication Arts class. The students had researched the City's current Tobacco 21 Smoking Ordinance. The students presented their research and stated the City should further restrict the sale of tobacco products to individuals aged 25 and older.

Jeremy Collum, 409 Jefferson, asked the Council what the status was on the drafting of an updated Dangerous Animal Ordinance.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

- A. Motion to authorize the Purchase of a John Deere Z950R with Mulch On-Demand Deck Kit from Van Wall Equipment, Inc., utilizing Fire Sales Tax and Park Operating Funding in an amount not to exceed \$10,632.93

Staff proposes to utilize a cooperative bidding opportunity to purchase a John Deere Z950R mower (MO-IA Piggyback Construction, Ag and Ground Maintenance Equipment Contract MA17288), retaining the mower which would have been replaced and use Park operating funds in the amount of \$632.93 to outfit the new John Deere Z950R mower with a Mulch On-Demand Deck Kit.

Action: Council Member Phillips moved to approve the motion. 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

- B. Mayor Pro Tem Appointments

- i. Harold Phillips to the term of May 1, 2017 to July 31, 2017
- ii. Greg Duncan to the term of August 1, 2017 to October 31, 2017
- iii. Paul Jenness to the term of November 1, 2017 to January 31, 2018
- iv. Jeff Watt to the term of February 1, 2018 to April 30, 2018
- v. Michael Hagan to the term of May 1, 2018 to July 31, 2018
- vi. Gene Gentrup to the term of August 1, 2018 to October 31, 2018
- vii. Kevin Graham to the term of November 1, 2018 to January 31, 2019
- viii. Rae Moore to the term of February 1, 2019 to April 30, 2019

Council Member Phillips moved to approve the appointments. Council Member Hagan seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

- A. Resolution approving a Special Use Permit to allow Kennel/Dog Boarding at Camp Bow Wow, at Lot K, Liberty Industrial Park [P&Z Case No. 17-12SUP]

The applicant is requesting approval of a Special Use Permit for the construction of an approximately 7,900 square foot, one-story building to be used as a dog boarding facility, Camp Bow Wow. The new building will be located along Brown Street, with a parking lot in front and the play yard in the back. The use is described as daycare, training, grooming, and inside overnight boarding for up to 130 dogs. Staff is on site from 6:30 AM to 7:00 PM. Dogs kept for boarding are housed in individual indoor secured cabins overnight and all overnight boarding is within the enclosed building. Staff is present at all times when dogs are outside. Staff is trained to utilize specific dog training methods to keep noise to a minimum. Dog waste is immediately and continually cleaned up as it occurs and disposed.

The applicant is requesting two variances as part of the development application, one for an eight foot privacy fence (vs. 6 ft.) and one for less than the required parking (15 vs. 32).

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

Kirk Bettis, 807 Adams Drive, stated he recently moved to Liberty and is excited to be a part of this community and opening this business.

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

Action: Council Member Hagan moved to approve the resolution including the variances. 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

Inscribed in Resolution No. 2895.

- B. Resolution approving a Special Use Permit to allow an Indoor Recreation Use in an M-2 Zoning District at 1927 Industrial Drive in the City of Liberty, Clay County, Missouri [P&Z Case 17-13SUP]

The applicant is requesting approval of a Special Use Permit for an indoor recreational use in an M-2 zoning district. The proposal is for an indoor trampoline park and associated uses at 1927 Industrial Drive. The proposed use would utilize 20,700 sq. ft. building for trampolines, concession stand and viewing areas. The applicant is proposing to provide 90 parking spaces adjacent to the building.

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

Amy Devenney, 8115 NE 99th Terrace, Kansas City, stated that she and her husband Chad are excited to bring this venue to Liberty. The trampolines will be netted and there will be no access to the existing bay doors.

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

Action: Council Member Watt moved to approve the resolution. 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

Inscribed in Resolution No. 2896.

- C. Resolution approving a Special Use Permit to allow an in-home Massage Therapy Business at 1133 N. Clayview in the City of Liberty, Clay County, Missouri [P&Z Case 17-11SUP]

The applicant is requesting approval of a Special Use Permit for an in home massage therapist in a single family residential district. The applicant is proposing to use her parents' home for her massage therapist business. This would be an allowed home based business if the applicant lived at the home. The applicant does not propose any variations to what would be allowed for the home based business other than she is not living at the proposed location. The business would be located in the basement of the home. The basement does have an outside exit and access to a restroom.

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

Rene Tyler, 213 N. Lightburne St., stated she has lived in Liberty for over 20 years and is a Certified Therapist.

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

Action: Council Member Phillips moved to approve the resolution. 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

Inscribed in Resolution No. 2897.

- D. 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 May 22, 2017}**

Action: Council Member Hagan requested to postpone for consideration at the May 22nd Regular Session. Council Member Watt seconded the motion, which carried unanimously.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Acknowledgement vendor payments for the period of March 31 to April 14, 2017

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

1. Ordinance excluding Westland Landscape payments

Document No. 8464 was read.

Action: Council Member Watt 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. 10718.

2. Ordinance including Westland Landscape payments.

Document No. 8465 was read.

Action: Council Member Hagan 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. 10718.

Mayor Brenton resumed as chair of the meeting.

B. Ordinance amending Chapter 20, "Motor Vehicles & Traffic", of the Code of the City of Liberty, Clay County Missouri

The traffic code amendment pertaining to this action is summarized in Section 20-175 and would add a stop sign on Liberty Drive Terrace at Park Lane, northeast corner.

Document No. 8466 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. 10719.

C. Ordinance accepting a Conservation Easement on the Camp Bow Wow Development Project

As part of addressing storm water requirements on the Camp Bow Wow development the developer has elected to preserve a portion of the property in its natural state. A conservation easement is required over the preserved area to protect the property in the future, which outlines the purpose, rights and prohibited uses of the conservation easement area.

Document No. 8467 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. 10720.

D. Ordinance approving a Covenant to maintain a Storm Water Detention Facility for the Camp Bow Wow Development

To facilitate the development of Camp Bow Wow, a storm water detention/quality facility will be constructed behind the proposed building. Per the City of Liberty's storm water discharge permit from the Missouri Department of Natural Resources, an agreement between the City and post-development landowner(s) is required to designate the responsible party(ies) and the type/frequency of maintenance activities for continued performance of storm water detention and storm water quality facilities.

Document No. 8468 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 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. 10721.

E. Ordinance accepting a Storm Sewer Easement for a Public Storm Sewer Relocation associated with the Raising Cain's Redevelopment

As part of the Raising Cain's redevelopment project, an existing storm sewer is to be relocated to the south of the footprint of the proposed building. The existing public storm sewer passes under a corner of the Perkins building and no evidence of an existing easement can be found. Construction and future maintenance of this relocated storm sewer requires the developer to relocate the storm sewer and provide a public storm sewer easement.

Document No. 8469 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 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. 10722.

F. Ordinance approving a Contract with American Response Vehicles of Columbia, Missouri for the purchase of four ambulances in an amount not to exceed \$836,340.

The goal of the department is to continue the fleet replacement program established in 2010. The established fleet replacement program is proving to address the Department's needs by replacing the fleet on an established schedule. The proposal includes replacing one (1) 2010 AEV TraumaHawk Type III Ambulance and three (3) 2011 AEV TraumaHawk Type II Ambulances utilizing the Houston-Galveston Area Council Cooperative Purchasing Agreement. Financing will be obtained to complete the purchase with a five (5) year term.

Document No. 8470 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 Watt 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. 10723.

G. Phoenix G2-Automated Fire Station Alerting

The best opportunity to assist the Fire Department with its established goal of decreased response time has been determined to be an automated emergency alerting system. This proposed system will not only provide an opportunity to decrease our response times, it is also proven to cause less stress to the firefighters when receiving the notifications.

1. Motion to approve a Purchase with US Digital Designs for the Phoenix G2-Automated Fire Station Alerting System in an amount not to exceed \$165,876.72

Action: Council Member Hagan 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

2. Ordinance approving a Contract with American Digital Security of Liberty, Missouri for the installation of Fire Alerting System in an amount not to exceed \$10,238.00

Document No. 8471 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 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. 10724.

3. Motion to approve a Purchase with Logisys for Computer Aided Dispatch (CAD) Interface with the Phoenix G2-Automated Fire Station Alerting System in an amount not to exceed \$9,400.00

Action: Council Member Phillips moved to approve the motion. 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

H. Renewal of Benefit Package Insurance Plans

For the 2017-2018 Benefit Plan Year, two changes are recommended. In prior years the health insurance cost employee/employer allocation used the HMO Plan as the base to establish these allocations. For 2017-2018 the recommendation is to change to the High Deductible Health Plan as the allocation standard. With this recommended change, the HDHP HSA payment process will also change with 100% being preloaded to the employee at the beginning of the plan year. This change will assist to ease and protect the employees and any concerns about out of pocket costs associated with the HDHP. Further, due to higher than anticipated dental plan renewal cost, there was a need to change carriers. It is recommended to switch our dental plan to the MPR sponsored plan with Delta Dental.

1. Ordinance approving a contract with Midwest Public Risk (MPR) to provide employee medical, dental and vision coverage for the City of Liberty.

Document No. 8472 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 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. 10725.

2. Ordinance approving a contract with Standard Insurance Company to provide employee life, AD&D and short-term disability insurance coverage for the City of Liberty.

Document No. 8473 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 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. 10726.

3. Ordinance approving a contract with Vision Care Direct to provide employee vision insurance coverage for the City of Liberty.

Document No. 8474 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. 10727.

4. Ordinance approving a contract with Sun Life Financial/Assurant Insurance Company to provide employee long-term disability insurance coverage for the City of Liberty.

Document No. 8475 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 Jenness 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. 10728.

5. Ordinance approving a contract with American Fidelity Company to provide employee supplemental insurance coverage for the City of Liberty.

Document No. 8476 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 Phillips moved to approve the ordinance. Council Member Gendrup seconded the motion.

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10729.

6. Ordinance approving a contract with AFLAC to provide employee supplemental insurance coverage for the City of Liberty.

Document No. 8477 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 Jenness seconded the motion.

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10730.

7. Ordinance approving a contract with Colonial Company to provide employee supplemental insurance coverage for the City of Liberty.

Document No. 8478 was read.

Action: Council Member Watt moved to waive the rules and consider the ordinance on first reading. Council Member Gendrup 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 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. 10731.

8. Ordinance approving a contract with Pre-Paid Legal Services to provide employee ID theft and pre-paid legal insurance coverage for the City of Liberty.

Document No. 8479 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. 10732.

9. Ordinance approving a contract with Benefits Direct to provide section 125 plan and COBRA/Special Billing administration for the City of Liberty.

Document No. 8480 was read.

Action: Council Member Jenness 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. 10733.

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

The meeting adjourned at 7:55 p.m.

Mayor

Attest:

Deputy City Clerk