



## City Council Meeting

Regular Session Minutes  
August 28, 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 August 28, 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 along with Eagle Scout Adam Malisos.

### 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  
BJ Staab, Interim Parks and Recreation Director  
James Simpson, Police Chief  
Gary Ewer, Police Sergeant  
Mike Snider, Fire Chief  
Katherine Sharp, Planning Director  
Janet Pittman, Deputy City Clerk

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

### IV. APPROVE MINUTES AND SUMMARIES

### V. CITIZENS' PARTICIPATION

#### A. Boy Scout Proclamation – Adam Malisos

Mayor Brenton read a proclamation commending Adam Malisos on his Eagle Scout project, in which he and his fellow scouts completed the installation of emergency trail markers at Westboro-Canterbury Greenway, leading a team of city staff in establishing a process for the placement of such emergency markers for future installations.

Donna Barnes, resident at Miller/Lightburne Street, stated she is concerned about the semi-trucks using Lightburne as a cut through from 291 Hwy. to I-35. She was told that trucks delivering locally (ie. Hallmark) were allowed to use Lightburne; however, others are prohibited. She wanted to know why this wasn't being enforced.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Regular Session Minutes of August 14, 2017

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

B. Special Session Minutes of August 21, 2017

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

C. Study Session Summary of August 21, 2017

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

D. Resolution approving a Temporary Event Liquor License for Historic Downtown Liberty, Inc. for the Parks and Recreation Summer Concert Event on Friday, September 15, 2017

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

Inscribed in Resolution No. 2921.

E. Boards and Commissions Appointment

1. Citizen Sales Tax Oversight Committee

i. Motion to appoint Adam Travis to a term expiring May 15, 2019

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

VIII. PUBLIC HEARINGS

A. Ordinance amending the Official Zoning Map of the City of Liberty, Missouri by Rezoning 11.26 Acres Southeast of the Intersection of Lee Drive & Birmingham Road from R-6, Low Rise Apartment District to PD, Planned Development District to allow the Development of a 35 Lot Single Family Home Subdivision [P&Z Case 17-

37R&PDP]

The majority of Liberty Manor was constructed in the 1950s and 1960s. The duplexes on Lee Drive were built in 1986. The current R-6 multifamily zoning is challenging on this site because of the City’s residential buffer requirements, which would require a 50 foot heavily landscaped and bermed buffer on the north and south sides, and the size of the site. The application is to rezone 11.26 acres from R-6 to PD, Planned Development district. The purpose of this proposal is to allow the applicant to plat and sell 35 lots for construction of detached single-family dwellings. The plan is similar to the existing single family lots in the neighborhood. The lots are slightly smaller than a standard (R1C) single family lot in lot size minimum, front and side yard setback, and lot width minimum.

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

Scott Cargill, Olsson and Associates, spoke on behalf of the applicant. He stated that an R1C lot has a width of 75 feet. In looking at the product, they are proposing to build they feel it can be built on a smaller lot (65 feet). Initially, they were looking at building a duplex product; however, after staff encouraged them to look at single family residential, they settled on this product. The smaller lot size will allow for additional lots on the site while also being able to address on-site stormwater retention.

Theresa Green, 303 Lee Drive, was concerned about the storm water runoff of the project, and wondered if the retention ponds would only fill when it rained. The applicant’s representative stated that the ponds would only fill when it would rain, and then they would drain over 24 hours to regulate the water runoff.

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

Document No. 8539 was read.

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

**Vote:** Motion passed 7-1-0

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

**No:** Council Member Phillips

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10783.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Acknowledgement of vendor payments for the period of August 4, 2017 to August 18, 2017

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

1. Ordinance excluding Westland Landscape payments

Document No. 8540 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. 10784.

2. Ordinance including Westland Landscape payments.

Document No. 8541 was read.

**Action:** Council Member Phillips moved to approve the vendor payments. Council Member Gentrup 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. 10784.

Mayor Brenton resumed as chair of the meeting.

B. Ordinance approving the assignment of a certain agreement by and between the City of Liberty and American Paramedical Services, Inc.

The Fire Department was contacted by American Paramedical Services, Inc. to request assignment of their current agreement to Midwest Medical Transport Company, LLC due to change of ownership. City legal counsel reviewed the request and advised an ordinance authorizing the assignment of current Ordinance No. 10330 would be required.

Document No. 8542 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. 10785.

C. Ordinance approving a contract between Liberty Tow and the City of Liberty, Clay County, Missouri

The previous agreement for the towing of City of Liberty vehicles has expired. Liberty Towing submitted a competitive bid price and has a record of good service. Staff recommends approval of Liberty Towing as the tow contractor for City Vehicles.

Document No. 8543 was read.

**Action:** Council Member Hagan moved to waive the rules and consider the ordinance on first reading. Council Member Gentrup 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 6-2-0

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

**No:** Council Members Watt and Moore

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10786.

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