



City Council Meeting

Regular Session Minutes

December 11, 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 December 11, 2017 with Mayor Lyndell Brenton presiding. Mayor Brenton called the meeting to order at 7:20 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Hagan, 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
Dan Estes, Assistant City Administrator/Finance Director
Shawna Funderburk, Asst. to the City Administrator
Andy Noll, Public Works Director
BJ Staab, Interim Parks and Recreation Director
Vicki McClure, Assistant Finance Director
Brian Hess, Utilities Director
James Simpson, Police Chief
Mike Snider, Fire Chief
Katherine Sharp, Planning Director
Tony Sage, Information Technology Director
Sara Cooke, Communications Manager
Janet Pittman, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

A. Regular Session Minutes of November 13, 2017

Council Member Hagan moved to approve the minutes as distributed. Council Member Graham seconded the motion, which carried 7-0-1. Council Member Jenness abstained due to absence.

V. CITIZENS' PARTICIPATION

- A. Historic Downtown Liberty, Inc. – Vicki Vance, HDLI Director, presented the Annual Report which included information on their marketing plan and the new tourism website. Ms. Vance stated there are 26 active retailers, 12 eateries and 100 professional services within the downtown area. There were 25,792 website visitors in the past year, and 3,973 volunteer hours. She also highlighted that Liberty is one of seven state and nationally accredited main street programs. Effective January 2018, the HDLI office will relocate to 117B North Main Street.
- B. Liberty Economic Development Corp. – Ralph Boots, LEDC Director, presented the Annual Report which included an update on 2017 activities. Mr. Boots noted that the highlights of 2017 included participation in a community assessment; and, 34 leads that resulted in six proposals, ten active projects and three site visits.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

- A. Regular Session Minutes of October 23, 2017

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

- B. Study Session Summary of November 6, 2017

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

- C. Regular Session Minutes of November 27, 2017

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

- D. Resolution approving a Temporary Event Liquor License for the Liberty Hospital Foundation Half Marathon/5K event on March 3, 2018 to be held at the Liberty Community Center.

Council Member Watt moved to approve the Resolution. Council Member Gentrup seconded the motion, which carried unanimously. It is inscribed in Resolution No. 2936.

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of November 17 to December 1, 2017.

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

Document No. 8593 was read.

Action: Council Member Hagan moved to approve the vendor payments. 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. 10829.

Mayor Brenton resumed as chair of the meeting.

- B. Ordinance amending the Official Zoning Map of the City of Liberty, Missouri by Rezoning 1.71 Acres at the Southwest Corner of N. Prairie St. and W. Mississippi St. from CBS, Central Business Service District and RNC, Neighborhood Conservation Residential District to PD, Planned Development District to allow the development of at 38 Unit Apartment Complex [P&Z Case No. 17-21 R&PDP] {second reading – postponed from November 27, 2017/valid Protest Petition on file}

This is an application to rezone approximately 1.71 acres at the SW corner of N Prairie St and W Mississippi St from Central Business Service District (CBS) and Neighborhood Conservation Residential District (RNC) to Planned Development (PD) to allow the construction of a 38 unit multi-family complex. If approved, this rezoning application will facilitate a final development plan and final plat application that will provide final level engineering, site and building details.

The applicant proposes that the site be used as a rental apartment complex. There are 32 two-bedroom units and 6 one-bedroom units. The ground floor units will be accessible for elderly and disabled renters.

Mayor Brenton stated for the record that he and the Council Members had exparte communication with the developer as well as neighbors and area residents.

Document No. 8484 was read.

Action: Council Member Hagan moved to amend the ordinance by adding a stipulation that 'an additional 8 parking stalls be added to the site. The addition of the 8 stalls cannot cause a significant change to the plan or change the architectural character of the buildings, and this stipulation would require a total of 64 parking stalls on-site when the project comes forward for final approval in the final development plan phase'. Council Member Graham 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

Action: Council Member Hagan moved to approve the ordinance as amended. Council Member Graham 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. 10830.

C. Amendment to the City Code pertaining to Right of Way and Wireless Facilities

The 2014 state legislative bills (SBs 649, 650, 651, & 653) impacted City Code pertaining to wireless facilities. Overall, the amendments seek to conform the City's Code to applicable law while still preserving the City's authority, to the extent possible, to protect the public in placement of wireless uses and Rights-of-way Use.

1. Ordinance Amending The City Code Of The City Of Liberty, Missouri To Amend The City's Rights-Of-Way Management Regulations, To Enact Non-Preempted Building Code Regulations To Address Recent Changes In Federal And State Laws, And To Enact New Provisions Concerning Enforcement {second reading}

Document No. 8585 was read.

Action: Council Member Watt 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. 10831.

2. Ordinance Amending The City Code of The City Of Liberty, Missouri To Enact Provisions Relating to Preemption By Federal or State Law, and to Amend the City's Wireless Communication Facilities Regulations {second reading}

Document No. 8586 was read.

Action: Council Member Graham 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. 10832.

D. 2018 Annual Budgets

State law 67.010, 67.020 and 67.030 requires the City to annually adopt a budget prior to the beginning of the new fiscal year. Failure to adopt a new budget requires a default to the current year budget. The Council Budget Committee and City staff has extensively analyzed 2017 and 2018 revenue budgets and expenditure requirements.

1. Ordinance adopting the Annual Budget for the City of Liberty, Clay County, Missouri for the Fiscal Year 2018

Document No. 8594 was read.

Mayor Brenton stated this item would be considered on second reading at the December 18th Special Session Meeting.

2. Ordinance adopting the Annual Park and Parks Sales Tax Budgets for the City of Liberty, Clay County, Missouri for the Fiscal Year 2018

Document No. 8595 was read.

Mayor Brenton stated this item would be considered on second reading at the December 18th Special Session Meeting.

E. Resolution approving the 2018-2022 Capital Improvement Plan for the City of Liberty, Missouri

The 2018 – 2022 CIP represents the accumulation of prior planning, project prioritization by the City Council, efforts by Public Works staff to maximize Federal, State and other local funding resources and has been reviewed by the Budget Committee and City staff.

Action: Council Member Watt moved to postpone consideration of the resolution until December 18, 2017. Council Member Phillips seconded the motion, which carried unanimously.

F. 2018 Utility Rates

Based on the review of 2018 Water, Wastewater and Solid Waste Fund expenditure budgets, the Budget Committee and staff are recommending an increase in Utility rates. Bottom-line impact of recommendations equates to a 4.9% increase in all utility costs for the average residential customer. The monetary increase for the average residential customer using 4,690 gallons of water per month and has a wastewater winter water average of 4,026 gallons equals \$4.99 per month.

1. Ordinance amending Section 29-25 (a) "Water Rates" of the City Code of the City of Liberty, Missouri

Document No. 8596 was read.

Mayor Brenton stated this item would be considered on second reading at the December 18th Special Session Meeting.

2. Ordinance amending Section 29-49.1 "Sanitary Sewer Rates" of the City Code of the City of Liberty, Missouri

Document No. 8597 was read.

Mayor Brenton stated this item would be considered on second reading at the December 18th Special Session Meeting.

3. Resolution adopting Solid Waste (Sanitation) Service

Action: Council Member Hagan moved to postpone consideration of the resolution until December 18, 2017. Council Member Watt seconded the motion, which carried unanimously.

4. Resolution Modifying the Monthly Utility Infrastructure Repair and Maintenance Fee

Action: Council Member Phillips moved to postpone consideration of the resolution until December 18, 2017. Council Member Gentrup seconded the motion, which carried unanimously.

- G. Ordinance approving a Fee for Services Agreement with Historic Downtown Liberty, Inc. in an amount not to exceed \$81,000.00

The agreement for services includes the implementation and operation of specific programs to assist in the promotion of the economic revitalization and tourism of the downtown commercial area of the City.

Document No. 8598 was read.

Action: Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Hagen 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. 10833.

- H. Ordinance approving a Fee for Services Agreement with the Liberty Economic Development Corporation in an amount not to exceed \$60,000. and Executive Director health care benefits of approximately \$9,000.

The Liberty Economic Development Corporation fosters economic growth and development for the purpose of enhancing the quality of life in Liberty.

Document No. 8599 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. 10834.

Please note: Items in **Bold** will be read on first reading only Dec. 11th. Second reading will be at the December 18th Special Session meeting.

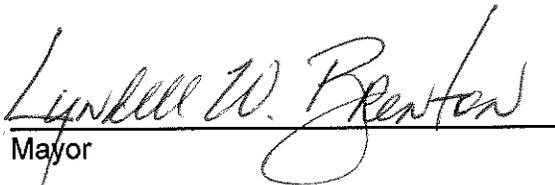
X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 8:40 p.m.



Mayor

Attest:



Deputy City Clerk

