



## City Council Meeting

Regular Session Minutes  
April 9, 2018

### 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 9, 2018 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 Council Member Paul Jenness, 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  
Shawwna Funderburk, Asst. to the City Administrator  
Andy Noll, Public Works Director  
Brian Hess, Utilities Director  
Amy Brusven, Human Resources Director  
BJ Staab, Parks and Recreation Director  
James Simpson, Police Chief  
Mike Snider, Fire Chief  
Claire Rodgers, Communications Specialist  
Janet Pittman, Deputy City Clerk

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

### IV. APPROVE MINUTES AND SUMMARIES

#### A. Regular Session Minutes of March 26, 2018

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

V. CITIZENS' PARTICIPATION

- A. National Animal Control Officer Appreciation Week Proclamation  
Mayor Brenton read the Proclamation and presented it to Animal Control Officers Samantha Lehmann and Alyssa Jacobs.
- B. National Telecommunicator Week Proclamation  
  
Mayor Brenton read the Proclamation and presented it to Dispatchers Chondra Bethards and Kelly Alexander.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

- A. Study Session Summary of March 19, 2018  
  
Council Member Hagan moved to approve the summary as distributed. Council Member Phillips seconded the motion, which carried unanimously.
- B. Motion to acknowledge receipt of the March 27, 2018 Blue Jay Crossing Community Improvement District, provided by the Clay County Board of Elections.

The elected officials are:

	<u>Votes</u>
Tim Harris	2
Robert De La Fuente	2
Kelly Klein	2
Stephanie Harris	2
Sheryl Giambalvo	2

Council Member Hagan moved to acknowledge the results. Council Member Phillips seconded the motion, which carried unanimously.

C. Boards and Commissions

- 1. Cemetery Advisory Committee
  - i. Appoint Emily Michaels to a term expiring September 1, 2020

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

D. Resolution accepting the Water, Sanitary Sewer, Storm Sewer, Streets and Grading Improvements for the Creekwood Second Plat Subdivision Project

**Action:** Council Member Hagan 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. 2970.

E. Resolution accepting the Sanitary Sewer Improvements for the Taylor U-Pick Orchard Project

**Action:** Council Member Hagan 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. 2971.

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Acknowledgement of vendor payments for the period of March 16 to March 30, 2018.

Mayor Pro Tem Watt took over as Chair of the meeting. Council Member Hagan requested that check no. 157922, payable to B&B Theatres, be removed and considered separately.

1. Ordinance excluding Westland Landscape payments and check no. 157922.

Document No. 8665 was read.

**Action:** Council Member Phillips 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. 10900.

**Action:** Council Member Jenness moved to approve check no. 157922, payable to B&B Theatres. Council Member Phillips seconded the motion.

Roll Call

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

2. Ordinance including Westland Landscape payments.

Document No. 8666 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. 10900.

Mayor Brenton resumed as chair of the meeting.

- A. Ordinance declaring the results of the Election held April 3, 2018, submitting to the voters of the City of Liberty the Question of Imposing a Local City Use Tax at the Same Rate as the Total Local City Sales Tax Rate, currently Three and Three-Eighths Percent (3.375%), provided that if the Local Sales Tax Rate is Reduced or Raised by Voter Approval, the Local Use Tax Rate shall also be Reduced or Raised by the Same Action

<b>Local City Use Tax</b>	<b>Yes</b> (percent)	<b>No</b> (percent)
<p style="text-align: center;"><u>EXPLANATORY STATEMENT:</u></p> <p>Use tax is collected instead of sales tax when an out-of-state vendor does not have a sufficient legal presence in Missouri to be subject to sales tax. The State of Missouri and Clay County already collect use taxes. Currently, the City receives no use tax revenue. If the voters approve a local use tax, the City will begin receiving use tax revenue on sales for use in the City by out-of-state vendors. At no time are a use tax and sales tax collected on the same transaction. The City of Liberty submits the following question:</p> <p style="text-align: center;"><u>QUESTION:</u> Use Tax</p> <p>Shall the City of Liberty, Missouri impose a local City use tax at the same rate as the total local City sales tax rate, currently three and three-eighths percent (3.375%) provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action?</p>	<p>2,840 (70.14%)</p>	<p>1,209 (29.86%)</p>

Document No. 8667 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 Jenness moved to approve the ordinance. Council Member Watt 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. 10901.

**B. Tourism Committee**

**1. Ordinance Establishing a Tourism Committee for the City of Liberty, Missouri, Establishing Committee Terms and Approval of Bylaws**

A team made up of City staff (Economic Development, Community Development and Communications) and HDLI representatives have worked together to build the Visit Liberty brand and executing tourism efforts for the City of Liberty as a whole.

The goal of Visit Liberty and Liberty's tourism efforts is to uphold the voter intent to use Transient Guest Tax funds for:

- Marketing and promoting Liberty
- Development and installation of wayfinding signage
- Supporting Liberty festivals and special events
- Providing funding for public art

Establishing a formalized committee, which will include representatives from Historic Downtown Liberty, Inc., the Liberty Area Chamber of Commerce and from the hotel, retail, attraction and restaurant industries in Liberty, will allow for a more transparent and objective review of Liberty's tourism efforts and a broadened perspective of new ideas to bring visitors to Liberty.

Document No. 8668 was read.

**Action:** Council Member Phillips 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 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. 10902.

2. Motion to approve the following appointments to the Liberty Tourism Committee:

- a. City Council Liaison – Rae Moore
- b. Historic Downtown Liberty, Inc. Rep – Vicki Vance
- c. Liberty Area Chamber of Commerce Rep – Gayle Potter
- d. Liberty Arts Commission Rep – Anna Knackstedt
- e. Restaurant and/or Retail Industry, Downtown – Shawn Garland, The Artisan Market – Term Expiring May 1, 2023
- f. Hotel and/or Motel Industry – Brett Nieman, Marriott TownePlace Suites – Term Expiring May 1, 2021

**Action:** Council Member Watt moved to approve the appointments. Council Member Phillips seconded the motion, which carried unanimously.

C. Renewal of Benefit Package Insurance Plans

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. 8669 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 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. 10903.

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. 8670 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 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. 10904.

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

Document No. 8671 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 Graham 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. 10905.

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. 8672 was read.

**Action:** Council Member Jenness 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 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. 10906.

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

Document No. 8673 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. 10907.

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

Document No. 8674 was read.

**Action:** Council Member Hagan 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 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. 10908.

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

Document No. 8675 was read.

**Action:** Council Member Graham 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 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. 10909.

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. 8676 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 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  
Approved by the Chair and inscribed in Ordinance No. 10910.

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. 8677 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 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. 10911.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:40 p.m.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Deputy City Clerk