



## City Council Meeting

Regular Session Minutes  
October 22, 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 October 22, 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 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  
Jeff Watt, Ward III  
Michael Hagan and Gene Gentrup, Ward IV

Council Members Absent: Kevin Graham, Ward III

Staff Present: Curt Wenson, City Administrator  
Dan Estes, Assistant City Administrator/Finance Director  
Andy Noll, Public Works Director  
BJ Staab, Parks and Recreation Director  
Katherine Sharp, Planning Director  
James Simpson, Police Chief  
Janet Pittman, Deputy City Clerk

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

### IV. APPROVE MINUTES AND SUMMARIES

#### A. Regular Session Minutes of September 24, 2018

Council Member Watt moved to approve the minutes as distributed. Council Member Hagan seconded the motion, which carried 5-0-2. Council Members Jenness and Phillips abstained due to absence.

#### B. Regular Session Minutes of October 8, 2018

Council Member Phillips moved to approve the minutes as distributed. Council Member Gentrup seconded the motion, which carried 5-0-2. Council Members Jenness and Hagan abstained due to absence.

### V. CITIZENS' PARTICIPATION - NONE

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Boards and Commissions Appointments/Reappointments

1. Board of Appeals

- a. Appoint Paul Victor to a term expiring December 30, 2020
- b. Appoint Jeff Billings to a term expiring December 30, 2022
- c. Appoint John Carr to a term expiring December 30, 2024
- d. Reappoint Dobbe Dobberstine to a term expiring December 30, 2023
- e. Reappoint Roger Mose to a term expiring December 30, 2020

2. Tree Board

- a. Appoint Helene Miller to a term expiring December 15, 2020

3. Liberty Arts Commission

- a. Appoint Katie Gregory to a term expiring May 15, 2020

4. Liberty Housing Authority

- a. Reappoint Thelma Bigley to a term expiring July 1, 2021
- b. Reappoint Bruce Ross to a term expiring July 1, 2022

5. Planning and Zoning Commission

- a. Appoint Judy Dilts to a term expiring January 1, 2021

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

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

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

**No:** None

**Abstain:** None

VIII. PUBLIC HEARINGS

- A. Resolution amending the Future Land Use Map of the Comprehensive General Plan of the City of Liberty by changing the Land Use Designation of approximately 17.75 acres located East Side of Route H at 1023-1039 Route H from Rural Residential, Business and Mixed Use to Low-Density Residential (P&Z Case 18-28A)

Mayor Brenton requested a motion to postpone the Public Hearing at the request of the applicant to November 26, 2018.

**Action:** Council Member Hagan moved to postpone the Public Hearing and consideration of the Resolution to November 26, 2018. Council Member Phillips seconded the motion.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

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

- A. Ordinance acknowledging vendor payments for the period of September 28 to October 12, 2018

Document No. 8746 was read.

**Action:** Council Member Phillips moved to approve the vendor payments. Council Member Hagan seconded the motion.

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10974.

Mayor Brenton resumed as chair of the meeting.

- B. Resolution approving a Final Development Plan for Liberty High School Performing Arts Center Addition at 200 Blue Jay Drive, in Liberty, Clay County, Missouri (P&Z Case 18-31FDP)

**Action:** Council Member Phillips moved to approve the resolution. Council Member Hagan seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3009.

- C. Resolution approving a Final Development Plan for Liberty North High School Classroom Addition at 1000 NE 104<sup>th</sup> Street, in Liberty, Clay County, Missouri (P&Z Case 18-32FDP)

**Action:** Council Member Phillips moved to approve the resolution. Council Member Hagan seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3010.

- D. Ordinance accepting Public Sanitary Sewer and Water Main Easements for the proposed Smoothie King development located at 1175 W. Kansas Street, Liberty

Document No. 8747 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 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10975.

E. Kansas Street Corridor Improvement Project

1. Ordinance approving an Intergovernmental Municipal Agreement with the Missouri Highways and Transportation Commission for the Kansas Street Improvements Project

The three improvement projects along the Kansas Street Corridor are possible due the team work and cooperation of the City of Liberty, MODOT, and the City of Kansas City. MODOT is managing the design, bidding, and construction of all three projects and requires Municipal Agreements in place that address location, purpose, use of right of way, and other details for each project.

Three separate Municipal Agreements are needed; each agreement corresponds with each project. The first project is the I-35 & 152 Highway interchange project and is identified as job number J4S3083. As previously approved with the cost apportionment agreement, the cost of the interchange project is being shared between MODOT, City of Liberty, and the City of Kansas City. The second project is the Kansas Street segment and is identified as job number J4S3299. The Kansas Street segment is funded by the City and a federal transportation grant. The third project is the intersection of Kansas Street and MO 291 and is identified as job number J4P3203 and is entirely funded by MODOT.

Document No. 8748 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.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10976.

2. Ordinance approving an Intergovernmental Municipal Agreement with the Missouri Highways and Transportation Commission for the Reconstruction of the I-35 and Route 152 Interchange

Document No. 8749 was read.

**Action:** Council Member Phillips 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 Gentrup moved to approve the ordinance. Council Member Hagan seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10977.

3. Ordinance approving an Intergovernmental Municipal Agreement with the Missouri Highways and Transportation Commission for the Route 291 Intersection Improvement Project

Document No. 8750 was read.

**Action:** Council Member Phillips 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 Hagan moved to approve the ordinance. Council Member Gentrup seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10978.

- F. Ordinance amending Ordinance No. 10856, Amending Chapter 4, 'Animals and Fowl', of the Code of the City of Liberty, Clay County, Missouri

Earlier this year, City Council adopted an ordinance that repealed and replaced City Code Chapter 4, "Animals and Fowl", to incorporate updated language and penalties for dogs deemed to be dangerous. During the codification process it was discovered that there was an error with the numbering of sections 4-33 to 4-49, and such errors were corrected for the online and paper copies of the City Code. This ordinance

amendment is housekeeping in nature, in order to have the official ordinance on file corrected with the proper section numbering.

Document No. 8751 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 Hagan moved to approve the ordinance. Council Member Gentrup seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10979.

G. Ordinance authorizing the Mayor to Execute a Lease Extension with SBC Tower Holdings LLC

The City’s 2018 General Fund revenue budget assumed a lump-sum payment of \$500,000 for the issuance of a long-term telecom lease. Our telecom counsel, Cunningham, Vogel & Rost, has been working to this end and has brought for Council consideration a two-step arrangement that once approved will provide the City with \$530,000 in 2018 revenues.

Document No. 8752 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.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10980.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:25 p.m.

Attest:

\_\_\_\_\_  
Mayor

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