



## City Council Meeting

Regular Session Minutes  
December 10, 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 December 10, 2018 with Mayor Lyndell Brenton presiding. Mayor Brenton called the meeting to order at 7:05 p.m.

### II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Greg Duncan, 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  
Gene Gentrup, Ward IV

Council Members Absent: Michael Hagan, Ward IV

Staff Present: Curt Wenson, City Administrator  
Dan Estes, Assistant City Administrator, Finance Director  
Andy Noll, Public Works Director  
BJ Staab, Parks and Recreation Director  
James Simpson, Police Chief  
Andy Hedrick, Police Captain  
Mike Snider, Fire Chief  
Karan Johnson, Economic & Business Dev. Manager  
Katherine Sharp, Planning Director  
Janet Pittman, Deputy City Clerk

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

### IV. APPROVE MINUTES AND SUMMARIES

#### A. Regular Session Minutes of November 13, 2018

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

### V. CITIZENS' PARTICIPATION

#### A. Historic Downtown Liberty, Inc. – Annual Report presentation

Vicki Vance, Executive Director, noted that Historic Downtown Liberty, Inc. (HDLI) moved to a street level location during the past year. The new location has provided staff the ability to welcome visitors to the square from twenty different zip codes. Ms. Vance reviewed the activities of the Organization, Promotion, Design, and Economic Vitality Teams. She highlighted the Liberty Quilt Walk, a new event this year, that had 26 businesses participating and brought over 800 visitors to the square.

B. Liberty Economic Development Corp. - Annual Report presentation

Ralph Boots, Executive Director, noted the addition of a part-time assistant this year. The Liberty Economic Development Corporation (LEDC) continues to focus on business attraction, business retention and expansion, strengthening the organization and improving communications. The LEDC worked on 48 project leads this year (10 are active projects) and 40 business visits.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Special Session Minutes of November 26, 2018

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

B. Executive Session Minutes of November 26, 2018

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

C. Regular Session Minutes of November 26, 2018

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

D. Resolution accepting the improvements for the SCADA Upgrade for the Water Treatment and Wastewater Facilities Project

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3017.

E. Resolution approving a Liberty Community Center (LCC) Alcoholic Beverages Service Application for Rocio Ramirez for a small/private Birthday party to be held on December 22, 2018

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

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

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

**No:** None

**Abstain:** None

Inscribed in Resolution No. 3018.

## VIII. PUBLIC HEARINGS

### A. Ford Motor Company

#### 1. Plan for an Industrial Development Project for Ford Motor Company (Public Hearing)

The Plan provides financing for the purpose of acquiring, constructing, improving, equipping and installing an expansion of a stamping facility consisting of additions of approximately 50,000 square feet for additional stamping area, 25,000 square feet for a damaged metal repair area, 280,000 square feet for a materials planning and logistics area, 18 truck loading docks, a 100-trailer parking lot, relocating existing onsite roads and miscellaneous related site work, including equipment related to each component of the building expansion (the "Series 2018B Project Improvements") and the proposed lease of the Series 2018B Project Improvements by the City to Ford Motor Company.

Mayor Brenton opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the plan. Tony Rinehart, Ford representative, stated that this expansion was part of the original intent for the stamping plant, and he is glad to see it come to fruition. The incentives being sought are the same as those granted when the original plant was built. He noted that salaries of the 267 proposed new jobs (over a three year period) will be above the average county wage. Seeing no one else wishing to speak, the Mayor closed the Public Hearing

#### 2. Ordinance approving a plan for an industrial development project; authorizing the City to issue taxable industrial revenue bonds in the maximum amount of \$111,800,000; and authorizing certain agreements and actions in connection therewith

Document No. 8773 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 Graham moved to approve the ordinance. Council Member Watt seconded the motion.

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10999.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of November 16, 2018 to November 30, 2018.

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

Document No. 8774 was read.

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

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11000.

Mayor Brenton resumed as chair of the meeting.

- B. Ordinance approving a Cooperative Facility Use Agreement between the City of Liberty and the Liberty Public School District No. 53 (second reading)

Document No. 8771 was read.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11001.

- C. Ordinance amending Ordinance No. 10773, Approving an Agreement with the Members of the International Association of Firefighters Local 42 and the City of Liberty, Missouri

On June 27, 2018, the Supreme Court of the United States issued a decision in *Janus v. AFSCME, Council 31*. The decision invalidated a public sector union’s ability to require non-members to pay and an employer’s ability to deduct “agency” or “fair

share” or “service” fees from non-members’ pay. Also, pursuant to Missouri’s public sector labor law and *Janus*, public employees in Missouri may not be compelled to be union members. Due to this the Local and the City provided communications to the employees to ensure they have voluntarily authorized the deduction and payment of union dues.

The communication provided that the City and the Local will presume that the employee wishes to continue to pay union dues and them deducted from their pay, unless they notified the City and Local, in writing, that they wished to revoke such authorization. All members were given greater than 30 days to revoke their prior authorization.

Document No. 8775 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 Gentrup moved to approve the ordinance. Council Member Watt seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11002.

- D. Ordinance approving an Agreement with Watchguard Video to provide for the purchase and installation of a Police Body Cameras Video System in an amount not to exceed \$110,038.

The Police Department recommends continuing with WatchGuard to upgrade our in-car video system with the addition of body cameras. Staff has reviewed the Houston-Galveston Area Council (H-GAC) cooperative bid and confirmed that our WatchGuard Vista high definition WiFi extended wearable camera pricing is \$99.50 per unit below the current H-GAC purchasing contract (H-GAC cooperative purchasing is supported by the Mid-America Regional Council). The quote includes \$9,000 advance payment for 2019 video data storage fees. At the time of 2019 budget preparation, this cost was unknown, and therefore not funded. Data storage will be pay as you go based on actual usage. Any overpayment of 2019 actual usage will be applied to 2020. When that credit is expended, monthly fees will begin for data storage based on actual usage. The 2020 budget will be prepared considering actual data storage costs from 2019.

The quote also includes three years of software maintenance. This protects against potential maintenance fee price increases for the next three years. Software maintenance fees would start in 2022. Software maintenance fees to begin in 2022 are estimated at \$14,035 annually (includes Redactive software annual maintenance, 40 body cameras, and 10 patrol vehicles for Evidencelibrary.com). This estimate of

maintenance fees in 2022 does not account for potential increases to police staffing, the patrol fleet, or Watchguard maintenance rates.

Document No. 8776 was read.

**Action:** Council Member Graham 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 Jenness moved to approve the ordinance. Council Member Phillips seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11003.

E. 2019 Annual Budgets

1. Ordinance adopting the Annual Budget for the City of Liberty, Clay County, Missouri for the Fiscal Year 2019

Document No. 8777 was read.

Mayor Brenton stated this item would be considered on second reading at the December 17<sup>th</sup> 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 2019

Document No. 8778 was read.

Mayor Brenton stated this item would be considered on second reading at the December 17<sup>th</sup> Special Session Meeting.

F. Resolution approving the 2019-2024 Street Infrastructure Capital Improvement Plan for the City of Liberty, Missouri

Council Member Phillips moved to postpone consideration of the resolution to December 17, 2018. Seconded by Council Member Graham, which carried unanimously.

G. 2019 Utility Rates

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

Document No. 8779 was read.

Mayor Brenton stated this item would be considered on second reading at the December 17<sup>th</sup> 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. 8780 was read.

Mayor Brenton stated this item would be considered on second reading at the December 17<sup>th</sup> Special Session Meeting.

3. Resolution adopting Solid Waste (Sanitation) Service

Council Member Gentrup moved to postpone consideration of the resolution to December 17, 2018. Seconded by Council Member Phillips, which carried unanimously.

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

Council Member Gentrup moved to postpone consideration of the resolution to December 17, 2018. Seconded by Council Member Graham, which carried unanimously.

- H. Ordinance approving a Fee for Services Agreement with Historic Downtown Liberty, Inc. in an amount not to exceed \$30,000.00

Document No. 8781 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 King moved to approve the ordinance. Council Member Gentrup seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11004.

- I. 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.

Document No. 8782 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 Gentrup moved to approve the ordinance. Council Member Graham seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11005.

X. OTHER BUSINESS

MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XI. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 8:00 p.m.

\_\_\_\_\_  
Mayor

Attest:

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