



## City Council Meeting

Regular Session Minutes  
March 11, 2019

### 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 March 11, 2019 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, 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: Paul Jenness, Ward I

Staff Present: Curt Wenson, City Administrator  
Dan Estes, Assistant City Administrator/Finance Director  
Andy Noll, Public Works Director  
Donna Kay Taylor, Assistant Parks and Recreation Director  
James Simpson, Police Chief  
Mike Snider, Fire Chief  
Janet Pittman, Deputy City Clerk

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

### IV. APPROVE MINUTES AND SUMMARIES

### V. CITIZENS' PARTICIPATION - NONE

### VI. MEETING SCHEDULE

### VII. CONSENT AGENDA

#### A. Regular Session Minutes of February 25, 2019

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

- B. Resolution approving a Liberty Community Center (LCC) Alcoholic Beverages Service Application for Roger Lostal on December 7, 2019 for a large/private event at the Liberty Community Center

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3036.

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Acknowledgement of vendor payments for the period of February 15 to March 1, 2019

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

- 1. Ordinance excluding Westland Landscape payments

Document No. 8823 was read.

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

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11045.

- 2. Ordinance including Westland Landscape payments

Document No. 8824 was read.

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

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11045.

- B. Ordinance approving a Purchase and Cooperative Agreement between the City of Liberty and the Liberty Public School District No. 53 for the purchase of three separate parcels of real property located in Clay County, Missouri in an amount not to exceed \$10.00 (China Slaughter Reading Park, Warren Hills Remnant Track and Canterbury Park Parcel)

The sale of property from the District to the City provides that the use of the three parcels by the City is restricted to the use as park land open freely to the public. The China Slaughter Reading Park and the parcel known as Canterbury Park Parcel will continue their current usage, i.e. a public reading park and park land already designated open to the public. The District, its staff and students shall have reasonable access to these park lands for use in educational programming. The District, through its Board of Education and designees shall be invited to participate in the design process for Warren Hills Remnant tract into park land.

Document No. 8825 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 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11046.

- C. Ordinance approving a Contract with Farage Tree and Stump Removal, LLC for Removing Trees associated with the Camelot Swale Stabilization Project in an amount not to exceed \$23,950.00

Engineering staff has been working with a design professional, HDR Engineering, to develop a solution for erosion issues related to an existing drainage channel located between Lancelot Drive and North Clayview Drive. The solution involves the enclosure of approximately 370 feet of stream with a 36-inch storm pipe and the relocation of an additional 100 feet of channel to address incision and bank erosion. As a condition of permitting the project, the Corps of Engineers will not allow clearing of trees that might be possible endangered bat habitat locations between April 1 and October 31. This requirement is imposed to reduce the potential to adversely affect the federally-endangered Indiana bat and northern long-eared bat.

Staff has been working with neighboring residents to secure temporary easements necessary to facilitate construction of the project. Environmental permitting and easement acquisition have delayed the anticipated dates for advertising and constructing the project beyond the April 1<sup>st</sup> deadline for clearing of trees. Consequently, staff secured bids from three contractors to remove 30 potential bat

habitat trees prior to the April 1<sup>st</sup> deadline which will allow for construction of the project this spring/summer.

Document No. 8826 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 Graham moved to approve the ordinance. Council Member Watt seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11047.

- D. Ordinance approving a Contract with Transmap Corporation for the Pavement Condition and Software Package Project in an amount not to exceed \$63,687.24

To determine how roadways and roadway preservation treatments are performing, a pavement assessment is recommended every five years. Current pavement data is collected as part of the assessment and then incorporated into pavement management software. The software allows for consistency in describing a pavement's condition and predicting future maintenance and rehabilitation needs. A current pavement assessment is necessary as it has been over six years since the last pavement assessment was completed.

Document No. 8827 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 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11048.

- E. Liberty High School Building Addition

Liberty School District has submitted a petition for disclaiming and abandoning a public water main easement to facilitate a building addition at Liberty High School. A

new water main has been constructed in a modified alignment to facilitate the construction of the building addition. A portion of the originally dedicated public water main easement needs to be disclaimed as there will no longer be public facilities within its limits. The City of Liberty has relinquished its rights to the easement.

A new public water easement needs to be dedicated over the relocated water main. Easements for public mains allow for their construction and maintenance.

Two rain garden Best Management Practice (BMP) facilities were constructed on the property. Per the City of Liberty's storm water discharge permit from the Missouri Department of Natural Resources, an agreement between the City and post-development landowners is required to designate the responsible parties and the type and frequency of maintenance activities for continued performance of storm water detention and storm water quality facilities. In response to the requirement, the Covenant to Maintain Storm Water Management System associated with the Liberty North High School building addition has been executed by the property owner. This covenant is the City's standard requirement where storm water detention and storm water quality facilities are required.

Two new public storm drainage easements need to be dedicated over the BMP facilities. Easements for public storm drainage allow for the construction and maintenance of storm water detention and storm water quality facilities.

1. Ordinance Disclaiming and Abandoning of a Water Easement for Liberty High School

Document No. 8828 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 Gentrup moved to approve the ordinance. Council Member Watt seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11049.

2. Ordinance accepting a Permanent Waterline Easement for Liberty High School

Document No. 8829 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, Moore, Hagan, Graham, Watt, Duncan and Gentrup

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11050.

3. Ordinance accepting a Covenant to Maintain the Storm Water Management System for Liberty High School

Document No. 8830 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 Graham moved to approve the ordinance. Council Member Gentrup seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11051.

F. Liberty North High School Building Addition

Liberty School District has submitted a petition for disclaiming and abandoning a public water main easement to facilitate a building addition at Liberty North High School. A new water main has been constructed in a modified alignment to facilitate the construction of the building addition. A portion of the originally dedicated public water main easement needs to be disclaimed as there will no longer be public facilities within its limits. The City of Liberty has relinquished its rights to the easement.

A new public water easement needs to be dedicated over the relocated water main. Easements for public mains allow for their construction and maintenance.

A native vegetative swale storm water Best Management Practice (BMP) facility was constructed on the property. Per the City of Liberty's storm water discharge permit from the Missouri Department of Natural Resources, an agreement between the City and post-development landowners is required to designate the responsible parties and the type and frequency of maintenance activities for continued performance of storm water detention and storm water quality facilities. In response to the requirement, the Covenant to Maintain Storm Water Management System associated with the Liberty North High School building addition has been executed by the property owner. This covenant is the City's standard requirement where storm water detention and storm water quality facilities are required.

A new public storm drainage easement needs to be dedicated over the BMP facility. Easements for public storm drainage allow for the construction and maintenance of storm water detention and storm water quality facilities.

1. Ordinance Disclaiming and Abandoning of a Water Easement for Liberty North High School

Document No. 8831 was read.

**Action:** Council Member Watt 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 Gentrup seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11052.

2. Ordinance accepting a Permanent Waterline Easement for Liberty North High School

Document No. 8832 was read.

**Action:** Council Member Gentrup 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 Gentrup seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11053.

3. Ordinance accepting a Covenant to Maintain the Storm Water Management System for Liberty North High School

Document No. 8833 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 Hagan seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11054.

- G. Ordinance approving a Contract with Superior Bowen Asphalt Company, LLC for the 2019 Street Maintenance Pavement Restoration Project in an amount not to exceed \$1,023,000.00

The Capital Improvement Plan includes a Street Restoration Program in order to project expenditures necessary for streets in need of restoration. Staff identified sections of streets that were in need of restoration and obtained bids on an estimated project scope that would coincide with the amount of funding available for the 2019 fiscal year.

The Street Maintenance Pavement Restoration Project includes cold milling, full depth pavement repair, curb repair, conventional overlay, spray pave overlay, concrete curb repair, and installation of ADA pedestrian ramps.

Document No. 8834 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 Hagan seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11055.

- H. Chip Seal Project of South Liberty Parkway

In order to extend the service life of the original section of South Liberty Parkway from South Withers Road to the Pleasant Valley interchange at I-35, a granite chip seal is recommended. The chip seal project includes placement of polymer modified water based asphalt that will act as a sealer of cracks and as a binder for the granite chips that will be placed on the roadway. The combined chip seal will extend the service life of the roadway and reduce life cycle costs associated with pavement management.

Completing the chip seal on this portion of South Liberty Parkway also prepares the roadway for the additional traffic volumes anticipated during upcoming construction on Kansas Street.

1. Ordinance approving a Contract with Vance Brothers, Inc. for the 2019 Chip Seal Project of South Liberty Parkway in an amount not to exceed \$106,180.43

Document No. 8835 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 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11056.

2. Ordinance approving a Contract with K&G Striping for the 2019 Chip Seal Project of South Liberty Parkway in an amount not to exceed \$18,980.00

Document No. 8836 was read.

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

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11057.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:30 p.m.

Attest:

\_\_\_\_\_  
Mayor

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