



City Council Meeting

Regular Session Minutes

May 28, 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 Tuesday, May 28, 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 Michael 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
Vicki McClure, Assistant Finance Director
Shawwna Funderburk, Asst. to the City Administrator
Andy Noll, Public Works Director
Ben McCabe, Assistant Public Director
Brian Hess, Utilities Director
Amy Blake, Human Resources Director
BJ Staab, Parks and Recreation Director
James Simpson, Police Chief
Mike Snider, Fire Chief
Karan Johnson, Economic & Business Dev. Manager
Katherine Sharp, Planning Director
Tony Sage, Information Technology Director
Sara Cooke, Communications Manager
Janet Pittman, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

A. Regular Session Minutes of April 22, 2019

Council Member _____ moved to approve the minutes as distributed. Council Member _____ seconded the motion, which carried ___-___-___. Council Member _____ abstained due to absence.

V. CITIZENS' PARTICIPATION - NONE

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Regular Split Session Minutes of April 8, 2019

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

B. Special Session Minutes of April 15, 2019

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

C. Executive Session Minutes of April 15, 2019

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

D. Study Session Summary of April 15, 2019

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

E. Special Session Minutes of May 13, 2019

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

F. Executive Session Minutes of May 13, 2019

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

G. Regular Session Minutes of May 13, 2019

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

VIII. PUBLIC HEARINGS

- A. Ordinance amending the Official Zoning Map of the City of Liberty, Missouri by Rezoning 2.23 Acres at 8301 NE 69 Highway, South of South Liberty Parkway from R-1A, Suburban Residential District to PD, Planned Development District for a Commercial Parking Lot [P&Z Case #19-03R&PDP]

Document No. _____ was read.

Action: Council Member _____ moved to waive the rules and consider the ordinance on first reading. Council Member _____ seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member _____ moved to approve the ordinance. Council Member _____ 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. _____.

- B. Resolution approving a Final Development Plan for a 2,945 Sq. Ft. Building at 1132 W. Kansas Street, in Liberty, Clay County, Missouri [P&Z Case #19-10FDP] {to be postponed to June 24, 2019}

Action: Council Member _____ requested to postpone the public hearing and consideration of the resolution to the June 24, 2019 Regular Session. Council Member _____ seconded the motion, which carried unanimously.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Acknowledgement of vendor payments for the period of May 3 to May 17, 2019

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

- 1. Ordinance excluding Westland Landscape payments

Document No. _____ was read.

Action: Council Member _____ moved to approve the vendor payments. Council Member _____ 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. _____.

- 2. Ordinance including Westland Landscape payments.

Document No. _____ was read.

Action: Council Member ____ moved to approve the vendor payments. Council Member ____ 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. _____.

Mayor Brenton resumed as chair of the meeting.

- B. Ordinance accepting and approving a Final Plat for Pacific Dental, in the City of Liberty, Clay County, Missouri [P&Z Case #19-11FP] {to be postponed to June 24, 2019}

Action: Council Member ____ requested to postpone for consideration of the ordinance to the June 24, 2019 Regular Session. Council Member ____ seconded the motion, which carried unanimously.

- C. Ordinance accepting and approving a Final Plat for Ella's Crossing, in the City of Liberty, Clay County, Missouri [P&Z Case #19-09FP]

Document No. _____ was read.

Action: Council Member _____ moved to waive the rules and consider the ordinance on first reading. Council Member _____ seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member ____ moved to approve the ordinance. Council Member _____ 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. _____.

- D. Resolution approving a Final Development Plan for a 101,000 Sq. Ft. Expansion at the Ford Motor Stamping Plant at Plummer Road, in Liberty, Clay County, Missouri [P&Z Case 19-14PDP]

Action: Council Member ____ moved to approve the resolution. Council Member _____ 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. _____

- E. Ordinance approving an Agreement with Downey Construction for Concrete Base for Four Pickle Ball Courts at Westboro/Canterbury Park in an amount not to exceed \$61,800.

The addition of four pickle ball courts was included as a project for Use Tax funds approved by voters in 2018. This amenity was rated highly by the participants of the Westboro/Canterbury neighborhood meeting and was also included by neighbors in other park meetings as an amenity that would be welcome as a new addition to the park system. Westboro/Canterbury was selected by the board with citizen support as the best location for the courts.

Document No. _____ was read.

Action: Council Member _____ moved to waive the rules and consider the ordinance on first reading. Council Member _____ seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member _____ moved to approve the ordinance. Council Member _____ 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. _____.

- F. Ordinance approving an Agreement with Midwest Construction Services & Products LLC for Purchase and Installation of Fence for Four Pickle Ball Courts at Westboro/Canterbury Park in an amount not to exceed \$20,952.40

Document No. _____ was read.

Action: Council Member _____ moved to waive the rules and consider the ordinance on first reading. Council Member _____ seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member _____ moved to approve the ordinance. Council Member _____ 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. _____.

- G. Ordinance approving an Agreement with McConnell & Associates for Court Surfacing for Four Pickle Ball Courts at Westboro/Canterbury Park in an amount not to exceed \$15,489.

Document No. _____ was read.

Action: Council Member _____ moved to waive the rules and consider the ordinance on first reading. Council Member _____ seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member _____ moved to approve the ordinance. Council Member _____ 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. _____.

- H. Ordinance amending Ordinance No. 10996, approving a Contract Change Order for Professional Consultant and Design Services with Vireo, for civil engineering and geotechnical analysis services in a not-to-exceed amount of \$26,510 as it relates to City Park Use Tax projects

With the passage of the Use Tax, Council provided designated funds to develop a portion of the City Park redesign project. Staff negotiated a final scope of services and contract with Vireo for Council consideration on November 28, 2018. At the time of the original negotiated contract, the scope of civil engineering needs was unknown and was not included as a part of the original contract. This change order is a not-to-exceed amount of \$21,510.00 that includes all consultant services and reimbursable expenses. The additional change order request brings the Vireo contract to a not-to-exceed total of \$81,755.00.

Document No. _____ was read.

Action: Council Member _____ moved to waive the rules and consider the ordinance on first reading. Council Member _____ seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member _____ moved to approve the ordinance. Council Member _____ 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. _____.

I. South Liberty Parkway

- 1. Ordinance amending Ordinance No. 11056, Approving a Contract with Vance Brothers, Inc. for the 2019 Chip Seal of South Liberty Parkway, increasing the agreement by \$2,357.27 from \$106,180.43 to a not to exceed amount of \$108,537.70

The project included placement of polymer modified water based asphalt that will act as a sealer of cracks and as a binder for the granite chips that were 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.

The contract amount for the base bid was determined from estimates of the materials required to chip seal South Liberty Parkway. Following project completion, the actual material quantities used resulted in adjustments to the estimated bid quantities.

Document No. _____ was read.

Action: Council Member _____ moved to waive the rules and consider the ordinance on first reading. Council Member _____ seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member _____ moved to approve the ordinance. Council Member _____ 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. _____.

- 2. Resolution accepting the 2019 Chip Seal of South Liberty Parkway

Action: Council Member _____ moved to approve the resolution. Council Member _____ 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. _____

- J. Ordinance approving a Contract with Tom Burge Fence & Iron, Inc. for the Withers Road Fence Replacement in an amount not to exceed \$44,427

The fence that is to be replaced was constructed in the late 1980's as part of the Liberty Shopping Mall Development, and was a requirement of the approved development. The maintenance responsibilities of the fence were not clearly defined and the fence has fallen into disrepair and needs replaced. The resolution of the maintenance of the fence will be resolved with the City funding the replacement of the fence and the adjacent property owners will be responsible for future maintenance and replacement when needed.

Document No. _____ was read.

Action: Council Member _____ moved to waive the rules and consider the ordinance on first reading. Council Member _____ seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member _____ moved to approve the ordinance. Council Member _____ 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. _____.

- K. Ordinance approving a Six Month Kansas City Area Transportation Authority (KCATA) Agreement for Route 535 Liberty Express/Shoal Creek Bus Service, Effective July 1, 2019 through December 31, 2019

The 2019 total contract cost is \$49,709, which is \$1,859 more than the budget ceiling set at \$47,850. in the Transportation Sales Tax Fund. Prior discussions set a maximum City contribution at \$47,850. Staff has established a process where in the event the contract amount comes in less than \$47,850, the City reserves the difference for potential future contract increases. Based on the current 2019 contract amount, the City will reduce the reserves by \$1,859. The ending value of the reserve for 2019 is expected to be \$20,309.

Document No. _____ was read.

Action: Council Member _____ moved to waive the rules and consider the ordinance on first reading. Council Member _____ seconded the motion.

Vote: Motion passed unanimously.

Action: Council Member _____ moved to approve the ordinance. Council Member _____ 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. _____.

L. Resolution of the City of Liberty Establishing the City’s Debt Management Policy

The development of a debt policy is a recommended practice by the Government Finance Officers Association, and is recognized as a key to sound financial management by bond rating agencies. It establishes the parameters for issuing debt and managing the debt portfolio. This policy will be used in conjunction with the Capital improvement Programs and Fund Balance Policy. Adherence to this policy will help assure maintenance of the City’s credit rating.

Action: Council Member _____ moved to approve the resolution. Council Member _____ 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. _____

X. OTHER BUSINESS

XI MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at _____ p.m.

Mayor

Attest:

Deputy City Clerk