



City Council Meeting

Regular Session Minutes
July 8, 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 July 8, 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 Rae Moore, who then led the pledge of allegiance.

III. ROLL CALL

Council Members Present: 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: Harold Phillips, Ward I

Staff Present: Dan Estes, Assistant City Administrator/Finance Director
Shawwna Funderburk, Asst. to the City Administrator
BJ Staab, Parks and Recreation Director
Donna Kay Taylor, Assistant Parks and Recreation Director
Heather Borchardt, Health and Wellness Manager
Tyler Bedell, Special Projects Manager
James Simpson, Police Chief
Karan Johnson, Economic & Business Dev. Manager
Katherine Sharp, Planning Director
Janet Pittman, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

A. Parks and Recreation Month – Proclamation

Mayor Brenton read the Proclamation and presented it to Parks and Recreation Director BJ Staab, Assistant Parks and Recreation Donna Kay Taylor, Health and Wellness Manager Heather Borchardt and Special Projects Manager Tyler Bedell.

V. CITIZENS' PARTICIPATION

Justin Mathes, 408 N. Ridge, wanted to make Council aware of a new study he read. The Montana State University study states there is no causality between medical marijuana and teen usage. Additionally, it stated with legalized recreational marijuana usage there was an

8% drop in high school students that used marijuana in the last 30 days. He stated that over legalization/restriction leads to teens using in the first place.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

VIII. PUBLIC HEARINGS

A. 110/112 E Kansas Redevelopment Project

1. Ordinance adopting and approving the Amended Development Plan for the Downtown Area Redevelopment Project (including Twenty-third Amendment for the 110/112 E Kansas Project) submitted by the Liberty Municipal Redevelopment Corporation, reaffirming the finding that the property within said Amended Development Plan is blighted area in need of development and redevelopment as determined in Ordinance No 9794 and Ordinance No. 10820, authorizing certain Tax Abatement within the Redevelopment Area described within the Amended Development Plan; authorizing execution of a 353 Development Agreement for Implementation of the 110/112 E Kansas Redevelopment Project; and providing for expiration of Development Rights
[Public Hearing]

This project consists of exterior improvements including new awnings, new signs, gutter and stucco repair and repair to the HVAC system. Interior improvements include new flooring, new tap towers, lights, bar top, electrical and plumbing improvements.

Mayor Brenton opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the application.

John Kennebeck, Three Halves Brewing Co., stated that he has had a great experience working with staff on this application and thanked Council for their consideration.

Seeing no one else wishing to speak, the Mayor closed the Public Hearing.

Document No. 8905 was read.

Action: Council Member Hagan moved to waive the rules and consider the ordinance on first reading. Council Member Moore 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 5-0-2

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

No: None

Abstain: Council Members Watt and Graham, due to potential conflict of interest.

Approved by the Chair and inscribed in Ordinance No. 11118.

2. Resolution granting a Certificate of Appropriateness for Exterior Improvements at 110/112 E. Kansas Street, Liberty Square Historic District (HDRC Case 19-011LS)

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

Vote: Motion passed 5-0-2

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

No: None

Abstain: Council Members Watt and Graham, due to potential conflict of interest. Inscribed in Resolution No. 3052.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

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

- A. Acknowledgement of vendor payments for the period of June 13 to June 28, 2019

1. Ordinance excluding Westland Landscape payments

Document No. 8906 was read.

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

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11119.

2. Ordinance including Westland Landscape payments.

Document No. 8907 was read.

Action: Council Member Watt moved to approve the vendor payments. Council Member Moore seconded the motion.

Roll Call

Vote: Motion passed 6-0-1

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. 11119.

Mayor Brenton resumed as chair of the meeting.

- B. Ordinance amending Chapter 30, 'Unified Development Ordinance' of the Code of the City of Liberty, Clay County, Missouri (relating to short-term loan establishment definition) **(2nd Reading)** [P&Z Case 19-21A]

Document No. 8893 was read.

This amendment would add a definition for Short-Term Loan Establishment as follows:

An establishment which: (a) engages in the business of providing money to customers on a temporary basis, wherein such loans are secured by post-dated check, paycheck, or car title, (b) provides an extension of credit made at an Annual Percentage Rate (as defined in accordance with federal law) in excess of 45%, or (c) is registered as a lender under state or federal law. This classification does not include a state or federally chartered bank, savings and loan association, credit union, or mortgage broker or originator. This classification does not include nonprofit organizations exempt from taxes under Section 501(c)(3) of the Internal Revenue Code of 1986 as amended, nor does it include organizations certified as Community Development Financial Institutions by the U.S. Treasury. Further, this classification does not include the businesses of licensed pawnbrokers or establishments selling consumer goods, including consumables, where the loans or the cashing of checks or money orders are incidental to the main purpose of the business. This classification does include, but is not limited to check cashing stores, payday loan stores, and car title loan businesses.

Action: Council Member Gentrup moved to approve the ordinance. Council Member Graham seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11120.

- C. Ordinance amending Chapter 30, "Unified Development Ordinance', of the Code of the City of Liberty, Missouri, to Adopt Regulations relating to Medical Marijuana due to Changes in State Law **[2nd Reading]** [P&Z Case 19-20A]

Document No. 8894 was read.

Action: Council Member Graham moved to amend the ordinance by reducing the buffer requirements from 1,000 to 300 ft. as referenced in sections 3.5(a), 4.5(a), 5.5(a), 6.5(a), 7.5(a) and 8.3(a) . Council Member Hagan seconded the motion.

Vote: Motion passed 5-2-0

Yes: Council Members Jenness, Moore, Hagan, Graham and Gentrup

No: Council Members Duncan and Watt

Abstain: None

Action: Council Member Graham moved to approve the ordinance as amended. Council Member Moore seconded the motion.

Vote: Motion passed 6-1-0

Yes: Council Members Jenness, Moore, Hagan, Graham, Duncan and Gentrup
No: Council Member Watt
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11121.

- X. OTHER BUSINESS
- XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR
- XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL
- XIII. ADJOURNMENT

The meeting adjourned at 7:43 p.m.

Mayor

Attest:

Deputy City Clerk