



## City Council Meeting

Regular Session Minutes  
August 12, 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 Monday, August 12, 2019 with Mayor Lyndell Brenton presiding. Mayor Brenton called the meeting to order at 7:25 p.m.

### II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Gene Gentrup, 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  
Ashley Comer, Accounting Manager  
Shawwna Funderburk, Asst. to the City Administrator  
Andy Noll, Public Works Director  
Brian Hess, Utilities Director  
BJ Staab, Parks and Recreation Director  
Donna Kay Taylor, Assistant Parks and Recreation Director  
Tom Garland, Assistant Parks and Recreation Director  
James Simpson, Police Chief  
John Mills, Interim Fire Chief  
Karan Johnson, Economic & Business Dev. Manager  
Katherine Sharp, Planning Director  
Janet Pittman, Deputy City Clerk

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

### IV. APPROVE MINUTES AND SUMMARIES

#### A. Regular Session Minutes of July 22, 2019

Council Member Phillips moved to approve the minutes as distributed. Council Member Hagan seconded the motion, which carried 6-0-2. Council Members Jenness and Moore abstained due to absence.

V. CITIZENS' PARTICIPATION - NONE

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

- A. Motion to approve a purchase order with Independent Salt Company in an amount not to exceed \$30,000

**Action:** Council Member Hagan moved to approve the purchase. Council Member Phillips 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

- B. Motion to authorize the emergency purchase order with Heartland Mechanical Services in an amount not to exceed \$23,994.

The existing AC conditioning condenser for the first floor of City Hall was experiencing significant refrigerant leaks and was causing poor cooling performance. The proposed cost for the repairs was quoted as half the cost of replacement. Given the age of the system and risk of future repairs, replacement was determined the best course of action.

**Action:** Council Member Hagan moved to approve the purchase. Council Member Phillips 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

- C. Resolution granting a Certificate of Appropriateness for Exterior Improvements at 2 S. Main, Liberty Square Historic District

**Action:** Council Member Hagan moved to approve the resolution. Council Member Phillips 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. 3059.

D. Resolution granting a Certificate of Appropriateness for Exterior Improvements at 124 N. Gallatin, a Local Landmark

**Action:** Council Member Hagan moved to approve the resolution. Council Member Phillips 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. 3060.

E. Resolution appointing Directors to the Liberty Triangle Shopping Center Community Improvement District Board of Directors

	<u>Term Expiration</u>
Chase Watson	December 17, 2021
John Alvey	December 17, 2021
Adam Fletcher	December 17, 2019
Greg Crowley	December 17, 2019
Stuart Woody	December 17, 2019

**Action:** Council Member Hagan moved to approve the resolution. Council Member Phillips 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. 3061.

F. Resolution appointing Directors to the Crossroads Shopping Center Community Improvement District Board of Directors

	<u>Term Expiration</u>
Chase Watson	December 14, 2022
John Alvey	December 14, 2022
Adam Fletcher	December 14, 2024
Ryan Snyder	December 14, 2020
Stuart Woody	December 14, 2020

**Action:** Council Member Hagan moved to approve the resolution. Council Member Phillips 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. 3062.

G. Resolution appointing Directors to the 901 South 291 (Sutherlands) Community Improvement District Board of Directors

**Action:** Council Member Hagan moved to approve the resolution. Council Member Phillips 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. 3063.

	<u>Term Expiration</u>
Tara Higgins	February 15, 2022
Carolyn Bradley	February 15, 2022

H. Liquor Licenses

1. Resolution approving a Liberty Community Center Alcoholic Beverages Service Application for a Large Reception/Meet-and-Greet Event to be held on August 23, 2019

**Action:** Council Member Hagan moved to approve the resolution. Council Member Phillips 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. 3064.

2. Resolution approving a Temporary Event Liquor License for the National NAGAA Tournament at Fountain Bluff Sports Complex, 2200 E. Old 210 Highway, Liberty, Missouri on September 3-7, 2019

**Action:** Council Member Hagan moved to approve the resolution. Council Member Phillips 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. 3065.

I. Resolution authorizing approval of the Liberty Parks and Recreation Bylaw Changes

**Action:** Council Member Hagan moved to approve the resolution. Council Member Phillips 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. 3066.

J. Boards and Commissions Reappointment

1. Tax Increment Financing Commission
  - a. Reappoint Ben Lassiter to a term expiring 10/31/2023

Council Member Hagan moved to approve the appointment. Council Member Phillips seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

- A. 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] **{postpone to August 26, 2019}**

**Action:** Council Member Phillips requested to postpone consideration of the Resolution to the August 26, 2019 Regular Session. Council Member Hagan seconded the motion, which carried unanimously.

- B. Ordinance adopting and approving the Amended Development Plan for the Downtown Area Redevelopment Project (including Twenty-Fourth Amendment for the 2 S. Main Project) submitted by the Liberty Municipal Redevelopment Corporation, reaffirming the finding that the Property within said Amended Development Plan is a 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 2 S. Main Redevelopment Project; and providing for Expiration of Development Rights

The project consists of cleaning and painting all metal trim and wood windows, repair cracked and water damaged stucco, repairing and painting exterior walls and seal coating and restriping parking lot. Interior improvements include retiling copy room and break area, new countertops, repainting walls and shelves and painting offices, entryway and conference area, add chair rail and replace carpet in lower level.

Mayor Brenton opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the Ordinance. Seeing no one wishing to speak, the Mayor closed the Public Hearing.

Document No. 8913 was read.

**Action:** Council Member Phillips 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 Hagan moved to approve the ordinance. Council Member Graham 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. 11126.

- C. Ordinance adopting and approving the Amended Development Plan for the Downtown Area Redevelopment Project (including Twenty-Fifth Amendment for the 124 Gallatin Project) submitted by the Liberty Municipal Redevelopment Corporation, reaffirming the finding that the Property within said Amended Development Plan is a 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 124 Gallatin Project; and providing for Expiration of Development Rights

The project consists of demolition of north addition, rear deck and rebuild upper rear addition, new roof, repaint exterior, replace windows, repair three chimneys, tuck pointing various locations, move doors, and repair bulge in wall. Interior improvements include replacement of all plumbing, replacement of electrical, new HVAC system, and replace cabinets and vanities.

Mayor Brenton opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the ordinance. Seeing no one wishing to speak, the Mayor closed the Public Hearing.

Document No. 8914 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 Gentrup moved to approve the ordinance. Council Member Hagan 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. 11127.

- D. Ordinance adopting and approving the First Amendment to the 353 Development Agreement for Implementation of the 104 W Kansas Redevelopment Project; and providing for Expiration of Development Rights

The original project consisted of adding an updated façade, landscaping, patio, new doors and new lighting for the exterior. Interior improvements included reconfiguring the entire space by framing and drywall, new carpet and new lighting. This project requires additional approval since the cost of improvements increased and additional improvements were made since the approval of the Twenty-Second Amendment and Development Agreement.

Mayor Brenton opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the ordinance. Seeing no one wishing to speak, the Mayor closed the Public Hearing.

Document No. 8915 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 Phillips moved to approve the ordinance. Council Member Moore seconded the motion.

Vote: Motion passed 6-1-1

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

No: Council Member Watt

Abstain: Council Member Jenness, potential conflict of interest  
Approved by the Chair and inscribed in Ordinance No. 11128.

## IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

Mayor Pro Tem Greg Duncan took over as Chair of the meeting.

### A. Acknowledgement of vendor payments for the period of July 12 to August 2, 2019

#### 1. Ordinance excluding Westland Landscape payments

Document No. 8916 was read.

**Action:** Council Member Hagan moved to approve the vendor payments. Council Member Phillips 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. 11129.

#### 2. Ordinance including Westland Landscape payments.

Document No. 8917 was read.

**Action:** Council Member Watt moved to approve the vendor payments. Council Member Moore 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. 11129.

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] **{postpone to August 26, 2019}**

**Action:** Council Member Hagan requested to postpone consideration of the Ordinance to the August 26, 2019 Regular Session meeting. Council Member Graham seconded the motion, which carried unanimously.

- C. Ordinance authorizing Re-establishment of a Procedure to Disclose potential Conflicts of Interest and Substantial Interests for Certain Municipal Officials and Employees

The State of Missouri allows political subdivisions with annual operating budgets greater than one million dollars to adopt their own financial disclosure regulations. The City's ordinance requires the Mayor, City Council members and City Administrator to disclose personal and business entity transactions with the City over \$500.

Document No. 8918 was read.

**Action:** Council Member Graham 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 Hagan moved to approve the ordinance. Council Member Phillips 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. 11130.

- D. Ordinance to authorize an Agreement with RTS Water Solutions, LLC for Water Meter Replacement – Labor to Install for the Automated Meter Infrastructure Project, #UT-001-19 in an amount not to exceed \$919,537.29

This agreement is for the installation of the meters and radio transmitters.

Document No. 8919 was read.

**Action:** Council Member Phillips 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 Watt moved to approve the ordinance. Council Member Hagan 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. 11131.

- E. Ordinance approving a Facilities Extension agreement with Spire Missouri, Inc. for Construction of a Natural Gas Pipeline Main and related Facilities along Birmingham Road from Ruth Ewing Road to Arsenal Drive at Riverview Road in an amount not to exceed \$25,099

Document No. 8920 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 Jenness moved to approve the ordinance. Council Member Watt 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. 11132.

- F. Ordinance amending Ordinance No. 11101, Approving a Contract with Tom Burge Fence & Iron, Inc. for the Withers Road Fence Replacement, increasing the contract amount by \$9,654.00

The commitment was to replace the fence as it was originally constructed. The existing fence is 7' tall, not 6' tall, resulting in a cost increase of \$9,654. The total contract amount will increase from \$44,427. to \$54,081.

Document No. 8921 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 Gentrup moved to approve the ordinance. Council Member Watt 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. 11133.

- G. Ordinance approving a contract with Bridging the Gap for an amount not to exceed \$114,300. For the purchase and installation of street trees to replace trees lost to Emerald Ash Borer disease and to provide community tree training

The program to treat green ash trees in Liberty had limited success, and the loss to the urban street canopy has been great. The Tree Board and staff recommend a replanting program to replace the lost canopy.

Document No. 8922 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 Watt moved to approve the ordinance. Council Member Moore 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. 11134.

- H. Ordinance approving an Agreement with the Mid-America Regional Council (MARC) pertaining to Senior Services

The MARC grants outline expectations and funding for transportation, senior center and Meals on Wheels. For 2019/2020, it is anticipated \$20,262.80 will be received for transportation, \$30,000.00 for senior center administration, \$17,640.00 for Meals on Wheels administration, and \$2,115.00 for Meals on Wheels assessments.

Document No. 8923 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 Jenness moved to approve the ordinance. Council Member Gentrup 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. 11135.

- I. Ordinance approving a Contract with AstroTurf Corporation for the Conversion of Natural Grass Baseball & Softball Fields to Synthetic Turf at Fountain Bluff Sports Complex in an amount not to exceed \$3,998,725

The project would provide full synthetic turf in outfields and infields for Fields 1, 2, 3, 4 and 5. 'Skinned infields' only installation of synthetic turf for Fields 6, 7 and 8. 'Skinned infields'/Warning Track installation of synthetic turf for Field 9. Synthetic turf would extend the playing season by approximately two months and allow play in most any type of weather. It will also provide savings on mowing, watering, herbicides, pesticides and over seeding.

Document No. 8924 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 Jenness moved to approve the ordinance. Council Member Watt seconded the motion.

**Vote:** Motion passed 7-0-1

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

**No:** None

**Abstain:** Council Member Gentrup, potential conflict of interest

Approved by the Chair and inscribed in Ordinance No. 11136.

- J. Ordinance Establishing the 2019 Ad Valorem Tax Levies for City Operations for the 2020 Budget year

State law requires taxing jurisdictions take certain actions to establish their applicable property tax levies, consistent with State law, by September 1<sup>st</sup>. City Council has options in establishing the levy at the maximum allowed or at lower rates. Staff is recommending the levy be set at the 2019 State allowable rate, which is \$0.9053 per \$100 assessed valuation. The Budget Committee did not provide a recommendation.

<u>Fund</u>	<u>Levy per \$100 of Value</u>
General Fund	\$0.7697
Parks & Recreation Fund	0.1356
<b>TOTAL</b>	<b>\$0.9053</b>

Document No. 8925 was read.

The Mayor stated the ordinance will be considered on second reading at the August 26, 2019 Regular Session meeting.

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

The meeting adjourned at 8:45 p.m.

\_\_\_\_\_  
Mayor

Attest:

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