



City Council Meeting

Regular Session Minutes
July 22, 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 22, 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, Ward II
Kevin Graham and Jeff Watt, Ward III
Michael Hagan and Gene Gentrup, Ward IV

Council Members Absent: Paul Jenness, Ward I
Rae Moore, Ward II

Staff Present: Curt Wenson, City Administrator
Dan Estes, Assistant City Administrator/Finance Director
Shawna Funderburk, Asst. to the City Administrator
Brian Hess, Utilities Director
James Simpson, Police Chief
Karan Johnson, Economic & Business Dev. Manager
Katherine Sharp, Planning Director
Janet Pittman, Deputy City Clerk

Public Present: Kellie Houx, Courier Tribune
5 members of the public

IV. APPROVE MINUTES AND SUMMARIES

A. Study Session Summary of June 17, 2019

Council Member Hagan moved to approve the summary as distributed. Council Member Gentrup seconded the motion, which carried 5-0-1. Council Member Phillips abstained due to absence.

B. Regular Session Minutes of June 24, 2019

Council Member Hagan moved to approve the minutes as distributed. Council Member Graham seconded the motion, which carried 3-0-3. Council Members Watt, Gentrup and Phillips abstained due to absence.

C. Regular Session Minutes of July 8, 2019

Council Member Graham moved to approve the minutes as distributed. Council Member Gentrup seconded the motion, which carried 5-0-1. Council Member Phillips abstained due to absence.

V. CITIZENS' PARTICIPATION - NONE

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Temporary Event Liquor Licenses

1. Resolution approving a Temporary Event Liquor License for a St. James School Bingo event at 309 South Stewart Road on Saturday, July 27, 2019.

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3053.

2. Resolution approving a Temporary Event Liquor License for a St. James School BBQ contest event at 309 South Stewart Road on Friday, August 23 and Saturday, August 24, 2019.

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3054.

- B. Resolution approving Task Order #4 with HDR Engineering, Inc. for the Amesbury Creek Stabilization Project in an amount not to exceed \$124,490.00

There is active streambank erosion in a creek, including streambed degradation and slope failures in multiple locations. The affected area is approximately 750 ft. of creek located between Amesbury Ave. and Liberty Drive, north of High Drive. The creek has migrated out of an existing storm easement and is threatening private property. The erosion has reached a point where significant stabilization effort is required.

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

Vote: Motion passed 6-0-0

Yes: Council Members Phillips, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3055.

- C. Motion to authorize payment to MOAZ Construction, Inc. for an amount not to exceed \$21,389.25 for the repair and replacement of pavement and curb at various water break locations

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

- D. Boards and Commissions Appointments/Reappointments

1. **Liberty Arts Commission**
 - a. Appoint Amy Steinbeck to a term expiring May 15, 2021
 - b. Appoint Heather Jones to a term expiring May 15, 2022
2. **Board of Zoning Adjustments**
 - a. Reappoint Lowell Mayone to a term expiring April 1, 2024
 - b. Reappoint David Dice to a term expiring April 1, 2024
3. **Enhanced Enterprise Zone Board**
 - a. Reappoint Kenan Radar to a term expiring August 1, 2024
4. **Historic District Review Commission**
 - a. Reappoint Mike Gilmore to a term expiring July 1, 2024
 - b. Reappoint Doug Wilson to a term expiring July 1, 2024
5. **Liberty Arts Commission**
 - a. Reappoint Aaron Money to a term expiring May 15, 2022
 - b. Reappoint Phil Young to a term expiring May 15, 2022
 - c. Reappoint Greg Duncan to a term expiring May 15, 2022
6. **Community Christmas Tree Commission**
 - a. Reappoint Amy Abbiatti to a term expiring May 1, 2022
7. **Liberty Housing Authority**
 - a. Reappoint Tom Dunn to a term expiring July 1, 2023
 - b. Reappoint Jackie Kennedy to a term expiring July 1, 2023
 - c. Reappoint Anna Marie Martin to a term expiring July 1, 2023
8. **Liberty Preservation and Development Commission**
 - a. Reappoint Ralph Brant, Jr. to a term expiring Sept. 1, 2022
9. **Liberty Parks and Recreation Board**
 - a. Reappoint Patrick Flora to a term expiring June 1, 2022

10. **Public Safety Sales Tax Oversight Committee**
 - a. Reappoint Jamiel Yameen to a term expiring August 31, 2022
 - b. Reappoint Bill Moberly to a term expiring August 31, 2022
 - c. Reappoint Joseph Russell to a term expiring August 31, 2022
11. **Tree Board**
 - a. Reappoint Ed Bowers to a term expiring December 15, 2022
12. **Economic Development Tax Board**
 - a. Reappoint Bert Stouffer to a term expiring April 1, 2021
 - b. Reappoint Wes Blanton to a term expiring April 1, 2021
 - c. Reappoint Gene Gentrup to a term expiring April 1, 2021

Action: Council Member Hagan moved to approve the appointments. 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] **{to be further postponed to August 12, 2019}**

Action: Council Member Hagan requested to postpone consideration of the Resolution to the August 12, 2019 Regular Session. Council Member Watt seconded the motion, which carried unanimously.

- B. Resolution amending the Future Land Use Map of the Comprehensive General Plan of the City of Liberty by Changing the Land Use Designation of Approximately 75+/- Acres located South side of South Liberty Parkway between US 69 Hwy. and Flintlock Road from Commercial to Business [P&Z Case 19-27A]

The current land use designations on this site anticipated a commercial oriented project with a mix of uses that never came to fruition. The land use designations are Commercial on the northern portion and Business on the southern portion. The applicant requests that the FLU map designation for the entire property be amended to Business.

Mayor Brenton opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the Resolution. Hunter Harris, Lane 4 Properties, 4705 Central St., Kansas City, MO stated the company is a contract purchaser looking to amend the designation to Business in order to allow flexibility with their forthcoming site plan. Ralph Boots, Liberty Economic Development Corp., stated he is in support of this project.

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

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

Vote: Motion passed 6-0-0

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

No: None
Abstain: None
Inscribed in Resolution No. 3056

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Acknowledgement of vendor payments for the period of June 28 to July 12, 2019

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

1. Ordinance excluding Westland Landscape payments

Document No. 8908 was read.

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

Roll Call

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11122.

2. Ordinance including Westland Landscape payments

Document No. 8909 was read.

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

Roll Call

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11122.

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 further postponed to August 12, 2019}**

Action: Council Member Phillips requested to postpone consideration of the Ordinance to the August 12, 2019 Regular Session. Council Member Gentrup seconded the motion, which carried unanimously.

C. Westover Commons Project

1. Ordinance accepting and approving a Final Plat for Westover Commons, 3rd Plat, in the City of Liberty, Clay County, Missouri [P&Z Case #19-26FP]

The applicant plans to subdivide the individual units within the four buildings with this application. This proposal is a continuation of the 12 attached single family units to the south, Westover Commons.

Document No. 8910 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 Hagan seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11123.

2. Ordinance accepting a Covenant to Maintain Storm Water Management System for the 3rd Plat of Westover Commons development project

The City's storm water discharge permit from the Missouri Department of Natural Resources, an agreement between the City and post-development landowner(s) is required to designate the responsible party(ies) and the type/frequency of maintenance activities for continued performance of storm water detention and storm water quality facilities.

Document No. 8911 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 Watt moved to approve the ordinance. Council Member Phillips seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11124.

D. 2019 Bond Issuance

1. Resolution to Declare the Official Intent of the City of Liberty, Missouri to Finance the Cost of Acquiring Certain Equipment, Building Improvements and Improvements at Fountain Bluff Sports Complex Using a Tax Exempt Debt Financing

The City contemplates securing in 2019 the following equipment/building improvement items:

- For the Information Services Department consisting of:
 - Minor computer equipment at an estimated cost of \$150,000; and,
 - Capital Equipment at an estimated cost of \$335,000.
- For the Parks Department consisting of:
 - Fountain Bluff Sports Complex Improvements (parks operations – user fees) at an estimated cost of \$4,100,000; and,
- For the Police Department consisting of:
 - Police Utility vehicles with extended warranties (3) at an estimated cost of \$135,000 and,
 - Capital Equipment at an estimated cost of \$150,000.

These purchases are intended to be financed through debt at an estimated total of \$4,870,000. Amortization of the debt will be timed to each specific items useful life. The City is expected to secure this funding through issuance of Special Obligation Bonds.

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3057.

2. Resolution authorizing the Offering for Sale of Special Obligation Bonds by the City of Liberty, Missouri in the amount of \$4,870,000

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3058.

- E. Ordinance calling an Election on November 5, 2019 in the City of Liberty on a Question of adding a Short-Term Lending Code and Permit Fee to the City Code, of the City of Liberty, Clay County, Missouri

This request came through as a citizen initiative petition that was received on April 18, 2019 to amend the City Code pertaining to Payday Loan and Title Loan Businesses in Liberty. The Clay County Board of Election Commissioners verified that the petition contained 1,270 valid signatures (meeting the requirement of 747, per the calculation set out in RSMO 78.200). Upon completion of legal counsel review, the Deputy City Clerk verified that this is a valid petition on July 12, 2019 and is bringing it forward for Council consideration. Per state statute, City Council has two options: approve the ordinance as presented; or, call an election and submit the question to a vote of the

citizens. Because the ordinance presented with the petition includes a new fee, the permit fee must be approved by a vote of the citizens in accordance with state statute.

Document No. 8912 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 Hagan moved to approve the ordinance. Council Member Phillips seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11125.

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.

Mayor

Attest:

Deputy City Clerk