



## City Council Meeting

Regular Session Minutes  
November 25, 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 November 25, 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 along with members of Boy Scout Troop 320, 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  
Jeff Watt, Ward III  
Michael Hagan and Gene Gentrup, Ward IV

Council Members Absent: Kevin Graham, Ward III

Staff Present: Dan Estes, Assistant City Administrator/Finance Director  
Andy Noll, Public Works Director  
BJ Staab, Parks and Recreation Director  
James Simpson, Police Chief  
Donna Kay Taylor, Assistant Parks and Recreation Director  
Tom Garland, Assistant Parks and Recreation Director  
Sara Cooke, Interim Utilities Director  
Janet Pittman, Deputy City Clerk

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

### IV. APPROVE MINUTES AND SUMMARIES

### V. CITIZENS' PARTICIPATION - NONE

### VI. MEETING SCHEDULE

### VII. CONSENT AGENDA

- A. Resolution authorizing the filing of a Grant Application with the Missouri Department of Natural Resources Storm Water Grant or Loan Program for a Grant on the Amesbury Creek Stabilization Project

The Missouri Department of Natural Resources (MDNR) notified the City of Liberty of possible storm water funds for loans and/or grants that can be used for any storm

water project consistent with a Comprehensive Stormwater Management Plan, bank stabilization, or erosion control. Engineering staff decided to submit a grant application in the amount of \$32,104.50 to help defray some of the costs associated with the Amesbury Stream Stabilization Project.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3077

B. Appointments/Re-appointments

1. Cemetery Advisory Committee

- a. Reappoint Gentry Thomason to a term expiring September 1, 2022

**Action:** Council Member Watt moved to approve the reappoint. Council Member Hagan seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of November 1 to November 15, 2019

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

Document No. 8961 was read.

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

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11169.

B. Camelot Estates Drainage Swale Stabilization Project

- 1. Ordinance amending Ordinance No. 11090, Approving a Contract with Holthouse Construction, LLC for the Camelot Estates Drainage Swale Stabilization Project, decreasing the contract amount by \$9,073.20 for a not to exceed total of \$288,926.80

Document No. 8962 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 Gentrup seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11170.

2. Resolution accepting the Camelot Estates Drainage Swale Stabilization Project

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

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

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

**No:** None

**Abstain:** None

Inscribed in Resolution No. 3078.

C. Ordinance approving an Intergovernmental Agreement with the Mid-America Regional Council Solid Waste Management District for Participation in the 2020 Regional Household Hazardous Waste Program in the amount of \$34,003.53

The cost to participate in this program in 2020 is \$34,033.53 which is up from the 2019 cost of \$33,712.49. Participation cost is dependent on population size with each community being charged \$1.07 per resident based upon 2018 U.S. census population estimates. The cost per resident of \$1.07 in 2020 is the same as the 2019 cost per resident.

Document No. 8963 was read.

**Action:** Council Member Jenness 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 Phillips seconded the motion.

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

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

No: None  
Abstain: None  
Approved by the Chair and inscribed in Ordinance No. 11171.

- D. Ordinance amending Chapter 20, 'Motor Vehicles & Traffic', of the Code of the City of Liberty, Clay County, Missouri (parking on Arthur Street)

Document No. 8964 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 Hagan moved to approve the ordinance. Council Member Moore seconded the motion.

**Vote:** Motion passed 7-0-0  
**Yes:** Council Members Phillips, Jenness, Moore, Hagan, Watt, Duncan and Gentrup  
**No:** None  
**Abstain:** None  
Approved by the Chair and inscribed in Ordinance No. 11172.

- E. Ordinance approving a Guaranteed Pricing Agreement with Heartland Mechanical for FY 2020 HVAC Preventative Maintenance and On Call Repair Services in an amount not to exceed \$125,000.00

Document No. 8965 was read.

**Action:** Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Jenness 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, Jenness, Moore, Hagan, Watt, Duncan and Gentrup  
**No:** None  
**Abstain:** None  
Approved by the Chair and inscribed in Ordinance No. 11173.

- F. Ordinance approving a Guaranteed Pricing Agreement with Brady Industries 2020 Citywide Purchase and Delivery of Custodial Supplies in an amount not to exceed \$40,000.00

Document No. 8966 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 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11174.

- G. Ordinance approving a Contract with Guier for the Purchase, Delivery and Installation of Ballfield Fencing at Fountain Bluff Sports Complex in an amount not to exceed \$49,950.00

For proper installation of the turf, removal of the ballfield fencing was necessary. The current fence is four feet high, and current safety standards recommend fencing to be six feet high along the sidelines and eight feet high for the backstops. The new posts will slide over existing posts and bolt to the new concrete curb that was installed for turf.

Document No. 8967 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 Jenness moved to approve the ordinance. Council Member Hagan seconded the motion.

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11175.

- H. Clay County Senior Services Grant Funding

- 1. Ordinance approving a Memorandum of Understanding with Clay County Senior Services to provide Grant Funding for Senior Center and Senior Transportation Administration in the amount of \$81,675.00

Document No. 8968 was read.

**Action:** Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Jenness 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, Jenness, Moore, Hagan, Watt, Duncan and Gentrup

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11176.

- 2. Ordinance approving a Memorandum of Understanding with Clay County Senior Services to provide Grant Funding for Senior Memberships to the Liberty Community Center in the amount of \$48,600.00

Document No. 8969 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, Jenness, Moore, Hagan, Watt, Duncan and Gentrup

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11177.

I. City Park Playground Play Equipment

With the passage of the Use Tax in April of 2018, Council provided designated funds to develop a portion of the City Park master plan. Vireo, the landscape architecture, planning, and design firm that developed the 2015 City Park master plan, in collaboration with the City Park redesign committee, developed the plan for a new play area that would become a signature feature of City Park. Playground suppliers were selected by Vireo and approved by the committee based on the playability of each element of the playground. Play pieces were chosen because of their high use rate at other playgrounds as well as their rated value of accessibility for kids of all abilities.

- 1. Ordinance approving a Contract with Athco for the Purchase and Installation of Play Structures for the New Inclusive Play Park at City Park in an amount not to exceed \$444,240.00

Document No. 8970 was read.

**Action:** Council Member Jenness 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, Jenness, Moore, Hagan, Watt, Duncan and Gentrup

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11178.

2. Ordinance approving a Contract with ABCreative for the Purchase and Installation of Play Structures for the New Inclusive Play Park at City Park in an amount not to exceed \$120,998.00

Document No. 8971 was read.

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

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

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11179.

3. Ordinance approving a Contract with All Inclusive Recreation for the Purchase and Installation of Play Structures for the New Inclusive Play Park at City Park in an amount not to exceed \$10,475.00

Document No. 8972 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 Watt moved to approve the ordinance. Council Member Gentrup seconded the motion.

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

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11180.

- 4. Ordinance approving a Contract with Custom Property Solutions for the Purchase and Installation of Play Structures for the New Inclusive Play Park at City Park in an amount not to exceed \$12,106.00

Document No. 8973 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 Hagan moved to approve the ordinance. Council Member Moore seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11181.

- J. Ordinance amending Chapter 7, 'Businesses and Occupations Generally' by adding Article V, 'Short-Term Lending Code' and amending Chapter 30, 'Unified Development Ordinance', Section 20-25-5, 'Special Use Permits', of the Code of the City of Liberty, Clay County, Missouri

The initial 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). Per state statute, City Council voted to call an election on November 5, 2019 and submit the question to a vote of the citizens. The Election was held on November 5, 2019 in the City of Liberty on the Question of adding a Short-Term Lending Code and Permit Fee to the City Code, of the City of Liberty, Clay County, Missouri, and the Clay County Board of Election results indicate 81.60% of voters approved the question.

Generally, the proposed Short-term Lending Code incorporates the following into the City Code:

- Prohibit short-term loan establishments from being located within one mile of another short-term loan establishment (already in current Code);
- No short-term loan establishment shall be located adjacent to and within 200 feet of a residential, church, park, or school property (already in current Code);
- Short-term loan establishment will not exceed a population density factor of one such establishment per 15,000 residents based on the last decennial

- census;
- Short-term loan establishment permit fee for all existing and new applicants shall be \$5,000 per year, or \$2,500 if less than six (6) months remain in the calendar year on the date a permit is issued;
- Short-term loan establishment may only be operated as a principal use of a property and may not be accessory to any other use; and
- Short-term loan establishments must provide accurate information to borrowers that helps borrowers make an informed decision based on the potential adverse impact of short-term loans.
- Establishments currently located in Liberty are able to remain at their current location only, and the new permit fee will be assessed upon license renewal.

Document No. 8974 was read.

**Action:** Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Jenness 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, Jenness, Moore, Hagan, Watt, Duncan and Gentrup

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11182.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:40 p.m.

\_\_\_\_\_  
Mayor

Attest:

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