



City Council Meeting

Regular Session Minutes
Monday, June 22, 2020

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 June 22, 2020 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 Greg Duncan, 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, Ward IV

Council Members Absent: Gene Gentrup, Ward IV

Staff Present: Curt Wenson, City Administrator
Dan Estes, Assistant City Administrator/Finance Director
Sara Cooke, Assistant City Administrator
Shawwna Funderburk, Asst. to the City Administrator
Sherri McIntyre, Public Works Director
Andy Noll, Utilities Director
James Simpson, Police Chief
John Mills, Fire Chief
Katherine Sharp, Planning Director
Janet Pittman, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION

Mayor Brenton introduced Jameson Howard, the new Executive Director for Historic Downtown Liberty, Inc. Mr. Howard graduated from William Jewell College in May where he received degrees in Business Administration, Applied Critical Thought and Inquiry, and Nonprofit Leadership. HDLI's late Director Vicki Vance brought him on board as an Intern through the Pryor Leadership Program at William Jewell College during the Fall of 2019. Vicki was so impressed with Jameson's interpersonal skills and work performance that her hope was for Jameson to eventually take over her role as Executive Director. In full agreement, the HDLI Board was pleased to fulfill her wish to have Jameson continue his work in support of a

vibrant downtown community in Liberty, MO with an eye on historic preservation and economic vitality.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

- A. Resolution approving a Temporary Event Liquor License for Historic Downtown Liberty, Inc. on Main, Kansas, Franklin and Water Streets on Saturday, August 22, 2020 for the 9th Annual Dog Days of Summer Craft Beer Crawl event

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3125.

- B. Motion to acknowledge receipt of the May 5, 2020 Liberty Triangle Community Improvement District Election Results

The Clay County Board of Elections provided the result, and the elected officials are:

	<u>Votes</u>
Richard Baier	2
Dan Carr	2
John Davis	2
Anna Stoermer	2
Tim Harris	2

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

- C. Motion to authorize an Executive Session to be held in Council Chambers immediately following the Regular Session meeting to discuss Real Estate Matters as authorized by 610.021(2) RSMo; and, Contract Negotiations as authorized by 610.021(12) RSMo

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

- D. Boards and Commissions Appointments/Reappointments

1. **Historic District Review Committee**

a. Re-Appoint John Carr to a term expiring July 1, 2025.

b. Re-Appoint Dail Hobbs to a term expiring July 1, 2025

2. **Liberty Arts Commission**

- a. Re-Appoint Katie Gregory (McDonald) to a term expiring May 15, 2023.
 - b. Re-Appoint Shane Immelt to a term expiring May 15, 2023.
 - c. Re-Appoint Bill Stilfield to a term expiring May 15, 2023.
 - d. Re-Appoint Nathan Wymann to a term expiring May 15, 2023.
3. **Parks & Recreation Foundation**
- a. Re-Appoint David Lindsey to a term expiring January 1, 2023.
 - b. Re-Appoint Scott Page to a term expiring January 1, 2023.
 - c. Re-Appoint Harold Phillips to a term expiring January 1, 2023.
4. **Parks & Recreation Board**
- a. Re-Appoint Christopher Hand to a term expiring June 1, 2023.
 - b. Re-Appoint Vern Windsor to a term expiring June 1, 2023.
5. **Planning & Zoning Board**
- a. Re-Appoint Amy Howard to a term expiring January 1, 2023.
 - b. Re-Appoint Tom Reiner to a term expiring January 1, 2023.
 - c. Re-Appoint Ann Waterman to a term expiring January 1, 2023.
6. **Clay County Extension Council**
- a. Re-Appoint Vern Windsor to a term expiring February, 2022.

Action: Council Member Hagan moved to approve the appointments. Council Member Moore seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

A. B & B Theatres Office Project

1. Conduct a public hearing to consider the Plan for an Industrial Development Project for the B & B Office Project.
2. Ordinance approving a Plan for Industrial Development Project for the B & B Theatres Office Project and authorizing the City to issue taxable revenue bonds (B & B Theatres Office Project) in the maximum amount of \$8,355,000; and authorizing certain agreements and actions in connection there with [postponed from May 26, 2020] **{withdrawn at the request of the applicant}**

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Acknowledgement of vendor payments for the period of May 29, 2020 to June 12, 2020.

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

1. Ordinance excluding Westland Landscape payments

Document No. 9072 was read.

Action: Council Member Phillips 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, Graham, Watt, and Duncan

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11270.

2. Ordinance including Westland Landscape payments.

Document No. 9073 was read.

Action: Council Member Phillips 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, and Duncan

No: None

Abstain: Council Member Jenness, due to potential conflict of interest

Approved by the Chair and inscribed in Ordinance No. 11270.

Mayor Brenton resumed as chair of the meeting.

- B. Ordinance approving a Six Month Kansas City Area Transportation Authority (KCATA) Agreement for the Route 535 Liberty Express/Shoal Creek Bus Service, effective July 1, 2020 through December 31, 2020

The City of Liberty subsidizes a commuter bus service provided by the KCATA. When the COVID-19 Pandemic began KCATA reduced the service from two trips in the morning and afternoon to one trip in the morning and afternoon to better reflect significantly reduced ridership demand, while many people stopped going to work to shelter-in-place. The July through December 2020 service consists of one morning bus trip and one evening bus trip, Monday through Friday, operating in the peak period. KCATA believes ridership levels will not return to pre-COVID-19 levels until at least the end of 2020 or the beginning of 2021. Service will consist of one large 40 foot bus with a carrying capacity of 40 riders. The one-way pass is \$3.00 or \$6.00 round trip. Riders also have an option of purchasing a monthly pass for \$95 per month. As part of the CMAQ grant arrangement, the City of Liberty and the City of Kansas City. This six month agreement for July 2020 through December 2020 totals \$14,800. The total contract amount for 2020 will be \$43,197 which will be a 13% decrease compared to Liberty's 2019 total contract cost of \$49,709. This is atypical and should not be considered an ongoing trend as the COVID-19 pandemic has affected ridership levels and led to the reduction in service from two trips per day to one trip per day.

Document No. 9074 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 Moore moved to approve the ordinance. Council Member Watt seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11271.

- C. Ordinance approving a Contract with Pride Cleaners to Supply Laundry and Dry Cleaning Services for the Police and Fire Departments in an amount not to exceed \$10,000.00 annually.

The current agreement for laundry and dry cleaning services (for the Police and Fire Departments) with Foster's Cleaners was terminated after the business was sold. Invitations to bid for this service were provided to all eligible dry cleaning businesses within the City on May 29, 2020, with bids submitted by Pride Cleaners and Martinizing Dry Cleaning (Hy-Vee). The bids covered prices for 22 specific services. The largest portion of these services is for the dry cleaning of Police and Fire uniforms, which accounts for approximately 75% of total expenditures, and the laundering of prisoner clothing and bedding. The rest comprise cleaning clothing items infrequently used (ties, jackets, etc.) and seamstress services (sewing buttons, hemming pants). The new contract will be for two years, with an optional one year extension.

Document No. 9075 was read.

Action: Council Member Jenness 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 Hagan seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11272.

- D. City Hall Roof Replacement Project

1. Ordinance amending Ordinance No. 11249 a Contract with Delta Innovative Services for the City Hall Roof Replacement Project and decreasing the Contract amount by \$10,000.00 from \$380,000.00 to \$370,000.00.

Document No. 9076 was read.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11273.

2. Resolution accepting the City Hall Roof Replacement Project and authorizing final payment to Delta Innovative Services

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3126

- E. Ordinance approving a Development Agreement between the City of Liberty, Missouri and South Withers Road Development, LLC for the proposed development of the land identified and referred to as Homestead Hills

The development agreement between the City of Liberty and the South Withers Road Development, LLC outlines the deferment of the parkland trail for Homestead Hills. This development agreement is at the request of the developer who is looking to record the plat which would allow him release the lots to the individual home builders. In order to proceed with building permits for the homes, the necessary infrastructure must be in place and the subdivision plat must be recorded. The developer has completed most of the necessary public infrastructure related to Phase 1 of Homestead Hills with the exception of the final completion of stormwater BMP's for the subdivision and the required park trail for Phase 1. The stormwater BMP's are being completed at this time but the developer is requesting to postpone the construction of the trail to Phase 2 of Homestead Hills or October 2023, whichever comes first. Staff supports the request to defer to the next phase of development, but recommends deferring this for a maximum of 2 years. The development agreement requires that the

trail be constructed by June 30, 2022 or with the next phase of development, whichever comes first.

Document No. 9077 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 Graham moved to approve the ordinance. Council Member Moore seconded the motion.

Vote: Motion passed 6-0-1

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

No: None

Abstain: Council Member Jenness, potential conflict of interest

Approved by the Chair and inscribed in Ordinance No. 11274.

X. OTHER BUSINESS

- A. Motion to approve waivers at the proposed Circle Drive site for Verizon to allow a new pole, ground equipment, for additional facility size, and allowing two separate antenna installations on one pole

This application is for a 'Fast-Track' proposed on a new light standard at the dead end at Circle Drive off of Forrest Avenue, behind the east side of Liberty High School. This proposed facility requires waivers (1) for a new pole, (2) ground equipment, (3) additional size for once facility, and (4) to allow two separate antenna installations on one pole. Because of the location at the end of a street, in a location where a light standard is useful, and as the street dead-ends at this location, the visual clutter of additional facility size or ground equipment would not be much of an added detriment to the aesthetics of the area.

Nikki Gast, KGP Co. Project Manager III, spoke on behalf of the applicant. She stated that this location will support Liberty High School with 4G. There are no other poles in the area where they could co-locate. Evergy restricts use of their poles and other utilities are located underground. They are requesting a waiver for a new pole as the size needed for the radios is larger than is what is allowed by City Code.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

- B. Anderson Memorial Dog Park - Discussion

Amy Gray, speaking as a representative of Historic Downtown Liberty, Inc., stated they are working towards creation of an urban dog park (walkable for neighbors, especially for those in multi-housing units with no yards) to be located at Ruth Moore Park. It would be located at the previous playground location, and would provide sidewalk connectivity through the park area.

The \$50,000 fundraising effort kicked off with a \$4,800.00 donation from the Anderson Family. Michael Anderson spoke on behalf of the family. He noted that his mother, Betty Lou Anderson, was a lifelong Liberty resident, teacher for 32 years who started her own pet sitting business upon retirement, and a Park Board member; and, his father volunteered for HDLI's Farmer's Market. Ms. Gray advised City Council that Parks staff and fundraising representatives met with the surrounding neighbors and received positive feedback.

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:55 p.m.

Mayor

Attest:

Deputy City Clerk