



City Council Meeting

Regular Session Minutes
October 12, 2020

I. CALL TO ORDER

A regular meeting of the City Council of the City of Liberty, Missouri was held via Zoom Video and in the Council Chambers at City Hall on October 12, 2020 with Mayor Lyndell Brenton presiding. Mayor Brenton called the meeting to order at 7:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE - None

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
Shawna Funderburk, Asst. to the City Administrator
James Simpson, Police Chief
Katherine Sharp, Planning Director
Wade Thomas, Information Technology Director
Adam Brandon, Information Technology System Admin II
Sara Cooke, Assistant City Administrator/Communications
Janet Pittman, Deputy City Clerk

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

Note: The meeting was held electronically via Zoom in accordance with Mayor Brenton's Health and Safety State of Emergency Proclamation for Liberty, Missouri, declared March 19, 2020 due to the existence and spread of the COVID-19 virus. The meeting Agenda was posted on the City's website in accordance with the Sunshine Law, and included information on how the public could view the meeting and provide public comment.

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION

Robert Weagley, 1140 Manchester, discussed Liberty history and support removal of the monument in Fairview cemetery.

Dr. Sanford Beckett, 9830 N. Farley Avenue, Kansas City, spoke regarding his experience in racial justice and stated his support of removing the monument.

Gentry Thomason, 505 Taylor Drive, Liberty, spoke regarding three versus (self-righteous, be constructive and honoring) and requested the statue remain.

Zuri Primos, 1479 E. 78th Street, Kansas City, stated she was the grand-daughter of the Byrd's and added her support for the removal of the Confederate statue

Theresa Byrd, 431 E. Franklin, Liberty, spoke of her ancestors and voice support for removal of the Confederate statue.

Elliott Yoakum, 527 Liberty Dr., spoke in support of removing the monument.

Anna Bedinger, 1310 N. Lightburne, spoke in support of removing the statue.

Assistant City Administrator Sara Cooke read a letter submitted by Judy Dilts, 327 Seaport Circle, stating her support for removal of the Confederate monument.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA - NONE

VIII. PUBLIC HEARINGS

A. Park Place at Liberty Square Project

1. Ordinance amending the Official Zoning Map of the City of Liberty, Missouri by Zoning 1.71 Acres at the Southwest Corner of N. Prairie St. and W. Mississippi St. to approve a Plan to allow the development of a 38 Unit Apartment Complex within a PD, Planned Development District [P&Z Case 20-19R & PDP] – **2nd reading**

The application is being heard because the previously approved application for a Rezoning, Final Development Plan, and Final Plat expired after two years of inactivity. The proposed plan is the same plan that was approved by the City Council on May 28, 2018. The use is proposed as a 38 unit apartment development consisting of 7 buildings for a total building square footage of 47,752 square feet.

There would be 64 onsite parking stalls available for residents and 12 on-street parking spaces will be provided. The City code was amended in 2018 and now requires 1.7 parking stalls per unit. The applicant is providing a ratio of 1.68 onsite stalls per unit, meeting the parking requirements. As no parkland has been identified for this project, a fee-in-lieu of parkland dedication will be due as required in Sec. 90-94.1 of the UDO (fee is \$11,856.).

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

Brandi Atwell, 110 N. Main Street, presented an overview of the project on behalf of the applicant.

Doug Day, 131 N. Morse Ave., Liberty, stated he was speaking on behalf of the home owners adjacent to the proposed site. He thanked the developer and stated the plan is intelligent and thoughtful; however, there is still work to do. The process has been

collaborative between the developer, staff and the neighbors, and positive progress has been made together. The neighbors are supportive of a multi-family development; however, they feel the proposal still has too many units/density. He noted that although the Blue Print for Liberty and the Downtown Master Plan envisioned multi-family housing on the site, it was at a much smaller density than what is being proposed. The development would be positive for downtown merchants, but would adversely affect the neighbors. He asked Council to insist on fewer units and follow best practices. The proposal is close, but not there yet, and he thinks consensus is possible.

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

Document No. 9102 was read.

Mayor Brenton stated the Ordinance would be considered upon second reading at the October 26 Regular Session meeting.

2. Ordinance accepting and approving a Final Plat for Park Place at Liberty Square – 1 Lot on 1.7 +/- Acres at the Southwest Corner of Mississippi St. & Prairie St. in the City of Liberty, Clay County, Missouri [P&Z Case 20-25FP] – **Postponed from September 28th**

Document No. 9103 was read.

Mayor Brenton stated the Ordinance would be considered upon second reading at the October 26 Regular Session meeting.

- 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 62+/- Acres located NE Corner of South Liberty Parkway and Plummer Road from Commercial and High Density Residential to Business [P&Z Case 20-23A] **{Public Hearing} - Postponed from September 28th**

The application was withdrawn at the request of the applicant.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Acknowledgement of vendor payments for the period of September 18 – October 10, 2020
 1. Ordinance excluding Westland Landscape payments

Document No. 9112 was read.

Action: Council Member Hagan moved to approve the vendor payments. Council Member Moore 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. 11304.

2. Ordinance including Westland Landscape payments.

Document No. 9113 was read.

Action: Council Member Phillips moved to approve the vendor payments. Council Member Watt 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. 11304.

Mayor Brenton resumed as chair of the meeting.

- B. Resolution approving a Final Development Plan for the Construction of Two Buildings, totaling 31,560 sq. ft. at the NE Corner of Brown Street and Progress Drive in Liberty, Clay County, Missouri [P&Z Case 20-16FDP] [postponed from September 14/20] - **Postponed from September 28th**

The applicant is proposing to build two one-story light industrial/warehousing type buildings. The larger building, 21,600 square feet will face Brown Street. The second building, 9,000 square feet will be behind the first. The buildings are proposed to have pedestrian doors and office space facing the public Right-of-Way and garage doors to the rear of the building that are internal to the site. The main entrance will be from Brown Street.

Action: Council Member Jenness moved to approve the resolution. 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

Inscribed in Resolution No. 3137.

- C. Mid-Continent Public Library Project

1. Ordinance approving a Covenant to maintain the Storm Water Management System for the Mid-Continent Public Library Development

Document No. 9114 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. 11305.

2. Resolution accepting the Sanitary, Water, Street and Storm Improvements for the Mid-Continent Public Library Project

Action: Council Member Phillips moved to approve the resolution. 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

Inscribed in Resolution No. 3138.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 8:20 p.m.

Mayor

Attest:

Deputy City Clerk