



City Council Meeting

Regular Session Minutes

July 12, 2021

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 12, 2021 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 Paul Jenness, who then led the pledge of allegiance.

III. ROLL CALL

Council Members Present: Harold Phillips and Paul Jenness, Ward I
Greg Duncan and Kelley Wrenn Pozel, 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
Vicki McClure, Interim Finance Director
Shawna Funderburk, Chief Strategic Operations Officer
Andy Noll, Utilities Director
BJ Staab, Parks and Recreation Director
James Simpson, Police Chief
John Mills, Fire Chief
Katherine Sharp, Planning Director
Janet Pittman, Deputy City Clerk
Sherri McIntyre, Public Works Director

Public Present: Kellie Houx, Liberty Tribune
One member of the public

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION — NONE

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

- A. Resolution granting a Certificate of Appropriateness for Exterior Improvements to a Residential Structure at 225 N. Lightburne, Jewell Historic District [AR 094-21]

The owner is planning to take advantage of the City's Chapter 353 tax abatement program for exterior alterations.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3186

B. Resolution appointing Directors to the Liberty Commons Community Improvement District Board of Directors

- Sue Gallatin to a term expiring August 10, 2023
- Anthony Davis to a term expiring August 10, 2023
- Quintin Knight to a term expiring August 10, 2023
- Adam Walz to a term expiring August 10, 2025
- Vicki McClure to a term expiring August 10, 2025

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3187

VIII. PUBLIC HEARINGS

A. 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 16+/- acres located SW Corner of S. Withers Road and Old Withers Road from Mixed Use and Floodplain to Low Density Residential [P&Z Case 21-27A] **{Postponed from June 28, 2021}**

Action: Council Member Watt moved to postpone the public hearing and resolution to July 26th. Council Member Phillips seconded the motion, which carried unanimously

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Ordinance acknowledging vendor payments for the period of June 18 – July 2, 2021

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

Document No. 9251 was read.

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

Roll Call

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11436.

Mayor Brenton resumed as chair of the meeting.

B. Ordinance accepting a Public Water Main Easement and Public Stormwater Detention Facilities Easement for the Opus Development Project [AR 093-21]

To facilitate the OPUS commercial development located at Heartland Meadows Lot 1 & Tract A on the southwest corner of Shepherd Road and W. Heartland Meadows Drive, storm water detention facilities and stormwater BMPs were constructed on the property. Public main extensions require that they be encompassed by a public water main easement to allow for their construction and maintenance. An easement was obtained from HM Commerce, LLC at no cost to the City.

According to the City of Liberty'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. 9252 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 Hagan moved to approve the ordinance. Council Member Watt seconded the motion.

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11437.

C. Ordinance approving an Agreement for Decorative Asphalt and MMA Pavement Marking with K&G Striping, Inc. in an amount not to exceed \$70,480.00 [AR 092-21]

The decorative asphalt surface treatments would be performed at locations on two streets being resurfaced in 2021, and the MMA (Methyl Methacrylate) pavement marking would refresh existing crosswalks at seventeen locations around the City.

The 2020-2021 street rehabilitation project includes resurfacing the traffic circle at the intersection of Conistor and College in front of Lowe’s, and resurfacing Conistor Street from the Kansas Street intersection south toward to the Kings Highway intersection.

The existing inner circle island in front of Lowe’s consists of a truck ring constructed with brick pavers laid on a base of asphalt confined on the edges by concrete curbs that was originally constructed by MoDOT in the late 1990s. Over time, many of the existing brick pavers have popped out and have been temporarily patched with asphalt as needed. City staff discussed options on how address the issue and determined that removing the brick pavers and replacing them with decorative asphalt would be an economical solution. Typical asphalt pavement is placed following the removal of the bricks, and the surface of the new asphalt is “imprinted” with a colored and textured thermoplastic material bonded in integrated into the surface that mimics brick pavers. The product is resilient, long lasting, aesthetically pleasing, and less expensive than decorative concrete or replacing the brick pavers. K&G Striping is experienced and certified to perform this proprietary thermoplastic surface treatment.

The other decorative asphalt surface treatment location is restoring the decorative crosswalk at the signalized pedestrian crossing on Conistor, just south of Victory Drive between B&B Theaters and Liberty Commons. This stretch of Conistor will be resurfaced as part of a selection of streets added earlier this year to the current carryover work under the 2020 street resurfacing contract. The color and texture will be identical to the truck ring at the Conistor traffic circle. The re-striping of the crosswalk was not included in the original street resurfacing contract due to the single, small, unique nature of the work and would be more economical to bundle with other larger scope of work under a separate contract.

City staff also identified a number of faded existing crosswalks at various locations in the City that needed to be re-striped. K&G provides a specialized MMA pavement marking product that are one of the most durable pavement marking materials available. MMA can be surface applied onto asphalt or concrete roadways, and is engineered for durable long life of transverse markings like crosswalks even in extreme conditions. Locations of the proposed crosswalk locations are as follows:

STREET at	STREET	QTY
WILDBRIAR at	LEWIS & CLARK	1
CLAY at	GARDEN	1
RIDGE at	REED	1
REED at	HILLCREST	2
GALLATIN at	SHRADER	1
FAIRVIEW at	COLLEGE	4
FAIRVIEW at	FRANKLIN	3
COLLEGE at	JEFFERSON	2
FAIRVIEW at	KANSAS	1
S WALES at	COVENTRY	1
S WALES at	HILLARY	1
SKYLINE at	MEADE	1

SKYLINE at	1405	1
SKYLINE at	McCLELLAN	4
McCLELLAN at	JOHNSTON	1
BIRMINGHAM at	McCLELLAN	1
CLAYWOODS DR at	LILLIAN SCHUMACHER	2

Document No. 9253 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 Jenness moved to approve the ordinance. Council Member Gentrup seconded the motion.

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11438.

- D. Ordinance approving a Contract with Superior Bowen Asphalt Co. LLC for the 2021 Street Maintenance Pavement Restoration Project in the amount of \$1,175,566.94, with Authorization for expenditures not to exceed \$1,300,000.00 [091-21]

The Street Maintenance Pavement Restoration Project includes cold milling, full depth pavement repair, curb repair, conventional overlay, concrete curb repair, and installation of ADA pedestrian ramps. Approximately 28 Streets will be paved, consisting of over 6 miles of roadways.

Document No. 9254 was read.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11439.

E. Ordinance amending Ordinance No. 11337, Adoption of the 2021 Budget for the City of Liberty, Missouri (spend down of fund balance) [AR 095-21]

The ending General Fund fund balance for 2020 is \$6.0M and is equivalent to 29.7%. The City’s General Fund fund policy range pertaining to fund balance percentages is 18% – 22% with 20% identified as the ideal percentage. The 29.7% fund balance percentage is primarily attributable to years of financial stewardship and financial prudence within the General Fund, including incremental General Fund savings since 2017. Maintaining a 20.4% General Fund fund balance makes \$1.9 million available to address one-time expenditure opportunities. These one-time expenditure opportunities utilizing fund balance will allow departments to make necessary capital purchases or complete necessary capital projects.

The proposed one time expenditures will provide opportunities and benefits to citizens, City departments and City staff.

One Time Spending Purchases		20.4% Fund Balance**
		1,900,000
City Hall	2nd Floor Air Conditioner replacement	(80,000)
Planning	Vehicle purchase for Code Enforcement	(30,000)
Parks Dept	Debt Service	(525,000)
HR	Vacation Buyback (20 hours)	(130,000)
PD	Replacement of in-car video camera systems (10)	(50,000)
FD	Radio Upgrades	(60,000)
*City Hall	*Building Renovations (Atrium, Entrance, Tuck Pointing)	(1,500,000)
*City Hall	Fountain Renovation (would like to complete with building improvements)	(75,000)
*PW	Sidewalk Addition on Liberty Dr.	(200,000)
	Total One time Costs	(2,650,000)
	Difference	(750,000)
*	May be able to use American Rescue Plan funds for this project	
**	Delta to 20% Fund Balance/ These funds will be available through ARP Funds or SOB Bonds	

Document No. 9255 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 8-0-0

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

No: None

Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11440.

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

The meeting adjourned at 8:00 p.m.

Mayor

Attest:

Deputy City Clerk