



City Council Meeting

Regular Session Minutes
August 9, 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 August 9, 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 Harold Phillips, who then led the pledge of allegiance.

III. ROLL CALL

Council Members Present: Harold Phillips and Paul Jenness, Ward I
Greg Duncan, Ward II
Kevin Graham and Jeff Watt, Ward III
Gene Gentrup, Ward IV

Council Members Absent: Kelley Wrenn Pozel, Ward II
Michael Hagan, Ward IV

Staff Present: Curt Wenson, City Administrator
Sara Cooke, Assistant City Administrator
Sherri McIntyre, Public Works Director
Shawna Funderburk, Chief Strategic Operations Officer
Andy Noll, Utilities Director
Tom Garland, Assistant Parks Director
BJ Staab, Parks and Recreation Director
James Simpson, Police Chief
John Mills, Fire Chief
Katherine Sharp, Planning Director
Janet Pittman, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES - NONE

V. CITIZENS' PARTICIPATION - NONE

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Resolution approving a Temporary Event Liquor License for a St. James Doo Dads Club BBQ Event at 309 South Stewart Road on Friday, August 27 and Saturday August 28, 2021 [AR #106-21].

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Jenness, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3193.

- B. Motion to purchase a four-bay diagnostic machine and test kits/supplies from Medline to do onsite COVID-19 tests in an amount not to exceed \$39,759.32 [AR #107-21].

Throughout the COVID-19 pandemic the City has provided testing to staff through several methods for both direct and indirect exposures. The four-bay machine tests for COVID-19, the Flu, RSV, and Strep. Its purchase will give the City the ability to have a standard procedure readily available to staff now and in the future, streamline test results to within 30 minutes, and at a lower cost than our current testing methods.

Action: Council Member Watt moved to approve the purchase. Council Member Duncan seconded the motion.

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

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 Floodplan to Low Density Residential [P&Z Case 21-27A] **{postponed from July 23, 2021}**.

Action: Council Member Gentrup moved to further postpone the public hearing and resolution to August 23, 2021. Council Member Phillips seconded the motion, which carried unanimously.

- B. 22 N. Main Redevelopment Project

1. Ordinance adopting and approving the Amended Development Plan for the Downtown Area Redevelopment Project (including Twenty-Eighth Amendment for the 22 N. Main Project) submitted by the Liberty Municipal Redevelopment Corporation, Reaffirming the Finding that the Property within said Amended Development Plan is a Blighted Area in Need of Development and Redevelopment as Determined in Ordinance No. 9794 and Ordinance No. 10820, Authorizing Certain Tax Abatement within the Redevelopment Area Described within the Amended Development Plan; Authorizing Execution of a 353 Development Agreement for Implementation of the 22 N. Main Redevelopment Project; and Providing for Expiration of Development Rights [AR #105-21].

The Downtown Chapter 353 Program is a tax abatement program to encourage redevelopment of areas by creating a Redevelopment Corporation. Liberty Town Square, LLC, owner of 22 N. Main, has asked to use the Chapter 353 program to improve and remove blighted factors of said property. The cost of improvement that are included within the tax abatement request is \$103,167. This project qualifies for Level A-2 of abatement (10 years, 100% improvement abatement) and meets the requirement of 50% of the improvements to the exterior of the building. The tax abatement will be used for new windows on the second floor and to replace storefront windows with tempered double-pane glass.

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

Greg Canuteson, applicant, stated this is the extent of the abatement he is seeking. The focus of the request is for new windows that meet the Historic District Review Commission's criteria as well as tuck pointing.

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

Document No. 9271 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 Watt moved to approve the ordinance. Council Member Gentrup seconded the motion.

Vote: Motion passed 5-0-1

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

No: None

Abstain: Council Member Graham, due to potential conflict of interest
Approved by the Chair and inscribed in Ordinance No. 11442.

2. Resolution Granting a Certificate of Appropriateness for Exterior Improvements at 22 N. Main, Liberty Square Historic District [HDRC Case No. 21-006LS] [AR #102-21] {Not a Public Hearing}.

The owner of 22 N. Main is requesting a Certificate of Appropriateness alongside the abatement. The application for the Certificate of Appropriateness was approved by the Historic District Review Commission on July 20, 2021.

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

Vote: Motion passed 5-0-1

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

No: None

Abstain: Council Member Graham, due to potential conflict of interest
Inscribed in Resolution No. 3194.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Ordinance acknowledging vendor payments for the period of July 16 – July 30, 2021

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

1. Ordinance excluding Westland Landscape payments

Document No. 9272 was read.

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

Roll Call

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11449.

2. Ordinance including Westland Landscape payments.

Document No. 9273 was read.

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

Roll Call

Vote: Motion passed 5-0-1

Yes: Council Members Phillips, 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. 11449.

Mayor Brenton resumed as chair of the meeting.

B. Ordinance amending Chapter 20, "Motor Vehicles & Traffic," of the Code of the City of Liberty, Clay County, Missouri [AR #101-21].

This amendment prohibits parking on Marvel Lane on the north side of the roadway from Liberty Drive for 350', with the message No Standing, Stopping or Parking from 8:00 am to 9:15 am and from 3:00 pm to 4:15 pm on school days. Marvel Lane is to the rear of Alexander Doniphan Elementary School.

Document No. 9274 was read.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11455.

- C. Ordinance Approving a Guaranteed Pricing Agreement with Bridging the Gap for the Purchase and Installation of Street Trees in an amount not to exceed \$109,800.00 [AR #103-21].

In 2019 Park staff submitted a bid to local suppliers for the planting and installation of new street trees. To ensure the greatest success and to create awareness and support for trees, staff included within the bid a requirement for the installer to first contact the property owner to determine if the homeowner would care for a new tree planted in front of their home. Heartland Tree Alliance (Bridging the Gap) was the only supplier to return to bid. The first year of the project Bridging the Gap successfully planted 200 trees under a contract of \$114,300.00; during the second year, 150 trees were successfully planted under a contract of \$82,350.00. In the third and final year of the project another 200 trees will be planted in an amount not to exceed \$109,800.00 during two phases: Phase 1 from September 1, 2021 to December 31, 2021 and Phase 2 from February 1, 2022 to May 31, 2022.

Document No. 9275 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 Watt moved to approve the ordinance. Council Member Gentrup seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11456.

- D. Ordinance authorizing Re-Establishment of a Procedure to Disclose Potential Conflicts of interest and Substantial Interests for Certain Municipal Officials and Employees [AR #104-21].

The State of Missouri allows political subdivisions with annual operating budgets greater than one million dollars to adopt their own financial disclosure regulations. The ordinance must be re-adopted every other year by September 15 in order to remain in effect. The City's ordinance requires the mayor, council members, and city administrator to disclose personal and business entity transactions with the City over \$500.

Document No. 9276 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 Graham moved to approve the ordinance. Council Member Jenness seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11457.

E. Resolution endorsing the Liberty African American Legacy Memorial in Fairview Cemetery, Liberty, Missouri.

The City of Liberty owns and operates Fairview Cemetery, in which African Americans were interred within a specified segregated area on the northeast side of the Cemetery and there are very few visible monuments, markers, or other indicators standing today. A group of interested citizens alongside the Clay County African American Legacy, Inc. (CCAAL) have conducted extensive research on the Cemetery to uncover information of its occupants. In their research they have found more than 750 persons buried in mostly unmarked graves. The CCAAL has worked with an architect and city staff to develop a conceptual design and present a preliminary site plan for the proposed Liberty African American Legacy Memorial in Fairview Cemetery. A Memorandum of Understanding pertaining to the final design, construction, maintenance, and preservation of the Memorial was entered into on June 14, 2021.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3195.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:20 p.m.

Attest:

Mayor

Deputy City Clerk