



City Council Meeting

Special Session Minutes
December 20, 2021

I. CALL TO ORDER

A special session meeting of the City Council of the City of Liberty, Missouri was held in the Council Chambers at City Hall on December 20, 2021 with Mayor Lyndell Brenton presiding. Mayor Brenton called the meeting to order at 7:00 p.m.

II. ROLL CALL

Council Members Present: Harold Phillips, 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: Paul Jenness, Ward I

Staff Present: Sara Cooke, Assistant City Administrator/Communications
Vicki McClure, Interim Finance Director
Shawna Funderburk, Chief Strategic Operations Officer
Andy Noll, Utilities Director
Sherri McIntyre, Public Works Director
Amy Blake, Human Resources Director
BJ Staab, Parks and Recreation Director
James Simpson, Police Chief
Katherine Sharp, Planning Director
Janet Pittman, Deputy City Clerk

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

III. APPROVE MINUTES AND SUMMARIES

A. Regular Session Minutes of September 27, 2021

Council Member Hagan moved to approve the minutes as distributed. Council Member Phillips seconded the motion, which carried unanimously.

B. Regular Session Minutes of October 11, 2021

Council Member Hagan moved to approve the minutes as distributed. Council Member Watt seconded the motion, which carried 6-0-1. Council Member Watt.

C. Regular Session Minutes of November 8, 2021

Council Member Hagan moved to approve the minutes as distributed. Council Member Phillips seconded the motion, which carried unanimously.

IV. CONSENT AGENDA

A. Regular Session Minutes of September 13, 2021

Action: Council Member Watt moved to approve the Minutes. Council Member Pozel seconded the motion, which carried unanimously.

B. Regular Session Minutes of October 25, 2021

Action: Council Member Watt moved to approve the Minutes. Council Member Pozel seconded the motion, which carried unanimously.

C. Resolution approving a Temporary Event Liquor License for Historic Downtown Liberty, Inc. on Main, Kansas, Water and Franklin Streets – around the Historic Downtown Square on Saturday, February 19, 2022 (AR 179-21)

Historic Downtown Liberty, Inc. (HDLI) has applied for a temporary liquor license to serve alcohol for the ‘Let’s Wine About Winter’ event to be held Saturday, February 19, 2021 in shops located around the Square (and 1 block off in all directions). Because the public will have access to the event, State statute and City ordinance require a license

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3212

D. Resolution of the City Council of the City of Liberty, Missouri, Amending the City’s Schedule of Fees Pertaining to Cemetery Rates (AR 180-21)

<u>Proposed Fees</u>	
Spaces	\$900
Interment & Disinterment	
Openings and closings-Cremains/Ashes	\$550
Openings and closings-Non-cremains/ashes	\$1,000
Openings and closings – Sunday only	\$1,200
Foundations	No Cost
Columbarium Niche	\$1,200
Plaque Engraving	\$155 - \$665
Repurchase of cemetery lot*	\$75.00

*Note – When original price cannot be ascertained.

**Note – No holiday burials

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3213

- E. Resolution approving a Final Development Plan for a 55,000 sq.ft. expansion at the Ford Motor Stamping Plant at 2401 Plummer Road, in Liberty, Clay County, Missouri [P&Z 21-54FDP]

The proposal is a 55,000 square foot expansion of the existing Ford Stamping Plant (the Plant) on Plummer Road south of South Liberty Parkway. This expansion will be the fifth expansion of the building on the 259 acre property. The expansion will bring the building to 915,825 square ft in size.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3214

- F. Board and Commission Re-appointments

- i. Economic Development Tax Board
 - a. Reappoint Wes Blanton to a term expiring 4/1/2023
 - b. Reappoint Gene Gentrup to a term expiring 4/1/2023
- ii. Public Safety Sales Tax Oversight Committee
 - a. Reappoint Linda Largent to a term expiring 8/31/2024

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

V. PUBLIC HEARINGS

- A. Resolution approving a Special Use Permit at 701 N. 291 Hwy. to allow an Indoor Self Storage Addition, in Liberty, Clay County, Missouri (P&Z 21-53SUP)

The applicant is requesting approval of a Special Use Permit for the construction of an approximately 8,150 square foot two-story building to be used as a climate-controlled storage facility. The new building will be located in the center of the applicant's property located at 701 N. 291 Hwy where the applicant currently owns and maintains several storage facilities/buildings. The visibility of the new building from 291 Hwy is expected to be minimal based upon its location to the rear of the property and its use of the existing topography. There is an existing platted 200 ft landscape easement between this property and the single family residential to the east.

Mayor Brenton opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of resolution. Seeing no one wishing to speak, the Mayor closed the Public Hearing.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3215

B. Liberty Triangle (AR 186-21)

1. Ordinance Terminating Tax Increment Financing within Liberty Triangle Tax Increment Financing Plan Redevelopment Projects B-1, B-2, C-3, D-1, D-2, E, E-1, E-2, E-3, E-4 and F; Dissolving the Special Allocation Fund Accounts related thereto; and Authorizing Certain Other Actions

The Triangle TIF has paid off much earlier than initially anticipated. This will allow for the return of revenues diverted for TIF expenses to the various taxing entities, and a lower Sales Tax rate due to the termination of the 1% CID. There is currently \$1,309,898.46 to return to the City, County for the General/Law Enforcement, and Zoological District.

With this TIF termination and based on current estimates on an ongoing annual basis, the City will start receiving \$1,055,000 in additional annual revenues of which \$460,000 will be recorded in the General Fund for use within the Public Safety Sales Tax Fund. Beginning in 2022, all other taxing entities will receive an estimated \$805,000 in additional annual revenues with the amount estimated for the Liberty Public School District at \$706,000.

Document No. 9340 was read.

Action: Council Member Hagan 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 Gentrup seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11518.

2. Ordinance approving the Petition for Termination of the Liberty Triangle Community Improvement District

Mayor Brenton opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of ordinance. Seeing no one wishing to speak, the Mayor closed the Public Hearing.

Document No. 9341 was read.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11519.

VI. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of December 3, 2021 – December 10, 2021

Document No. 9342 was read.

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

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11520.

- B. 2022 Annual Budgets [AR 174-21]

1. Ordinance adopting the Annual Budget for the City of Liberty, Clay County, Missouri for the Fiscal Year 2022 [**second reading**]

Document No. 9343 was read.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11521.

2. Ordinance adopting the Annual Park and Parks Sales Tax Budgets for the City of Liberty, Clay County, Missouri for the Fiscal Year 2022 **[second reading]**

Document No. 9344 was read.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11522.

C. Resolution approving the 2022-2027 Street Capital Improvement Plan for the City of Liberty, Missouri (AR 182-21)

The CIP contemplates the spending of approximately \$47.7 million in street infrastructure improvements, equipment purchases, maintenance projects, public building improvements and associated debt service expense.

Projects to be accomplished from the Transportation, Capital and Economic Development Sales Funds are:

- \$12.80M – Street Restoration/General Transportation Improvements/Street Maintenance Supplies
- \$2.87M – Public Works Equipment – Building Maintenance/Misc. Expenses
- \$1.27M – Signal Light Maintenance
- \$2.08M – Storm Water Improvements
- \$1.35M – Capital Engineer/Street Maintenance Workers
- \$0.30M – Transportation Enhancement Projects/City Landscaping Funds
- \$0.28M – KCATA (\$48K annual commitment)
- \$0.07M – Transfer Out – To Parks for City Landscaping Funds
- \$23.0M – Debt Service/Loan Costs
- \$3.63M – Transfers Out

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None

Abstain: None
Inscribed in Resolution No. 3216

D. Liberty Economic Development Corporation [LEDC] (AR 184-21)

1. Presentation of LEDC Annual Report – Ralph Boots, Executive Director
2. Ordinance approving a Fee for Services Agreement with the Liberty Economic Development Corporation in an amount not to exceed \$75,000.00

Under the terms of the agreement, the LEDC will continue to provide the following services:

- Maintain a database of sites, buildings and locality details on the LocationOne Information System (LOIS)
- Maintain an economic development website
- Carry out business attraction and recruitment activities
- Coordinate responses to requests for information (RFIs) from prospects
- Carry out business retention activities including one-on-one business visits
- Commit to seeking private sector investment to leverage this public contract

Document No. 9345 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 Pozel seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11523.

E. Ordinance approving a Contract with Guild Content for Professional Services relating to the Marketing of Visit Liberty in an amount not to exceed \$29,000.00 (AR 183-21)

The proposed contract will allow Guild Content to create strategy, social media content, graphics, ads (plus the supporting videos and photos) and more on behalf of Visit Liberty, providing the support that is needed to accomplish the goals for increasing tourism in Liberty.

Document No. 9346 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 Gentrup moved to approve the ordinance. Council Member Watt seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11524.

F. Ordinance authorizing the City of Liberty, Missouri, to enter into an Equipment Lease Purchase Agreement and authorizing and approving Certain Documents in Connection with the Delivery of the Lease (AR 188-21)

The amount of lease to be issued is expected to be \$678,000. This will provide a project deposit of \$665,000. The remaining funds of \$13,000 will be used to pay for cost of issuance. The issuance of this lease will provide funding/reimbursement of prior purchases in the amount of:

- \$510,000 for various IT equipment and minor equipment
- \$155,000 to reimburse the City's General Fund for 2021 purchase of police vehicles

Lease debt service payments will be made from the following budgets starting in May 2022:

- 2021 Police vehicles by the City General Fund
- IT equipment and minor equipment from the General Fund

Document No. 9347 was read.

Action: Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Pozel seconded the motion.

Vote: Motion passed unanimously.

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

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11525.

G. Resolution in the matter of approving and authorizing Execution of National Opioid Settlement Agreements

Earlier this year, the Missouri Attorney General's Office announced a term sheet and settlement with several opioid distributors (McKesson, Amerisource Bergen, and Cardinal Health), and Johnson & Johnson, which could total just under half a billion dollars to be spent directly on opioid abatement and treatment. This money will go to aid those suffering from addiction and provide needed resources to treatment centers and other support systems across the state.

Following the signing of the term sheet by the distributors and other states, the Missouri Attorney General's Office has been working to achieve subdivision sign-on to ensure the maximum amount is delivered to Missourians in need. The settlement involves incentives based on the number of Cities and other political subdivisions that agree to sign on. That settlement will be between \$243.5 million and \$457 million. Liberty's share could be between \$15,000.00 and \$30,000.00, again depending on how many other cities sign on. The payout is over 8 to 10 years and the funds can only be used for approved treatment or avoidance programs, with significant accounting and reporting involved. So that the City won't assume the responsibility for initiating and reporting on approved use programs over the next 10 years, City Council approval of this Resolution would release and assign any such City proceeds to the State of Missouri for approved use.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3217

VII. OTHER BUSINESS

- A. Motion to approve the appointment of Vicki McClure to Director of Finance (AR 187-21)

The appoint Vicki McClure to Finance Director follows a seven-month period of Mrs. McClure acting in all capacities of the Finance Director position. Mrs. McClure has been with the City of Liberty since January 2003.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

VII. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

VIII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

X. ADJOURNMENT

The meeting adjourned at 7:50 p.m.

Attest:

Mayor

Deputy City Clerk