



City Council Meeting

Regular Session Minutes
June 13, 2011

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 13, 2011 with Mayor Greg Canuteson presiding. Mayor Canuteson called the meeting to order at 7:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Jeff Moore, who then led the pledge of allegiance.

III. ROLL CALL

Council Members Present: Harold Phillips and Paul Jenness, Ward I
Greg Duncan and Jeff Moore, Ward II
Lyndell Brenton and Jeff Watt, Ward III
Michael Hagan and Nick King, Ward IV

Council Members Absent: None

Staff Present: Curt Wenson, City Administrator
Dan Estes, Assistant City Administrator
Steve Hansen, Public Works Director
Dennis Dovel, Parks and Recreation Director
Amy Brusven, Human Resources Director
Mike Snider, Fire Chief
Katherine Sharp, Planner
Dave Tedesco, Police Captain
Charlie Stevens, Utilities Director
Karan Johnson, Economic & Business Dev. Manager
Janet Pittman, Deputy City Clerk

Public Present: 7 members of the public

IV. APPROVE MINUTES AND SUMMARIES

A. Regular Session Minutes of May 23, 2011

Council Member Phillips moved to approve the minutes as distributed. Council Member Moore seconded the motion, which carried 7-0-1. Council Member King abstained due to absence.

B. Executive Session Minutes of May 23, 2011

Council Member Phillips moved to approve the minutes as distributed. Council Member Watt seconded the motion, which carried 7-0-1. Council Member King abstained due to absence.

V. CITIZENS' PARTICIPATION

Gary Zaborac, Clay County Public Health Center Director, spoke regarding the City's discontinuation of adding fluoride to the water supply. He noted that many credible scientific organizations advocate for fluoridating the public water supply, and stated that although he had no opinion one way or the other, he requested access to local data and rationale for discontinuing the practice. He also offered Clay County Public Health Center's assistance in reviewing this need.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Appointments/Reappointments

1. Board of Adjustments
 - a. Reappoint Andy Pratt to a term expiring 4-1-2016
2. Parks and Recreation Board
 - a. Reappoint Bill Niffen to a term expiring 6-1-2014
 - b. Reappoint Vern Windsor to a term expiring 6-1-2014
3. Liberty Housing Authority
 - a. Reappoint Jackie Kennedy to a term expiring 7-1-2015
4. Cemetery Committee
 - a. Reappoint Coni Hadden to a term expiring 9-1-2014
5. Preservation and Development Commission
 - a. Reappoint Mike Mundy to a term expiring 9-1-2014
 - b. Reappoint Mike Gilmore to a term expiring 9-1-2014
 - c. Reappoint Jerry Brant to a term expiring 9-1-2014
6. Municipal Judge
 - a. Reappoint Tom Capps to a term expiring 7-2015

Council Member King moved to approve the appointments. Council Member Jenness seconded the motion, which carried unanimously.

- B. Authorize an Executive Session to be held June 13, 2011 in the Council Conference Room immediately following the Regular Session to discuss confidential or privileged communications between the City and its attorney, as authorized by 610.021(1) RSMo.– Motion

Council Member King moved to authorize the executive session. Council Member Jenness seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

A. Liberty Triangle TIF Project

1. Ordinance approving an amendment to the amended Liberty Triangle Tax Increment Financing Plan dated May 24, 2007 dividing Project E into Projects E-1, E-2, E-3 and E-4.

Mayor Canuteson opened the public hearing and asked if anyone wished to speak either in favor or against. Ryan Cook, Polsinelli Shughart, spoke on behalf of the developer and requested approval of the amendment and activation of Project E-1. Seeing no one else wishing to speak, the Mayor closed the public hearing.

Document No. 7337 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 7-0-1

Yes: Council Members Phillips, Moore, Brenton, Hagan, Watt, Duncan and King

No: None

Abstain: Council Member Jenness, due to potential conflict of interest
Approved by the Chair and inscribed in Ordinance No. 9732.

2. Ordinance approving redevelopment Project E-1 of the Amended Liberty Triangle Tax Increment Financing Plan dated May 24, 2007 as a redevelopment project and adopting Tax Increment Financing therein

Mayor Canuteson opened the public hearing and asked if anyone wished to speak either in favor or against. Seeing no one, he closed the public hearing.

Document No. 7338 was read.

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

Vote: Motion passed 7-0-1

Yes: Council Members Phillips, Moore, Brenton, Hagan, Watt, Duncan and King

No: None

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

Approved by the Chair and inscribed in Ordinance No. 9733.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Acknowledgement of vendor payments for the period of May 13 to June 3, 2011.

1. Ordinance excluding KCP&L and Westland Landscape payments

Document No. 7339 was read.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9734

2. Ordinance including KCP&L payments

Document No. 7340 was read.

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

Vote: Motion passed 7-0-1

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

No: None

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

Approved by the Chair and inscribed in Ordinance No. 9734

3. Ordinance including Westland Landscape payments

Document No. 7341 was read.

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

Vote: Motion passed 7-0-1

Yes: Council Members Phillips, Moore, Brenton, Hagan, Watt, Duncan and King

No: None

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

Approved by the Chair and inscribed in Ordinance No. 9734.

B. Ordinance amending Chapter 30, "Unified Development Ordinance" of the City of Liberty, Missouri to allow rezoning of properties to PD – Planned Development [11-16A] (second reading)

Document No. 7327 was read.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9735.

C. 2011 Street Maintenance – Pavement Restoration Project

1. Ordinance approving a contract with Metro Asphalt, Inc. for the 2011 Street Maintenance – Pavement Restoration Project in an amount not to exceed \$776,617.95. (second reading)

Document No. 7334 was read.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9736.

2. Ordinance amending Ordinance 9652, Adoption of the 2011 Budget for the City of Liberty (second reading)

Document No. 7335 was read.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9737.

D. Sanitary Sewer Rehabilitation – American Recovery & Reinvestment Act (ARRA) Economic Stimulus Fund Grant Project

1. Ordinance amending ordinance No. 9673 amending ordinance No. 9548 amending an approved contract with Havens Construction Company, Inc. for the Sanitary Sewer Rehabilitation Project – Phase 2

Document No. 7342 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 9738.

2. Resolution accepting the Sanitary Sewer Rehabilitation Project – Phase 2

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 2509.

- E. Resolution of the City Council of the City of Liberty, Missouri, adopting the Mission Statement and Vision Statement for the Utilities Department

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 2510.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:30 p.m.

Attest:

Mayor

Deputy City Clerk