



## City Council Meeting

Regular Session Minutes

March 24, 2014

### 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 March 24, 2014 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 Kevin Graham 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  
Kevin Graham and Jeff Watt, Ward III  
Gene Gentrup, Ward IV

Council Members Absent: Michael Hagan, Ward IV

Staff Present: Curt Wenson, City Administrator  
Vicki McClure, Assistant Finance Director  
Steve Hansen, Public Works Director  
Janet Bartnik, Parks and Recreation Director  
Brian Hess, Interim Utilities Director  
James Simpson, Police Chief  
Andy Hedrick, Police Captain  
Katherine Sharp, City Planner  
David Jones, Planner  
Shawwna Funderburk, Asst. to the City Administrator  
Jeremy Adams, Chief Building Inspector  
Janet Pittman, Deputy City Clerk

Public Present: Stacy Burt, Liberty Tribune  
3 members of the public

### IV. APPROVE MINUTES AND SUMMARIES

#### A. Special Session Minutes of March 10, 2014

Council Member Phillips moved to approve the minutes as distributed. Council Member Graham seconded the motion, which carried 6-0-1. Council Member Jenness abstained due to absence.

B. Study Session Summary of March 3, 2014

Council Member Phillips moved to approve the summary as distributed. Council Member Jenness seconded the motion, which carried 6-0-1. Council Member Watt abstained due to absence.

V. CITIZENS' PARTICIPATION - NONE

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Executive Session Minutes of March 10, 2014

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

B. Regular Session Minutes of March 10, 2014

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

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 Lot 3, Blackberry First Plat and Tract C. Blackberry Second Plat, from Mixed-Use to Low-Density Residential [P&Z Case 14-02A]

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

John Davis, Foresight Real Estate Services, spoke on behalf of the applicant, BankLiberty. Mr. Davis stated that current market conditions don't support mixed-use for the parcel. The applicant intends to subdivide the property to build two single family homes that will come forward in a future application.

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

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

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Inscribed in Resolution No. 2662.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Acknowledgement of vendor payments for the period of February 28 to March 14, 2014.

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

Council Member Phillips requested that check no. 138443 be removed and considered separately.

1. Ordinance excluding Westland Landscape payments

Document No. 7870 was read.

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

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10183.

2. Ordinance including Westland Landscape payments

Document No. 7871 was read.

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

Roll Call

Vote: Motion passed 6-0-1

Yes: Council Members Phillips, Moore, 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. 10183.

**Action:** Council Member Watt moved to approve check no. 138443. Council Member Jenness seconded the motion.

Roll Call

Vote: Motion passed 6-0-1

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

No: None

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

Mayor Brenton resumed as chair of the meeting.

- B. Ordinance adopting the language and incorporating the requirements of Missouri Law for Public Works contracts

Incorporating requirements of Chapter 292, Section 292.675 of the Missouri Revised Statutes stating that any contractor acting for any public body for construction of public works and any subcontractor to such contractor shall provide a ten-hour Occupational Safety and Health Administration (OSHA) construction safety program for their on-site employees.

Document No. 7872 was read.

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

**Vote:** Motion passed unanimously.

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

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10184.

- C. Ordinance approving a contract with Layne Christensen, Inc. for the purchase of Wellfield Services for 2014 in an amount not to exceed \$59,575.

The contract is for annual maintenance of drinking water supply wells, pumps and motors.

Document No. 7873 was read.

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

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10185.

- D. Ordinance approving a contract with Republic Services for 2014 Disposal of the City of Liberty stockpiled Lime Sludge to Courtney Ridge Landfill, LLC in an amount not to exceed \$150,000.

Document No. 7874 was read.

**Action:** Council Member Jenness 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 Phillips seconded the motion.

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10186.

E. Ordinance approving a Lease Termination Agreement between the City of Liberty, Missouri and Nextel West Corp.

Nextel is decommissioning all sites nationwide. Nextel has been using the Gordon Street Water tower as a communications facility since 1997. The Lease Termination Agreement and General Release will be effective on July 31, 2014, or the date Nextel vacates and surrenders the site pursuant to the Lease Termination Agreement.

Document No. 7875 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 Graham moved to approve the ordinance. Council Member Jenness seconded the motion.

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10187.

F. Ordinance approving an Agreement with Watchguard Video to provide for the purchase and installation of Police In-car Video Systems in an amount not to exceed \$55,775.

The current uses of in-car video recordings are for vehicle stops related to DWI and other traffic offenses as well as arrests and other incidents. Recorded material is used in municipal and state court for proceedings and trials and is used internally in the resolution of complaints. An upgrade to the WatchGuard 4RE wireless high definition in-car video system would replace the current DV1 in-car video system. The 4RE

system automatically uploads video wirelessly from each patrol car to a server supported by the City of Liberty Information Services department.

Document No. 7876 was read.

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

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10188.

G. Resolution modifying various User Fees and Service Charges in the City's Schedule of Fees for the City of Liberty, Missouri (Impact Fees)

When the Water System Development Charge, Sewer Connection Fee and the Roadway Development Tax were established, the City anticipated a certain level of Development, but due to market conditions and the overall economy, the desired levels of residential development have not occurred within the City of Liberty. These fees are collectively known as impact fees. The impact fees have been studied and compared to market. This review indicates a need to reduce these fees by 75%, so to allow for the City of Liberty to be competitive in the development market.

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

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Inscribed in Resolution No. 2663.

X. OTHER BUSINESS

A. Motion to approve payment to Schulte Supply, Inc. in an amount not to exceed \$56,855.98 for the purchase of construction materials for the Gallatin Street Watermain Improvement Project

**Action:** Council Member Jenness moved to approve the payment to Schulte Supply, Inc. Council Member Phillips seconded the motion.

**Vote:** Motion passed 7-0-0

Yes: Council Members Phillips, Jenness, Moore, Graham, Watt, Duncan and Gentrup  
No: None  
Abstain: None

- B. Motion to approve the purchase of equipment from Van Wall Equipment, Inc. in an amount not to exceed \$63,585.70

Purchase will include a reel mower and utility vehicle for the Parks and Recreation Department.

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

Vote: Motion passed 7-0-0  
Yes: Council Members Phillips, Jenness, Moore, Graham, Watt, Duncan and Gentrup  
No: None  
Abstain: None

- C. Motion to purchase replacement bridge rail fencing on Withers Road Bridge from Guier Fence Company in an amount not to exceed \$20,400.

**Action:** No motion was made.

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