



**City Council Meeting**  
Regular Session Minutes  
March 14, 2016

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 14, 2016 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 Greg Duncan, who then led the pledge of allegiance.

III. ROLL CALL

Council Members Present: Harold Phillips and Paul Jenness, Ward I  
Greg Duncan, Ward II and Jeff Moore, Ward II [via video conference]  
Kevin Graham and Jeff Watt, Ward III  
Michael Hagan and Gene Gentrup, Ward IV  
Jeff Moore, Ward II [via video conference]

Council Members Absent: None

Staff Present: Curt Wenson, City Administrator  
Vicki McClure, Assistant Finance Director  
Steve Hansen, Public Works Director  
Brian Hess, Utilities Director  
Janet Bartnik, Parks and Recreation Director  
James Simpson, Police Chief  
Mike Snider, Fire Chief  
Karan Johnson, Economic & Business Dev. Manager  
Katherine Sharp, Assistant Planning Director  
Tony Sage, Information Technology Director  
Janet Pittman, Deputy City Clerk

Public Present: Kellie Houx, Liberty Tribune  
25 members of the public

IV. APPROVE MINUTES AND SUMMARIES

A. Special Session Minutes of February 1, 2016

Council Member Hagan moved to approve the minutes as distributed. Council Member Phillips seconded the motion, which carried 6-0-2. Council Members Jenness and Graham abstained due to absence.

B. Executive Session Minutes of February 1, 2016

Council Member Phillips moved to approve the minutes as distributed. Council Member Gentrup seconded the motion, which carried 6-0-2. Council Members Graham and Moore abstained due to absence.

C. Study Session Summary of February 1, 2016

Council Member Hagan moved to approve the summary as distributed. Council Member Phillips seconded the motion, which carried 7-0-1. Council Member Graham abstained due to absence.

D. Regular Session Minutes of February 8, 2016

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

E. Study Session Summary of February 16, 2016

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

F. Regular Session Minutes of February 22, 2016

Council Member Phillips moved to approve the minutes as distributed. Council Member Jenness seconded the motion, which carried 7-0-2. Council Members Watt and Moore abstained due to absence.

V. CITIZENS' PARTICIPATION

Cammy Neth, 1826 Surrey, is a 3<sup>rd</sup> Grade Teacher at Lewis & Clark Elementary. Student representatives from her persuasive writing class spoke regarding a Sycamore tree near the proposed path for the new Duffey Homestead development. They stated the tree is 18 ft. in circumference, and a representative from the Department of Conservation estimates the tree to be approximately 240 years old, and could possibly be designated a Missouri Champion Tree (native tree based on width and tree canopy), and the first in Clay County. Having been planted in 1776, the same year the Declaration of Independence was signed, the tree has significant historical value. Because the new trail won't connect to any existing trail yet, they are requesting that what they have dubbed the "Liberty Tree", be the destination of the trail (including a plaque telling of its history and significance), and offered to help with fundraising/design.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Liberty Community Center Alcoholic Beverages Service Applications

1. Resolution approving a Liberty Community Center (LCC) Alcoholic Beverages Service Application for Carla Camacho for a small/private baby shower on March 20, 2016

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

**Vote:** Motion passed 8-0-0

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

**No:** None

**Abstain:** None

Inscribed in Resolution No. 2817.

2. Resolution approving a Liberty Community Center (LCC) Alcoholic Beverages Service Application for Rachelle Cornelius for a small/private wedding shower on April 16, 2016

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

**Vote:** Motion passed 8-0-0

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

**No:** None

**Abstain:** None

Inscribed in Resolution No. 2818.

3. Resolution approving a Liberty Community Center (LCC) Alcoholic Beverages Service Application for the Parks Department/Liberty Arts Council event on March 25, 2016

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

**Vote:** Motion passed 8-0-0

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

**No:** None

**Abstain:** None

Inscribed in Resolution No. 2819.

B. Resolution Accepting the Sanitary Sewer Improvements for the Filger Oil Project

Public improvements to sanitary sewer were constructed to facilitate the development of the property owned by Filger Oil located at 801 N. M-291 Highway. The above-reference project has been completed and constructed according to the plans and specifications of the City of Liberty.

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

**Vote:** Motion passed 8-0-0

Yes: Council Members Phillips, Jenness, Moore, Hagan, Graham, Watt, Duncan and Gentrup  
No: None  
Abstain: None  
Inscribed in Resolution No. 2820.

- C. Motion to authorize the purchase of a Toro Multi-Pro 5800 Turf and Ornamental Sprayer from Professional Turf Products in the amount of \$54,301.23

Purchase of a Multi-Pro 5800 turf and ornamental sprayer. The addition of an actual dedicated sprayer will allow for various applications and not just limited to turf. Furthermore, having a dedicated sprayer will alleviate the double-duty on the current aging Pro Gator/Turf Sprayer that is used both as a sprayer and utility cart.

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

Vote: Motion passed 8-0-0  
Yes: Council Members Phillips, Jenness, Moore, Hagan, Graham, Watt, Duncan and Gentrup  
No: None  
Abstain: None

- D. Motion to purchase one 2016 Ford Expedition XLT and one 2016 F150 XLT from Thoroughbred Ford in an amount not to exceed \$51,852.81

Vehicle replacement plan established in 2010 calls for replacement of vehicles that reach six (6) years old or 80,000 miles, whichever occurs first. In preparation of proposed 2016 purchases, the Fire Department submitted a request for bids. Responses included a trade-in value for both vehicles being recommended for replacement.

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

Vote: Motion passed 8-0-0  
Yes: Council Members Phillips, Jenness, Moore, Hagan, Graham, Watt, Duncan and Gentrup  
No: None  
Abstain: None

## VIII. PUBLIC HEARINGS

- A. Resolution granting a Certificate of Appropriateness for Alterations to the Exterior at 112 E. Franklin Street, Liberty Square Historic District [HDRC Case 16-001LS]

The Colonial Hotel (also known as the Major Hotel) was built in 1912. It had 30 rooms and 10 bathrooms. The building has been converted into 21 apartment units. The new owner intends to make improvements to the apartments and the building's exterior. As they are seeking Chapter 353 tax abatement for the project, the City Council must approve the Certificate of Appropriateness.

The applicant requests approval of the following items:

1. Rain gutters: will be replaced in-kind with no change to the appearance.
2. Porch and sidewalk: concrete will be replaced in-kind with no change to the appearance.
3. HVAC: 21 Daikin split air conditioning condensers will be installed on the south and east porch roofs.
4. Porch railing: a painted wood balustrade will be installed on the south and east porch roofs to screen the HVAC units.
5. Windows: all original wood windows (86) will be replaced with aluminum-clad wood windows.

**Action:** Council Member Moore moved to approve the resolution granting the Certificate of Appropriateness to include all five requested items. Council Member Watt seconded the motion.

**Vote:** Motion passed 6-2-0

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

**No:** Council Members Phillips and Hagan

Inscribed in Resolution No. 2821.

- B. Ordinance adopting and approving the Eleventh Amended Development Plan submitted by the Liberty Municipal Redevelopment Corporation, Reaffirming the Finding that the Property within said Eleventh Amended Development Plan is a Blighted Area in need of Development and Redevelopment as determined in Ordinance No. 9794, authorizing Certain Tax Abatement within the Redevelopment Area Described within the Eleventh Amended Development Plan; Authorizing Execution of a 353 Development Agreement for Implementation of the 112 E. Franklin Redevelopment Project and providing for Expiration of Development Rights **[Public Hearing continued from February 22]**

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

Document No. 8250 was read.

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

**Vote:** Motion passed 8-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10535.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of February 12, 2016 to March 4, 2016.

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

Document No. 8263 was read.

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

Roll Call

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 10536.

Mayor Brenton resumed as chair of the meeting.

- B. Resolution approving a Final Development Plan for Duffey Homestead single-family residential development on Withers Road and old Withers Road, in Liberty, Clay County, Missouri [P&Z Case 16-03FDP] **[postponed from February 22]**

This is a final development plan for the construction of Homestead, a single-family residential development, on Withers Road and Old Withers Road in the City of Liberty, Clay County, Missouri. Since the February 22<sup>nd</sup> meeting, the developer has agreed to build the entire trail at the time of the first phase of development. As with all infrastructure improvements, this trail will need to be completed prior to the recording of the final plat.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 2822.

- C. Ordinance accepting and approving a Final Plat for Duffey Homestead in the City of Liberty, Clay County, Missouri [P& Z Case 16-04FP] **[second reading]**

Document No. 8249 was read.

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

Vote: Motion passed 8-0-0  
Yes: Council Members Phillips, Jenness, Moore, Hagan, Graham, Watt, Duncan and Gentrup  
No: None  
Abstain: None  
Approved by the Chair and inscribed in Ordinance No. 10537.

- D. Ordinance adopting and approving the 115 N Stewart Development Plan submitted by the 115 N Stewart Redevelopment Corporation, reaffirming the Finding that the Property within said Development Plan is a Blighted Area in need of Development and Redevelopment, authorizing Certain Tax Abatement within the Redevelopment Area Described within the Development Plan; authorizing Execution of a 353 Development Agreement for Implementation of the Redevelopment Project in Conformance with the Development Plan; and providing for Expiration of Development Rights [**second reading**]

The applicant of the Super 8 Motel has requested a Chapter 353 Tax Abatement to remove blighting factors and make improvements to the property. The improvements will include exterior and landscaping improvements as well as an elevator and new interior finishes. The total cost of improvements is \$393,815.00.

Document No. 8251 was read.

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

Vote: Motion failed 1-7-0  
Yes: Council Member Watt  
No: Council Members Phillips, Jenness, Moore, Hagan, Graham, Duncan and Gentrup  
Abstain: None

- E. Ordinance approving an agreement with ESRI for software maintenance in an amount not to exceed \$114,000.00.

ESRI is a world leader in GIS technology, which directly supports various critical City services, to include Emergency Dispatching operations. ESRI's software products provide a graphical informational support and analysis platform used to assist in the decision making process for many City related service. The City utilizes various ESRI software products to support numerous city-wide services, including 911 operations, Public Works, Planning and Community Development, Economic Development and many other areas of operations.

Document No. 8264 was read.

**Action:** Council Member Jenness 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 Phillips moved to approve the ordinance. Council Member Watt seconded the motion.  
**Vote:** Motion passed 8-0-0  
**Yes:** Council Members Phillips, Jenness, Moore, Hagan, Graham, Watt, Duncan and Gentrup  
**No:** None  
**Abstain:** None  
Approved by the Chair and inscribed in Ordinance No. 10538.

F. Ordinance amending Chapter 22, "Offenses – Miscellaneous" of the Code of the City of Liberty, Clay County, Missouri (pertaining to fireworks)

The amendment changes the height designation between aerial and non-aerial fireworks from six (6) feet to ten (10) feet. The amendment adds the definition for "sky lantern" and prohibits the sale of aerial rockets, bottles rockets, sky lanterns, and those fireworks not intended to be completely consumed before landing. This amendment also prohibits the use of "sky lanterns."

Document No. 8265 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 Hagan seconded the motion.

**Vote:** Motion passed 8-0-0  
**Yes:** Council Members Phillips, Jenness, Moore, Hagan, Graham, Watt, Duncan and Gentrup  
**No:** None  
**Abstain:** None  
Approved by the Chair and inscribed in Ordinance No. 10539.

G. Ordinance approving an Agreement with Central Jackson County Fire Protection District, to provide Liberty Fire Personnel Emergency Medical Services Continuing Education Units in an amount not to exceed \$10,000.00

The Fire Department has outsourced its Continuing Education program since 2011 to Central Jackson County Fire Protection District (CJCFPD). CJCFPD has provided Fire Department personnel with a consistent training program that assists them in obtaining needed Continuing Education Units (CEU's) to relicense as an EMT-Basic or EMT- Paramedic with the State of Missouri.

Document No. 8266 was read.

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

**Vote:** Motion passed 8-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10540.

- H. Ordinance amending Ordinance No. 10155, Approving a Contract with USIC Locating Services, Inc. for Underground Facilities Locating Services for the City of Liberty

In January 2015, the City Council authorized an amendment to the contract to include both water and sanitary infrastructure locating based on Missouri statute changes. The basis for the contract is set for a per ticket cost associated with each Missouri One Call ticket that incorporates the underground facilities of the City of Liberty for both water and sanitary infrastructure. This action will amend the contract to include services for 2016.

Document No. 8267 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 Jenness seconded the motion.

**Vote:** Motion passed 8-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10541.

- I. Ordinance approving an Guaranteed Pricing Agreement with Kansas City Men's Senior and Adult Baseball League Officials Association in an amount not to exceed \$66,500.00 for FY 2016 Youth and Adult Sports Officiating Services

The Parks and Recreation Department utilizes an independent contractor to manage officiating services for sports leagues. Services covered by this contract include officiating for adult softball and competitive baseball officiating. A separate contract is issued for youth recreational sports leagues, youth competitive flag football, and adult basketball. KC Men's Senior and Adult Baseball League Officials Association has been the City's contractor for many years and is in good standing with the City.

Document No. 8268 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 Gentrup moved to approve the ordinance. Council Member Phillips seconded the motion.

**Vote:** Motion passed 8-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10542.

J. Ordinance abandoning a Certain Section of Right-of-Way of Shepherd Road East of N. Lightburne Street

The property owner, Robert Yu Chow of 2801 N. Lightburne Street, and Hallmark Cards, Inc. has submitted a petition for vacation of a section of 60 foot wide right-of-way of the former alignment of Shepherd Road, approximately 215 feet long east of N. Lightburne Street. All utilities have relinquished their rights to the right-of-way.

Document No. 8269 was read.

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

**Vote:** Motion passed 8-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10543.

K. Ordinance approving a Contract with AGC Engineers, Inc. for Engineering Services for the Moss Avenue Sanitary Sewer and Water Improvements Project in an amount not to exceed \$13,300.00 (#UT-004-14)

The sanitary sewer main in Moss Avenue was discovered to be in poor shape upon inspection prior to overlay in 2015. Staff delayed the overlay on Moss Avenue until activities to reconstruct the main were complete. In addition, an undersized water main conflicts with the sanitary sewer and will be relocated and upsized to provide for adequate separation between the infrastructure. The entire sanitary main in Moss Avenue from Sunset Avenue to Kansas Street will be replaced with new pipe and manhole.

Document No. 8270 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 Jenness moved to approve the ordinance. Council Member Watt seconded the motion.

**Vote:** Motion passed 8-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 10544.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 8:55 p.m.

---

Mayor

Attest:

---

Deputy City Clerk