



## City Council Meeting

Regular Session Minutes  
October 24, 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 October 24, 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 Jeff Watt who then led the pledge of allegiance.

### III. ROLL CALL

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

Council Members Absent: None

Staff Present: Curt Wenson, City Administrator  
Dan Estes, Assistant City Administrator, Finance Director  
Andy Noll, Public Works Director  
Brian Hess, Utilities Director  
Janet Bartnik, Parks and Recreation Director  
James Simpson, Police Chief  
Katherine Sharp, Assistant Planning Director  
Janet Pittman, Deputy City Clerk

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

### IV. APPROVE MINUTES AND SUMMARIES

### V. CITIZENS' PARTICIPATION

#### A. Proclamation of Appreciation – Eagle Scout Nathan Jacob

Mayor Brenton read and presented a Proclamation of Appreciation to Nathan Jacob for his Eagle Scout project of installing directional signage at Fountain Bluff Sports Complex.

### VI. MEETING SCHEDULE

### VII. CONSENT AGENDA

#### A. Regular Session Minutes of September 26, 2016

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

B. Regular Session Minutes of October 10, 2016

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

C. Executive Session Minutes of October 10, 2016

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

D. Special Session Minutes of October 17, 2016

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

E. Resolution appointing Directors to the Crossroads Shopping Center Community Improvement District Board of Directors

**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. 2864.

F. Resolution appointing Directors to the Liberty Triangle Shopping Center Community Improvement District Board of Directors

**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. 2865.

G. Boards and Commissions Reappointments

i. Liberty Parks and Recreation Board

1. Reappoint Clay Lozier to a term expiring June 1, 2018

2. Reappoint Buzz Taylor to a term expiring June 1, 2019

3. Reappoint Will House to a term expiring June 1, 2019

4. Reappoint Patrick Flora to a term expiring June 1, 2019
- ii. Liberty Community Christmas Tree Commission
1. Reappoint Mark McAuliffe to a term expiring May 1, 2020
  2. Reappoint Eric Grampp to a term expiring May 1, 2020
  3. Reappoint Mark VanMeter to a term expiring May 1, 2018
  4. Reappoint Rob Fisher to a term expiring May 1, 2018
  5. Reappoint Janet Cardell to a term expiring May 1, 2018
  6. Reappoint Mary Sallee to a term expiring May 1, 2018
  7. Reappoint Amy Abbiatti to a term expiring May 1, 2019
- iii. Liberty Arts Commission
1. Reappoint Anna Knackstedt to a term expiring May 15, 2018
  2. Reappoint Karen Orrill to a term expiring May 15, 2018
  3. Reappoint Heather Jones to a term expiring May 15, 2018
  4. Reappoint Carol Kariotis to a term expiring May 15, 2019
  5. Reappoint Aaron Money to a term expiring May 15, 2019
  6. Reappoint Phil Young to a term expiring May 15, 2019
  7. Reappoint Greg Duncan to a term expiring May 15, 2019
- iv. Liberty Housing Authority
1. Reappoint Bruce Ross to a term expiring July 1, 2018
  2. Reappoint Jackie Kennedy to a term expiring July 1, 2019
  3. Reappoint Anna Marie Martin to a term expiring July 1, 2019
  4. Reappoint Tom Dunn to a term expiring July 1, 2019
- v. Citizen Sales Tax Oversight Committee
1. Reappoint Bill Moberly to a term expiring May 15, 2019
  2. Reappoint Robert Saunders to a term expiring May 15, 2020
  3. Reappoint Mike Flannagan to a term expiring May 15, 2018

Council Member Watt moved to approve the re-appointments. Council Member Phillips seconded the motion, which carried unanimously.

## VIII. PUBLIC HEARINGS

- A. Ordinance approving a Rezone and Preliminary Development Plan for Withers Rd. Senior Apartments, 225 units in three four story buildings [P&Z Case 16-35PP] – To be postponed

Council Member Hagan moved to postpone consideration of the ordinance, seconded by Council Member Phillips and carried unanimously.

- B. Ordinance approving an amendment to the Unified Development Ordinance of the City Code to add PD-Flex zoning district [P&Z Case 16-38A] – To be postponed

Council Member Watt moved to postpone consideration of the ordinance, seconded by Council Member Gentrup and carried unanimously.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Acknowledgement of vendor payments for the period of September 30 to October 14, 2016

Mayor Pro Tem Gene Gentrup took over as Chair of the meeting.

1. Ordinance excluding Westland Landscape payments

Document No. 8372 was read.

**Action:** Council Member Hagan moved to approve the vendor payments. Council Member Phillips 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. 10634.

2. Ordinance including Westland Landscape payments.

Document No. 8373 was read.

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

Roll Call

Vote: Motion passed 7-0-1

Yes: Council Members Phillips, Moore, Hagan, 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. 10634.

Mayor Brenton resumed as chair of the meeting.

- B. Ordinance adopting and approving the Amended Development Plan for the Downtown Area Redevelopment Project (including Twelfth Amendment for the 16 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. 10236, 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 16 N. Main

Redevelopment Project; and providing for Expiration of Development Rights (2<sup>nd</sup> reading)

Document No. 8365 was read.

**Action:** Council Member Phillips moved to approve the ordinance. Council Member Duncan 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. 10635.

C. Ordinance approving a Covenant to maintain a Storm Water Detention Facility for the Riverwood Subdivision

The City of Liberty has a permit from the Missouri Department of Natural Resources which requires an agreement between the City and property owner to designate maintenance activities on storm water facilities. Acceptance of the Covenant to Maintain Storm Water Detention Facility for the Riverwood subdivision is recommended in response to this requirement.

Document No. 8374 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 Watt moved to approve the ordinance. Council Member Gentrup 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. 10636.

D. Ordinance approving a Cooperative Agreement with Clay County Public Water District No. 4 pertaining to the Sale of Water

The proposed agreement is for 10 years with annual rate changes to coincide with changes to the water rates for City Customers and provides for a cooperative agreement to continue the sale of water to Clay County Public Water District No. 4 (District) by the City of Liberty.

Document No. 8375 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. 10637.

- E. Ordinance approving a Contract with Phillips Paving Co., Inc. in an amount not to exceed \$196,811 for Asphalt Construction Services at the Fountain Bluff Sports Complex

Since their construction in 2002, several segments of trails and entryways at the Fountain Bluff Sports Complex have deteriorated due standing water from drainage issues. Entryways are often difficult to traverse due to puddling of water, making access difficult. The project will improve the trail at Fountain Bluff Sports Complex.

Document No. 8376 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 Hagan moved to approve the ordinance. Council Member Graham seconded the motion.

**Vote:** Motion passed 7-0-1

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

**No:** None

**Abstain:** Council Member Gentrup , potential conflict of interest.

Approved by the Chair and inscribed in Ordinance No. 10638.

- F. Ordinance approving a Memorandum of Understanding with Clay County Senior Services to provide Grant Funding for Operational Expenses pertaining to Liberty Access and Liberty Silver Center in the amount of \$110,000.00

Clay County Senior Services will award the City of Liberty \$30,000 for operational expenses associated with Liberty Access and \$75,000 for operational expenses associated with Liberty Silver Center for 2017 and an additional 5,000 to be used toward the purchase of software to be used to improve efficiencies within the division.

Document No. 8377 was read.

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

**Vote:** Motion passed 7-0-1

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

**No:** None

**Abstain:** Council Member Gentrup, potential conflict of interest.

Approved by the Chair and inscribed in Ordinance No. 10639.

- G. Ordinance amending Ordinance 10626, Establishing Chapter 22, Section 22.69, "Offenses Concerning Tobacco and the Sale and Distribution of Tobacco, Alternative Nicotine, and Vapor Products to Minors under the Age of 21" of the Code of the City of Liberty, Clay County, Missouri (pertaining to Tobacco Paraphernalia sales)

The amendment is a provision to 'grandfather in' existing retailers selling tobacco paraphernalia that do not meet the definition of Retail Tobacco Store (stores where 70% of their sales are tobacco products).

Document No. 8378 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 Watt moved to approve the ordinance. Council Member Gentrup 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. 10640.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:27p.m.

Attest:

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Mayor

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Deputy City Clerk