



## City Council Meeting

Regular Session Minutes  
December 12, 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 December 12, 2016 with Mayor Lyndell Brenton presiding. Mayor Brenton called the meeting to order at 7:07 p.m.

### II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Michael Hagan, 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  
Vicki McClure, Assistant Finance Director  
Shawwna Funderburk, Asst. to the City Administrator  
Andy Noll, 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  
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. Historic Downtown Liberty, Inc. – Annual Report presentation

Vicki Vance, Executive Director, noted that it was the organization's 10<sup>th</sup> anniversary. In 2008, HDLI's budget was \$71,000 with the City's portion at 48%, and now in 2016 the budget is \$160,000, with the City's portion comprising 18%. Ms. Vance presented an update on HDLI's various programs, initiatives and accomplishments. She thanked the City for its continued support along with all of HDLI's Board and volunteers.

B. Liberty Economic Development Corp. - Annual Report presentation

Mark Strombaugh, Executive Director, provided an update on the outreach and initiatives of the LEDC. Mr. Strombaugh noted that he has also continued with one on one meeting's with current businesses. He stated that prioritization was placed on future developable ground and 2016 milestones included a variety of housing units and the lease up of Liberty Commons. He thanked City Council for their support and aligning of resources.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Ordinance acknowledging vendor payments for the period of November 18 to December 2, 2016.

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

Document No. 8393 was read.

**Action:** Council Member Watt 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. 10653.

Mayor Brenton resumed as chair of the meeting.

**B. 2017 Annual Budgets**

State law 67.010, 67.020 and 67.030 requires the City to annually adopt a budget prior to the beginning of the fiscal year. Failure to adopt a new budget requires a default to the current year budget. Desiring to have enhanced elected official oversight on fiscal matters, the Mayor and Council established the Council Budget Committee in May 2009. Continuing the partnership with City staff, work on the 2017 budget commenced in the summer.

**1. Ordinance adopting the Annual Budget for the City of Liberty, Clay County, Missouri for the Fiscal Year 2017**

Document No. 8394 was read.

Mayor Brenton stated this item would be considered on second reading at the December 19<sup>th</sup> Special Session Meeting.

**2. Ordinance adopting the Annual Park and Parks Sales Tax Budgets for the City of Liberty, Clay County, Missouri for the Fiscal Year 2017**

Document No. 8395 was read.

Mayor Brenton stated this item would be considered on second reading at the December 19<sup>th</sup> Special Session Meeting.

**C. Resolution approving the 2017-2021 Capital Improvement Plan for the City of Liberty, Missouri**

The 2017-2021 CIP represents the accumulation of prior planning, project prioritization by the City Council, efforts by Public works staff to maximize Federal, State and other local funding resources and review by the Budget Committee and City staff.

**Action:** Council Member Hagan moved to postpone consideration of the resolution until December 19<sup>th</sup> 2016. Council Member Jenness seconded the motion which carried unanimously.

**D. Resolution Modifying Ambulance User Fees and Service Charges**

The Fire Department periodically reviews its ambulance user fees. One process to review fees is comparing our current fees against other area entities. While also comparing against other entities, the department also communicates with the City's billing company to review our current collection data.

**Action:** Council Member Watt moved to postpone consideration of the resolution until December 19<sup>th</sup> 2016. Council Member Gentrup seconded the motion which carried unanimously.

**E. 2017 Utility Rates**

Based on the review of 2017 Water, Wastewater and Solid Waste fund expenditure budgets, the Budget Committee and staff are recommending an increase in Utility rates. Bottom line impact of recommendations equates to a 4.9% increase in all costs for the average residential customer. The monetary increase for the average residential customer using 4,834 gallons of water per month and has a wastewater winter average of 4,048 gallons equal \$4.79 per month.

**1. Ordinance amending Section 29-25 (a) "Water Rates" of the City Code of the City of Liberty, Missouri**

Document No. 8396 was read.

Mayor Brenton stated this item would be considered on second reading at the December 19<sup>th</sup> Special Session Meeting.

**2. Ordinance amending Section 29-49.1 “Sanitary Sewer Rates” of the City Code of the City of Liberty, Missouri**

Document No. 8397 was read.

Mayor Brenton stated this item would be considered on second reading at the December 19<sup>th</sup> Special Session Meeting.

**3. Resolution adopting Solid Waste (Sanitation) Service**

**Action:** Council Member Hagan moved to postpone consideration of the resolution until December 19<sup>th</sup> 2016. Council Member Duncan seconded the motion which carried unanimously.

**4. Resolution Modifying the Monthly Utility Infrastructure Repair and Maintenance Fee**

**Action:** Council Member Phillips moved to postpone consideration of the resolution until December 19<sup>th</sup> 2016. Council Member Hagan seconded the motion which carried unanimously.

F. Ordinance amending Ordinance No. 10497, Adoption of the 2016 Budget for the City of Liberty, Missouri

There is a need to make certain 2016 budget adjustments to align the 2016 budget with both the 2016 forecast and year end close out. Approval of these requests will allow for reduced variance analysis by our auditors.

Document No. 8398 was read.

**Action:** Council Member Watt 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 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. 10654.

G. Ordinance approving a certain Memorandum of Understanding with Clay County Senior Services, for Grant Funding Support for physical activity classes and facility memberships at the Liberty Community Center, Liberty Missouri in an amount not to exceed \$60,000.

For 2017, \$96,000 was requested with \$60,000 approved. Information from the Clay County Senior Services Board has indicated funding in the future is anticipated to remain at \$60,000. For 2017, the grant will fund \$120 per person per year, providing 500 seniors with grant funding to be applied toward an annual membership (with group exercise classes included) valued at \$270, with options to pay the remaining \$150 in full or \$13 per month bank draft.

Document No. 8399 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 Jenness 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. 10655.

H. Ordinance approving a Fee for Services Agreement with Historic Downtown Liberty, Inc. in an amount not to exceed \$91,940.00

As in previous years, the agreement for services includes for HDLI to provide unified advocacy and support for the downtown commercial area; continue and update a consistent promotion and advertising program for the downtown commercial area; encourage and promote historically appropriate design strategies for the overall aesthetic appearance of the downtown commercial area; strengthen the existing economic assets of the downtown area while diversifying its economic base, including recruiting new businesses and strengthening the management capabilities of individual merchants; management of the downtown farmers market on Saturdays, from May through October; and coordinating tourism efforts through the Liberty Tourism Council.

Document No. 8400 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 Watt 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. 10656.

- I. Ordinance approving a Fee for Services Agreement with the Liberty Economic Development Corporation in an amount not to exceed \$55,000 and Executive Director health care benefits of approximately \$14,000.

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; and commit to seeking private sector investment to leverage this public contract.

Document No. 8401 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 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. 10657.

- J. Ordinance approving the 2017 Kansas City Area Transportation Authority (KCATA) Agreement for the Route 535 Liberty Express/Shoal Creek Bus Service in the amount of \$45,812 effective January 1, 2017 through December 31, 2017

The City of Liberty subsidizes a commuter bus service provided by the KCATA. The service consists of two morning bus trips and two evening bus trips, Monday through Friday, operating during the peak period, 30 minutes apart. Stops are located at the Conister Park & Ride, Kansas Street, Mississippi & Prairie Park & Ride, Mill Street, and Hwy 152. Service will consist of two large 40 foot buses with a carrying capacity of 40 riders per bus. The one-way pass is \$3.00 or \$6.00 round trip. Riders also have an option of purchasing a monthly pass for \$95 per month. This route is a combined service route with the Shoal Creek area in Kansas City, MO.

Document No. 8402 was read.

**Action:** Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Gentrup 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. 10658.

K. Ordinance approving a Memorandum of Understanding with Midwest Cricket League for the construction and operation of a Cricket Pitch at Stocksdale Park

Midwest Cricket League is a not-for-profit organization established to promote cricket in the metro area whose representatives desire to fund and construct a cricket pitch in the KC Metro area for league practice and special events. City staff identified a location for a pitch in Stocksdale Park and negotiated an MOU outlining the responsibilities for each party related to the construction and operation of the pitch.

Document No. 8403 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 Jenness moved to approve the ordinance. Council Member Watt 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. 10659.

L. Ordinance approving a Lease Agreement between Liberty Church of the Nazarene and the City of Liberty for use of Property located at 1400 Southview Drive, Liberty, Missouri

Liberty Church of the Nazarene owns 11.74 acres of land at 1400 Southview Drive which includes approximately 8 acres of open ground suitable for recreational sports practice space. The Church Pastor and staff have negotiated a lease agreement which has been approved by the Church Board. The lease has a seven year initial term and requires the City to pay \$10 per year, improve the parking lot, and to maintain the ground for league practices.

Document No. 8404 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 Hagan 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. 10660.

M. Ordinance amending Chapter 20, "Motor Vehicles & Traffic," of the Code of the City of Liberty, Clay County, Missouri (traffic regulations)

The traffic regulation amendments pertaining to this action is summarized as follows: Section 20-175 and Section 20-177: Convert the existing yield signs on Nancy Lane at Clayview Drive, northeast corner and southwest corner, to stop signs; Section 20-180: Restrict parking on College Street, both sides, from North High Drive to Maple Street; Section 20-180: Restrict parking on College Street, both sides, from a point 200 feet west of Jefferson Avenue to Jefferson Avenue; and Section 20-181: Modify the current parking restriction limits on College Street, both sides, between North Ridge Ave. and Fairview Ave.

Document No. 8405 was read.

**Action:** Council Member Hagan 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 Gentrup 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. 10661.

N. Ordinance authorizing the City of Liberty, Missouri to enter into an Equipment Lease Purchase Agreement in connection with its acquisition of Equipment for the City, and Authorizing certain other documents and actions in connection with the Financing

The City will be issuing a lease purchase obligation for various funding requirements.

The issuance of this lease will provide funding/reimbursement of prior purchases in the amount of \$64,000 for various Park Department Community Center exercise equipment items; \$588,182 for various IT equipment and minor equipment; \$89,178 to reimburse the City's General Fund for 2016 purchase of police vehicles; and \$160,909 for Utility vehicle purchases and the SCADA design project.

Document No. 8406 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 Hagan 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. 10662.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:52 p.m.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Deputy City Clerk