



City Council Meeting

Regular Session Minutes
December 9, 2019

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 9, 2019 with Mayor Lyndell Brenton presiding. Mayor Brenton called the meeting to order at 7:05 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Gene Gentrup, 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
BJ Staab, Parks and Recreation Director
Andy Hedrick, Police Captain
John Mills, Fire Chief
Karan Johnson, Economic & Business Dev. Manager
Katherine Sharp, Planning Director
Janet Pittman, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

A. Regular Session Minutes of November 12, 2019

Council Member Jenness moved to approve the minutes as distributed. Council Member Watt seconded the motion, which carried 5-0-3. Council Members Phillips, Moore and Hagan abstained due to absence.

B. Executive Session Minutes of November 12, 2019

Council Member Graham moved to approve the minutes as distributed. Council Member Jenness seconded the motion, which carried 5-0-3. Council Member Phillips, Moore and Hagan abstained due to absence.

C. Regular Session Minutes of November 25, 2019

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

V. CITIZENS' PARTICIPATION -

Tom Dunn, 1324 Camelot Drive, stated his basement flooded as a result of a sewer back-up. The plumber who completed the repair for approx. \$600.00 advised him he thought the City would pay for it. Mr. Dunn said that when he reached out to the City he was advised by the insurer that if the City wasn't aware of an issue they weren't responsible. He noted that this doesn't make sense to him and he would appreciate his claim be considered again.

A. Historic Downtown Liberty, Inc. – Annual Report presentation

Vicki Vance, Executive Director, stated that HDLI has been able to connect with many more visitors as a result of their move to a ground floor location. She noted that they started tracking event attendee's zip codes this year and are encouraged by the many different areas they are reaching. She was pleased to report that there is currently a 95% occupancy rate in the downtown, a 16% increase in 2019 over 2018. The festive vibe of downtown is enhanced by a portion of Community Improvement District funds being utilized for Christmas lighting of the buildings within the district.

Jamison Howard, a William Jewell College student, is currently interning with HDLI. As part of his intern experience he picked a Student Discount Week project. His focus was to find ways to get more students down to the square more regularly. He reached out to the downtown merchants to see what student discount rates they would be willing to offer. After compiling the different offers, he is sharing this information with WJC students via campus email and social media. He's looking forward to researching the results this week.

B. Liberty Economic Development Corp. (LEDC) - Annual Report presentation

Ralph Boots, Executive Director, reviewed 2019 highlights which included 47 project leads, 15 submittals, 10 active projects and 4 site visits. The LEDC had two wins this year with TN Global, who purchased Niles Media, expanding operations in Liberty; and, Dakota Bodies opening a new manufacturing facility. He noted that he conducted 34 business visits, has been working with area land owners, and participated in a Clay County Economic Development Corp. workforce study.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

- A. Resolution approving the Assignment by Forest Avenue Apartments, LLC of its Interests and Obligations under a Lease Assignment with the City and Other Documents relating to the City's Taxable Industrial Development Revenue Bonds (Forest Avenue Apartments Project), Series 2016

Action: Council Member Watt moved to approve the resolution. 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

Inscribed in Resolution No. 3079.

B. Resolution accepting the Sanitary Sewer Improvements for the Clean Laundry Project

Action: Council Member Watt moved to approve the resolution. 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

Inscribed in Resolution No. 3080.

C. Resolution granting a Certificate of Appropriateness for Exterior Improvements at 415 Wilson, Liberty, MO, Jewell Historic District

Action: Council Member Watt moved to approve the resolution. 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

Inscribed in Resolution No. 3081.

D. Motion to approve the purchase of one 2020 Ford F250 XLT Crew Cab 4WD from Gary Crossley Ford in an amount not to exceed \$21,532.52

Action: Council Member Watt moved to approve the purchase. 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

E. Boards and Commissions

1. **Citizen Sales Tax Oversight Committee**

- a. Appoint Bill Moberly to a term expiring May 15, 2021

Action: Council Member Watt moved to approve the appointment. Council Member Hagan seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Acknowledgement of vendor payments for the period of November 15 to November 29, 2019

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

- 1. Ordinance excluding Westland Landscape payments

Document No. 8975 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. 11183.

- 2. Ordinance including Westland Landscape payments.

Document No. 8976 was read.

Action: Council Member Watt moved to approve the vendor payments. Council Member Moore 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. 11183.

Mayor Brenton resumed as chair of the meeting.

- B. **2020 Annual Budgets**

- 1. **Ordinance adopting the Annual Budget for the City of Liberty, Clay County, Missouri for the Fiscal Year 2020**

Document No. 8977 was read.

Mayor Brenton stated this item would be considered on second reading at the December 16th 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 2020

Document No. 8978 was read.

Mayor Brenton stated this item would be considered on second reading at the December 16th Special Session Meeting.

C. Resolution approving the 2020-2025 Street Infrastructure Capital Improvement Plan for the City of Liberty, Missouri

Action: Council Member Hagan requested to postpone for consideration of the Resolution to the December 16, 2019 Special Session. Council Member Watt seconded the motion, which carried unanimously.

D. 2020 Utility Rates

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

Document No. 8979 was read.

Mayor Brenton stated this item would be considered on second reading at the December 16th 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. 8980 was read.

Mayor Brenton stated this item would be considered on second reading at the December 16th Special Session Meeting.

3. Resolution adopting Solid Waste (Sanitation) Service

Action: Council Member Graham requested to postpone for consideration of the Resolution to the December 16, 2019 Special Session. Council Member Phillips seconded the motion, which carried unanimously.

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

Action: Council Member Hagan requested to postpone for consideration of the Resolution to the December 16, 2019 Special Session. Council Member Phillips seconded the motion, which carried unanimously.

- E. Ordinance approving a Fee for Services Agreement with Historic Downtown Liberty, Inc. in an amount not to exceed \$30,000.00

Document No. 8981 was read.

Action: Council Member Phillips 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 Jenness 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. 11184.

- F. Ordinance approving a Fee for Services Agreement with the Liberty Economic Development Corporation in an amount not to exceed \$60,000. and Executive Director health care benefits of approximately \$9,000.

Document No. 8982 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 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. 11185.

- G. Ordinance approving a Six Month Kansas City Area Transportation Authority (KCATA) Agreement for the Route 535 Liberty Express/Shoal Creek Bus Service, effective January 1, 2020 through June 30, 2020 in an amount not to exceed \$28,397.00

The City of Liberty subsidizes a commuter bus service provided by the KCATA. The services consists of two morning bus trips and two evening bus trips, Monday through Friday, operating in the peak period, 30 minutes apart. The one-way pass is \$3.00, or \$6.00 round trip.

Document No. 8983 was read.

Action: Council Member Jenness 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 Gentrup moved to approve the ordinance. Council Member Moore 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. 11186.

H. Ordinance authorizing a Cooperative Agreement for Sewer Service between the City of Kansas City, Missouri and the City of Liberty, Missouri

This agreement provides wastewater treatment rates for the approximate 250 Liberty customers still treated by KCMO, and defines KCMO ownership terms of the "Little Shoal Creek Interceptor and Low-Flow Lift Station". It also establishes usage and payment requirements for KCMO's use of the old Liberty sewer mainline, and an adjustment payment to KCMO by Liberty for settlement of past disputed treatment charges in the amount of \$1,023,240.

Document No. 8984 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 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. 11187.

I. 2019 Street Maintenance Pavement Restoration Project

- 1. Ordinance Amending Ordinance No. 11055, Approving a Contract with Superior-Bowen Asphalt Company, LLC for the 2019 Street Maintenance Pavement Restoration Project, decreasing the Contract by \$10,091.79 from \$1,023,000.00 to a not to exceed amount of \$1,012,908.21

Document No. 8985 was read.

Action: Council Member Hagan 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 Jenness moved to approve the ordinance. Council Member Moore 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. 11188.

2. Resolution accepting the 2019 Street Maintenance Pavement Restoration Project

Action: Council Member Hagan moved to approve the resolution. 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

Inscribed in Resolution No. 3082.

J. Ordinance amending Ordinance No. 9537, Approving an Agreement with Allied Waste Services (now doing business as Republic Services, Inc.) for Curbside Waste and Recycling Collection and Disposal Service, by approving a Five Year Extension of said Contract

The original contract term was for ten years and expires at the end of 2019. The base total collection cost will be \$15.20 (\$11.63 for solid waste and \$3.57 for recycling). This contract extension changes the recycling cost provision by establishing a cost basis that reflects the value of collected materials and establishes a cost recalculation period of 3 months and a maximum cost before landfilling collections will be an option. It changes contract escalation from a set percentage of 3.5% to a percentage that will match published water sewer trash index of the consumer price index, and changes fuel surcharge cost level from the current \$4.00 per gallon to \$3.25 per gallon. It also changes the bulky item pick-up from two set weeks per year, and instead each residential address will have two scheduled collections per house.

Document No. 8986 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 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. 11189.

- X. OTHER BUSINESS
- XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR
- XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL
- XIII. ADJOURNMENT

The meeting adjourned at 8:30 p.m.

Mayor

Attest:

Deputy City Clerk