



City Council Meeting

Regular Session Minutes
August 8, 2022

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 August 8, 2022, 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 Council Member Graham, who then led the pledge of allegiance.

III. ROLL CALL

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

Council Members Absent: Kelley Wrenn Pozel, Ward II

Staff Present: Curt Wenson, City Administrator
Sara Cooke, Assistant City Administrator
Shawna Funderburk, Chief Strategic Operations Officer
Vicki McClure, Finance Director
Andy Noll, Utilities Director
Jim Martin, Police Chief
Andy Hedrick, Police Captain
BJ Staab, Parks and Recreation Director
John Mills, Fire Chief
Brandon Smith, Economic & Business Dev. Manager
Katherine Sharp, Planning and Development Director
Sherri McIntyre, Public Works Director
Janet Pittman, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

A. REGULAR SESSION MINUTES OF MAY 9, 2022.

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

B. REGULAR SESSION MINUTES OF MAY 23, 2022.

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

V. CITIZENS' PARTICIPATION

Jim Martin was ceremoniously sworn in as Police Chief.

Robin Painter, 1282 Mt. Olivet Rd, KCMO, thanked Paul Jenness and Jeff Watt for their leadership.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. RESOLUTION APPOINTING DIRECTORS TO THE LIBERTY CORNERS
COMMUNITY IMPROVEMENT DISTRICT
BOARD OF DIRECTORS

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3266.

B. RESOLUTION APPOINTING DIRECTORS TO THE 901 SOUTH 291
(SUTHERLANDS) COMMUNITY IMPROVEMENT DISTRICT BOARD OF
DIRECTORS

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3267.

C. BOARDS AND COMMISSION RE-APPOINTMENT
Liberty Preservation and Development Commission
Re-appoint Ralph Brant to a term expiring 9/1/2025

Council Member Gentrup moved to approve the appointments. Council Member Hagan seconded the motion, which carried unanimously.

D. RESOLUTION ACCEPTING THE PRESTON AND SKYLINE STORM SEWER IMPROVEMENTS PROJECT

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3268.

E. REGULAR SESSION MINUTES OF JUNE 13, 2022

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

F. SPECIAL SESSION MINUTES OF JUNE 13, 2022

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

G. EXECUTIVE SESSION MINUTES OF JUNE 13, 2022

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

VIII. PUBLIC HEARINGS

A. ORDINANCE APPROVING THE REMOVAL OF PROPERTY FROM THE HOMESTEAD COMMUNITY IMPROVEMENT DISTRICT

Harvest Investments, LLC recently acquired property from South Withers Road Development, generally located at the southwest corner of Old Withers Road and S Withers Rd. (the "Harvest Property") and has requested the Harvest property be removed from the CID. The Board of Directors for Homestead CID have consented to the removal of this property in accordance with section 67.1441.1(2), RSMo. This will be a new housing development (Vintage Estates) and not part of the existing Homestead Hills development.

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

Document No. 9450 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 Jenness seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11625.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of July 15 – July 29, 2022.

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

Document No. 9451 was read.

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

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11626.

Mayor Brenton resumed as chair of the meeting.

- B. ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING WITH HALLMARK CARDS, INCORPORATED FOR THE MONTAGE DEVELOPMENT

The City of Liberty is currently working with GaleHart Communities, LLC, for the development of approximately 1,100 acres for a mixed-use master plan community consisting of single-family residential uses, multi-family-residential uses, mixed uses, office and commercial hotel uses, and recreational uses. This development is currently referred to as the Montage Development. The Montage development includes property that is currently owned by Hallmark. Hallmark is working with Montage for the sale and transfer of Hallmark's property that is within the Montage development, in a phased transfer and sale. Hallmark has agreed to cooperate in the inclusion of its property of approximately 925.06 acres in application for Liberty's approval of the Montage Development and for the approval of any incentive plan to permit the Montage Development. Cooperation from Hallmark includes the execution of any necessary documents for the rezoning and/or incentive plans submitted related

to the Montage development.

The Hallmark Property will not be subject to any new special assessments due to the approval and implementation of the Montage Development while the Hallmark Property identified in Exhibit "A" continues to be owned by Hallmark, until such time as GaleHart or its entities have acquired ownership of the Hallmark Property.

The City agrees not to impose new special assessments, as a result of the Montage Development and associated traffic study, on Hallmark property located at 2101 Lightburne Road for a period of twelve (12) years from the date of this Agreement, unless Hallmark is the developer of property, that would cause a special assessment to be imposed and the special assessments were requested by Hallmark as a result of its development request to the City.

Document No. 9452 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 Watt moved to approve the ordinance. Council Member Gentrup seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11627.

C. ORDINANCE APPROVING A CONTRACT WITH LIFE SCAN TO PROVIDE ANNUAL FIRE DEPARTMENT PHYSICALS IN AN AMOUNT NOT TO EXCEED \$30,240.00

The Fire Department has been researching opportunities to improve the health and wellness of its members for several years. The department, with labor management, has worked to find the company that provides the most benefits for the members of the department.

The Fire Department has reviewed multiple physicals from different vendors and after a thorough review, the department found Life Scan was the company that provided the most comprehensive physical, the most in-depth blood and cancer screenings as well as the NFPA 1582 physical. Life Scan allows the department to meet the intent of the collective bargaining agreement and provide the members of the department the most comprehensive look at their overall health and wellness along with providing recommendations for improvements to their health.

This year, according to the standards set forth in the CBA, the members that are 30 years old and older will be scheduled for the physical.

Document No. 9453 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 Graham seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11628.

X. OTHER BUSINESS

A. CITY HALL ATRIUM PROJECT – UPDATE

Public Works Director Sherri McIntyre reviewed two roof options, one slanted and the other flat. She stated that the slanted style roof would not cost much more than a flat roof. The Clay County Courthouse has a slanted roof; however, a flat roof may be more historical of the area. Council asked that the Historic District Review Commission comment on what style they feel would be a better fit for the area.

B. CEMETERY OPERATIONS

Parks Director BJ Staab outlined that the Finance Dept. currently handles sale of lots and meeting with the families, and the Parks Dept. is responsible for opening/closing of graves, mowing operations etc. The cemetery needs more day to day oversight so the hiring of a cemetery sexton is proposed. This position would be the main point person for cemetery operations, and eventually assume the responsibility of meeting with families as well. Funding for the position is through the General Fund, and the Parks Dept. will handle supervision and back-up, as needed.

C FAIRVIEW CEMETERY / BLOCK 174

Dave Langston, 1920 Carter Court, asked that the veteran's monument be respected, and to stop the lawsuit.

Dwayne Holtzclaw, 113 Kevin St., Excelsior Springs, read a poem about a tombstone, and asked to stop the lawsuit.

Gieselle Fest, 1407 Lynette, asked that Council think of the women and mothers that buried their loved ones there, respect their grave marker.

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 8:06 p.m.

Attest:

Mayor

Deputy City Clerk