



## City Council Meeting

Regular Session Minutes  
October 28, 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 October 28, 2019 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 Kevin Graham, 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  
BJ Staab, Parks and Recreation Director  
John Mills, Interim Fire Chief  
Dana Ulmer, Assistant Utilities Director  
Wade Thomas, Interim IT Director  
James Simpson, Police Chief  
Janet Pittman, Deputy City Clerk

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

### IV. APPROVE MINUTES AND SUMMARIES

#### A. Regular Session Minutes of September 23, 2019

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

#### B. Special Session Minutes of October 7, 2019

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

C. Regular Session Minutes of October 14, 2019

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

V. CITIZENS' PARTICIPATION

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

- A. Motion to approve a purchase order with Independent Salt Company in an amount not to exceed \$65,000.00

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

- B. Motion to authorize an increase in the purchase of wastewater treatment chemicals from CedarChem from \$62,000 to a not-to-exceed amount of \$92,000.00

**Action:** Council Member Phillips moved to approve the motion. 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. Ordinance approving a Petition to Establish the Formation of the Liberty Parkway Plaza Community Improvement District

The proposed District contains a total of 68.29 acres of property. The project includes industrial and retail space. The industrial buildings include square footages of 741,000, 132,000 and 80,000 sq. ft. The retail space includes 23,000 sq. ft. for a total of 8 buildings. Since a Blight Analysis is not included, the revenue generated from the project can only be used for public improvements. As a separate political entity, the CID has the authority to impose a 1 cent sales tax on retail sales within the district. In this case, the owner is proposing an additional 1 cent sales tax.

Mayor Brenton opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the ordinance.

Hunter Harris, Lane4 Property Group, stated they have closed on the property and they are excited by the momentum of the project. The CID funds will be utilized to assist with the off-site improvements of the two traffic signals. It was also noted that an Amended Petition for Establishment of the CID was filed with the Deputy City Clerk on October 23, 2019, in accordance with Missouri State Statutes.

The amended petition reflects the new Board of Directors, which are as follows:

- Owen Buckley 4 Year term
- Lynn Buckley 4 Year term
- Rachel Laffitte 2 Year term
- Chris Hafner 2 Year term
- Paul Miller 2 Year term

Seeing no one else wishing to speak, the Mayor closed the Public Hearing.

Document No. 8944 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. 11153.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

Mayor Pro Tem Greg Duncan took over as Chair of the meeting.

A. Acknowledgement of vendor payments for the period of October 4, 2019 to October 18, 2019

1. Ordinance excluding Westland Landscape payments

Document No. 8945 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. 11154.

2. Ordinance including Westland Landscape payments

Document No. 8946 was read.

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

Roll Call

Vote: Motion passed 7-0-1

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. 11154.

- B. Ordinance approving an Agreement with Coca Cola Bottling Company LLC pertaining to the Purchase of Non-Alcoholic Beverages for Fountain Bluff Sports Complex and Liberty Community Center, Liberty, Missouri in an amount not to exceed \$50,000.00

The City operates three seasonal concession stands at the Fountain Bluff Sports Complex and provides beverage vending machines at the Liberty Community Center. Products are sold at both locations for a profit, which is reflected in the 2020 Sports Complex and Community Center revenue portions of the budget.

This would be a new 5 year agreement with Heartland Coca Cola Bottling Company. Pepsi Beverage Company is the current vendor; however, since they were awarded the bid, staff has encountered numerous problems consisting of delivery date changes, no deliveries, deliveries on pallets, and wrong product.

Document No. 8947 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 Graham 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. 11155.

- C. Ordinance approving an Agreement with B-Comm, LLC for the purchase of materials and labor for fiber installation at Fountain Bluff Sports Complex in an amount not to exceed \$50,694.00

The Fountain Bluff Sports Complex has relied on a Point-to-Point Proxim Wireless solution for connectivity within the complex. This solution has been used to service all communication and point of sale operations. Improvements have been limited due to the capacity and reliability of this point-to-point solution. Instability of these services and operational interruptions has been a frequent occurrence. When these situations occur, services are either halted or significantly impaired. In addition, a continuous increase in investments to patch-fix these issues have become costly and inefficient.

While no technology can guarantee 100% uptime, a fiber buildout would significantly improve overall uptime and provide levels of redundancy we do not have today. This stability and reliability equates to a higher level of service and improved support for business continuity. A fiber infrastructure at the sports complex not only addresses several issues that currently exist, but also lays the foundation for potential future improvements and/or additions. This may include expansion of services, buildings, as well as cameras and security.

Document No. 8948 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 Hagan moved to approve the ordinance. 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

Approved by the Chair and inscribed in Ordinance No. 11156.

- D. Ordinance amending Ordinance No. 11063, Amending an Agreement with Denali Water Solutions, LLC for the Disposal of Water Plant Residuals in an amount not to exceed \$535,000.00

In 2017, the first year of the Liberty WWTP operation, biosolids processing did not begin as part of normal system processing until after June. This was a normal schedule progression as part of new plant startup. As the budget for 2019 was prepared, well in advance of the calendar year end, staff had just over one year's worth of production, which included system startup, testing, troubleshooting, optimization, chemical trials and testing activities. Data collected under this start-up scenario made it difficult to predict annual disposal costs. Since that time, with additional data and analysis and contractor disposal data, staff has more information to better predict annual disposal and chemical amounts.

Denali Water Solutions, LLC, has been removing biosolids from the Waste Water Treatment Plant as part of a 2016 contract with the City of Liberty for removal of lime residuals from the Water Treatment Plant. This current agreement is in effect through September 2020. Based on a contract amendment approved in March 2019, the

wastewater biosolids removal rate per wet ton will remain at \$49/wet ton. With this increase, the wastewater biosolids removal will continue on an as needed basis from the wastewater treatment plant.

Document No. 8949 was read.

**Action:** Council Member Phillips 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 Graham 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. 11157.

- E. Ordinance approving an Agreement with WaterSmart Software for Enterprise utility Software as a Service License Agreement in an amount not to exceed \$180,352.50

WaterSmart is an engagement and self-service platform for water utilities designed to improve efficiencies through digitization and automation of manual, error prone tasks, facilitating a greater level of customer satisfaction through improved services and customer insight into their water usage and billing. WaterSmart is also designed to reduce cost by increasing automated communications, self-service tools, and digital conversion of customers through paperless billing.

Document No. 8950 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. 11158.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:22 p.m.

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Mayor

Attest:

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Deputy City Clerk