



City Council Meeting

Regular Session Minutes
February 13, 2023

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 February 13, 2023 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 Greg Duncan, who then led the pledge of allegiance.

III. ROLL CALL

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

Council Members Absent: Paul Jenness, Ward I

Staff Present: Curt Wenson, City Administrator
Sara Cooke, Assistant City Administrator
Shawna Funderburk, Chief Strategic Operations Officer
Jim Martin, Police Chief
John Mills, Fire Chief
Katherine Sharp, Planning and Development Director
Sherri McIntyre, Public Works Director
Janet Pittman, Deputy City Clerk
Sarah Ranes, Acting Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

A. REGULAR SESSION MINUTES OF DECEMBER 12, 2022

Council Member Graham moved to approve the minutes as distributed. Council Member Phillips seconded the motion, which carried 4-0-3. Council Members Gentrup, Hagan and Phillips abstained due to absence.

B. SPECIAL SESSION MINUTES OF DECEMBER 12, 2022

Council Member Graham moved to approve the minutes as distributed. Council Member Duncan seconded the motion, which carried 4-0-3. Council Members Gentrup, Watt and Phillips abstained due to absence.

C. EXECUTIVE SESSION MINUTES OF DECEMBER 12, 2022

Council Member Graham moved to approve the minutes as distributed. Council Member Duncan seconded the motion, which carried 4-0-3. Council Members Gentrup, Watt and Phillips abstained due to absence.

D. SPECIAL SESSION MINUTES OF DECEMBER 19, 2022

Council Member Watt moved to approve the minutes as distributed. Council Member Graham seconded the motion, which carried 5-0-2. Council Members Gentrup and Graham abstained due to absence.

V. CITIZENS' PARTICIPATION - None

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. MOTION TO ACKNOWLEDGE RECEIPT OF THE BLUE JAY CROSSING COMMUNITY IMPROVEMENT DISTRICT ELECTION RESULTS

Clay County Board of Election Commissioners provided certified results of the election of successor directors. Blake Fulton, Robert de la Fuente, Tim Harris, Stephanie Harris and Sheryl Giambalvo all received seven votes.

Action: Council Member Phillips moved to approve the election results. Council Member Gentrup seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

B. BOARDS AND COMMISSIONS APPOINTMENT

1. APPOINT EXECUTIVE DIRECTOR OF HISTORIC DOWNTOWN LIBERTY INC. DANELLE O'CONNELL AS THE HDLI DELEGATE REPRESENTATIVE TO THE TOURISM COMMITTEE

Council Member Phillips moved to approve the appointment. Council Member Gentrup seconded the motion, which carried unanimously.

C. MOTION TO AUTHORIZE THE PURCHASE OF A JOHN DEERE MOWER FOR PUBLIC WORKS IN AN AMOUNT NOT TO EXCEED \$5,936.23

The Parks Department and the Fire Department have an ongoing informal agreement in which the Parks Department provides mowing services to all three fire stations. As

part of this arrangement, Fire Sales Tax funds provide funding every other year, with increases of \$500 each replacement cycle, for the purchase of a new mower.

For Fiscal Year 2023, the Parks Department is unable to continue with this agreement due to growth and staffing. Public Works has agreed to provide this service to the Fire Department under the same agreement. Public Works has requested to split the cost of a new mower in order to start fresh this year. The cost after trade-in will be \$5,936.23.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

D. RESOLUTION APPROVING A TEMPORARY EVENT LIQUOR LICENSE FOR A KNIGHTS OF COLUMBUS FISH FRY EVENT AT ST. JAMES CHURCH, 309 SOUTH STEWART ROAD ON FEBRUARY 24, MARCH 10 AND MARCH 24, 2023

The Knights of Columbus have applied for a temporary liquor license to serve alcohol at events located at 309 S. Stewart Road. Because the public will have access to the events, State statute and City ordinance require a license. The license covers the event on February 24, March 10, and March 24, 2023. The necessary certificate of liability insurance and authorization letter has been provided by the applicant.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3301

E. MISSOURI DIVISION OF HIGHWAY SAFETY GRANTS

1. RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DIVISION OF HIGHWAY SAFETY FOR A HIGHWAY SAFETY LAW ENFORCEMENT GRANT (HAZARDOUS MOVING VEHICLES)

The two main roadways, Kansas Street and Missouri Highway 291, have historically been major contributors to the overall number of vehicular accidents in the City of Liberty.

While enforcement efforts have always included these two areas, state assistance to provide additional enforcement action has been identified through a Missouri Highway Safety Grant. The Liberty Police Department has the opportunity to make an application for grant funding to enhance traffic enforcement. The grant period is scheduled to begin October 1, 2023 and end

September 30, 2024.

The man hours included in this grant were not budgeted in this year’s overtime. These funds are used strictly to fund this extra enforcement action.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3302

2. RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DIVISION OF HIGHWAY SAFETY FOR A HIGHWAY SAFETY LAW ENFORCEMENT GRANT (IMPAIRED DRIVER ENFORCEMENT)

The Missouri Department of Transportation (MODOT) has made available funds to cover overtime costs for officers to work extra shifts to help remove impaired drivers from the road. During the last three years, the City of Liberty had 88 accidents that were alcohol related, causing four serious injuries. The grant application requests \$3,774.96, which would allow the Police Department to conduct 72 hours of impaired driver enforcement. The grant is funded 100% by MODOT with no matching or contributory funds from the City of Liberty.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3303

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. ORDINANCE ACKNOWLEDGING VENDOR PAYMENTS FOR THE PERIOD OF JANUARY 13, 2023 TO FEBRUARY 3, 2023

Mayor Pro Tem Kelley Pozel took over as Chair of the meeting.

Document No. 9549 was read.

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

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11717

Mayor Brenton resumed as chair of the meeting.

B. ORDINANCE APPROVING A GUARANTEED PRICING AGREEMENT WITH ABCREATIVE TO REPLACE AND INSTALL NEW PLAYGROUND EQUIPMENT AND SURFACING AT BENNETT PARK PLAYGROUND IN AN AMOUNT NOT TO EXCEED \$102,867.90.

The Parks and Recreation Department continually reviews the playground inventory within the parks system evaluating the replacement and repair needs. The Bennett Park north playground is the highest priority in need for replacement due to its age and increasing maintenance issues. The current safety surface utilizes engineered wood fiber (EWF) which has a high level of regular maintenance, high lifetime costs and regularly exhibits a compromised accessible surface for children using mobility devices. An EWF surface often washes away and moves after each heavy rain creating the potential to reduce fall protection safety requirements, accessibility standards, areas of ponding water and mud holes.

Authorized by Resolution No. 3258, the Parks and Recreation Department applied to the State of Missouri scrap tire reimbursement grant program to help cover the cost of a poured in place rubber safety surface for the playground designed for two to five-year-old children at Bennett Park. The City was awarded a grant of \$31,872 for the safety surface materials and installation.

The Parks staff reviewed several different types of play amenities for Bennett Park to create new interest in the playground. Staff found a combination of equipment and play structures provided by Burke and Earthscape will provide a unique and exciting play value for young children well into the future.

Document No. 9550 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 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11718

X. OTHER BUSINESS

A. FAIRVIEW CEMETERY/BLOCK 174

Gieselle Fest, 1407 Lynette, please consider withdrawal of the lawsuit.

Max Garrison, 138 N. Missouri St., 300 some members of national movement to relocate a confederate monument. She referenced the Arlington National Cemetery and both of her parents are buried there.

Dwayne Holtzclaw, 113 Kevin St., Excelsior Springs, MO, family is buried with private grave marker. Leave it alone.

David Langston, 1920 Carter Court, thanked Jeff Watt, Paul Jenness and Rae Moore who respect Veterans, private property and the dead. He would appreciate dropping the lawsuit. He will see Council in a few weeks at the trial.

Carrie Lonsdale, 1320 Huntington Dr., is a Veteran herself. Married her husband who is from England. The monument is personal property.

David Sallee, 9531 N. Laurel, Kansas City, MO, educated the public. The people who own the monument can't come forward to provide ownership. The removal of the monument isn't disturbing a grave.

Shelton Ponder, 440 N. Main, stated history is our footprint.

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:32 p.m.

Mayor

Attest:

Deputy City Clerk