

City Council Meeting

Regular Session Minutes

November 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 November 13, 2023 with Mayor Greg Canuteson presiding. Mayor Canuteson called the meeting to order at 7:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Harold Phillips, who then led the pledge of allegiance.

III. ROLL CALL

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

Council Members Absent: None

Staff Present: Curt Wenson, City Administrator
Sara Cooke, Assistant City Administrator
Vicki McClure, Finance Director
Andy Noll, Utilities Director
Jimmy Gibbs, Assistant Parks and Recreation Director
Tom Garland, Assistant Parks and Recreation Director
Erika Brant, Parks and Rec Community Engagement Manager
Jim Martin, Police Chief
John Mills, Fire Chief
Brandon Smith, Economic & Business Dev. Manager
Jeanine Thill, Community Development Manager
Sherri McIntyre, Public Works Director
Sarah Ranes, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

A. REGULAR SESSION MINUTES OF AUGUST 28, 2023

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

B. PROPERTY TAX LEVY PUBLIC HEARING MINUTES OF SEPTEMBER 11, 2023

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

C. REGULAR SESSION MINUTES OF SEPTEMBER 11, 2023

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

V. CITIZENS' PARTICIPATION

Mayor Canuteson read the Proclamation honoring Greg Duncan, the City of Liberty's recipient of the 2023 Missouri Municipal League West Gate Civic Leadership Award.

Patricia Petty – 155 S. Leonard Street, discussed the speed limit and truck activity on Leonard Street.

Richard Rudd – 901 Sunset Avenue, spoke about working in an inner urban city and how he got to know the people who lived there. Mr. Rudd stated that if one is seriously concerned about the quality of minorities' lives, there are things to avoid like don't keep old wounds open, refighting the wars from the comfort zone of your suburban neighborhoods and attacking the monuments and graves of dead people that can't defend themselves.

Dwayne Holtzclaw – 113 Kevin Street, Excelsior Springs, stated this was his 79th meeting. Mr. Holtzclaw stated he has endured attacks for over three and half years now because he has family buried within ten inches of privately-owned Block 174. Mr. Holtzclaw asked the Council to please stop the revestment lawsuit.

Gieselle Fest – 1407 Lynette Street, Ms. Fest thanked the Council for the opportunity to speak in a public forum and she thanked the Mayor for acknowledging her love for research and history. Ms. Fest stated she attends the Council meetings for the poor man, the basic man. Ms. Fest asks to let the dead rest.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. MOTION TO AUTHORIZE THE PURCHASE OF SPARE PARTS FOR THE CENTRIFUGE FROM FLOTWEGG IN AN AMOUNT NOT TO EXCEED \$63,132.14

Approve the purchase of spare parts (Cost \$11,444.07) to allow Flotwegg to rebuild the rotating assembly (Cost \$51,688.07). This will provide spare parts for centrifuge resiliency and allow for a critical replacement part at a significant savings versus purchasing a new one.

The current centrifuge was rebuilt by Flotwegg on August 14, 2023 using parts approved by a 2022 Council Action. When the new rotating assembly was installed, the existing rotating assembly was removed and sent off for an inspection. After inspection, Flottweg quoted a cost of \$51,688.07 to rebuild the pulled rotating assembly versus \$143,500.00 for a new one. The delay between authorizing the centrifuge rebuild in 2022 and the execution of the rebuild is typical of the long lead time for critical parts of the centrifuge. Having a new rotating assembly onsite and parts needed for a complete rebuild was necessary to minimize interruption of the treatment process while the centrifuge was rebuilt. Staff intends to stock critical replacement parts and rebuild the rotating assembly.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

B. MOTION TO AUTHORIZE THE PURCHASE OF A FINE SCREEN FOR MBT 2 FROM EPEC FOR AN AMOUNT NOT TO EXCEED \$141,960.00

This council action is for the purchase of a new fine screen from Epec. This fine screen located at the Wastewater Treatment Plant, removes objects such as rags, paper, plastics and metals to prevent damage and clogging and needs to be ordered for the following reasons: the fine screen has a 28-week lead time, the current in-use fine screen will fail again soon, and MBT 2 cannot be in operation without a fine screen. The plan is to have this new screen on-site to limit MBT 2 downtime.

Current In-Use Fine Screen: The first mechanical failure of the fine screen was on June 8, 2023. Contacted the manufacturer (Ovivo) and was informed that it was no longer supported, which means that new repair parts and service are no longer available. The fine screen was rebuilt by a fabrication shop (JCI) but has diminished functionality due to not being able to fabricate all the needed parts for proper repair. The fabrication shop informed staff that this repair would not last and it was a temporary repair. This repair was necessary to put MBT 2 back in-service.

Functionality: Fine screen is needed to filter out debris for MBT 2. MBT 2 is un-usable without a fine screen because the debris will clog the MBT, causing breakage. MBT breakage would cause significant downtime and is very costly. MBT failure makes it where solids can only be removed by operating the Centrifuge. Stand-alone operation of the Centrifuge has an increased cost on polymer, electricity and equipment maintenance.

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

Vote: Motion passed 8-0-0

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

No: None
Abstain: None

C. MOTION TO APPROVE THE PURCHASE OF DUMP TRUCK EQUIPMENT FROM KNAPHEIDE TRUCK EQUIPMENT FOR AN AMOUNT NOT TO EXCEED \$174,222.00

The annual Capital Budget for critical equipment is necessary for the maintenance of the public infrastructure and has allocated funds for the purchase of equipment for the Public Works Department. The purchase of a new dump truck chassis is being purchased separately and the final outfitting of the equipment includes the purchase and installation of Knapheide Equipment. The purchase includes a dump bed, material spreader and a snow plow. In order to standardize the equipment for parts and training of staff, only one bid for the equipment was obtained. Knapheide Equipment is also part of the Source-Well Government Bid Program which allows for a single source purchase.

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

Vote: Motion passed 8-0-0
Yes: Council Members Phillips, Ponder, Pozel, Travis, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None

D. MOTION TO AUTHORIZE THE PURCHASE OF A FREIGHTLINER MODEL 108SD DUMP TRUCK FROM PREMIER TRUCK GROUP FOR AN AMOUNT NOT TO EXCEED \$87,405.00

The annual Capital Improvement Plan has allocated funds for critical equipment for the maintenance of public infrastructure. Public Works has identified a need for a new dump truck ready for snow equipment installation. The procurement was through Sourcewell Contracting, so only one quote is required and it was obtained from Premier Truck Group for a quote of \$87,405.00.

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

Vote: Motion passed 8-0-0
Yes: Council Members Phillips, Ponder, Pozel, Travis, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None

E. BOARDS AND COMMISSION APPOINTMENT

1. PARKS & RECREATION FOUNDATION
 - a. APPOINT REBECCA BIRLINGMAIR TO A TERM EXP. 1/1/2025.

Council Member Phillips moved to approve the appointments. Council Member Graham seconded the motion, which carried unanimously.

F. RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE LAND & WATER CONSERVATION FUND FOR THE DEVELOPMENT OF NEW AMENITIES AT PLACE LIBERTÉ PARK WITHIN THE CITY OF LIBERTY, MISSOURI

In March of 2019, the City of Liberty purchased 10.24 acres of land from the Liberty Public School District adjacent to the existing Place Liberté Park and across the street from Warren Hills Elementary. The Parks Department applied for, and was successful, in securing a Land & Water Conservation Fund (LWCF) Grant to build a baseball field in that space. However, staff were not able to follow through on that plan due to the pandemic.

As a part of the Parks Master Plan from 2022, several goals pertaining to Place Liberté Park were identified. Those included:

- Develop the vacant property between Place Liberté Park and Church Rd.
- Develop a trail connection between Place Liberté Park and Church Rd.
- Replace the paved loop trail in Place Liberté Park.
- Replace the parking lot at Place Liberté Park.
- Replace the basketball hoops and court at Place Liberté Park.
- Install a small picnic shelter at Place Liberté Park.
- Install a porta restroom and enclosure at Place Liberté Park.

In 2023, Park staff were able to resurface the parking lot and loop trail in Place Liberté Park. Staff also added a shelter to the park and installed picnic tables. In 2025, staff plans to replace the basketball hoops and court in the existing park and develop the new property by adding a new parking lot, trail, open field space, hill slide and trail among other amenities.

To accomplish these items and fulfill the goals of the 2022 Master Plan, the Parks & Recreation Department recommends applying for federal funding from the Land & Water Conservation Fund in an amount not to exceed \$500,000.00.

This grant matches up to 50% of the total cost of the project and is a reimbursement grant. The Parks & Rec Department would provide the matching funds of \$250,000.00 to complete the project. The lead time for this grant is long. Applications are due in mid-November of 2023. And if successful, funding would be made available in 2025.

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

Vote: Motion passed 8-0-0

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

No: None
Abstain: None
Inscribed in Resolution No. 3358

G. RESOLUTION APPROVING A TEMPORARY EVENT LIQUOR LICENSE FOR THE SOROPTIMIST INTERNATIONAL OF LIBERTY FOR THE FASHION SHOW FUNDRAISER EVENT AT ST. JAMES CATHOLIC CHURCH ON NOVEMBER 18, 2023

The Soroptimist International of Liberty have applied for a temporary liquor license to serve alcohol at an event located at St. James Catholic Church. Because the public will have access to the event, State statute and City ordinance require a license. The license covers the event on November 18, 2023. The necessary certificate of liability insurance and authorization letter has been provided by the applicant.

Council approval and a state license must be in place before the City will issue its temporary liquor license.

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

Vote: Motion passed 8-0-0
Yes: Council Members Phillips, Ponder, Pozel, Travis, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None
Inscribed in Resolution No. 3359

H. A RESOLUTION GRANTING A CERTIFICATE OF APPROPRIATENESS FOR IMPROVEMENTS AT 16 E FRANKLIN STREET, A COMMERCIAL BUILDING, USING THE 353 TAX ABATEMENT, LIBERTY SQUARE HISTORIC DISTRICT

The owner is planning to take advantage of the City's Chapter 353 tax abatement program for exterior improvements at 16 E Franklin, Liberty Square Historic District. An application for a COA was approved by HDRC at their regular meeting on September 5, 2023 and by LMRC on October 24, 2023.

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

Vote: Motion passed 8-0-0
Yes: Council Members Phillips, Ponder, Pozel, Travis, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None
Inscribed in Resolution No. 3360

VIII. PUBLIC HEARINGS

A. ORDINANCE ADOPTING AND APPROVING THE AMENDED DEVELOPMENT PLAN FOR THE DOWNTOWN AREA REDEVELOPMENT PROJECT (INCLUDING THE THIRTY FOURTH AMENDMENT FOR THE 16 E FRANKLIN PROJECT SUBMITTED BY THE LIBERTY MUNICIPAL REDEVELOPMENT CORPORATION, REAFFIRMING THE FINDINGS THAT THE PROPERTY WITHIN SAID AMENDED DEVELOPMENT PLAN IS A BLIGHTED AREA IN NEED OF DEVELOPMENT AND REDEVELOPMENT AS DETERMINED IN ORDINANCE NO. 9797 AND ORDINANCE NO. 10820, AUTHORIZING CERTAIN TAX ABATEMENT WITHIN THE REDEVELOPED AREA DESCRIBED WITHIN THE AMENDED DEVELOPMENT PLAN; AUTHORIZING EXECUTION OF A 353 DEVELOPMENT AGREEMENT FOR IMPLEMENTATION OF THE 16 E. FRANKLIN ST REDEVELOPMENT PROJECT; AND PROVIDING FOR EXPIRATION OF DEVELOPMENT RIGHTS

The 16 E Franklin Project is located within the Liberty Square Historic District. The Thirty-Fourth Amended Redevelopment Plan outlines the 16 E Franklin project and consists of new awnings, cracked lintel replacement, roof, sidewalk replacement, and stucco repair. Interior improvements include stucco repair, bathroom updates, carpeting and window repair. The total cost of the project is estimated to be \$129,068. The improvements meet the guidelines that 50% of the improvement cost eligible for abatement is exterior, as required.

Taxes paid with no project - \$14,196.00
Actual taxes paid with the 353 - \$1,238.00
Benefit of the 353 to the project - \$14,940.00
Taxing district impact - \$12,958.00
Taxes paid including the improvements without the 353 - \$16,178.00

Mayor Canuteson opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the ordinance. Brandon Smith, Economic and Business Development Manager was available for questions. Seeing no one wishing to speak, the Mayor closed the Public Hearing.

Document No. 9665 was read.

Action: Council Member Hagan 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 Graham moved to approve the ordinance. Council Member Phillips seconded the motion.

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11831.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. ORDINANCE ACKNOWLEDGING VENDOR PAYMENTS FOR THE PERIOD OF OCTOBER 13, 2023 TO NOVEMBER 3, 2023

Document No. 9666 was read.

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

Roll Call

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11832.

B. ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING WITH CLAY COUNTY SENIOR SERVICES TO PROVIDE GRANT FUNDING FOR REIMBURSEMENT OF SENIOR MEMBERSHIPS TO THE LIBERTY COMMUNITY CENTER IN AN AMOUNT NOT TO EXCEED \$60,000.00

Beginning in 2008, the Parks and Recreation Department began receiving \$8,000.00 in grant funding for the Liberty Community Center physical activity classes. The City continued to apply for and receive \$8,000.00 grants annually through 2013. Amounts provided in subsequent years were increased:

- In 2014, the grant funding was raised to \$31,600.00 and facility memberships were added to encourage more physical activity in senior adults.
- In 2015, the allocation to the Liberty Community Center was increased to \$36,000.00.
- In 2016, the allocation was increased to \$48,000.00.
- In 2017, \$96,000.00 was requested with \$60,000.00 approved. At that time, information from the Clay County Senior Services board indicated funding in the future was anticipated to remain at \$60,000.00.
- In 2018, \$60,000.00 requested; \$60,000.00 granted.
- In 2019, \$60,000.00 requested; \$54,000.00 granted.
- In 2020, \$60,000.00 requested; \$48,600.00 granted.
- In 2021, \$60,000.00 requested; \$57,600.00 granted.
- In 2022, \$60,000.00 requested; \$60,000.00 granted.
- In 2023, \$60,000.00 requested; \$60,000.00 granted.
- In 2024, \$60,000.00 requested; \$60,000.00 granted.

In 2024, the Liberty Community Center senior annual (paid in full) rates will be \$350 and the monthly (bank draft) rate will be \$32.50/month. With the CCSS grant funding

applied, the senior annual (paid in full) rate will be \$230/year and the senior monthly (bank draft) rate will be \$22.50/month. All group exercise classes are included.

Document No. 9667 was read.

Action: Council Member Hagan 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 Phillips moved to approve the ordinance. Council Member Travis seconded the motion.

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11833.

C. ORDINANCE APPROVING A GUARANTEED PRICING AGREEMENT WITH BRADY INDUSTRIES FOR 2024 CITY-WIDE PURCHASE AND DELIVERY OF CUSTODIAL SUPPLIES IN AN AMOUNT NOT TO EXCEED \$53,000.00

The City of Liberty utilizes an independent contractor for purchase and delivery of custodial supplies. A “basket of goods” analysis was used to develop the bid document which included all supplies purchased by facility departments over the course of one year where the total annual cost exceeded \$500. Twenty products met the criteria. Bids were sent to seven vendors. Two vendors declined, one vendor did not qualify as they submitted a proposal for trash can liners only and four vendors responded to the bid. The following bids were received:

2023 Bids

Brady Industries, NKC, Missouri.....	\$49,552.77
Buckeye International, Riverside, Missouri.....	\$45,342.65
Tri-Lateral Sales, Kansas City, Missouri.....	\$53,325.16
Central Poly Bag Corp, Linden, New Jersey.....	\$8,247.00
Pyramid School Products.....	No Bid
Veritiv Corp.....	No Bid

Buckeye International and Brady Industries (current vendor) offered comparable proposals based on the “basket of goods” cost analysis. Because Buckeye International bid for alternate products than what were listed in the RFP, additional comparisons for each product were required. After a detailed analysis was used to compare the amount of product per case from each vendor, it was determined that Brady Industries submitted the lowest priced proposal.

Brady Industries, NKC, Missouri	\$51,658.41
Buckeye International, Riverside, Missouri	\$67,854.09

Brady Industries provided custodial supplies for the City of Liberty in 2020, 2021, 2022 and 2023 with satisfactory results. Brady shared information noting a 3% market increase for many products, including paper goods and can liners. Adjustments were made to pricing for 2024. Using the same quantities and products from the 2023 bid for comparison, we can anticipate less than a \$1,500 increase overall. Pricing remains significantly lower than pricing received from Buckeye International during the initial bid process in 2022. Staff recommends engaging in year two (2024) of a potential three, one-year agreement with Brady Industries.

Document No. 9668 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 Hagan moved to approve the ordinance. Council Member Graham seconded the motion.

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11834.

D. ORDINANCE APPROVING A CONTRACT WITH CLAY COUNTY SENIOR SERVICES GRANT FUNDING FOR OPERATIONAL EXPENSES PERTAINING TO LIBERTY ACCESS TRANSPORTATION, MEALS ON WHEELS AND LIBERTY SILVER CENTER IN THE AMOUNT OF \$173,000.00

Since 2010, the City of Liberty has been awarded operating contracts from Clay County Senior Services to support senior services including transportation services and senior center administration.

In 2023, staff applied for \$204,799.00 in grant funding for the Liberty Access bus service as well as \$119,699.00 in grant funding for the Liberty Silver Center for a total of \$324,498.00.

The grant is reimbursed quarterly upon receipt of required documentation submitted by Liberty Parks and Recreation Department staff and approval by the Executive Director of Clay County Senior Services per the funding agreement attached.

Document No. 9669 was read.

Action: Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Pozel 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, Ponder, Pozel, Travis, Graham, Watt, Gentrup and Hagan

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11835.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:51 p.m.

Mayor

Attest:

Deputy City Clerk