



City Council Meeting

Regular Session Minutes

August 14, 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 August 14, 2023 with Mayor Greg Canuteson presiding. Mayor Canuteson called the meeting to order at 7:06 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Council Member Gentrup, who then led the pledge of allegiance.

III. ROLL CALL

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

Council Members Absent: Shelton Ponder, Ward I
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
BJ Staab, Parks and Recreation Director
Jim Martin, Police Chief
Katherine Sharp, Planning and Development Director
Sherri McIntyre, Public Works Director
Jimmy Gibbs, Asst. Parks Director Recreation
Hailey Kellerstrass, Recreation Manager Community Services
Beth Vanderhoorn, Acting Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

A. REGULAR SESSION MINUTES OF JUNE 26, 2023

Council Member Graham moved to approve the minutes as distributed. Council Member Travis seconded the motion, which carried 5-0-1. Council Member Hagan abstained due to absence.

V. CITIZENS' PARTICIPATION

Ralph H. Cruse, 717 S Camden, Richmond, MO has recently learned of the revestment suit and came to express his opposition. Mr. Cruse asked Council to leave the plot alone. His grandfather William B. Fightmaster name is on the memorial. Disrespecting those veterans is to disrespect all veterans.

Gieselle Fest, 1407 Lynette spoke of Thomas McCarty who is buried in Block 174 and helped all veterans, not just Confederate veterans. Ms. Fest stated that after the war he was accepted by all and became a lawyer and Missouri Senator.

Richard Rudd, 901 Sunset Avenue, referenced a memorial a few feet away that was allowed, but the City wants to deny Block 174 which is no harm to anyone. Mr. Rudd stated, the complainers of the Confederate monument can't make a case and the Council is fighting for them at the tax payers' expense.

Dwayne Holtzclaw, 113 Kevin St., Excelsior Springs, spoke about his Uncle Mayor John Wilhaul and requested the graves where his family are buried to be left alone.

Larry Yeatman, 4144 NE 144th St., Smithville, MO, stated they will keep coming to the meetings to speak. He challenged any Council Member to make a motion for the city to drop the law suit. Their group is drawing the line at their graves and are not going to back down.

Blaine Dome, 329 South Missouri, reference traffic accidents, provided pictures of speed bumps in Liberty to Council and requested that speeding be slowed down on his street.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. REGULAR SESSION MINUTES OF JUNE 12, 2023

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

B. MOTION TO AFFIRM THE EMAIL VOTE OF JULY 18, 2023 TO APPROVE A RESOLUTION APPROVING A TEMPORARY EVENT LIQUOR LICENSE FOR THE KNIGHTS OF COLUMBUS FEAST DAY BLACKLIGHT BINGO EVENT TO BE HELD AT ST. JAMES CATHOLIC CHURCH LOCATED AT 309 S. STEWART ROAD, LIBERTY, MISSOURI ON SATURDAY, JULY 22, 2023

A special session meeting of the City Council of the City of Liberty, Missouri was posted for July 17, 2023 at 7:00 p.m. in the Council Chambers. Lacking a quorum, the meeting was not held. As time was of the essence, an email vote was conducted and the motion passed with a vote of 5-0-0. Council Members Travis, Watt, Hagan, Ponder and Gentrup all voted in favor of Resolution No. 3343.

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Travis, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. ACKNOWLEDGEMENT OF VENDOR PAYMENTS FOR THE PERIOD OF JULY 14, 2023 TO AUGUST 4, 2023

Document No. 9632 was read.

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

Roll Call

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Travis, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11798.

B. ORDINANCE APPROVING AN AGREEMENT WITH MID-AMERICA REGIONAL COUNCIL PERTAINING TO GRANT FUNDING FOR SENIOR SERVICES FOR THE FY 2023-2024 FOR AN AMOUNT NOT TO EXCEED \$125,826.00

Each year, the City of Liberty is awarded operating contracts by the Mid-America Regional Council (MARC) to support the Community Services Division, which includes transportation, senior center administration, Meals on Wheels subsidized meals, Meals on Wheels assessments/reassessments and evidence-based health and wellness programming. All contracts are for the State FY 2023-2024.

The transportation program provides free-of-charge-rides within the city limits of Liberty to the doctor, pharmacy, grocery store and Silver Center. The amount allocated by MARC is \$2.89 per one-way ride. Transportation is also provided for pick up/delivery of meals from Liberty Hospital for Meals on Wheels volunteer drivers. The amount allocated by MARC is \$2.31 per subsidized meal.

The amount allocated by MARC for senior center administration is based on the type of senior center the City provides. By definition, the Liberty Silver Center is a community focal point. MARC has implemented a reimbursement system determined by the number of evidenced-based programs provided. Gold status centers receive \$33,000 to help with administrative costs. The total 2024 operating budget for the Liberty Silver Center is estimated to be \$152,699.03.

Liberty Meals on Wheels, Inc. is a private, not-for-profit program. City Staff provide administrative support to the organization and administer the MARC grant for nutrition services throughout the City of Liberty. For individuals who cannot otherwise pay for their meal, MARC will pay \$5.62 per meal. The City of Liberty retains \$1.37 per meal to assist with administrative costs, and \$4.25 is paid to Liberty Hospital to offset costs of

meal production and packaging. A monthly invoice is submitted to MARC for reimbursement. This grant fully subsidizes approximately 50 people per year. The Meals on Wheels Board provides additional funding for subsidized meals if MARC funding is depleted.

MARC will reimburse up to 100 participants at \$100 per completed participant (including materials) for the following evidence-based programs: Aging Mastery Program, A Matter of Balance, Enhance Fitness, Stepping On, and Walk with Ease. The total for the grant period is \$10,000.

Document No. 9633 was read.

Action: Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Travis 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 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11799.

C. ORDINANCE AUTHORIZING RE-ESTABLISHMENT OF A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS AND EMPLOYEES

The State of Missouri allows political subdivisions with annual operating budgets greater than one million dollars to adopt their own financial disclosure regulations. This ordinance must be re-adopted every other year by September 15th in order to remain in effect. The certified ordinance is filed with the Missouri Ethics Commission, the same agency with which annual personal financial disclosure statements are filed.

Since 1991, the City has adopted language as first proposed by the city attorney, with the minimum requirements dictated by 105.485.4 RSMo. The City's ordinance requires the mayor, council members and city administrator to disclose personal and business entity transactions with the City over five hundred dollars. (This does not include salary and reimbursement for expenses incurred while conducting City business.) The City Administrator is considered Chief Administrative and Purchasing Officer of the City and, as such, provides additional financial information in more detail.

Without its own regulations regarding financial disclosure and conflict of interest, the City follows the state's requirements. Unless the City retains an ordinance, in addition to the Mayor, Council Members and City Administrator, all elected officials (including honorary positions), candidates for City elective office, and all other City officials or employees who are authorized to make or vote on adoption of rules and regulations with the force of law (including members of City boards and commissions) would be required to file personal financial disclosure statements. The "long" form, which requests

the most information, is completed by all individuals associated with a political subdivision not operating under an established ordinance.

Document No. 9634 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 Watt seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11800.

D. RESOLUTION NOMINATING SUCCESSOR DIRECTORS FOR CONSIDERATION BY THE MAYOR AND CITY COUNCIL FOR THE 901 SOUTH 291 COMMUNITY IMPROVEMENT DISTRICT

Per Resolution 2023-02 and in accordance with Section 610.020 of the Revised Statutes of Missouri, the Board of Directors of the 901 South 291 Community Improvement District met on July 19, 2023. In order to correct an erroneous change to the District Directors' term of office reference to February 15 in the 2017 nominating resolution, the term of office of these nominations shall terminate August 11 to realign term dates with the prior term dates all in conformance with the formation date of the District.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3344.

E. RESOLUTION ACCEPTING GRANT FUNDING FROM THE KANSAS CITY AREA TRANSPORTATION AUTHORITY FOR THE PURCHASE OF A 12 PASSENGER BUS FOR THE LIBERTY PARKS AND RECREATION DEPARTMENT LIBERTY ACCESS TRANSPORTATION PROGRAM

Staff previously applied for and received grant funding for a new bus using KCATA and CCSS funding, staff was aware of an opportunity to again apply for a KCATA grant to replace the 2013 bus in our Liberty Access bus fleet; the application deadline was July 2022. Staff requested funding for a new 12 passenger bus to replace a 2013 model year bus. To prepare for the grant, staff relied on guidance from KCATA Grants Specialist, Margaret Brown, for their total funding request number.

On July 5, 2023, staff received approval notification from KCATA in the amount of \$60,806.00 (80% of total project cost) for the purchase of a new bus.

On July 16, 2023, staff requested a 20% match (\$15,201.50) plus \$1,500.00 (for logo/decals) from CCSS. On July 24, 2023, staff received approval notification from CCSS in the amount of \$15,000.00.

With KCATA funding of \$60,806.00 and CCSS funding of \$15,000.00, the remaining costs of \$1,701.50 for the new bus purchase (plus logo/decals) will be funded by the City of Liberty and has been included in the 2024 budget.

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

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Travis, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None
Inscribed in Resolution No. 3345.

F. ORDINANCE APPROVING A CONTRACT WITH HEARTLAND TRAFFIC SERVICES, INC. FOR CITY OF LIBERTY PROJECT 23-011 2023 PAVEMENT MARKINGS

The project will provide marking improvements to locations with faded street markings. Heartland Traffic Services is a known provider for pavement markings within the Kansas City Metro Area. Previous premiere marking companies within the area were Twin Traffic Marking, K&G Stripping, and Traffic Zone Services, and they have all been consolidated under Heartland Traffic Services. Heartland Traffic Services performed the 2022 Striping Project and has served as the sub-contractor for striping associated with the 2022 and 2023 Overlay Projects. The product used consists of water-based paint and MMA, depending on site location and usage.

The roadways that have been identified for this project are as follows:

- Stewart Rd from City Limits to De Palma
- Holt Dr from S. Withers Rd. to Birmingham Rd.
- B-Hwy from H-Hwy to Rt 69
- H-Hwy from B-Hwy to City Limits
- S. Wales from Withers Rd. to Liberty Dr.
- Lightburne, the intersection at Shepherd
- Old 210 at the intersection at 291
- Richfield Rd. from La Frenz to Raines Rd.
- Birmingham Railroad Crossing
- Multiple Cross Walks running parallel to S. Wales

Document No. 9635 was read.

Action: Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Travis seconded the motion.

Vote: Motion passed unanimously.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11801.

G. ORDINANCE APPROVING AN AGREEMENT FOR CITY OF LIBERTY PROJECT 23-009, CITY OF LIBERTY TRANSPORTATION MASTER PLAN WITH HDR ENGINEERING INC. IN AN AMOUNT NOT TO EXCEED \$228,354.00 FOR PHASE I

In the past two decades, the City of Liberty has experienced rapid industrial, commercial and residential growth. This increased growth has placed significant stress on Liberty's existing transportation network, a stress which is projected to increase over the next two decades.

In order to better allocate future resources and guide the growth of the City's transportation network, City Staff has proposed the development of a Transportation Master Plan.

Master Plans are a critical component in the intentional growth and development of any municipality. The closest thing the City of Liberty has to an existing Transportation Master Plan is a Traffic Safety Study dated 1973. The City requires a new plan.

The proposed Traffic & Connectivity Model/Master Plan will:

- Investigate and Assess Existing Infrastructure
- Perform a Connectivity Study
- Review Existing Street Classifications
- Review and Assimilate Existing Plans
- Review and Assess Existing Models
- Review and Utilize Existing Data
- Establish a Capital Street Improvement Plan

City Staff issued a Request for Qualifications and Proposals for the creation of a Transportation Master Plan. The City received three proposal/qualification submittals from the following firms: Crawford, Murphy & Tilly, Inc. (CMT), Henningson, Durham & Richardson, Inc. (HDR), Kimley-Horn.

City staff reviewed and assessed each RFQ/RFP submittal with HDR being selected for the project. During contract negotiations, it was decided to break the contract into two phases. Phasing is required to allow funding of the project within two separate fiscal cycles. While the contract is for Phase I and II, each phase will require separate authorization from the City to obligate funding. Phase I is not to exceed \$228,354.00.

Phase I will consist of the following:

- Project Management
- Public/Stakeholder Engagement
- Data Collection
- Existing Conditions Analysis

- Transportation Forecasts
- Future Needs/Major Street Map
- Five Year CIP
- Phase I Deliverable Document

Document No. 9636 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 Travis seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11802.

H. ORDINANCE AMENDING ORDINANCE NO. 11721 APPROVING A CONTRACT WITH PRECISION CONSTRUCTION & CONTRACTING FOR THE 2023 CONCRETE FLATWORK REPLACEMENT PROJECT

The original \$288,616.81 contract with Precision Construction & Contracting (PCC) was approved by the City Council on February 27, 2023 (Ordinance No. 11721). The original ordinance authorized the \$288,616.81 contract amount with authorization to spend up to \$331,910.00. This contract has remained within the authorized contingency.

This action reconciles all contract line items for the 2023 Concrete Flatwork Replacement Project. Reconciliation involves adjusting all line items from their original estimated quantities to final installed quantities. This final reconciliation adjusts the contract by \$36,422.12 from \$288,616.81 to \$325,038.93. Major additional work included full depth concrete repair, curb and gutter, driveways and full depth concrete repair.

Document No. 9637 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 Travis seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11803.

I. RESOLUTION ACCEPTING THE 2023 CONCRETE FLATWORK REPLACEMENT PROJECT WITH PRECISION CONSTRUCTION & CONTRACTING

This action accepts the 2023 Concrete Flatwork Replacement Project and allows release of retainage which has been held per the project contract.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3346.

J. ORDINANCE APPROVING A CONTRACT WITH THE KANSAS CITY AREA TRANSPORTATION AUTHORITY FOR A THREE-MONTH IRIS PILOT ON-DEMAND TRANSPORTATION PROGRAM THROUGH WHC (ZTRIP) FROM SEPTEMBER 1, 2023 THROUGH NOVEMBER 30, 2023

City staff attended an information gathering meeting with representatives from zTrip (IRIS) on June 26, 2023 at Gladstone City Hall along with the City of Gladstone, City of North Kansas City, City of Parkville, and City of Riverside. The IRIS service is an on-demand transportation solution with service from 6 a.m. to 10 p.m. seven days a week. The service includes para-transit services.

The contract is for a three-month IRIS (zTrip) pilot program effective beginning September 1, 2023 through November 30, 2023, for \$14,000 per month, totaling \$42,000. The City of Gladstone entered their three-month pilot program on July 1, 2023. The City of Riverside entered their three-month pilot program on August 1, 2023. It's our understanding that The City of North Kansas City and The City of Parkville are working with WHC (zTrip) and KCATA to negotiate terms for their pilot programs.

During the three-month pilot program, trips within the boundaries of the City of Liberty will have a fare of \$3. The entire City of Liberty will be included within the program during the three-month trial period. Trips leaving or coming from borders outside of Liberty will follow the IRIS pricing structure within Kansas City, MO. The KCATA will retain all fare revenues. WHC (zTrip) contracts with KCATA to provide IRIS transportation services in the Kansas City region.

According to WHC (zTrip), the IRIS service has steadily seen increasing ridership with a 25% + increase since the program was implemented; the average ride rating is 4.73 stars out of 5 stars; and IRIS drivers have a 95% average on-time performance. WHC (zTrip) has been servicing the Kansas City region since 1987 with trained, professional and courteous drivers; branded, clean and safe vehicles; with ADA-Compliant operators and vehicles.

The goals of the IRIS (zTrip) service are to expand access to public transportation within KCMO and surrounding communities in areas currently underserved by transit; and to create, deploy and operate an innovative mobility system that maximizes transit

accessibility by incorporating dynamic, on-demand flex service to complement traditional transit services. Data will be gathered during the three-month pilot program and such data will be used to create an ongoing IRIS (zTrip) service for the City of Liberty, if approved by the City Council. The cost of an annual on-going contract for IRIS (zTrip) service with the KCATA will be dependent upon rider demand, service scope, ride fare structure, etc.

Riders can schedule trips through the "IRIS" App (RideCo, Inc.) which can be downloaded for free on Apple iOS and GooglePlay. The "IRIS" App enables riders to make on-demand and pre-scheduled ride reservations. Riders can pay electronically through the "IRIS" App. Riders not using smart phones can also call a traditional customer service center to schedule an IRIS (zTrip) ride, and arrange payment methods at that time.

City staff will also be working with Gladstone, North Kansas City, Parkville, and Riverside (the Northland Five) to also create and coordinate a "Northland" zTrip (IRIS) transportation service, to be reviewed and approved by each City's respective elected bodies. City staff will attend the next Northland Five meeting in Riverside on August 17, 2023. The IRIS (zTrip) flex transportation solution could also be utilized by employers for workforce transportation needs, if they choose to participate individually with their businesses, or possibly as part of a larger partnership with the City.

Document No. 9638 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 Watt moved to approve the ordinance. Council Member Travis seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11804.

K. ORDINANCE APPROVING THE PROPERTY ACQUISITION OF 427 MILL STREET

The City is purchasing the property containing a metal building for use as a records retention facility, additional storage evidence and a police vehicle evaluation facility at 427 Mill Street in Liberty, Missouri. The purchase price was negotiated with VRKC Properties, LLC for an agreed upon price of \$525,000.00. Currently, record retention is stored in the basement of City Hall, a cave off of 210 Highway and in the Police Records area. It was the goal to either purchase a building or to construct a new facility to meet these needs. The 427 E Mill Street building is currently up for sale and has been evaluated by both the Police and City Staff and we can renovate the existing building to meet our needs. Funding has been allocated through one-time funding sources.

The legal description of the property is Lots 5 and 6, Michael Arthurs Addition, to the City of Liberty, Clay County, Missouri.

The location of the property is close to City Hall and will provide convenient access to the records. The building will be sectioned off so that Police will have covered space to investigate impounded vehicles and provide officers space to write reports as well. Evidence storage will need to be secured with only authorized access by Police personnel.

The building has recently been painted, but additional exterior grounds and parking areas will be improved to provide a better street view associated with the property.

Document No. 9631 was read.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11797.

L. RESOLUTION ACCEPTING TRACT 17, CLAY RIDGE 4TH PLAT, AND TRACT A, CLAY BROOKE 1ST PLAT, OF THE CITY OF LIBERTY, MISSOURI

Jim Robertson notified City staff that two properties which should have been conveyed to the City as parkland in the 1990s are still under his name. Staff verified that the properties were shown on the plans and plats as parkland. Mr. Robertson signed the Warranty Deeds conveying the property to the City. The deeds will be recorded at the County and become City property.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3347.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 8:00 p.m.

Mayor

Attest:

Deputy City Clerk