



City Council Meeting

Special Session Minutes

January 16, 2024

I. CALL TO ORDER

A special session meeting of the City Council of the City of Liberty, Missouri was held in the Council Chambers at City Hall on January 16, 2024 with Mayor Greg Canuteson presiding. Mayor Canuteson called the meeting to order at 7:00 p.m.

II. 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
Vicki McClure, Finance Director
Andy Noll, Utilities Director
BJ Staab, Parks and Recreation Director
Jimmy Gibbs, Assistant Parks and Recreation Director
Jim Martin, Police Chief
John Mills, Fire Chief
Brandon Smith, Economic & Business Dev. Manager
Katherine Sharp, Planning and Development Director
Sherri McIntyre, Public Works Director
Sarah Ranes, Deputy City Clerk

Public Present: 4 members of the public

III. CONSENT AGENDA

A. MOTION TO APPROVE THE PURCHASE OF ROAD SALT FROM INDEPENDENT SALT COMPANY IN AN AMOUNT NOT TO EXCEED \$81,000.00

Due to the anticipated demand for road salt over the winter months, it is necessary to arrange for the purchase of the required salt material at this time. Authorizations of this blanket purchase order will ensure delivery of materials as necessary to replenish the inventory of road salt utilized during winter. This purchase will be treated as a balance sheet inventory item. When quantities are consumed, the commodity will be charged to the expense budget and the inventory balance reduced. The 2024 budget proposal will include adequate funds to cover the expenses realized in 2024.

The City of Gladstone coordinated a cooperative bid process for the supply of road salt. Participants in the process include Gladstone, Liberty, Excelsior Springs and Clay County.

Prices received are as follows for 7-day delivery:

- Independent Salt Company \$60.78
- Hutchison Salt Company \$60.89
- Central Salt, LLC \$61.33

The lowest unit cost was Independent Salt Company at \$60.78 per ton including material and delivery costs within a 7-day delivery timeframe. The cost of the salt has risen to the 2020 range, which was the high cost of \$60.99 per ton. Based on costs in today's market and the close cost between all the bidders, this seems to be a reasonable price.

Action: Council Member Phillips moved to approve the motion. 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

B. MOTION TO APPROVE THE PURCHASE OF POLICE DEPARTMENT VEHICLES FROM LANDMARK DODGE IN INDEPENDENCE, MISSOURI IN AN AMOUNT NOT TO EXCEED \$305,553.00

In September 2022, the Police Department ordered six 2023 Ford Police Interceptor Utility Vehicles. Due to supply chain issues and a worker strike, the Police Department still has not received delivery of those vehicles from Ford. The Police department has since learned Ford will not be taking orders for 2024 Ford Police Interceptor Utility Vehicles until February 2024. Ford cannot guarantee delivery of those vehicles in 2024, and it is possible, the Police department would not be able to obtain those vehicles at all due to a redesign of the Police Interceptor Vehicle in 2025.

Dodge Durango Pursuit vehicle orders are able to be fulfilled in approximately four months. This provides more stability for Police vehicle replacements as many current Police vehicles are getting higher in mileage and maintenance costs are mounting. Seven Dodge Durango Pursuit vehicles will replace six current Police vehicles, two of which are over 10 years old. The seventh vehicle is needed as the Police department added a detective position in 2024. The detective needs a vehicle to perform their daily functions.

Through a competitive bid process, Landmark Dodge was awarded the Metropolitan Area Council of Public Procurement (MACPP) Price Agreement in 2022. In the past years, MACPP pricing has been used for Police vehicle purchases. Staff is recommending the City continue the use of this award to secure 2024 Police vehicles. The Police Department is recommending the purchase of seven Dodge Durango Pursuit vehicles to add to and replace older vehicles in its fleet for a total cost of \$305,553.00.

The Police Department is making this purchase with funds from its 2024 General Fund Budget.

Action: Council Member Phillips moved to approve the motion. 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

C. MOTION TO APPROVE THE PURCHASE OF A 2024 VACTOR 2100I COMBINATION VAC TRUCK FROM KEY EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$548,080.92

The Utilities Department is highly dependent upon a utility maintenance truck for the daily activities of the Utilities Wastewater Collections Division. The vehicle and equipment are necessary for the repair and maintenance of the sanitary sewer collection system. The truck is used for hydro-excavation of sewer mains and water and for sewer cleaning. The truck is also used as backup equipment for water breaks and repairs. With the prevalence of utilities being bored into utility easements over and around water/sewer mains, it is vital for spotting utilities to not damage them.

Staff researched and received quotes on equipment mid-year 2023. Staff replaced the 2017 vac-truck with a 2023 Vactor 2100i because of repair and maintenance issues. Based on this purchase, staff feels purchasing an identical piece of machinery will be an advantage for ease of use, parts, maintenance and interchangeability of equipment.

Staff recommends purchasing the 2024 Vactor 2100i tandem axle from Key Equipment in the amount of \$548,080.92.

Action: Council Member Phillips moved to approve the motion. 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

VIII. PUBLIC HEARINGS

A. ORDINANCE ADOPTING AND APPROVING THE AMENDED DEVELOPMENT PLAN FOR THE DOWNTOWN AREA REDEVELOPMENT PROJECT (INCLUDING THIRTY FIFTH AMENDMENT FOR THE 8 N MAIN PROJECT) SUBMITTED BY THE LIBERTY MUNICIPAL REDEVELOPMENT CORPORATION

The owner of the property, Mathes Investments, LLC. ("8 N Main Owner") desires to utilize the Chapter 353 program to improve and remove blighting factors from the property ("8 N Main").

The cost of improvements that are included within the tax abatement request is \$111,500.00. Approximately \$59,500.00 is exterior work.

The project qualifies for Level A-2 of abatement (10 years 100% improvement value abatement) and meets the requirement that 50% of improvements must be exterior.

The redevelopment plan consists of new paint on the exterior of the building. Replacement of window trim (no new windows installed), repair rotting above back door, roof repair, back deck repair and steps, seal back door and new basement door. Interior improvements consist of new paint, new ceilings, carpentry, HVAC, electrical and flooring on the second floor.

The total cost of the project is estimated to be \$111,500.00. The improvements meet the guidelines that 50% of the improvement cost eligible for abatement is exterior as required.

Brandon Smith, Economic and Business Development Director was available for questions.

Mayor Canuteson 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. 9699 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 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. 11865.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. ORDINANCE APPROVING VENDOR PAYMENTS FOR THE PERIOD OF DECEMBER 8, 2023 TO JANUARY 5, 2024

Document No. 9700 was read.

Action: Council Member Graham moved to approve the vendor payments. Council Member Hagan 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. 11866.

B. ORDINANCE APPROVING A DEVELOPMENT AGREEMENT AND CONVEYING LOTS 7 & 9 NORTH WATER STREET TO STAR DEVELOPMENT AND TIM HARRIS

On May 5, 2016, a 130-year-old building located at the corner of Kansas and Water streets collapsed. The collapse and subsequent careful demolition of 3 N. Water impacted the buildings to the north. The building at 5 North Water was damaged irreparably and was demolished. The building at 7 North Water is currently standing with the support of extensive interior shoring.

The City of Liberty acquired the building located at 7 N. Water Street from 7 N Water, LLC, and 9 N Water from KMW Property Management, LLC. Star Development currently owns properties addressed as 1, 3 and 5 North Water Street. Transferring 7 and 9 North Water to Star Development will help the downtown move towards the renewal and revitalization of this blighted corner.

The City will transfer the properties to Star Development in an “as is” condition. Due to the current state of the buildings, Star Development will coordinate demolition, submit redevelopment plans and commence construction within a mutually agreed timeframe as outlined in the development agreement.

The transfer of these properties would be the next step in moving towards reclaiming and redeveloping this corner of Liberty’s historic square.

Document No. 9701 was read.

Action: Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Ponder 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 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. 11867.

C. ORDINANCE APPROVING A GUARANTEED PRICING AGREEMENT WITH KOHL WHOLESALE FOR FY2024 CONCESSION FOOD AND SUPPLIES IN AN AMOUNT NOT TO EXCEED \$88,000.00

The Parks and Recreation Department operates two concession stands for programs and events held at the Capitol Federal Sports Complex. Independent contractors are engaged to deliver concession food, beverages and supplies to the Sports Complex concession stands. Because the services requested are specialized, services are divided into two separate groups (concession food and supplies; beverages).

Services covered by this contract include all concession food and supplies that will be resold in FY2024. The Sports Complex operating budget includes funding for all supplies in the amount of \$138,000.00 of which \$88,000.00 is planned for food and supplies.

Staff solicited proposals from four area food delivery vendors (Sysco, KOHL, Graves, and EVCO) as well as publicly advertised food and supply delivery services. One sealed proposal and one email proposal were received. A “basket of goods” analysis was used to compare unit pricing between the two to ensure competitive pricing. It is important to note that the “basket of goods” analysis does not include an exhaustive list of all products purchased but focuses on the primary products purchased each year. For this analysis, staff used FY 2023 numbers of cases/units purchased as well as volume based on event usage to project FY2024 annual costs bid, which is summarized in the table below:

BIDDER	“basket of goods” ANNUAL COST ESTIMATE
Kohl Wholesale	\$57,900
Graves Foods	\$62,000

Graves Foods did not submit their bid according to the RFP directions. Therefore, staff did not consider their bid valid; staff recognized KOHL as the sole provider for concession food and supplies. KOHL is also the food service provider for the Liberty School District. Staff recommends engaging in a guaranteed pricing contract with the sole bidder, Kohl Wholesale. This agreement is year three (2024) of the potential three one-year agreements expiring December 31, 2024.

Document No. 9702 was read.

Action: Council Member Hagan 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 Hagan moved to approve the ordinance. Council Member Pozel 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. 11868.

D. ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE MID-AMERICA REGIONAL COUNCIL SOLID WASTE MANAGEMENT DISTRICT FOR PARTICIPATION IN THE 2024 REGIONAL HOUSEHOLD HAZARDOUS WASTE PROGRAM IN AN AMOUNT NOT TO EXCEED \$34,775.75

Included in the 2024 solid waste budget are funds for Liberty's participation in the regional Household Hazardous Waste (HHW) program offered by the Mid-America Regional Council (MARC) solid waste management district. Participation in the program allows Liberty residents to use permanent collection facilities located at 4707 Deramus, Kansas City, MO and 2101 S.E. Hamblen Road, Lee's Summit, MO, as well as to participate in mobile collection events throughout the metropolitan area without additional charge.

The City of Liberty has participated in the regional Household Hazardous Waste program since it started in 1997. Annual mobile events were held in Liberty until the COVID pandemic lead to a pause in mobile events. Through the third quarter of 2023, 381 Liberty residents safely disposed of 39,789 lbs. of material at the permanent sites and mobile collection events. After COVID, we determined a goal to host an in-town mobile event every other year and will work to host an event in 2024. For comparison, the last in-town event in 2022 served 383 attendees and generated 36,278 lbs. of material in one morning.

Materials accepted for safe disposal include paint and paint-related products, automotive fluids, batteries, lawn and garden chemicals, house cleaners, fluorescent bulbs, and other items such as nail polish, bug spray, and oven cleaners.

The cost to participate in this program in 2024 is \$34,775.75, which has increased from the 2022 payment of \$33,414.70. Participation cost is dependent on population size, with each community being charged \$1.13 per resident based upon the 2022 population estimates (Liberty pop 30,775). The 2023 charges were \$1.10 per resident.

Document No. 9703 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 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. 11869.

- E. ORDINANCE AMENDING ORDINANCE NO. 11799, APPROVING A CONTRACT WITH THE MID-AMERICA REGIONAL COUNCIL PERTAINING TO SENIOR SERVICES BY APPROVING AMENDMENT #1, INCREASING THE SET MAXIMUM REIMBURSEMENT RATES FROM A PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2024 IN AN AMOUNT NOT TO EXCEED \$135,826.00

Annually, the City of Liberty is awarded operating contracts by the Mid-America Regional Council (MARC) to support senior center administration, site person transportation, home delivered meal delivery, home delivered meals administration of a volunteer system, evidence-based DPHP programs, and home delivered meal reassessments. All contracts are for the state fiscal year from July 1 through June 30. These are dollar amounts reimbursed (paid) to the City of Liberty from MARC for providing these services. In December, nearly all of the MARC funding had been expended for transportation to and from the Silver Center, largely due to increased programming and activities. The amendment to the contract provides an additional \$10,000.00 to transportation services to and from the center.

All MARC funding is based on usage and capped at the grant funded amounts.

The table below outlines the maximum amounts to be paid as agreed upon in the original contract and the new maximum amounts to be paid proposed in Amendment #1:

Service	Original Contract	Amendment #1
Transportation services to and from the center, unit rate \$2.75/one-way trip	\$7,370	\$17,370
Delivery of home delivered meals, unit rate \$2.20	\$21,252	\$21,252
Home delivered meals administration of a volunteer system, unit rate \$5.35	\$51,704	\$51,704
Evidence-based DPHP programs	\$10,000	\$10,000
Home delivered meals reassessments	\$2,500	\$2,500
Administration of senior center	\$33,000	\$33,000
Total value of contract	\$125,826	\$135,826

Document No. 9704 was read.

Action: Council Member Pozel 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 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. 11870.

F. ORDINANCE APPROVING A CONTRACT WITH J&M DISPLAYS FOR THE LIBERTY FEST FIREWORKS DISPLAY LOCATED AT CAPITOL FEDERAL SPORTS COMPLEX OF LIBERTY IN AN AMOUNT NOT TO EXCEED \$35,000.00

The City of Liberty and the Liberty Area Chamber of Commerce have hosted Liberty's Independence Day celebration at the Sports Complex since 2016 and J&M Displays has provided the fireworks for the Liberty Fest event since 2017.

Similar to past years, the fireworks will be a pyro-musical with the various shells timed to music. With funding from the Transient Guest Tax, the City of Liberty has budgeted \$35,000.00 for fireworks in 2024.

In December 2022, staff distributed a request for proposals to our list of fireworks vendor contacts and posted the RFP online. Only one response proposal was submitted - from J&M Displays.

Included in the RFP was the option to renew with the selected vendor for two additional years (2024 and 2025). J&M has provided not only excellent quality fireworks, but also excellent customer service.

Document No. 9705 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 Travis 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. 11871.

G. AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF LIBERTY AND WEATHER OR NOT WEATHER SERVICE IN AN AMOUNT NOT TO EXCEED \$22,218.00

The "Weather or Not" program is a weather tracking and alert system that is used by the City of Liberty Fire Department's (Emergency Management), Public Works, Utilities and Parks and Recreation Departments as well as the City's Special Events Teams. The

system is both an automated system that sends out texts and emails as well as real-time calls with severe weather updates. The contract allows for up to 35 users.

The automated system provides twice daily weather forecasts Monday-Friday and daily forecasts on the weekends. The service provides alerts and real-time calls for severe weather, specifically for Liberty, via text and email. City staff may also call for updates and forecasts as needed.

Document No. 9706 was read.

Action: Council Member Pozel 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 Hagan moved to approve the ordinance. Council Member Ponder 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. 11872.

H. **ORDINANCE CALLING AN ELECTION IN THE CITY OF LIBERTY, MISSOURI ON THE QUESTION OF ISSUING ITS GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$60,000,000 FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, RENOVATING, IMPROVING, AND EQUIPPING THE PARKS AND PARK PROPERTY IN THE CITY, INCLUDING WITHOUT LIMITATION (1) ACQUIRING, CONSTRUCTING, AND EQUIPPING AN ACTIVITY CENTER AND (2) RENOVATING AND IMPROVING THE EXISTING COMMUNITY CENTER**

The Mayor-appointed Community Center/Fieldhouse/Natatorium Task Force presented to the City Council on November 6, 2023. They were tasked with evaluating the potential needs of a Community Center, Fieldhouse and Natatorium.

The Task Force recommendation was to build a new Community Center that supports Liberty not just now but into the future: Re-imagine and upgrade the current Community Center; get partners aligned for discussions for a Natatorium.

The City of Liberty asks the Citizens to issue general obligation bonds in the amount of \$60,000,000 on the April 2, 2024 Municipal Election Ballot.

**Question Proposed
April 2, 2024, Municipal Election Ballot Language**

Shall the City of Liberty, Missouri, issue its general obligation bonds in the amount of \$60,000,000 for the purposes of acquiring, constructing, renovating,

improving, and equipping the parks and park property in the City, including without limitation (1) acquiring, constructing, and equipping an Activity Center and (2) renovating and improving the existing Community Center?

The general obligation bonds will be paid with a debt levy. The proposed debt levy will be \$0.46 per \$100 assessed valuation.

Current surrounding City Levy Rates:

Residential

- Kansas City 1.50
- Kearney* 1.50
- Smithville* 1.44
- Excelsior Springs 1.03
- Liberty 0.88
- North Kansas City 0.87
- Gladstone 0.70

*Includes Ambulance and/or Fire Districts Levies; Other cities provide and include these services.

Document No. 9707 was read.

Mayor Canuteson stated this item would be considered on second reading at the January 22, 2024 Regular Session.

- VI. OTHER BUSINESS
- VII. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR
- VIII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL
- IX. ADJOURNMENT

The meeting adjourned at 7:21 p.m.

Mayor

Attest:

Deputy City Clerk