



City Council Meeting

Regular Session Minutes

August 12, 2024

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 12, 2024 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 Council Member Pozel, who then led the pledge of allegiance.

III. ROLL CALL

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

Council Members Absent: Adam Travis, Ward II

Staff Present: Curt Wenson, City Administrator
Sara Cooke, Assistant City Administrator
Andy Noll, Utilities Director
Amy Blake, Human Resources Director
BJ Staab, Parks and Recreation Director
Jim Martin, Police Chief
John Mills, Fire Chief
Katherine Sharp, Planning and Development Director
Sherri McIntyre, Public Works Director
Sarah Ranes, Deputy City Clerk

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

IV. PROCLAMATIONS

V. APPROVE MINUTES AND SUMMARIES

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. MOTION TO APPROVE THE PURCHASE OF A 2024 FORD F-350 FOR THE WATER DISTRIBUTION DIVISION FROM CUSTOM TRUCK ONE SOURCE IN AN AMOUNT NOT TO EXCEED \$81,965.00

The Utilities department is highly dependent upon utility maintenance trucks for daily activities of the Utilities Water Distribution Division. This vehicle and equipment are necessary for the repair and maintenance of the city water distribution system. The truck is used for the maintenance and repair of water mains and other related infrastructure. The current combination service truck has been experiencing consistent break-downs/repairs and needs even more repairs to continue to operate the truck. These repairs won't fix all the issues experienced on this piece of equipment. The truck is not currently operable and needs approximately \$8,000.00 in repairs just to make it roadworthy. This places a significant restraint on maintenance and repair duties for the entire department.

The department is re-prioritizing budgeted capital vehicle purchases that will not affect the operations of the department until the next budget year to fund the purchase of this equipment.

Staff have researched and received quotes on equipment that is or will be available within a reasonable time period. Custom Truck One Source has three truck options available:

- 2024 Ford F350 Crew Cab 4x4 DRW GAS 9ft CM Service Body: \$81,965.00
- 2023 Ram 2500 Crew Cab 4x4 SRW GAS Knapheide 8' Service Body: \$79,400.00
- 2024 Ford F350 Crew Cab 4x4 DRW Diesel 9ft CM Service Body: \$94,315.00

Knapheide and Reading currently have service bodies in stock but Thoroughbred Ford and Gary Crossley Ford could not produce a truck chassis at this time and would have to order one. The total cost of building a service truck is comparable to pre-built trucks. Also, the timeline for ordering a truck is 3–6 months and then 4–6 weeks to fit the service body.

Staff recommends the purchase of the 2024 Ford F350 Crew Cab 4x4 DRW GAS 9ft CM Service Body from Custom Truck One Source in the amount of \$81,965.00. The staff chose this truck for the added tool storage and tow capacity over the Ram 2500. This equipment will be available for delivery within 4 weeks of receiving the purchase order.

Utilities will be using the \$50,960.00 of savings left in the Water Capital Fund Vehicle Purchase from the VAC truck purchase. Funds will be reallocated from savings in the Water Capital construction projects to fund the balance of the purchase.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

B. RESOLUTION APPOINTING DIRECTORS TO THE HOMESTEAD COMMUNITY IMPROVEMENT DISTRICT BOARD OF DIRECTORS

The following individuals were nominated to serve a four (4) year term, expiring on February 6, 2029: Dan Carr, Kristi Stuedle and Mike Belew. The following individual was nominated to serve a four (4) year term, expiring on August 2, 2029: Walter Holt. The following individual was nominated to serve a four (4) year term, expiring on July 31, 2028: Mary Jane Duffey.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3406.

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. ORDINANCE ACKNOWLEDGING VENDOR PAYMENTS FOR THE PERIOD OF JULY 12, 2024 TO AUGUST 2, 2024

Document No. 9785 was read.

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

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11950.

B. ORDINANCE APPROVING AN AGREEMENT WITH MID-AMERICA REGIONAL COUNCIL PERTAINING TO GRANT FUNDING FOR SENIOR SERVICES FOR THE FY 2024-2025 FOR AN AMOUNT NOT TO EXCEED \$143,250.00

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 (described below), senior center administration, Meals on Wheels subsidized meals, and evidence-based health and wellness programming. All contracts are for the State FY 2024-2025.

Transportation

The transportation program provides free-of-charge-rides within the city limits of Liberty to the doctor, pharmacy, grocery store and Silver Center. Transportation is also provided for pickup/delivery of meals from Liberty Hospital for Meals on Wheels volunteer drivers. MARC has awarded Liberty the following:

State of Missouri FY 2024/2025

Transportation Service	Not to Exceed Approved
MOW container pick up delivery (@ \$2.00 per subsidized meal)	\$22,000
Silver Center Transportation (@ \$2.89 per one-way ride)	\$15,000
Total	\$37,000

MARC contracts are reimbursed monthly based on actual use. The total 2025 operating budget for Liberty Access Bus is estimated to be \$224,571.00.

Senior Center Administration

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 and type of programs provided. Gold status centers receive \$33,000.00 to help with administrative costs. The total 2025 operating budget for the Liberty Silver Center is estimated to be \$185,083.00.

MARC has awarded the Liberty Silver Center the following:

- FY 2024/2025 Senior Center Administration - \$33,000.00

Meals on Wheels Administration

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 \$5.75 per meal. The City of Liberty retains \$1.00 per meal to assist with administrative costs, and \$4.75 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 has awarded Liberty the following:

- FY 2024/2025 Meals on Wheels Administration - \$5.75 per meal, not to exceed \$63,250.00

Community Services | Evidence-Based Programs

MARC will reimburse Liberty at a contracted rate 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 \$10,000.00.

Document No. 9786 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 Hagan moved to approve the ordinance. Council Member Watt seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11951.

C. ORDINANCE APPROVING AN AGREEMENT WITH MID-AMERICA REGIONAL COUNCIL PERTAINING TO GRANT FUNDING FOR SENIOR TRANSPORTATION SERVICES FOR THE FY 2024-2025 IN AN AMOUNT NOT TO EXCEED \$59,287.00

Annually, the Mid-America Regional Council (MARC) awards a transportation contract outlining expectations and funding for certain transportation services for senior residents within the City of Liberty. The City of Liberty additionally receives various grants through MARC, some also including grant funding for other types of transportation services. This contract specifically funds transportation services for riders to community destinations that may include doctor visits, grocery stores or the pharmacy free of charge.

Note: This contract does not include transportation services for trips to the Silver Center. Those trips are tracked and reimbursed at a differing rate on a separate contract with MARC.

The table below summarizes the funding offered to the City of Liberty for the State FY 2024-2025:

Service	MARC Funding Cap 10.30.3103
Transportation (\$5.48/one-way trip – Community @ \$59,287 Max)	\$59,287.00
Totals	\$59,287.00

Document No. 9787 was read.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11952.

D. ORDINANCE OF THE CITY OF LIBERTY, MISSOURI AMENDING CHAPTER 10, SECTION 10-14, RELATING TO THE TEMPORARY MUNICIPAL JUDGE

The City of Liberty's past Municipal Judge presided over city court dockets for 39 years and had a pool of auxiliary/sub judges from which the City requested services during absences. With the retirement of the past Municipal Judge and appointment of the new Municipal Judge, the City believes streamlining its auxiliary/sub Municipal Judge's services allows for the quickest solution and most favorable outcome for the municipal court services.

Document No. 9788 was read.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11953.

E. ORDINANCE APPOINTING S. BEAU BROUSSARD AS AUXILIARY MUNICIPAL JUDGE AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR SUCH JUDICIAL SERVICES

S. Beau Broussard was vetted through a process coordinated by Liberty's Mayor, and possesses the skills, knowledge and abilities to perform the essential function of the City's Municipal Court's Auxiliary Judge.

Document No. 9789 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 Watt moved to approve the ordinance. Council Member Gentrup seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11954.

F. **ORDINANCE APPROVING AN AGREEMENT WITH LIFE SCAN TO PROVIDE ANNUAL FIRE DEPARTMENT PHYSICALS IN AN AMOUNT NOT TO EXCEED \$38,658.00**

A health and wellness committee comprised of members from both the Employer and Union shall be established to determine local standards for firefighter wellness, mandatory physicals and fitness standards accordance with NFPA 1582, 1583 and the IAFF/IAFC Joint Labor Management wellness/fitness initiative.

The Fire Department is continuously looking for opportunities to improve the health and wellness of its members and this year the department, with labor management, are continuing the rotation of department physicals required by the standards set forth in the current Collective Bargaining Agreement.

This year, according to the standards set forth in the CBA, the members that are 31 years and older will be scheduled for the physicals, which is 51 members at a cost of \$758.00 per physical.

Document No. 9790 was read.

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

Vote: Motion passed 7-0-0

Yes: Council Members Phillips, Ponder, Pozel, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11955.

G. ORDINANCE AMENDING ORDINANCE NO. 11748, APPROVING A FIVE-YEAR AGREEMENT FOR ON-CALL PROFESSIONAL ENGINEERING WITH CRAWFORD, MURPHY & TILLY, INC. (CMT) BY AUTHORIZING TASK ORDER NO. 3

In June 2024, City Public Works staff identified an area of collapsing storm sewer pipe at the intersection of Plum Rose Drive and White Oak Lane which was beyond the capacity of in-house crews to repair. Due to the proximity of the failing pipe to a residential intersection, sidewalk and ADA curb ramp and the resulting potential for further public safety hazards (such as road surface failure), the City issued an emergency authorization for On-Call Engineering firm Crawford Murphy and Tilly (CMT) to conduct a field survey in order to establish a proper scope of work and fee schedule for a Task Order. Emergency authorization of the field survey and selection of On-Call Engineering firm CMT was deemed the best option to ensure the continuous forward movement of the project. A field survey has since been completed and a scope of work and schedule of fees negotiated with CMT.

The City has a five-year on-call professional engineering services agreement with CMT that was approved by City Council on March 27, 2023, by Ordinance No. 11748. The City utilizes a "Task Order" process which defines the scope and cost of the on-call professional engineering services requested.

The current proposal for full design up to production of construction level plans is \$29,140.00.

Document No. 9791 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 Gentrup moved to approve the ordinance. Council Member Hagan seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11956.

H. ORDINANCE APPROVING A CARBON REDUCTION PROGRAM (CRP) FUNDING AGREEMENT BETWEEN THE CITY OF LIBERTY, MISSOURI AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TO PROVIDE FUNDING ASSISTANCE FOR THE CONSTRUCTION OF THE

LIBERTY DRIVE SIDEWALK MISSING LINK CONNECTION FEDERAL AID PROJECT CRP-3392(408) IN AN AMOUNT NOT TO EXCEED \$250,000.00

The Liberty Drive corridor is a crucial minor arterial within the City of Liberty. Liberty Drive is characterized by an extensive sidewalk network connecting Kansas Street to Flintlock Road. However, this connectivity is broken by a large gap between Wilshire Boulevard and Red Oak Lane which effectively severs citizens from the rest of the city's sidewalk network. This project would fill in that gap with ADA-compliant sidewalks and crossings.

The City of Liberty applied for funds through the Federal Carbon Reduction Program (CRP) for the following improvements:

1. ADA-compliant sidewalk and crossings along the south side of Liberty Drive between Wilshire Boulevard and Red Oak Lane.

The project is currently under design by VSM Engineering with the goal of bidding on the project for construction in early 2025.

The grant funds, which have been awarded, will be available as reimbursement for construction costs and require coordination and an agreement with the Missouri Department of Transportation (MoDOT). The awarded grant provides up to \$250,000.00. MoDOT requires an ordinance from the Local Public Agency (LPA) authorizing the City to enter into a funding agreement. The Missouri Highways and Transportation Commission CRP Agreement is attached for review and signature.

A future Council action will be required to obligate funding for the acquisition of right-of-way (ROW) and construction with a final dollar amount being determined after ROW negotiation and construction bid.

Document No. 9792 was read.

Action: Council Member Pozel 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 Pozel seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11957.

- I. **ORDINANCE AMENDING CHAPTER 20, "MOTOR VEHICLES & TRAFFIC," OF THE CODE OF THE CITY OF LIBERTY, CLAY COUNTY, MISSOURI**

Amendments to traffic regulations are required to update the City Code for any new or modified traffic signage. The changes to traffic signs may be driven by a citizen's request, staff or temporary situations requiring traffic modifications. The codification of the traffic regulations and the addition of appropriate signage allow the enforcement of the regulations.

Traffic regulation changes are generally initiated by a 90-day evaluation period monitored by both Public Works and the Police Department. If the changes are determined by both departments to be warranted, they are then taken to the City Council for approval of a permanent regulation change.

The traffic regulations amendments pertaining to this action are summarized as follows:

Add stop signs on northbound and southbound S. Missouri Street at the W. Murray Road intersection, changing it from a two-way stop to a 4-way stop.

Document No. 9793 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 Watt moved to approve the ordinance. Council Member Hagan seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11958.

X. OTHER BUSINESS

XI. CITIZENS' PARTICIPATION

Gieselle Fest – 1407 Lynette Street, Ms. Fest asked the City Council to please stop the lawsuit for the revestment of Block 174.

Gerasim Mayden – 9411 N. Laurel Avenue, Kansas City, MO, Mr. Mayden stated he has sat in the City Council meetings and heard the Council Members talk about how great the parks are in Liberty and he would agree, they are wonderful.

Dwayne Holtzclaw – 113 Kevin Street, Excelsior Springs, MO, Mr. Holtzclaw stated he has family members buried in privately owned Block 174. Mr. Holtzclaw stated privately owned Block 174 was sold by his uncle John Will Hall on January 6, 1900. Mr. Holtzclaw stated this is his 95th City Council Meeting. Mr. Holtzclaw asked the City Council to please stop the lawsuit. Mr. Holtzclaw stated the Deed is in Deed Book 120, Page 36 at the Courthouse. Mr.

Holtzclaw stated the lawsuit isn't what they should be worried about, it's what comes afterwards.

David Langston – 1920 Carter Court, Mr. Langston stated he agrees with the Mayor that General Forrest's name shouldn't be listed on Block 174.

David Sallee – 9531 N. Laurel Avenue, Kansas City, MO, Mr. Sallee stated he is appreciative that the Mayor and City Council Members continue to push forward with the revestment of Block 174.

AJ Byrd – 431 E. Franklin Street, Mr. Byrd stated he wanted to talk to the City Council and the public about the word "offended". Mr. Byrd stated he is offended by the Confederate Statute in Fairview Cemetery and he would like to stop being offended.

XII. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XIII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIV. ADJOURNMENT

The meeting adjourned at 7:55 p.m.

Mayor

Attest:

Deputy City Clerk