



## City Council Meeting

Regular Session Minutes  
November 9, 2020

### I. CALL TO ORDER

A regular meeting of the City Council of the City of Liberty, Missouri was held via Zoom video conference and in the Council Chambers at City Hall on November 9, 2020 with Mayor Lyndell Brenton presiding. Mayor Brenton called the meeting to order at 7:00 p.m.

### II. INVOCATION AND PLEDGE OF ALLEGIANCE - None

### III. ROLL CALL

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

Council Members Absent: Rae Moore, Ward II

Staff Present: Curt Wenson, City Administrator  
Dan Estes, Assistant City Administrator/Finance Director  
Shawna Funderburk, Asst. to the City Administrator  
James Simpson, Police Chief  
John Mills, Fire Chief  
Karan Johnson, Economic & Business Dev. Manager  
Katherine Sharp, Planning Director  
Sara Cooke, Assistant City Administrator/Communications  
Claire Rodger, Public Relations Communications Specialist  
Janet Pittman, Deputy City Clerk

Public Present: 13 members of the public

Note: The meeting was held electronically via Zoom in accordance with Mayor Brenton's Health and Safety State of Emergency Proclamation for Liberty, Missouri, declared March 19, 2020 due to the existence and spread of the COVID-19 virus. The meeting Agenda was posted on the City's website in accordance with the Sunshine Law, and included information on how the public could view the meeting and provide public comment.

### IV. APPROVE MINUTES AND SUMMARIES

### V. CITIZENS' PARTICIPATION - None

### VI. MEETING SCHEDULE

### VII. CONSENT AGENDA

A. Study Session Summary of October 19, 2020

Council Member Phillips moved to approve the summary as distributed. Council Member Gentrup seconded the motion, which carried unanimously.

B. Resolution Announcing Date for Municipal Election and Dates for Filing by Candidates for Municipal Office [AR 130-20]

The Municipal Election is set for April 6, 2021. Written Declarations of Candidacy of those filing as candidates for each of said positions will begin at 8:00 a.m. on Tuesday, December 15, 2020, and end at 5:00 p.m. on Tuesday, January 19, 2021.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3140.

C. Approve the purchase of security replacement equipment from Technology Group Solutions in an amount not to exceed \$94,739.99 [AR 132-20]

Utilization of technology and technology security services has increased significantly throughout citywide operations. Staff continues to re-evaluate IT service offerings and security threats on an annual basis to ensure technology resources are appropriate for the service deliver, threat conditions and organizational requirements. An increasing number of City services rely on technology to deliver basic services than at any other time.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

D. Board and Commissions Appointments/Re-appointments

1. Historic District Review Commission

- a. Appoint Martha Ann Reppert to a term expiring 7/1/2022

2. Cemetery Advisory Committee
  - a. Appoint Jeff Watt as City Council liaison.
3. Cemetery Advisory Committee
  - a. Re-appoint Emily Michaels to a term expiring 9/1/2023
  - b. Re-appoint Robert Beaty to a term expiring 9/1/2023
4. Citizen Sales Tax Oversight Committee
  - a. Re-appoint Robert Saunders to a term expiring 5/15/2023
  - b. Re-appoint Steve Boos to a term expiring 5/15/2023
5. Liberty Community Christmas Tree
  - a. Re-appoint Mark McAuliffe to a term expiring 5/1/2023
6. Liberty Preservation and Development
  - a. Re-appoint Jerry Brant to a term expiring 9/1/2023
  - b. Re-appoint Mike Mundy to a term expiring 9/1/2023
  - c. Re-appoint Mike Gilmore to a term expiring 9/1/2023
7. Tax Increment Financing Commission
  - a. Re-appoint Kevin Graham to a term expiring 10/31/2024

**Action:** Council Member Phillips moved to approve the appointments/reappointments. Council Member Gentrup seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

## VIII. PUBLIC HEARINGS

## IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Acknowledgement of vendor payments for the period of October 16 – October 30, 2020

1. Ordinance excluding Westland Landscape payments

Document No. 9120 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, Jenness, Hagan, Graham, Watt, Duncan and Gentrup

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11312.

2. Ordinance including Westland Landscape payments.

Document No. 9121 was read.

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

Roll Call

Vote: Motion passed 6-0-1

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

No: None

Abstain: Council Member Jenness, due to potential conflict of interest

Approved by the Chair and inscribed in Ordinance No. 11312.

B. Amendments to the Unified Development Ordinance [P&Z Case No. 20-26A]

1. Ordinance Amending Chapter 30, "Unified Development Ordinance", of the Code of the City of Liberty, Clay County, Missouri (2<sup>nd</sup> reading)

Document No. 9116 was read.

**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, Jenness, Hagan, Graham, Watt, Duncan and Gentrup

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11313.

C. Ordinance approving a Software License and Service Agreement with Central Square Technologies LLC for Purchase of Public Safety Software, Hardware and Services in an amount not to exceed \$315,000.00 [AR 133-20]

The City of Liberty's Fire and Police departments provide critical services and support for the community. Their ability to perform their duties effectively has become a challenge over the last several years. Many of these challenges are directly related to the lack of functionality of the current systems they utilize on a daily basis. With minimal upgrade options and lack of improved feature sets, reliance on current hardware and software has become a concern.

The current CAD and RMS systems rely on hardware in terms of local storage that continues to increase year to year. However, software maintenance and cost is the primary concern. The expense to maintain the software and support annually continues to rise annually like most services and software do. However, the lack of improvements, upgrades, and reliability each year do not justify the escalation in cost. Current services and workflows are also mostly disconnected from one another. The manual time and effort required for standard processes is inefficient and redundant. Duplication of work is standard within our current processes. As with any hard hardware or software, the current system has run its course and the time has come to replace it with a system better suited for the organization.

'Public Safety Pro Suite' is a suite of interconnected systems and services provided by Central Square Technologies. Pro Suite addresses the deficiencies of our current systems in regards to both CAD and RMS. Additionally, Pro Suite offers several components unavailable to public safety now or in a limited capacity. This additional functionality includes but is not limited to:

- AVL mapping and playback
- EvenTide Voice Recorder integration
- CLQ (Caller Location Query) lookup
- Mobile CAD (improved patrol unit experience)
- eCitations
- Integrated mapping
- Improved and integrated records and reporting management
- Integrated paging interface
- Administrative functions
- Equipment, fleet management, inventory, policy manuals, custom forms, and full audit trails
- Integrated MULES/NCIC interface
- Jail management
- Field Ops

Document No. 9122 was read.

**Action:** Council Member Watt 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 Gentrup seconded the motion.

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11314.

D. Progress Shops Development [AR 131-20]

1. Ordinance approving a Covenant to Maintain the Storm Water Management System for the Progress Shops Development located at the Northeast Corner of Progress Street and Brown Street

To facilitate the Progress Shops development located at the northeast corner of Progress Street and Brown Street, storm water quality facilities will be constructed and areas of existing vegetation preserved on the property.

The City of Liberty's storm water discharge permit from the Missouri Department of Natural Resources, an agreement between the City and post-development landowners is required to designate the responsible party and the type and frequency of maintenance activities for continued performance of storm water detention and storm water quality facilities

Document No. 9123 was read.

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

**Vote:** Motion passed unanimously.

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

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11315.

2. Ordinance accepting a Conservation Easement for the proposed Progress Shops Development Located at the Northeast Corner of Progress Street and Brown Street

Document No. 9124 was read.

**Action:** Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Gentrup 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 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11316.

- E. Ordinance Approving a Development Agreement between the City of Liberty and Northpoint Development, LLC for the purpose of Industrial Development Pursuant to Chapter 100 [AR 136-20]

Northpoint Development Company desires to construct an industrial park on the approximately 340 acres of land along the south side of South Liberty Parkway known as the Broadacres site. The site plan allows for 3.3 M square feet of industrial buildings, all to be built in phases. Road construction as well as utilities will be built along with the development. This will begin the section of Hughes Road construction to the city limits and allows for Hughes Road to be built to 210 Hwy once full funding is obtained. The Development Agreement includes the anticipated incentive program to allow the development to occur.

Document No. 9125 was read.

**Action:** Council Member Gentrup moved to waive the rules and consider the ordinance on first reading. Council Member Jenness 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 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11317.

- F. Ordinance approving a contract with K.W. Boring in a not-to-exceed amount of \$74,250.00 for Homestead Hills First Plat, Sanitary Sewer Extension Bore [AR 135-20]

Homestead Hills is a new residential development in Liberty located on S. Withers Rd. The development needs the public sanitary sewer extended to complete the connection. The previous contractor hired by the developer according to an agreement with the City encountered unsuitable soil conditions to install the pipe with conventional construction methods. Due to the poor soil conditions staff determined that constructing the sewer with the Utilities Construction Division staff would be the most efficient and effective method.

Braun Intertec, a geotechnical engineering firm, performed tests and analysis of the soils and recommended several methods to install the pipe. The long term durability of the final project and installation costs were considered when selecting the construction method. The least expensive and the most durable installation method was installation by boring. The Utilities Construction division will complete the project with the assistance of the boring contractor.

Document No. 9126 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 Watt moved to approve the ordinance. Council Member Gentrup seconded the motion.

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11318.

G. Ordinance accepting Sanitary Sewer Easements for the Fairview Sanitary Sewer Project [AR 137-20]

The Utilities Department initiated a public sewer improvement project to replace a failing sanitary sewer line that was a source of multiple sanitary sewer backups. The original sewer line was a private sewer lateral that connected houses on the East side of Fairview Avenue from 331 Fairview Avenue to 505 Fairview Avenue to the public sewer line constructed south of 331 Fairview Avenue. The improvement connects all houses directly to a public sanitary sewer. Permanent and temporary construction easements to be accepted from the following land owners:

- Lawrence R. Pasbach, Jr. & Frances A Pasbach
- Paul Sidwell & Teresa M. Sidwell
- Joseph G. Motta & Sheila J. Motta
- James Gregory Henson & Theresa Lynn Henson

Document No. 9127 was read.

**Action:** Council Member Phillips moved to waive the rules and consider the ordinance on first reading. Council Member Gentrup 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, Jenness, Hagan, Graham, Watt, Duncan and Gentrup

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11319.

H. Ordinance amending Ordinance No. 11157, amending an Agreement with Denali Water Solutions, LLC for the Disposal of Water Plant Residuals in an amount not to exceed \$570,000.00 [AR 134-20]

The water treatment plant and wastewater treatment plant create residuals that must be disposed of. The water treatment plant creates lime solids and the wastewater plant creates biosolids; both are currently disposed of by land application as soil amendments in agricultural fields that are within reasonable distances of both plants.

Denali Water Solutions, LLC was the successful bidder and has been the contractor that has disposed of water plant residuals since 2016 and wastewater residuals since 2017. The current agreement expires in May of 2021 and requests for proposals to dispose of residuals will be issued over the winter of 2020.

The Utility Department budget has funding of \$400,000.00 for the disposal of water treatment plant residuals. All of the \$400,000 will be expended this year so that the pace of removal of plant residuals from the lime solids basin at least matches the pace of lime solid production.

Document No. 9128 was read.

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

**Vote:** Motion passed unanimously.

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

**Vote:** Motion passed 7-0-0

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

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11320.

X. OTHER BUSINESS

A. Fairview Cemetery Confederate Monument – Update

Mr. Brenton stated that his talks with parties interested in retaining the monument and those wishing to remove the monument had come to an impasse. As a mutually agreeable solution is not possible, it is unlikely that any future discussions will be held. He noted that Council will keep the community apprised of the situation by including an update during Regular Session Council meetings until a course of action by the City Council is determined.

Comments were received by the following individuals:

Avery Peizl, 10127 N. Stark Ave., Kansas City; Gina Houston, 1003 NE 75<sup>th</sup>, Kansas City; David Sallee, 9501 N. Laurel Ave., Kansas City; AJ Byrd, 431 E. Franklin, Liberty; Jami Peizl, 10127 N. Stark Ave., Kansas City; Rick Boswell, 208 Rex Road, Glenaire; Daniel Bunch, 1915 Clay Drive, Liberty; Martin Jacobs; Jacqueline Hines; 338 N. Gallatin, Liberty; and, Theresa Byrd, 431 E. Franklin, Liberty, all spoke in support of removing the monument.

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 8:25 p.m.

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Mayor

Attest:

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Deputy City Clerk