



City Council Meeting

Regular Session Minutes
March 22, 2021

I. CALL TO ORDER

A regular meeting of the City Council of the City of Liberty, Missouri was held via Zoom video conference 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
Vicki McClure, Assistant Finance Director
Shawwna Funderburk, Asst. to the City Administrator
Andy Noll, Utilities Director
Sherri McIntyre, Public Works Director
BJ Staab, Parks and Recreation Director
James Simpson, Police Chief
John Mills, Fire Chief
Katherine Sharp, Planning Director
Wade Thomas, Information Technology Director
Sara Cooke, Assistant City Administrator/Communications
Janet Pittman, Deputy City Clerk

Public Present: None

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

A. Regular Session Minutes of February 8, 2021

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

B. Special Session Minutes of February 16, 2021

Council Member Phillips moved to approve the minutes as distributed. Council Member Graham seconded the motion, which carried 6-0-1. Council Member Jenness abstained due to absence.

C. Regular Session Minutes of February 22, 2021

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

V. CITIZENS' PARTICIPATION - NONE

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Regular Session Minutes of January 25, 2021

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

B. Executive Session Minutes of February 16, 2021

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

C. Motion to authorize a Blanket Purchase Order with The Water Authority, LLC in an amount not to exceed \$40,000.00 for Membrane Thickening – Basin Repair [AR 035-21]

The bio-solids created by wastewater treatment are disposed of by land applying as a fertilizer on agricultural land in accordance with regulations set by the Environmental Protection Agency and the Missouri Department of Natural Resources. Bio-solids require one of several treatment processes before they can be land applied. Liberty utilizes a digestion process and membrane thickening is a vital part of the process. The membranes remove excess water from the process liquid so that the process liquid meets a specific thickness that results in properly digested solids. Minimizing the amount of bio-solids hauled has a positive impact on the financial performance of the waste water treatment plant.

The current membranes have exhibited signs of failure and are still in the warranty period. The manufacturer has agreed to warranty the membranes and will replace them. The warranty covers the membranes only and not any labor to remove and install the replacement membranes. The Water Authority, Inc. is the recommended installation contractor by the membrane vendor. Staff believes that utilizing The Water Authority, Inc. for installation labor will preserve the warranty of the membranes. Staff will assist the contractor to minimize the expense of the installation.

Action: Council Member Phillips moved to approve the purchase. 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

- D. Motion to authorize payment to Key Equipment and Supply Co. for the purchase of a Hurco Technologies Inc. Valve Exercising Hydro Vac Equipment Trailer in an amount not to exceed \$87,006.00 [AR 037-21]

The City of Liberty currently has over 4,111 Valves and 1,706 fire hydrants in operation within the water distribution system. In the past, staff has utilized valve exerciser equipment to assist in opening and closing valves. The exerciser equipment limits the potential for muscle strains from opening and closing valves. The current equipment was purchased in 2012 and has well outlived its life expectancy of five to seven years, and currently needs repair. The proposed equipment will replace the valve exerciser and add hydro-vac capabilities to one trailer mounted piece of equipment.

Action: Council Member Phillips moved to approve the purchase. 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

- E. Resolution authorizing the Filing of a Grant Application with the Missouri Elderly and Handicapped Transportation Assistance Program (MEHTAP) for the Liberty Access Bus Service in Liberty, Missouri [AR 036-21]

During the research process for grant funding for a replacement bus for the Liberty Access Bus program in 2020, staff learned of the MEHTAP grant. Upon further research and discussions with MODOT personnel, staff determined the City of Liberty would qualify for MEHTAP grant funding. MoDOT will reimburse a portion (up to 50%) of the operating cost of approved transportation projects. Local, matching funds are required of the applicant; the City of Liberty provides "matching funds" through the City's annual budget support of the Liberty Access Bus program regardless if the grant is received.

In 2021, staff wishes to apply for \$70,758.92 in MEHTAP grant funding for the Liberty Access bus service. It is important to note that although MEHTAP funds can cover 50% of the applicant's costs, funding levels are usually not adequate to maintain this level of participation. Staff anticipates the amount the City of Liberty may receive through this grant will be less than the amount of the request.

Action: Council Member Phillips moved to approve the resolution. 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
Inscribed in Resolution No. 3166.

F. Boards and Commissions

i. Liberty Parks Foundation

1. Appointment of Jennifer Simcox to a term expiring 1/1/2024

Council Member Phillips moved to approve the appointment. Council Member Hagan seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Acknowledgement of vendor payments for the period of February 12 to March 12, 2021

1. Ordinance excluding Westland Landscape payments

Document No. 9173 was read.

Action: Council Member Graham 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. 11362.

2. Ordinance including Westland Landscape payments.

Document No. 9174 was read.

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

Roll Call

Vote: Motion passed 7-0-1

Yes: Council Members Phillips, Moore, 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. 11362.

B. Ordinance Accepting and Approving a Final Plat for RK Green Hills Addition, in the City of Liberty, Clay County, Missouri [P&Z 21-09FP]

The applicant proposes to replat Lot 60 of Green Hill Addition, and an unplatted lot to the north into two platted lots to expand the southern lot. A future single family residential home will be constructed on the southern lot.

Document No. 9175 was read.

Action: Council Member Graham 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 Graham 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. 11363.

C. Ordinance Accepting and Approving a Final Plat for Motta Acres, in the City of Liberty, Clay County, Missouri [P&Z Case 21-10FP]

The applicant proposes to plat two lots from three unplatted properties. This is to allow the small lot surrounding the existing home at 208 N. LaFrenz to become conforming in size.

Document No. 9176 was read.

Action: Council Member Graham 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 Graham 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. 11364.

D. Ordinance Accepting and Approving a Final Plat for Homestead Hills, 2nd Plat, in the City of Liberty, Clay County, Missouri [P&Z Case 21-11FP]

The applicant proposes to plat 15.3 acres for the development of 37 single family lots. Each lot proposed has direct or proposed access to public water and sanitary sewer. The stormwater quality areas are provided in the open space tracts. These facilities will be protected by a public easement granting access to the City for maintenance and repair; however, adequate performance of the facility is the responsibility of the property owner.

Document No. 9177 was read.

Action: Council Member Watt 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 Jenness 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. 11365.

E. Ordinance Accepting and Approving a Final Plat for Liberty Parkway Plaza, in the City of Liberty, Clay County, Missouri [P&Z Case 21-12 FP]

The proposal is for a Final Plat for four lots and four tracts. The overall development is an industrial and commercial center with approximately 1 million square feet of space in multiple buildings. The site is on the south side of South Liberty Parkway between US 69 Hwy and Pummer Road.

Document No. 9178 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 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. 11366.

F. Resolution of Support for Adoption of the Preservation Plan for the City of Liberty, Missouri [AR 029-21]

A federal grant secured in late 2019 allowed staff and stakeholders to hire Heritage Strategies consultants to develop a preservation plan for the City of Liberty. The plan provides the City with historic preservation goals, a set of preservation objectives, and an implementation agenda it can use to achieve those goals and objectives. HDRC, Planning Commission and City Council will review and consider action items prior to implementation as deemed necessary.

The preservation plan is intended to provide an assessment of the overall preservation needs of the community and clearly identify areas of interest including neighborhoods that are, and will become, 45 years old within the next decade.

Action: Council Member Gentrup moved to approve the resolution. Council Member Graham 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. 3167.

- G. Ordinance Approving a Software License and Service Agreement with Dude Solutions Inc. for Purchase of SmartGov Community Development Software (Saas) and Services in an amount not to exceed \$60,000.00 [AR 028-21]

The City Planning & Development, Finance, Administration and Public Works departments provide services to the public that include construction and right-of-way permits, plan review, business and liquor licensing. The current permitting software, Energov was procured in 2008, when there were very limited applications available for such services. Since 2008, application options have greatly increased, offering subscription services with vastly improved services and capabilities which are more cost effective.

SmartGov is a cloud based system with mobile accessibility that will increase automated functions for reports, permitting, code enforcement, licensing, inspections, and plan review and there will be an easy-to-use citizen portal.

The Citizen Portal will allow citizens to submit applications, track permit status, schedule inspections and review real-time inspection results for increased satisfaction. The new system will improve transparency of City processes, improve staff efficiencies, communications and permit processing. It will also help to streamline community development processes for citizens, contractors, businesses and staff with automated workflows and approval processes in the permitting software and mobile app.

Document No. 9179 was read.

Action: Council Member Graham 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 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. 11367.

- H. Ordinance Amending Ordinance No. 11291, Approving a Contract with Metro Asphalt, Inc. for the 2020-2021 Street Maintenance Pavement Restoration Project increasing the agreement by \$850,000.00 from \$750,000.00 to a not to exceed amount of \$1,600,000.00 [AR 033-21]

In early spring of 2020, Metro Asphalt was the successful bidder on the estimated \$1.1M 2020 Street Restoration project. However, shortly after bidding, the original project was put on indefinite hold due to the COVID-19 pandemic. In the fall of 2020, the project was re-visited and the City Council approved a scaled-back contract with Metro Asphalt in the amount of \$750,000.00 with the intent of completing some streets in 2020, and completing the remaining streets in early spring of 2021. Metro Asphalt agreed to hold their 2020 bid pricing into this year.

Budgeted funding for 2021 now allows for \$980,000 for street resurfacing this year in addition to the \$750,000 original contract from 2020 for a total of \$1.73M. Staff is looking to capitalize on the opportunity where the contractor from 2020 is willing to hold most of their prices from the \$750,000 contract and allow us to add additional streets to their original contract at the same pricing.

Document No. 9180 was read.

Action: Council Member Jenness 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 Graham 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. 11368.

- I. Ordinance Amending Ordinance No. 11285, Authorizing a Contract with Chemco Systems, L.P. to Supply a Lime Silo and Lime Feed Equipment, Project #UT-001-20 [AR 034-21]

The City bid and awarded a procurement contract with Chemco Systems, L.P. to provide a new lime silo for the water production plant. The initial delivery date would have delivered on a date when freezing temperatures could cause concerns with the operation of temporary equipment that will be necessary to facilitate the demolition of the old lime silo and installation of the new lime silo. The no cost change order adds 51 days to the contract delivery date to make sure the silo is not delivered before the installation contractor is ready to install the new silo.

Document No. 9181 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 Gentrup 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. 11369.

J. Ordinance Accepting a Public Water Main Easement for the Liberty Parkway Plaza Project located on Garrison Road Approximately 700 Feet of Highway 69, Liberty, Missouri [AR 032-21]

The developer of the Liberty Parkway Plaza project entered into an agreement with Liberty Gateway, LLC to construct a water main extension from the Liberty Parkway Plaza project to the neighboring Liberty Gateway, LLC site. An 8" public water main extension was constructed under Garrison Road approximately 700 feet east of Highway 69. The new public main extended approximately 85 LF under Garrison Road and connected to an existing 8" public main on the north side of Garrison Road. An off-site 15' wide public water main easement is required to be dedicated to the City of Liberty in order to maintain the off-site extension

Document No. 9182 was read.

Action: Council Member Jenness 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 Graham 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. 11370.

- K. Ordinance to Authorize a Contract with Layne Christensen Company for the purchase of 2021 Wellfield Maintenance Services in an amount not to exceed \$42,000.00 [AR 038-21]

An effective and efficient well maintenance program includes routine inspections, testing and evaluations to provide data for future planning. Since beginning these services in 2014 and continuing through 2020, staff continues to record annual well flow increases for the treated wells and annual decreases in system downtime.

Document No. 9183 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 Graham 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. 11371.

- L. Ordinance Amending Chapter 20, "Motor Vehicles & Traffic" of the Code of the City of Liberty, Clay County, Missouri [AR 031-21]

This is to add stop signs in the Homestead Hills residential subdivision, and adding traffic signals on South Liberty Parkway at Swan and Flintlock.

Document No. 9184 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 Watt moved to approve the ordinance. Council Member Gentrup seconded the motion.

Vote: Motion passed 6-1-0

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

No: Council Members Phillips

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11372.

X. OTHER BUSINESS

A. Bird Scooters – Presentation

Mike Butler presented information on Bird Scooters, shared electric vehicles that are eco-friendly modes of transportation. They are looking to expand into Liberty with approximately 75-100 units. Their model would employ 1-2 fleet managers who would be responsible for maintaining and redeploying the scooters to the three main staging areas (downtown, William Jewell College and Jefferson Park). They would like to receive approval, or enter in a memorandum of understanding with the City, regarding the service. There would be no cost to the City.

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 8:40 p.m.

Mayor

Attest:

Deputy City Clerk