



City Council Meeting

Regular Session Minutes
September 27, 2021

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 September 27, 2021 with Mayor Lyndell Brenton presiding. Mayor Brenton called the meeting to order at 7:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Greg Duncan, who then led the pledge of allegiance.

III. ROLL CALL

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

Council Members Absent: Paul Jenness, Ward I

Staff Present: Curt Wenson, City Administrator
Sara Cooke, Assistant City Administrator
Vicki McClure, Interim Finance Director
Andy Noll, Utilities Director
BJ Staab, Parks and Recreation Director
James Simpson, Police Chief
John Mills, Fire Chief
Wade Thomas, Technology and Logistics Director
Sherri McIntyre, Public Works Director
Beth Vanderhoorn, Recruitment Coordinator

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

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION - NONE

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

- A. Motion to authorize the purchase of two (2) Ford F-250 4WD trucks from Gary Crosley Ford for the Fire Dept. in the amount of \$70,043.04 [AR 135-21]

The Vehicle Replacement Plan established by staff with coordination from the Budget Committee and Citizen Sales Tax Oversight Committee in 2010 calls for a

replacement of vehicles at six (6) years old or upon reaching 80,000 miles, whichever occurs first. The Fire Department currently operates five (5) passenger style vehicles to include the Fire Chief, Support Services Chief, Fire Marshall, Shift Commander, and a Utility Vehicle. In preparation of the proposed 2022 purchases, according to the schedule set for in 2010, the Fire Department submitted a Request for Bids to nine (9) automobile dealers for two (2) 2022 F250 4WD. Responses were received from two (2) dealers; which included providing a trade-in value for the vehicles being replaced.

Staff recommends the purchase with Gary Crossley Ford in the amount of \$83,043.04 with the trade-in value, \$13,000, deducted the total is \$70,043.04.

Council Member Graham moved to approve the purchase. Council Member Gentrup seconded the motion, which carried unanimously.

- B. Motion to authorize the purchase of a 2021 Ford Ranger from Shawnee Mission Ford for the Nuisance Control Officer in an amount not to exceed \$24,971.00 [AR 131-21]

Through a competitive bid process Shawnee Mission Ford was awarded the Metropolitan Area Council of Public Procurement (MACPP) in November 2020. In past years, MACPP pricing has been used for vehicle purchases. Staff recommends the continued use of this award to secure the vehicle which will replace the 2001 Ranger that was sold as an inoperable vehicle.

Council Member Graham moved to approve the purchase. Council Member Gentrup seconded the motion, which carried unanimously.

- C. Motion to authorization payment to KC Winwater for the purchase of construction materials for Moss Ave. Water Main Improvements in an amount not to exceed \$74,361.52 [AR 133-21]

The Utilities Department Water Master Plan has identified and recommends a section of existing 4" water main for water system improvements. This segment is undersized and does not provide adequate fire protection to the neighborhood. The project will consist of an 8" water main beginning at Olin St and Moss Ave to Liberty Drive, and Moss Ave. and from Moss Ave to Reed St and Hillcrest St. along Reed St.

The construction materials purchase includes the water main, valves, hydrants and other materials necessary to construct the main. Additional expenses for construction, such as bedding rock, asphalt and concrete, will be expensed to the Water Capital Fund line item for this project as well. The Utilities Department-Construction Distribution Division will construct the improvements this fall and winter.

Council Member Graham moved to approve the purchase. Council Member Gentrup seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of September 3, 2021 – September 17, 2021

Mayor Pro Tem Greg Duncan took over as Chair of the meeting.

Document No. 9292 was read.

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

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11471.

Mayor Brenton resumed as chair of the meeting.

- B. Ordinance establishing the 2021 Ad Valorem Tax Levies for City Operations for the 2022 Budget Year [AR 120-21] {second reading}

State law requires Special Charter taxing jurisdictions take certain actions to establish their applicable property tax levies by October 1st. Failure to do so can expose the taxing jurisdictions to not having a levy. The levy rate must be filed with Clay County by October 1st. Coordination is made with the State Auditor's Office to ensure local calculations are consistent with State law. The City has complied with all State law noticing/posting requirements and coordinated with the Auditor's office.

The posted Public Hearing notice was based on preliminary assessments and the maximum allowable 2021 levy rate without adjusting the levy to reset for prior year voluntary rollbacks. Staff analyzed levy options that focused on the revenue and residential real estate tax impacts on existing final property assessed values and have made those calculations the basis of the 2021 Levy Public Hearing to be held on September 13, 2020.

Council has options in establishing the 2021 levy at the maximum allowed or lower rates. A discussion with the Budget Committee on the 2021 levy rate was held on August 16th. Staff presented an array of options to the Budget Committee. The recommendation from the Budget Committee is to set the 2021 Levy at a Tax Neutral rate adjusted for inflation Growth of 1.4% per the State of Missouri. This rate is \$0.7960 based on preliminary assessments.

Based on Final Assessments, the 2021 Levy at the Tax Neutral rate adjusted for inflation growth of 1.4% per the State of Missouri is \$0.7968. Preliminary Assessments are \$78M or 14.2% when compared to 2020 Final assessed values. Total Final Assessed valuations came in at \$624,732,692, this is a decrease of \$4.2M when compared to preliminary numbers. The Property Tax Levy is the lowest since 1989.

Document No. 9290 was read.

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, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11472.

C. Ordinance approving a Fee for Services Agreement with Historic Downtown Liberty, Inc. (HDLI) [AR 132-21]

The agreement from previous years for services with HDLI provide the City with unified advocacy and support for the downtown commercial area, a promotion and advertising program for the downtown commercial area, and encouraging and promoting historically appropriate design strategies for the overall aesthetic appearance of the downtown commercial area. Furthermore, HDLI has strengthened the existing economic assets of the downtown area while diversifying its economic base, including recruiting new businesses and strengthening the management capabilities of individual merchants. HDLI manages the downtown farmers market on Saturdays, from May through October and coordinates tourism efforts through the Liberty Tourism Committee and Transient Guest Tax funds.

HDLI is also requesting that their contract for services be renewed and that the new Executive Director be provided health, dental and life insurance coverage similar to that included in the LEDC contract. The estimated cost for full City benefits is \$9,855.

Document No. 9293 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 Graham seconded the motion.

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11473.

D. Ordinance approving a Contract with ABCreative for the Purchase and Installation of a Play Structure for the Northwyck Park, Liberty, Missouri in an amount not to exceed \$22,728.00 [AR 134-21]

As part of the funding from the Use Tax approved by voters in April 2018, 10 parks were identified for upgrades. The neighborhood meeting for Northwyck Park identified a need to upgrade the play apparatuses to include a play structure for use by older kids as well as to be more visible from the street. The Parks and Recreation Board voted via email to add this play structure to Northwyck Park.

Greenbush is a cooperative procurement organization that works with smaller communities and school districts to increase their buying power. Utilizing the Greenbush Cooperative Purchasing Program, staff requested a quote from ABCreative that would fit with the character of the park. ABCreative was selected by staff as they are the area representative for the line of Berliner play structures which focuses on active play structures and designs that have a similar feel to an area's landscape. ABCreative also included a 10% discount on the Northwyck Park play structure.

The cost for the purchase and installation for both the play structure and safety surface curbing from ABCreative is \$22,728. This project is funded through the Use Tax approved April 2018. The ABCreative price agreement with Greenbush Cooperative Purchasing Program includes a 10% discount off the list price for this project.

Document No. 9294 was read.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11474.

- E. Ordinance approving an Agreement with AV Solutions for Purchase of Audio/Video Hardware Components and Implementation Services in an amount not to exceed \$70,423.21 [AR 136-21]

The T&L department along with Public Relations & Communications has been maintaining an antiquated broadcast solution through the years until we lost the ability to continue doing so in 2020. After several catastrophic hardware failures, the T&L department began planning for a replacement. With the move to virtual meetings as a result of the pandemic, the urgency for a system replacement was delayed as we moved to a virtual meeting configuration.

After returning to in-person meetings, the T&L department built a temporary solution while staff continued to find a suitable replacement. This temporary solution was designed to accommodate in the meantime, but lacks several key components and effectiveness. It allows staff to record the meeting proceedings and publish later to the website and cable channel, but does not allow for live streaming of the meetings.

The proposed solution includes hardware, installation, configuration and training. The proposal includes but is not limited to: camera replacements; speaker replacements; improved viewing of presentations – for both Council and meeting attendees;

integrated presentations into recordings and the live broadcast; integrated audio, video, and graphics; consolidated switcher for camera control and output to multiple sources; and a newer and more reliable hardware stack.

The total project cost provided by AV Solutions is estimated at \$70,423.21. There will be additional parts of this project that will be handled in-house, including the purchase of screens, monitors, mounts, electrical work, any additional cabling and other miscellaneous hardware as needed. In addition, staff will be bringing forward a licensing agreement in October for software to handle the Agenda management portion of the solution, which is part of total project scope.

Document No. 9295 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 Gentrup moved to approve the ordinance. Council Member Watt seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11475.

F. Ordinance Disclaiming and Abandoning of a Public Utility Easement for Deer Valley [AR 128-21]

The property owner at 1933 Ruby Lane, Lot 5 of Deer Valley residential subdivision, petitioned that an existing public utility easement at the south end of the property be disclaimed in order to facilitate the construction of a pool. There are no public utilities or City facilities within this utility easement. All utilities have relinquished their rights to the easement. Staff recommends approval of an ordinance disclaiming and abandoning the public utility easement.

Document No. 9296 was read.

Mayor Brenton stated the Ordinance would be considered on second reading at the Regular Session meeting of October 11, 2021.

G. Ordinance renaming Hughes Road to Old Hughes Road, Liberty, Clay County, Missouri [AR 129-21]

A new alignment of Hughes Road is currently under construction to facilitate the development of Liberty Commerce Center. The new alignment is generally parallel to the exiting alignment of Hughes Road north of Garrison Road, and approximately 250 feet west. In order to number addresses along the new alignment, the original alignment of Hughes Road should be changed to "Old Hughes Road". The roadway

name will change as part of the address designation; the numbers will remain as they are currently.

Staff has provided information to residents and property owners on Hughes Road that will directly affect mailing addresses and property information. As well, staff has provided information to the Post Office, School District and utilities regarding the proposed changes. As part of the notification, property owners were informed that the Post Office policy would allow for delivery of mail to both addressed street names for at least six months. Staff recommends approval of the street name change as presented.

Document No. 9297 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 Gentrup moved to approve the ordinance. Council Member Pozel seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11476.

H. Ordinance accepting Public Easements for Water Mains, Storm Detention Facilities and Conservation Area for Tracts 16 and 17 of Oakwood Business Park, Liberty, Clay County, Missouri [AR 130-21]

To facilitate the development of Tracts 16 and 17 of Oakwood Business Park commercial development located on the north side of Haines Drive west of the Clay County Health Center, on-site public easements for water mains, storm detention facilities, and conservation easements to provide for minor public water main improvements, storm detention facilities, and conservation area on site.

To facilitate the development of Tracts 16 and 17 in Oakwood Business Park, minor water main improvements and a storm detention basin will need to be constructed. Also, conservation area preserving existing trees and native vegetation will be established as a stormwater quality best management practice (BMP).

Approving this ordinance will dedicate on-site public easements for water mains, storm detention facilities, and the conservation area acquired from OBPT 13, LLC at no cost to the City. Staff recommends approval of an ordinance accepting the public water main, storm detention facilities, and conservation easements to the City of Liberty.

Document No. 9298 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 Hagan seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11477.

- I. Ordinance approving a Contract with Heartland Excavating LLC for ADA Concrete Sidewalk Ramp Repairs in the amount of \$62,800.00, and authorization for staff to resolve potential contingencies with a total amount not to exceed \$70,000.00 [AR 137-21]

The Capital Improvement Plan includes a Transportation Enhancement Fund for the use of miscellaneous transportation related actions. Staff was notified this year of the need for improved ADA accessibility along College Street west of Clayview Drive, and along Clayview Drive from College Street to Kansas Street. A number of existing vertical curb barriers were identified along the existing sidewalk path.

Staff requests approval of a contract in the amount of \$62,800.00 with Heartland Excavating, LLC and authorization for expenditure of not to exceed \$70,000.00 to allow for approximately 10% contingency for variable overruns on estimated quantities, unforeseen circumstances, or the addition of other similar ADA related concrete repairs.

The 2021 Transportation Enhancement Fund includes \$100,000 from Transportation Sales Tax funds. The current fund balance is \$74,000 following previous expenditures this year, leaving a remaining balance of \$4,000.

Since time is of the essence to secure the contractor for the work, the Citizen Sales Tax Oversight Committee will review the project and determine if it meets voter intent at the October 14, 2021 meeting.

Document No. 9299 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 with a stipulation that no work is begun prior to approval from the Citizen Sales Tax Oversight Committee deeming the work an appropriate use of funds. Council Member Phillips seconded the motion.

Vote: Motion passed 7-0-0, with aforementioned stipulation

Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11478.

- X. OTHER BUSINESS
- XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR
- XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL
- XIII. ADJOURNMENT

The meeting adjourned at 7:48 p.m.

Mayor

Attest:

Deputy City Clerk