



City Council Meeting

Regular Session Minutes

April 24, 2023

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 April 24, 2023 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 Kevin Graham, who then led the pledge of allegiance.

III. 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, Ward IV

Council Members Absent: Michael Hagan, Ward IV

Staff Present: Curt Wenson, City Administrator
Sara Cooke, Assistant City Administrator
Shawna Funderburk, Chief Strategic Operations Officer
Vicki McClure, Finance Director
Andy Noll, Utilities 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 Raney, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION

Judy Minor – 483 E. Kansas Street, was inquiring as to why the ADA ramp was removed from E. Kansas Street. She has lived here for over 40 years and this community needs a ramp.

Jennifer McCubbin – 14 S. Jewell Street, was inquiring as to why the ADA ramp was removed from E. Kansas Street. She has conferred with some attorney's that she works for. She stated there are legal precedents showing that replacing an existing ramp with a seven-inch curb rather than an ADA compliant ramp, is a blatant violation of the ADA Act.

Lee Minor – 483 E. Kansas Street, was inquiring as to why the ADA ramp was removed from E. Kansas Street. He lives in a wonderful neighborhood with others who enjoy connectivity. Please return the ramp.

Gieselle Fest – 1407 Lynette Street, please stop the lawsuit on Block 174.

Dwayne Holtzclaw – 113 Kevin Street, he congratulated the new council members. He stated to council to please stop the revestment lawsuit on Block 174.

David Langston – 1920 Carter Court, he congratulated the new council members. He stated to council to please stop the lawsuit on Block 174.

Marlene Porter – 204 E. Franklin Street, stated to please withdraw the lawsuit on Block 174.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. MOTION TO APPROVE THE PURCHASE OF A CARROUSEL AERATION GEARBOX FOR PLANT RESILIENCY FOR AN AMOUNT NOT TO EXCEED \$121,000.00

Aeration is how the carrousel remove nutrients. The wastewater plant is permitted to remove nutrients as part of the National Pollutant Discharge Elimination System or NPDES otherwise known as an operating permit. As of right now, there is no ability to maintenance the existing aerators because all equipment is in service and cannot be taken offline for an extended period, due to both Carrousel being online. By purchasing an additional gearbox, staff can temporarily take one of the carrousel out of service, have the existing gearbox removed, have the new one installed, and then have the existing gearbox rebuilt. This process will be repeated until all gearboxes have been rebuilt. Secondly, staff would have a rebuilt gearbox ready for service in the event of equipment failure.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

B. MOTION TO APPROVE PAYMENT TO HDLI FOR REIMBURSEMENT OF EXPENSES FOR INSTALLING PHASE II OF THE EVERLIGHTS SYSTEM

The Transient Guest Tax has supported Historic Downtown Liberty, Inc's installation and expansion of holiday lights in downtown Liberty since the tax was established (2016-2022). On average, this has been \$10,000 per year to expand the holiday lights around Downtown. The Downtown CID has been responsible for maintenance of the light system.

In 2022, HDLI started the transition from the traditional white bulb strand lights to the "Everlights System" of color changing LED light strips. The Transient Guest Tax contributed \$10,000 in 2022 and this new system was installed on the four sides of the square.

When budgeting for 2023, the Tourism Committee discussed paying in full for all of the remaining downtown lights to be switched over to the Everlights System. The Downtown CID will continue to be responsible for maintenance of the system moving forward.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

C. RESOLUTION APPROVING A LIBERTY COMMUNITY CENTER ALCOHOLIC BEVERAGES SERVICE APPLICATION TO JANICE MARSH FOR "A FAMILY CELEBRATION OF HER DAUGHTER'S WEDDING", A SMALL/PRIVATE EVENT TO BE HELD ON APRIL 29, 2023

Section 311.080 of the Missouri Revised Statutes states that "No license shall be granted for the sale of intoxicating liquor, as defined in this chapter, within one hundred feet of any school, church or other building regularly used as a place of religious worship, unless the applicant for the license shall first obtain the consent in writing of the board of alderman, city council, or other proper authorities of any incorporated city, town or village. Such consent shall not be granted until at least ten days' written notice has been provided to all owners of property within one hundred feet of the proposed licensed premises."

The applicant has completed an LCC Alcoholic Beverages Service Application, requesting authorization to serve alcohol at the event. This is a small event, so a Catering Permit is not required. In accordance with the statute, written notice was provided to the Liberty School District (only property owner within 100 feet of the proposed location) on April 10, 2023 notifying them of the application and the meeting date that Council will consider the application. Staff has confirmed School District receipt of the notice (no other district events in the Community Center that day).

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3322.

VIII. PUBLIC HEARINGS

A. RESOLUTION APPROVING A SPECIAL USE PERMIT FOR AN 11,050 SQ. FT. ADDITION OF AN INDOOR STORAGE BUILDING WITHIN THE EXISTING FACILITY AT ATTIC STORAGE, 317 N. 291 HWY, IN LIBERTY, CLAY COUNTY, MISSOURI (P&Z CASE 23-12SUP)

Applicant is requesting approval of a Special Use Permit for the construction of an approximately 11,000 square foot building to be used as a storage facility. The new building will be located in the center of the applicant's property located at 317 N. 291 Hwy. This is internal to the existing storage facility which was built in the 1990's.

Mayor Canuteson opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the resolution.

Ron Cowger, AGC Engineers, Inc., 405 S. Leonard Street, the applicant, was available for questions.

Seeing no one wishing to speak, the Mayor closed the Public Hearing.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Ponder, Pozel, Travis, Graham, Watt and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3323.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. ACKNOWLEDGEMENT OF VENDOR PAYMENTS FOR THE PERIOD OF MARCH 31, 2023 TO APRIL 14, 2023

Document No. 9592 was read.

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

Roll Call
Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Ponder, Pozel, Travis, Graham, Watt and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11758.

B. RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN FOR LIBERTY HEARTLAND LOGISTICS CENTER, PHASE II AT SE CORNER OF SHEPHERD ROAD AND LIGHTBURNE STREET, IN LIBERTY, CLAY COUNTY, MISSOURI (P&Z CASE 23-10FDP)

This is a proposal for Phase Two of the Liberty Heartland Logistics Center, an industrial center with an approximately 676,000 square feet building. The industrial building is proposed to be utilized for manufacturing, warehousing and distribution purposes. It will be located south of Shepherd Road and east of Lightburne Road. The zoning is M-1 "Light Industrial" which allows; non-retail business uses, light manufacturing facilities, distribution and warehousing facilities, restaurants and indoor recreational facilities. UDO Section 30-68.1. There are 2 proposed access points to the site from Shepherd Road.

The applicant received a variance from the Unified Development Ordinance (UDO) with the rezoning and preliminary development plan application in July 2022 to allow the dock doors and loading area to face the public right-of-way.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Ponder, Pozel, Travis, Graham, Watt and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3324.

C. ORDINANCE ACCEPTING AND APPROVING A FINAL PLAT FOR LIBERTY HEARTLAND LOGISTICS CENTER, PHASE II, IN THE CITY OF LIBERTY, CLAY COUNTY, MISSOURI (P&Z CASE 23-11FP)

This is a proposal for the Final Plat of the Liberty Heartland Logistics Center, Phase 2, a proposed industrial lot on 66+/- acres with a 676,000 sq. ft. building. The industrial building is proposed to be utilized for manufacturing, warehousing and distribution purposes.

A final plat is required for the general subdivision of land to ensure the layout of a proposed subdivision conforms to the comprehensive plan and this UDO and to provide a complete and exact subdivision plat, prepared for the official public record to define property boundaries and public improvements. Staff's analysis of a final plat application is guided by Section 30-28.14 and this application meets the standards of review.

Document No. 9593 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 7-0-0

Yes: Council Members Phillips, Ponder, Pozel, Travis, Graham, Watt and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11759.

D. ORDINANCE APPROVING A CONTRACT WITH C & B EQUIPMENT FOR THE PURCHASE OF WELLFIELD SERVICES FOR AN AMOUNT NOT TO EXCEED \$37,365.00

In 2014, the Water Treatment Plant started an annual cleaning program to keep the wells operating at their greatest capacity. Staff alternates which wells are cleaned every year so that each individual well is cleaned every two years with odd numbered wells in odd years and even numbered wells in even years. The vendor performing the work will first introduce an acid solution to the well to begin to strip any iron buildup from the pumps and screens, as well as kill any iron bacteria that may be beginning to grow in the well. The acid solution is surged up and down the well shaft by cycling the well pump on and off. The vendor performs two of these acid cleanings per well. After the acid is pumped out, the vendor performs a third cleaning using a bleach solution.

The result of this cleaning is a well with a much higher yield that can pump more raw water more efficiently. It has also proved helpful to have these routine cleanings because vendors will notice problems with the well that can be addressed before they turn into more costly or detrimental problems.

Document No. 9594 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 Travis seconded the motion.

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Ponder, Pozel, Travis, Graham, Watt and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11760.

E. ORDINANCE APPROVING A CONTRACT FOR EQUIPMENT AND INSTALLATION SERVICES WITH AMERICAN DIGITAL SECURITY FOR INDOOR AND OUTDOOR SECURITY CAMERA ADDITIONS AND UPGRADES AT THE LIBERTY COMMUNITY CENTER FOR AN AMOUNT NOT TO EXCEED \$12,290.19

The current security camera system was purchased and installed in 2009. American Digital Security was the vendor for purchasing and installation of the original system. The existing interior security camera system lacks coverage in high-traffic areas, including the fitness center, lower lobby functional workout space and the upper lobby.

Several existing interior cameras are reaching 14 years old and need to be replaced or upgraded, including equipment in the main entrance and the gymnasium. These cameras are vital to providing patron recognition and safety and security of the facility, visitors and staff members. One camera in the theater house no longer functions and must be replaced. Due to placement and aged equipment, the existing cameras covering the parking lot provide inadequate coverage and monitoring capabilities.

Document No. 9595 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 Phillips moved to approve the ordinance. Council Member Gentrup seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11761.

F. ORDINANCE ACCEPTING A STORM MAINTENANCE COVENANT FOR LOT 3, OF LIBERTY HEARTLAND LOGISTICS CENTER DEVELOPMENT

To facilitate the Liberty Heartland Logistics Center commercial development, located south of Shepherd Road and east of West Heartland Drive, storm water quality facilities have been constructed on the property. Per the City of Liberty's storm water discharge permit from the Missouri Department of Natural Resources, an agreement between the City and the post development landowner(s) is required to designate the responsible party(s) and the type/frequency of maintenance activities for continued performance of storm water detention and storm water quality facilities. In response to the requirement, the Covenant to Maintain Storm Water Management System associated with the Liberty Heartland Logistics Center commercial development has been executed by the property owner. This covenant is the City's standard requirement where storm water detention and storm water quality facilities are required. The Covenant was obtained at no cost to the City. City Council acceptance is required prior to recording the covenant document.

Document No. 9596 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 Phillips moved to approve the ordinance. Council Member Gentrup seconded the motion.

Vote: Motion passed 7-0-0

Yes: Council Members Phillips, Ponder, Pozel, Travis, Graham, Watt and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11762.

G. ORDINANCE AMENDING ON CALL PROFESSIONAL ENGINEERING CONTRACT TASK ORDER NO. 6 WITH HDR ENGINEERING FOR THE WITHERS AND HOLT TRAFFIC SIGNAL DESIGN

This action is to increase Task Order No. 6 in order to allow for the continuation of design support services throughout the construction of the Withers and Holt Traffic Signal project. The original Task Order No. 6 Resolution with Henningson, Durham & Richardson, Inc. (HDR) was approved by the Liberty City Council on December 21, 2020.

The City of Liberty is experiencing increasing traffic volumes with increasing delays and degrading safety at the intersection of Withers Road and Holt Drive. This intersection is adjacent to Liberty Middle School and the Liberty Community Center and experiences significant peak hour traffic volume surges due to ingress/egress to the school and significant pedestrian traffic during heavy traffic movement. The Department of Public Works developed a project to upgrade the existing 4-way stop intersection with a traffic signal to address the peak pedestrian movements and traffic delays, and provide an ADA compliant, signal-protected crossing of S. Withers Rd. for pedestrians.

In July of 2018, the City of Liberty was awarded \$275,000.00 in Congestion Mitigation and Air Quality (CMAQ) funds through the Mid America Regional Council (MARC) Surface Transportation Program Priorities Committee (STP). The funds are available as reimbursement for construction costs and require an agreement with the Missouri Department of Transportation (MoDOT) which was accepted by the Liberty City Council on April 12, 2021. Task Order No. 6 with On-Call Engineering Firm HDR was accepted by the Liberty City Council on December 21, 2020. City Engineering staff utilized Task Order No. 6 to evaluate the intersection, design the traffic signals and geometric improvements, develop construction plans and prepare bidding documents.

Final plans and MoDOT approval for bidding for the project were received in 2022 and initial bids were opened on September 26, 2022. Two bids were received with the low bid coming in at \$622,000.00. The bids were deemed to be unbalanced and were therefore rejected. Following the rejection of the bids, the project was broken into two phases. Phase 1 involves all of the signal work and ADA and pedestrian upgrades required for MoDOT funding. Phase 2 involves the earth work and paving work which was determined to have caused unbalanced bids. This report deals with the amendment of Task Order No. 6 to provide design support through the end of Phase I.

Task Order No. 6 included support through final construction up to and including creation of As-Built Plans. However, after bid rejection in September 2022, the project plan set was revised. The coordination meetings, project management, CAD-Work and work associated with redeveloping the plans and estimates was not work which was included within Task Order No. 6. As the rebid was time sensitive, engineering staff elected to use the remaining funds within Task Order No. 6 to push the project towards readiness for rebidding. Therefore, this amendment, which adds \$17,623.00

to the previously approved \$99,915.00, allows for continued design support through final construction up to and including creation of As-Built plans. The Supplement to Task Order No. 6 and associated fee schedule for HDR is attached to this report. Document No. 9597 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 Phillips moved to approve the ordinance. Council Member Graham seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11763.

H. ORDINANCE APPROVING AN AMENDMENT TO ORDINANCE NO. 11409 APPROVING AN AGREEMENT FOR TRAFFIC SIGNAL MAINTENANCE WITH BLACK AND MCDONALD, LLC

This action is to increase the contract in order to allow for 2023 traffic signal preventative maintenance. The original contract with Black and McDonald was approved by City Council on May 24, 2021.

City-owned traffic signals require routine maintenance and occasional repairs. City staff has utilized the prompt on-call services of electrical contractor, Black and McDonald, LLC for many years due to their excellent service, competitive rates, and intimate knowledge of the City's traffic signal system. Previously, these services were performed in an on-call manner and invoiced to the City on a time and material basis and funded using available budgeted traffic signal maintenance funds.

City staff determined it would be beneficial to enter into an agreement with a fixed maintenance plan and annual cost in order to more accurately budget for future traffic signal needs. An agreement with Black and McDonald was negotiated in 2021 for the amount of \$28,350.00 to provide bi-annual maintenance tasks of the signals and provide fixed time and material rates for work performed above-and-beyond the scope of routine maintenance. This is an annual agreement established in 2021 for a term of five years expiring at the end of 2025, renewed each year with an allowance for annual adjustments to the maintenance cost and rates with escalations not to exceed 3%. In 2022, the contract was increased by a 3% escalation from \$29,200.00 to an overall total of \$57,550.00. Black and McDonald, LLC requested a 3% escalation for the 2023 work for an amount of \$30,076.00 which is incorporated into this contract amendment for a new total of \$87,626.

Document No. 9598 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 Phillips moved to approve the ordinance. Council Member Graham seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11764.

I. RESOLUTION RETIRING THE COMPOSITION OF THE CEMETERY ADVISORY COMMITTEE

The Cemetery Advisory Committee (Resolution No. 2426) was established in 2009 to mitigate the vandalism that took place at that time and to raise money for various projects for the cemeteries. Their purpose has been to preserve, beautify and enhance the City's cemeteries, as well as work with the City on cemetery security. They were also tasked with providing advice to the City on programs for the care, operation or disposition of the cemeteries.

The Committee has met these objectives. They have provided history, knowledge and advice to City Staff on many occasions. Additionally, they have hosted many workdays in the cemeteries and have provided countless hours of volunteer time. The Committee also requested a Cemetery Sexton position to manage the City's cemeteries. They felt this was the best way for the cemeteries to receive the attention they deserved, and to carry on with the work the Committee started.

In 2022, a Cemetery Sexton was hired. He has been in his position for six months and has taken over cemetery operations. He is in the cemeteries every weekday, manages all vendors, and has completed many maintenance items that have been on the maintenance list for several years. He is also present at the workdays, and manages the volunteers during those events.

Also, in the last several months, Committee attendance at the Cemetery Advisory Meetings has dwindled. The November 2022, February 2023 and March 2023 meetings were all cancelled due to lack of quorum. At the April 2023 meeting, we discussed retiring the Committee. The overall feeling was that the Committee had met its original objectives, and had run its course. Instead, Committee and Staff felt we should move to an informal community group structure, and away from a formal City-appointed Committee.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3325.

J. **RESOLUTION** APPROVING & AUTHORIZING EXECUTION OF NATIONAL OPIOID SETTLEMENT AGREEMENTS WITH THE STATE OF MISSOURI RELATING TO THE SETTLEMENT OF OPIOID LITIGATION

In 2021, nationwide opioid settlements were reached to resolve all opioid litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors being McKesson, Cardinal Health, and AmerisourceBergen ("Distributors") and against manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson ("J&J"). The 2021 National Opioid Settlements have been finalized and payments have already begun. In all, the Distributors will pay up to \$21 billion over 18 years. Johnson & Johnson will pay up to an additional \$5 billion over no more than nine years. On December 20, 2021, the City passed a Resolution releasing and assigning any such City of Liberty opioid settlement proceeds to the State of Missouri for approved use of opioid settlements with McKesson, Amerisource Bergen, and Cardinal Health (opioid distributors), as well as with Johnson & Johnson. On January 10, 2022, the City passed an Ordinance approving a Memorandum of Understanding (MOU) with the State of Missouri authorizing the State of Missouri to receive and administer any opioid settlement funds the City would otherwise be entitled to receive as a result of the City's participation in the National Settlement Agreements.

In late 2022, National Opioid Settlement Agreements were announced with Allergan and Teva ("Distributors") as well as CVS, Walgreens and Walmart ("Pharmacies"). As with the 2021 National Opioid Settlement Agreements, states and local governments that choose to participate in the 2022 National Opioid Settlement Agreements will now have the opportunity to "opt in". The greater level of local government (city) participation, the more funds will ultimately be paid out for opioid abatement measures. Assuming maximum settlement participation, the 2022 National Opioid Settlement Agreements require: Teva to pay up to \$3.34 billion over 13 years and to provide either \$1.2 billion of its generic version of the drug Narcan over 10 years or \$240 million of cash in lieu of product, as each state may elect; Allergan to pay up to \$2.02 billion over seven years; CVS to pay up to \$4.90 billion over 10 years; Walgreens to pay up to \$5.52 billion over 15 years; and Walmart to pay up to \$2.74 billion in 2023 and all payments to be made within six years. These figures include amounts attributable to prior settlements between the Defendants and certain states/local governments and amounts for attorneys' fees and costs.

Under both the 2021 and 2022 National Opioid Settlement Agreements, at least 85% of the funds going directly to participating states and local governments must be used for abatement of the opioid epidemic, with the majority of the proceeds restricted to funding future abatement efforts by state and local governments. It's important to note, formulas, allocation, and structures are still being worked out, so exact dollar amounts are not available at this time. Any local government that does not participate cannot directly share in any of the settlement funds Missouri receives, even if Missouri and other participating local governments are sharing in settlement funds. Any subdivision that does not participate may also reduce the amount of money for programs to remediate the opioid crisis in Missouri.

The current Memorandum of Understanding (MOU) does not automatically apply to future National Opioid Settlement Agreements with opioid manufacturer, distributor, or

other opioid-related Defendants not named in this MOU. It will only apply to such settlements if the State and the City agree in a separate future written MOU or other agreement. According to preliminary 2022 settlement exhibits, the City of Liberty could receive up to \$184,689 (\$15,390.75 per year) over the next 12 years by opting into these settlements. The City of Liberty's previous 2021 opioid settlement proceeds were estimated to be in the \$15,000 to \$30,000 per year range over 18 years. With the current MOU, the City is choosing for Liberty's \$184,689 in 2022 settlement proceeds to go to the State of Missouri, as the State has established opioid mitigation programs in place. The current Resolution formally authorizes the City Administrator to sign the 2022 National Opioid Settlement Agreement documents. These were signed electronically before April 18, 2023 in order to meet the Missouri Attorney General's April 18, 2023 opt in deadline.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Ponder, Pozel, Travis, Graham, Watt and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3326.

K. ORDINANCE APPROVING A PROPOSAL WITH WEATHER TECH RENOVATIONS FOR ANIMAL SHELTER ROOF REPAIRS

The current Liberty Animal Shelter opened in February 2020. The Animal Shelter roof has presented some piping issues, ice / water shield issues, and shingle issues. Weather Tech Renovations' Proposal addresses the above-mentioned roof issues for \$3,150.00. Public Work's Staff reached out to several area roofing companies with two companies submitting Animal Shelter roof repair proposals, which were Atlas for \$4,833.00 and Weather Tech Renovations for \$3,150.00. Staff confirmed Weather Tech Renovations' Proposal is the lowest and best. Their Proposal encompasses all needed Animal Shelter roof repairs. Atlas did not respond to Public Work's Staff inquiries regarding their proposal.

Document No. 9600 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 Graham moved to approve the ordinance. Council Member Watt seconded the motion.

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Ponder, Pozel, Travis, Graham, Watt and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11766.

L. ORDINANCE APPROVING A PURCHASE ORDER WITH KNAPHEIDE TRUCK EQUIPMENT CENTER FOR THE PURCHASE AND INSTALLATION OF TRUCK BEDS AND SNOW PLOW EQUIPMENT

The annual Capital Budget for critical equipment is necessary for the maintenance of the public infrastructure and has allocated funds for the purchase of equipment. The heavy-duty Ford F-350 and the two Ford F-550s have been ordered separately, and the final outfitting of the equipment includes the purchase and installation of Knapheide Equipment. The purchase includes two dump beds, material spreaders, snow plows for the F-550s and the purchase of a snow plow for the F-350. In order to standardize the equipment for parts and training of staff, only one bid for the equipment was obtained. Knapheide Equipment is also part of the Source-Well Government Bid Program.

Document No. 9601 was read.

Action: Council Member Phillips 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 Ponder seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11767.

X. OTHER BUSINESS

MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XI. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:34 p.m.

Mayor

Attest:

Deputy City Clerk