



City Council Meeting

Regular Session Minutes

May 8, 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 May 8, 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 Gene Gentrup, who then led the pledge of allegiance.

III. ROLL CALL

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

Council Members Absent: Harold Phillips, Ward I

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
Katherine Sharp, Planning and Development Director
Sherri McIntyre, Public Works Director
Sarah Ranes, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION

1. David Langston – 1920 Carter Ct. He is here to talk about Block 174. The City sold Block 174 to the Confederate Veterans by a Warranty Deed in 1900 and had it recorded at the county courthouse. Mr. Langston stated three years ago the City decided they didn't want to honor the Warranty Deed. Stop spending money.
2. Gieselle Fest – 1407 Lynette. She believes she is a historic preservationist. History is uncomfortable and inconvenient and she asks to please withdraw the lawsuit.

3. David Holtzclaw – 113 Kevin Street, Excelsior Springs, MO. Mr. Holtzclaw has family members buried in Block 174. His family has endured the pain for the last three years. Mr. Holtzclaw stated that the City of Liberty is attacking his family and that they killed his father in 2022.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

- A. MOTION TO PURCHASE A FORD F250 4X4 SUPER CAB PICKUP AND A FORD F250 4X4 CREW CAB PICKUP EXTENDED CAB FROM BLUE SPRINGS FORD FOR ANIMAL CONTROL IN AN AMOUNT NOT TO EXCEED \$104,906.00

Animal Control's two current vehicles (Ford F150 and GMC Sierra Van) are 10 years old and almost 20 years old respectively. Animal Control staff attempted to purchase two new vehicles in 2021 but no area dealerships were taking orders for government fleet vehicles that met the Animal Control vehicle specifications. In 2022, Blue Springs Ford and Crossley Ford were the only two area Ford dealerships taking orders for government fleet vehicles that met the Animal Control vehicle specifications. Staff submitted vehicle specifications to both dealerships. Blue Springs Ford submitted a pricing proposal for two vehicles and Crossley Ford was unresponsive. Staff reached out to Blue Springs Ford throughout 2022 and Blue Springs Ford did not allow the City to order vehicles until November 2022, with only a two-day window offered by the dealership for staff to place an order.

The vehicle order placed with Blue Springs Ford in November 2022 came with no guarantee that either vehicle would ever be built. Blue Springs Ford required a Purchase Order Request Form for \$104,906.00 for the City to order the vehicles. Blue Springs Ford informed us the national vehicle chip shortage has delayed these vehicles from being built. Fortunately, the Ford F250 4x4 Super Cab Pickup for \$51,464.00 has been built and requires full payment at this time. The Ford F250 4x4 Crew Cab Pickup Extended Cab for \$53,442.00 has not been built yet. Staff is requesting City Council approval at this time for payment of \$53,442.00 for the Ford F250 4x4 Crew Cab Pickup Extended Cab, if it is built.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. ACKNOWLEDGEMENT OF VENDOR PAYMENTS FOR THE PERIOD OF APRIL 14, 2023 TO APRIL 28, 2023
Document No. 9602 was read.

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

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11768.

B. ORDINANCE AMENDING ORDINANCE NO. 11722, APPROVING A CONTRACT WITH SUPERIOR BOWEN ASPHALT COMPANY, LLC FOR CITY OF LIBERTY PROJECT PW-CIP-23-003 2023 STREET MAINTENANCE PAVEMENT RESTORATION

The Ordinance corrects Ordinance 11722 by increasing the stated contract amount from \$838,315.00 to \$844,132.85. The Ordinance amends the existing contract by adding 16 new line items for the construction of turn lanes ("Withers Phase II") at the intersection of Withers and Holt. The Ordinance amends the existing contract with Superior Bowen by increasing the corrected contract amount from \$844,132.85 to \$1,082,007.15 for the inclusion of "Withers Phase II". The Ordinance amends Ordinance 11722 by increasing the authorized to spend amount from \$964,063.00 to \$1,225,725.00

Document No. 9603 was read.

Action: Council Member Graham 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 Pozel seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11769.

C. ORDINANCE AMENDING ORDINANCE NO. 11645, AMENDING AN AGREEMENT WITH JCI INDUSTRIES, INC FOR MBT 1 IMPROVEMENTS

Change Order 1: Replace PVC Header and relocate stainless piping. Ross construction (JCI sub-contractor) provided the quote and will be doing the work and purchasing the needed parts. The PVC header is what connects the membranes (filtering units) to pumps (pulls water from MBT tank). In normal operations, this header is submerged under sludge which prevents freezing issues. Due to MBT 1 not being in operation, the header froze and cracked, making the header inoperable and unrepairable, thus

requiring a new header. The new design of the header features a drain valve where it can be drained when not in service. MBT 1 is the site for the upcoming Kubota installation. The stainless-steel piping provides air to the diffusers. These air diffusers scour the MBTs to keep them from getting clogged. The current set-up was for the previous membranes and requires being relocated for the Kubota membranes. The cost for the PVC header installation and the stainless-steel piping relocation is \$49,550.00.

Change Order 2: Purchase/install MBR prescreen or MBT 1/future Kubota MBT. The fine screen or prescreen is installed on top of the Digester/MBT structure. The main function is to filter out debris before the sludge enters the Digester/MBT (Membrane Thickener). If this debris enters the Digesters/MBT, it could cause performance issues and/or equipment failure. The previous fine screen or prescreen was a different technology in which the screen itself was no longer supported by the supplier, meaning maintenance and replacement parts are not available. Due to this lack of support, the screen had major mechanical failure, rendering it unrepairable. The MBR prescreen (HydroDyne Screen) in this quote is a different technology and is backed by Kubota and Carollo engineering. Kubota representatives (JCI) stated that the screen works with the characteristics of Liberty's digester and they would honor the warrantee for the Kubota MBTs if this screen is selected due to the better design and performance of the MBR Prescreen. Any other screen presents a warranty issue for Kubota and questionable performance issues. Liberty contracted with Carollo Engineering Firm to aid in making the best decision for the equipment to be installed for performance and value for the City of Liberty. Carollo's recommendation is the HydroDyne screen.

The cost of the equipment and installation is \$430,031.00. The combined cost of this action is \$479,581.00. The MBR Prescreen, PVC header replacement, and stainless-steel pipe relocation are required before the Kubota MBTs start-up. Said equipment is needed to ensure the performance and integrity of the equipment. This is a Change Order to the MBT 1 improvement contract because these issues were unforeseen and will prevent the Kubota's MBTs from being started up.

Document No. 9604 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 Travis seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11770.

D. ORDINANCE AMENDING ORDINANCE NO. 11556 APPROVING A CONTRACT BETWEEN THE CITY OF LIBERTY AND VSM ENGINEERING FOR THE

MISSISSIPPI ST AND LIBERTY DR DESIGN PROJECT BY ADDING THE DESIGN OF A WATERMAIN ALONG MISSISSIPPI ST

City of Liberty project 21-025 "Mississippi St. and Liberty Dr. Sidewalks Design" was initiated after City staff received requests from citizens and elected officials to complete sidewalk improvements to bridge gaps in the city sidewalk system. At the February 28, 2022 City Council meeting, a design contract was approved with VSM Engineering for the design of sidewalk improvements at two locations which had been identified as priorities:

- Mississippi St. from Fairview Ave. to Maple St.
- Liberty Dr. from Midjay Dr. to Fairview Ave.

At the February 27, 2023 City Council meeting, the design contract was amended to increase the scope of work along Liberty Dr. to include the segment between Midjay Drive and Red Oak Lane.

Between February and March of 2023, the City of Liberty Utilities and Public Works Departments discussed ongoing and planned projects. During discussions, utilities made known the desire to replace the existing water main along Mississippi St. Replacement of the water main along Mississippi St. is required as it is undersized, outdated and requires frequent maintenance to stay operational.

In an effort to optimize interdepartmental coordination, the usage of city funds and to prevent unnecessary rework, Public Works and Utilities Departments determined to include the design of a watermain along Mississippi St. as part of the current contract with VSM. VSM engineering provided their qualifications for the design of the watermain to city staff. Finding VSM qualified for the additional scope, an amendment was negotiated. The amendment includes the design of a water main along Mississippi St. between Fairview Ave. to Maple St. The inclusion of this additional work within the current contract provides the following benefits, ensures the two projects are closely coordinated and do not conflict, utilizing survey data from the existing project for the added scope provides two separate projects with construction level plans at the same time

Document No. 9605 was read.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11771.

E. ORDINANCE APPROVING AN AMENDMENT TO THE CODE OF THE CITY OF LIBERTY, MISSOURI, CHAPTER 25 – STREETS AND SIDEWALKS, ARTICLE IV- SIDEWALKS, SECTION 25-21

There are issues when the city isn't following the existing code. This can lead to other expectations that can arise based on the sidewalk conditions of the city. We currently don't have the staff available to inspect all of the sidewalks within the City. The expansion of the City and the amount of sidewalk has changed over the years since this section of the Code was implemented in 1931 and even with changes from December 22, 1975.

Current Code Section 25-21 references that "at least once each calendar year" sidewalks will be inspected. We are removing the annual inspection requirement from the current Code.

Document No. 9606 was read.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11772.

X. OTHER BUSINESS

Sherri McIntyre, Public Works Director, stated that they have a couple projects in the works for 291 Highway. With the first project to install a signal at 291 Highway and Blue Jay Drive and as part of that project, Sherri stated they are going to try and eliminate movement at Stewart and 291 Highway with a backup plan of removing all left turns at Stewart as a minimum for any changes coming. Sherri stated there will be a public meeting in June to get comments and feedback. She indicated they are putting together a stakeholder team of all of the businesses in the Triangle and those businesses along 291 Highway from Kansas north. The second project per Sherri, is that they are going to be applying for a grant for a Safety Analysis of the entire City especially at 291 Highway and high accident locations.

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:24 p.m.

Mayor

Attest:

Deputy City Clerk