



City Council Meeting

Regular Session Minutes

February 12, 2024

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 February 12, 2024 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 Council Member Ponder, who then led the pledge of allegiance.

III. ROLL CALL

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

Council Members Absent: None

Staff Present: Curt Wenson, City Administrator
Sara Cooke, Assistant City Administrator
Vicki McClure, Finance Director
Andy Noll, Utilities Director
BJ Staab, Parks and Recreation Director
Erika Brant, Parks and Recreation Community Engagement Mgr.
Hailey Kellerstrass, Community Services Manager
Matt Kellogg, Police Captain
Chris Young, Assistant Fire Chief
Katherine Sharp, Planning and Development Director
Wade Thomas, Technology and Logistics Director
Sherri McIntyre, Public Works Director
Sarah Ranes, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION

A. MID-AMERICA REGIONAL COUNCIL COMMUNITIES FOR ALL AGES GOLD LEVEL PRESENTATION

Lauren Schaumburg from the Mid-America Regional Council presented the City of Liberty with the Gold Level status for Communities for All Ages.

Dwayne Holtzclaw – 113 Kevin Street, Excelsior Springs, Mr. Holtzclaw stated he has family buried in privately owned Block 174. Mr. Holtzclaw said he has a deed to Block 174 and the City does not have a deed. Mr. Holtzclaw stated his uncle sold that property on January 6, 1900, over 124 years ago. Mr. Holtzclaw stated that when his family member passed away, he left a wife and five young children. Mr. Holtzclaw stated he is here to ask the City Council to leave the grave and the grave marker alone. Mr. Holtzclaw represents the family members of the dead buried in Block 174 and he asks the City Council to leave it alone.

Gieselle Fest – 1407 Lynette Street, Ms. Fest thanked the Mayor and City Council Members for the opportunity to speak this evening. Ms. Fest states that her position is and always has been for Block 174 and that it is privately owned land by a warranty deed similar to that of your house. Ms. Fest stated that land and ownership are very sacred as it goes to the heart of democracy. With all do respect, Ms. Fest asks City Council to stop spending the tax payer's money on this lawsuit and to please withdraw.

Christina Decker – 1650 County Road B, Ms. Decker stated this was her first time speaking at a City Council meeting and she would like to voice her opinion on what has been done with the buildings going away on the square. Ms. Decker stated that what has been done is done, and we can't stop it. Ms. Decker stated this City is a Historic City and that we advertise as a Historic City. Ms. Decker said it is sad to see it all go away. She hopes that when the development plans come forward that the City is more forthcoming with sharing those plans.

Karen North – 1115 Elizabeth, Ms. North stated she has been a Liberty resident since 2002 and that this is the first City Council meeting she has attended. Ms. North stated that communication is vital. Ms. North stated that she watches the City Council meetings online and she is unable to hear the meetings. Ms. North stated that she hopes everyone is able to hear and see the Mayor's policies and actions.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. MOTION TO AUTHORIZE A BLANKET PURCHASE ORDER AND DELIVERY OF HYDRATED LIME FROM MISSISSIPPI LIME IN AN AMOUNT NOT TO EXCEED \$489,048.00

The City's water production plant uses certain chemicals in the production process. Lime is utilized in large quantities throughout the year for softening and coagulation. The 2024 Water Fund budget includes funds to cover this purchase throughout the year.

Mississippi Lime is the sole resource provider for quality lime in the region. A proposal was received from the company that includes a separate fuel surcharge cost and a delivered price per ton for the product.

The 2024-unit cost for standard hydrate lime is \$349.32/ton, including the delivery charge of \$68.42/ton and an estimated 30% fuel surcharge. Deliveries are anticipated to be weekly to bi-weekly as required. Annual chemical usages are very difficult to predict, as they are based upon water demand during the production year. All usage quantities are estimated in anticipation of the average demand historically experienced.

The 2024 budget includes a chemical line item budgeted at \$510,000.00 that anticipates annual purchases of lime, bleach for disinfection, sodium fluoride and potassium permanganate.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

B. MOTION TO AUTHORIZE THE PURCHASE AND DELIVERY OF SODIUM FLUORIDE WITH WATER SOLUTIONS UNLIMITED IN AN AMOUNT NOT TO EXCEED \$25,500.00

Operations at the City’s water production plant require certain chemicals in the production process. Sodium Fluoride is added to maintain a fluoride residual that helps fight tooth decay. This chemical is required for water production throughout the year. Proposals were requested from three companies that provide various chemical products. The following quotes were received from each vendor.

Vendor	Sodium Fluoride	Cost for 2024 to purchase expected 13,500 lbs
Brenntag	3.13/lb	\$42,255.00
WSU	1.60/lb	\$25,500.00
Harcros Chemical Inc.	2.19/lb	\$29,565.00
All prices in US Dollars		
Selected Vendor Product		

The unit costs include transportation to the water production plant with deliveries anticipated to be bi-monthly, or as needed.

The 2024 budget includes a chemical line item budgeted at \$510,000.00 that anticipates annual purchases of lime, bleach for disinfection, sodium fluoride and potassium permanganate.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

C. RESOLUTION APPROVING A TEMPORARY EVENT LIQUOR LICENSE FOR THE KNIGHTS OF COLUMBUS FISH FRY EVENTS AT ST. JAMES CHURCH, 309 SOUTH STEWART ROAD ON FEBRUARY 16, MARCH 8 AND MARCH 22, 2024

The Knights of Columbus have applied for a temporary liquor license to serve alcohol at events located at 309 S. Stewart Road. Because the public will have access to the events, State statute and City ordinance require a license. The license covers the events on February 16, March 8 and March 22, 2024. The necessary certificate of liability insurance and authorization letter has been provided by the applicant.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3376

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. ORDINANCE APPROVING VENDOR PAYMENTS FOR THE PERIOD OF JANUARY 12, 2024 TO FEBRUARY 2, 2024

Document No. 9714 was read.

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

Roll Call

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11880.

B. ORDINANCE AMENDING ORDINANCE NO. 11709, AMENDING AN AGREEMENT WITH DENALI WATER SOLUTIONS, LLC FOR THE DISPOSAL OF WATER PLANT RESIDUALS IN AN AMOUNT NOT TO EXCEED \$235,000.00

This agenda item is to amend the 2023 contract with Denali for Removal of Water Treatment Residuals due to higher than projected cost to remove wastewater residuals (also known as biosolids).

The last approved amendment was Amendment Number 6 and Ordinance 11709 included a not-to-exceed amount of \$195,000 for 2023. The not-to-exceed amount in 2023 was based off of projections of previous Bio-Solids handling, which is the only information available to make cost projections.

Increased Bio-Solids production in 2023 resulted in increased costs for hauling. Due to this increase, the Wastewater Treatment Plant exceeded the not-to-exceed amount of \$195,000.00 for Wastewater Residuals handling. Amendment Number 7 is to update the not-to-exceed amount for Wastewater Residual Handling from \$195,000 to \$235,000. This approval is needed to get Denali paid for Bio-Solids handling for 2023 and to complete the 2023 Denali contract.

Note: There was no cost increase which lead to exceeding the cost prediction. The only factor is the increased production of Bio-Solids, which meant an increased cost for hauling.

Amendment 6 also included the not-to-exceed amount of \$500,000.00 for Water Treatment residuals. This is not being altered in this Amendment. No Financial Consideration/line item is needed for Water Treatment Residuals. The only amendment to Amendment Number 6 is the Financial Consideration/Line Item for Wastewater Treatment Residuals, which is being increased from \$195,000.00 to \$235,000.00.

Document No. 9715 was read.

Action: Council Member Watt 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 Watt seconded the motion.

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11881.

C. ORDINANCE APPROVING A CONTRACT WITH CURT HEISINGER FOR THE STABILIZATION OF HEADSTONES IN FAIRVIEW AND NEW HOPE CEMETERIES IN AN AMOUNT NOT TO EXCEED \$20,000.00

The City hired Curt Heisinger in 2022 and 2023 to stabilize and repair approximately 400 headstones throughout Fairview, New Hope and Mt. Memorial Cemeteries. Mr. Heisinger was the only contractor to submit a bid in 2022 and continued to provide excellent work in 2023. The City would like to approve this contract at the same rate for 2024.

For many years, the City has had a dedicated volunteer base that has worked to stabilize and reset stones throughout the city-owned cemeteries. Hiring Mr. Heisinger continues these efforts and provides the expertise needed to stabilize and repair stones that are beyond the City's volunteer capacity.

The Cemetery Sexton will provide a list of stones in need of repair which will allow the contractor to quickly begin work without needing to assess large sections of the cemetery themselves. The proposed list will account for sections previously stabilized and continue to build on that progress.

Document No. 9716 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 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11882.

D. ORDINANCE TO APPROVE A CONTRACT WITH TEKLABS, INC FOR LAB SERVICES FOR THE WASTEWATER TREATMENT PLANT IN AN AMOUNT NOT TO EXCEED \$45,000.00

Liberty previously utilized Pace Analytical (Pace) for sample analysis at the Water Treatment Plant from 2017 to 2023. Pace has since had some delays in reporting results due to staffing issues. The Wastewater Treatment Plant now seeks to sign an agreement with Teklab, Inc. This decision is based on cost savings and delivery of more timely results, which allows the plant to make any needed changes to protect the environment, human health and to meet permit regulations.

Sampling can be defined in two terms: permit compliance sampling and process control sampling.

- Permit sampling is used to verify compliance with our Missouri Department of Natural Resources permit number MO0137111. The permit clearly outlines the permitted value of nutrients and contaminants that are allowed to be discharged to the receiving stream (Little Shoal) from our effluent discharge. Permit sampling consists of: influent, discharge, instream and biosolids sampling.
- Influent sampling is performed, so the plant can document incoming nutrient and contaminant loading.

- Discharge sampling is performed to document the nutrients and contaminants that are discharged into the receiving stream and to calculate the effectiveness of the treatment process.
 - Instream sampling is performed to evaluate the effect that the Wastewater Treatment plant is having on the stream.
 - Biosolids are tested to maintain a Class B Biosolids rating, to maintain compliance with the Missouri Department of Natural Resources and the Environmental Protection Agency.
 - Teklabs, Inc will perform the permit compliance tests and reports the value to the Wastewater Treatment Plant. These values would then be assembled into a monthly eDMR (Electronic Discharge Monitoring Report) and reported to the Missouri Department of Natural Resources.
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- Process control sampling is performed to see how the plant is performing in each individual process and to make corrective decisions before causing an exceedance or possible violation. Process control test are performed on: influent, discharge, mixed liquor and digester. Staff conducts the majority of the process control sampling, but Teklab will provide assistance on some of this testing.

Document No. 9717 was read.

Action: Council Member Hagan 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 Hagan seconded the motion.

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11883.

E. **ORDINANCE AMENDING CHAPTER 20, "MOTOR VEHICLES & TRAFFIC," OF THE CODE OF THE CITY OF LIBERTY, CLAY COUNTY, MISSOURI**

Amendments to traffic regulations are required to update the City Code for any new or modified traffic signage. The changes to traffic signs may be driven by a citizen's request, staff or temporary situations requiring traffic modifications. The codification of the traffic regulations and the addition of appropriate signage allow the enforcement of the regulations.

Traffic regulation changes are generally initiated by a 90-day evaluation period monitored by both Public Works and the Police Department. If the changes are determined by both departments to be warranted, they are taken to the City Council for approval of a permanent regulation change. These traffic changes were initiated in November 2023.

The traffic regulation amendments pertaining to this action are summarized as follows:

- Prohibiting parking on the south side of Doniphan Street from N. Lightburne Street to N. Missouri Street.
- Reducing the speed limit from 30 mph to 25 mph on Leonard Street from Cedar Street to W. Murray Road.

Document No. 9718 was read.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11884.

F. **ORDINANCE AMENDING ORDINANCE NO. 11494, APPROVING A LEASE AGREEMENT WITH UTILITY, INC. FOR THE LEASE, MAINTENANCE, AND INSTALL OF POLICE VEHICLE/BODY CAMERAS, INCREASING THE AMOUNT BY \$33,613.00 FROM \$343,316.00 FOR AN AMOUNT NOT TO EXCEED \$376,929.00**

The Police Department is adding two patrol vehicles requiring additional dash cameras. Additionally, dash cameras will be added to the three Impact Unit vehicles. The original ordinance was approved on November 8, 2021 (Ordinance No. 11492). The ordinance was amended on November 28, 2022, for additional car cameras and body cameras (Ordinance No. 11678). This amendment will increase the cost of the lease agreement by \$33,613.00 with a one-time payment, expiring at the end of the year 2025.

Document No. 9719 was read.

Action: Council Member Watt 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 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11885.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:43 p.m.

Mayor

Attest:

Deputy City Clerk