



City Council Meeting

Regular Session Minutes

May 13, 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 May 13, 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 Watt, 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: Sara Cooke, Assistant City Administrator
Andy Noll, Utilities Director
Jimmy Gibbs, Assistant Parks and Recreation Director
Nathan Mulch, Police Captain
John Mills, Fire Chief
Chris Young, Assistant Fire Chief
Sherri McIntyre, Public Works Director
Sarah Ranes, Deputy City Clerk

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

IV. PROCLAMATIONS

National Police Week - Mayor Canuteson read and presented the Proclamation to the Liberty Police Department.

V. APPROVE MINUTES AND SUMMARIES

VI. SPECIAL PRESENTATION BY MAYOR OF RIVERSIDE KATHY ROSE AND BRIAN NOLLER FROM PLATTE COUNTY R-3 SCHOOL DISTRICT

Workforce Development Center is a public, not-for-profit, career and technical school located within the Platte County R3 School District in Platte City, Missouri. The Workforce Development Center offers twelve secondary daytime programs. Many adult and community education classes are also provided in the evening.

This center will provide the following:

- A central location closer to participating high schools that serves as a community resource for all of the Northland.
- Reduce waiting lists and open doors to opportunity for more students.
- Increase the number of trained, qualified candidates available for in-demand, high-wage careers.
- Strategically contribute to the Kansas City Northland workforce.
- Welcome an even more diverse student population and promote greater social mobility for low-income households.
- Offer a wider variety of career tracks, afternoon & evening courses, and more dual credit options.

In order to raise the necessary funds to build this beautiful facility, we have recently obtained a 501(c)(3) status.

The Northland Workforce Development Center Corporation was officially established in December of 2023 and as of March 15th is officially listed by the IRS as a registered charitable organization.

The facility will be owned by this corporation and operated by Northland Career Center.

For this facility to become a reality, we are raising money locally and will recognize our donors with naming rights and legacy walls in the large main foyer.

VII. CONSENT AGENDA

A. BOARD AND COMMISSION APPOINTMENTS/REAPPOINTMENTS

1. BOARD OF ADJUSTMENTS

- a. REAPPOINT LOWELL MAYONE TO A TERM EXPIRING 4/1/2029.
- b. REAPPOINT DAVID DICE TO A TERM EXPIRING 4/1/2029.

2. CITIZENS SALES TAX OVERSIGHT COMMITTEE

- a. REAPPOINT JOHN RIEDEL TO A TERM EXPIRING 5/14/2027.
- b. REAPPOINT MIKE FLANIGAN TO A TERM EXPIRING 5/14/2027.
- c. REAPPOINT BILL MOBERLY TO A TERM EXPIRING 5/14/2027.
- d. REAPPOINT IAN WOOLDRIDGE TO A TERM EXPIRING 5/14/2027.

3. CLAY COUNTY EXTENSION

- a. REAPPOINT VERN WINDSOR TO A TERM EXPIRING 2/28/2026.

4. LIBERTY COMMUNITY CHRISTMAS TREE ADVISORY COMMISSION

- a. APPOINT CHRIS GOODWIN TO A TERM EXPIRING 5/1/2027.
- b. REAPPOINT ROB FISHER TO A TERM EXPIRING 5/1/2027.
- c. REAPPOINT MICHELE CRONIN TO A TERM EXPIRING 5/1/2027.
- d. REAPPOINT JAMIE GOODWIN TO A TERM EXPIRING 5/1/2027.

5. LIBERTY PARKS & RECREATION FOUNDATION

- a. APPOINT ERIC GLENN TO A TERM EXPIRING 1/1/2027.

- b. REAPPOINT DAVID SALLEE TO A TERM EXPIRING 1/1/2027.
 - c. REAPPOINT JENNIFER SIMCOX TO A TERM EXPIRING 1/1/2027.
 - d. REAPPOINT PATRICK FLORA TO A TERM EXPIRING 1/1/2027.
6. PARKS & RECREATION BOARD
- a. REAPPOINT JACQUELYN KENNEDY TO A TERM EXPIRING 6/1/2027.
 - b. REAPPOINT DEBORAH LOOMIS TO A TERM EXPIRING 6/1/2027.

Council Member Hagan moved to approve the appointments. Council Member Travis seconded the motion, which carried unanimously.

IX. PUBLIC HEARINGS

X. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. ORDINANCE ACKNOWLEDGING VENDOR PAYMENTS FOR THE PERIOD OF APRIL 12, 2024 TO MAY 3, 2024

Document No. 9757 was read.

Action: Council Member Hagan moved to approve the vendor payments. Council Member Ponder 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. 11922.

- B. ORDINANCE APPROVING A GUARANTEED PRICING AGREEMENT WITH GREAT SOUTHERN RECREATION, LLC TO REPLACE AND INSTALL NEW PLAYGROUND EQUIPMENT AT STOCKSDALE PARK PLAYGROUND IN AN AMOUNT NOT TO EXCEED \$129,948.90

The playground at Stocksdale Park has exceeded the recommended ten-year lifespan.

The Parks and Recreation Department continually reviews the playground inventory within the parks' system, evaluating the replacement and repair needs. Parks crews have done a great job keeping the structure repaired and safe for play. However, replacement of the Stocksdale Park playground is a high priority need due to its age and increasing maintenance issues.

As part of the 2024 Park operations budget, funds were allocated for the replacement of the playground. Additionally, Park staff were contacted in 2023 by the daughter and son-in-law of Ruth & Russell Stocksdale about ways they could contribute to Stocksdale Park to honor their family's original donation of the park land in 1974. In those conversations, the family has pledged \$50,000.00 to enhance the 2024 Park operations budget, allowing for a larger playground structure. The new playground

equipment will include a freestanding multisensory development panel, climbing structures and slides.

In addition to the new playground, the Park staff have been working with Park Board member, Jackie Kennedy, and volunteers from the Clay County Museum and the Clay County Archives to research and create a historical marker in honor of Ruth & Russell Stocksdale. That marker has been ordered, and will be placed near the playground when it arrives. Park staff will host a dedication of the playground and historical marker for the Stocksdale family this fall.

Park staff have met with several playground vendors requesting options to best replace the size and scale of the current structure. Great Southern Recreation, LLC provided the most affordable structure that will best match what it's replacing. This proposal will replace the current play structure but leave the swings in place. Parks crews will remove the existing structure and the rubber surface around the swings and where the old play structure was located in preparation for the new structure.

In an effort to rejuvenate neighborhoods, the City of Liberty Parks and Recreation Master Plan (Goal 3, Objective 3.4) recommends making all parks inclusive and accessible. According to the associated community survey, having accessible playgrounds in parks was rated a "High Priority" item. This rating indicates that any improvements in this area are likely to have a positive impact on the greatest number of households. Replacement of this playground has been highly requested from patrons that use the park. This project meets that neighborhood request.

Document No. 9758 was read.

Action: Council Member Hagan moved to waive the rules and consider the ordinance on first reading. Council Member Gentrup 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 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. 11923.

C. ORDINANCE AMENDING ORDINANCE NO. 11799, APPROVING A CONTRACT WITH THE MID-AMERICA REGIONAL COUNCIL PERTAINING TO SENIOR SERVICES BY APPROVING AMENDMENT NO. 2 INCREASING THE SET MAXIMUM REIMBURSEMENT RATES FROM A PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2024 IN AN AMOUNT NOT TO EXCEED \$165,030.00

Annually, the City of Liberty is awarded operating contracts by the Mid-America Regional Council (MARC) to support senior center administration, site-person transportation, home delivered meal delivery, home delivered meals administration of a volunteer system, evidence-based DPHP programs, and home delivered meal reassessments. All contracts are

for the state fiscal year from July 1 through June 30. These are dollar amounts reimbursed (paid) to the City of Liberty from MARC for providing these services.

All MARC funding is based on usage and capped at the grant funded amounts.

In July 2022, staff applied for Section 5310 funds through KCATA to purchase a new multi-passenger bus for Liberty Access Bus service. This grant would provide an 80/20 match for the new vehicle. In July 2023, staff learned they were awarded 80% of the 80/20 matching grant through KCATA. In July 2023, staff secured the additional 20% local match from Clay County Senior Services. In December 2023, staff were informed the costs of the bus choices had escalated by \$37,342.00, creating a funding gap of \$29,204.00, which fell back on the City of Liberty. Through extensive communication with local partners, City staff were able to secure additional funds from MARC to close the shortfall. These additional funds are noted in Amendment #2 increasing the maximum amount to be paid for Senior Center Administration, allowing the City to meet its obligations under the 5310-vehicle program, administered by the Missouri Department of Transportation.

The table below outlines the maximum amounts to be paid outlined in the original contract, and subsequent Amendment #1 and Amendment #2.

Service	Original Contract	Amendment #1	Amendment #2
Transportation services to and from the center, unit rate \$2.75/one-way trip	\$7,370	\$17,370	\$17,370
Delivery of home delivered meals, unit rate \$2.20	\$21,252	\$21,252	\$21,252
Home delivered meals administration of volunteer system	\$51,704	\$51,704	\$51,704
Evidence-based DPHP programs	\$10,000	\$10,000	\$10,000
Home delivered meals reassessments	\$2,500	\$2,500	\$2,500
Administration of senior center	\$33,000	\$33,000	\$62,204
Total value of contract	\$125,826	\$135,826	\$165,030

Document No. 9759 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 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. 11924.

D. ORDINANCE AMENDING ORDINANCE NO. 11698, DECREASING THE CONTRACT WITH JE DUNN FROM \$3,123,269.00 TO \$3,086,131.00 FOR A SAVINGS OF \$37,138.00 FOR THE CITY HALL ATRIUM PROJECT NO. 21-019

The City entered into phase one (pre-construction) of a progressive design-build contract with JE Dunn Construction that was executed November 22, 2021, for the City Hall Atrium Project No. 21-019 (\$45,000.00). The project included the removal of the existing domed glass atrium, Kansas Street entryway, brick sidewalk and front steps, and replacing the second-floor tiling. The new construction included a structural supported flat roof, with vertical glass and glazing, atrium lighting, an ADA-compliant entryway from Kansas Street with an overhang, steps from Kansas Street, repair of water damaged drywall, LED decorative lighting along the new roofline, and new terrazzo flooring on the 2nd floor entryway. Project goals were established by working with a broad range of building users and the design-build team. The team then developed a ranking of those goals, and scored different design concepts. Those design concepts were presented to the Council through a special session, and a final design recommendation was made during a regular Council meeting.

The City amended the contract for the full design and construction phase of the design-build contract with JE Dunn on December 19, 2022, and increased the total contract amount from \$45,000.00 to \$3,123,269. This revised contract amount incorporated approximately 5.3% in design and construction contingencies to address any modifications and unforeseen circumstances over the duration of the project.

Construction is now completed, and the final cost of the project ended under budget, resulting in a net savings of \$37,138.00. This action will reconcile the final contract amount to the final cost of the project.

Document No. 9760 was read.

Action: Council Member Pozel 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. 11925.

E. ORDINANCE AMENDING ORDINANCE NO. 11891 INCREASING THE CONTRACT AMOUNT WITH SUPERIOR BOWEN ASPHALT COMPANY, LLC FOR CITY OF LIBERTY PROJECT 24-002, 2024 STREET MAINTENANCE PAVEMENT RESTORATION PROJECT IN AN AMOUNT NOT TO EXCEED \$1,537,645.00

Ordinance No. 11891 was passed by the City Council on March 11, 2024. Ordinance No. 11891 approved a contract with Superior Bowen Asphalt Company, LLC for the 2024 Street Maintenance Pavement Restoration Project (24-002). As authorized, the project included asphalt milling, overlaying and the application of striping to B Highway, H Highway and N. Lightburne Street.

This Ordinance requests an amendment to Ordinance No. 11891. The amendment will authorize an increase in the agreed upon contract price with Superior Bowen Asphalt Company, LLC from \$1,288,692.00 to \$1,397,858.60 with authorization to spend up to \$1,537,645.00. The amount requested includes both the revised contract amount and the addition of an approximate 10% contingency.

The increased contract amount is required in order to accept a Contract Change Order which increases the scope of work to include the resurfacing of 104th Street from the westernmost city limits to N. Church Road. The additional contract cost covers the increased estimated quantities for full depth pavement repair and thermoplastic striping while also adding two new line items for the additional contractor mobilization and a 3/4" asphalt leveling course.

Funds requested above the contract amount are requested for the following reasons:

- Final payments are based on the actual unit quantities used during the project and may be more or less than estimated, resulting in fluctuations in bid prices.
- Current market trends have been deemed highly volatile with rapid escalations in prices. A 10% contingency allows for flexibility in the event of a required unforeseen change order.
- It allows quick action in the event of emergency asphalt pavement work that may develop over the length of the contract.
- Due to the current price volatility associated with petroleum products (asphalt being a petroleum product), the contract is being structured to utilize an asphalt price index. The index allows for variation in the price paid to the contractor for asphalt materials based on regional data. The asphalt price index is a tried practice used by entities such as MoDOT to account for large swings in petroleum prices.

The 2024 Street Restoration Project base budget was established at \$2,400,000.00 for 2024 during CIP development. This includes \$800,000.00 from the Transportation Sales Tax and \$1,600,000.00 from the Capital Sales Tax.

Document No. 9761 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 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. 11926.

F. ORDINANCE AMENDING ORDINANCE NO. 11877 INCREASING THE CONTRACT AMOUNT WITH HOLHOUSE CONSTRUCTION L.L.C FOR CITY OF LIBERTY PROJECT 24-001, 2024 CLAYVIEW DR. EMERGENCY STORM PIPE REPAIR IN AN AMOUNT NOT TO EXCEED \$219,926.00

Ordinance No. 11877 was passed by the City Council on January 22, 2024. Ordinance No. 11877 approved a contract with Holhouse Construction L.L.C. for the emergency excavation, removal and replacement of an existing corrugated metal pipe with a new 84" diameter reinforced concrete pipe (RCP) under Clayview Dr.

All contract work has been completed by Holhouse Construction L.L.C. in accordance with City standards, specifications and contract requirements. A final change order is required to reconcile the contract. Reconciliation involves adjusting all contract line items from their original estimated quantities to final installed quantities. This Ordinance provides a final reconciliation by adjusting the contract from \$183,495.00 to \$219,926.00.

Document No. 9762 was read.

Action: Council Member Pozel 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 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. 11927.

G. ORDINANCE AMENDING ORDINANCE NO. 11802 INCREASING THE CONTRACT AMOUNT WITH HDR ENGINEERING, INC. FOR CITY OF LIBERTY PROJECT 23-009, CITY OF LIBERTY TRANSPORTATION MASTER PLAN BY AUTHORIZING SCOPE REVISIONS AND OBLIGATION OF FUNDING FOR PHASE II WHICH SHALL

BE THE CITY'S SAFE STREETS FOR ALL (SS4A) ACTION PLAN IN AN AMOUNT NOT TO EXCEED \$428,310.00

Ordinance No. 11802 was passed by the City Council on August 14, 2023. Ordinance No. 11802 approved a contract with HDR Engineering, Inc. for the creation of a City Transportation Master Plan. While the August 2023 Council action awarded the contract for Phase I and II to HDR, funding was only provided for Phase I. This subsequent Ordinance requests authorization to amend the scope of Phase II and obligate funding for the revised Phase II scope.

Phase I of the Master Plan, which is currently under way and already funded, includes:

- Project Management
- Public/Stakeholder Engagement
- Data Collection
- Existing Conditions Analysis
- Transportation Forecasts
- Future Needs/Major Street Map
- Five Year CIP
- Phase I Deliverable Document

Phase II, which is not underway and not previously funded, was originally estimated at \$202,430.00 and consisted of:

- Project Management
- Public/Stakeholder Engagement
- Active Transportation/Complete Streets
- Public Transit Analysis
- Safety Analysis
- Long Term CIP
- Signal Systems
- Access Management
- Final TMP Deliverable Document

Ordinance No. 11916 was passed by the City Council on April 08, 2024. Ordinance No. 11916 approved a Safe Streets for All (SS4A) Grant Funding Agreement with the U.S. Department of Transportation (DOT) allowing for funding assistance, not to exceed \$200,000.00, for the development of an SS4A Action Plan. Phase II was anticipated to serve as and utilize SS4A funding in the event of an award. After notice of award, City Staff revisited Phase II's scope to ensure that Phase II met the intent and requirements of the SS4A program. The revised Phase II scope is priced at \$199,956.00 and consists of:

- Project Management
- Public/Stakeholder Engagement
- Data Analysis
 - Crash Trend Analysis
 - Higher Injury Network and High Injury Intersections Mapping
 - Systematic Risk Assessment
 - Higher Risk Network Mapping
 - Equity Analysis

- Safe System Approach Strategies
 - Safer Speeds
 - Safer Roads
 - Safer People
- Action Plan
 - Capital Improvement Plan Projects
 - Active Transportation Projects
 - Systematic Traffic Signal Improvement Projects
- Final Comprehensive Safety Action Plan (CSAP) Document

The SS4A funding agreement authorized through Ordinance 11916 will be used for Phase II which, when completed, will serve as the City's SS4A Action Plan. The City is expected to receive back 80% of the obligated \$199,956.00 as reimbursement for applicable project costs.

Document No. 9763 was read.

Action: Council Member Pozel 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 Hagan moved to approve the ordinance. Council Member Watt 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. 11928.

H. RESOLUTION ACCEPTING THE CITY HALL ATRIUM PROJECT NO. 21-019.

The City entered into phase one (pre-construction) of a progressive design-build contract with JE Dunn Construction for the City Hall Atrium Project No. 21-019. The project included the removal of the existing domed glass atrium, Kansas Street entryway, brick sidewalk and front steps, and replacing the second-floor tiling. The new construction included a structural supported flat roof, with vertical glass and glazing, atrium lighting, an ADA-compliant entryway from Kansas Street with an overhang, steps from Kansas Street, repair of water damaged drywall, LED decorative lighting along the new roofline, and new terrazzo flooring on the 2nd floor entryway. Project goals were established by working with a broad range of building users and the design build team. Phase two of the contract for full design and construction commenced in December 2022.

Construction is now completed, and the final cost of the project ended under budget, resulting in a net savings of \$37,138.00. This action will formally accept the project.

Action: Council Member Watt moved to approve the resolution. 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
Inscribed in Resolution No. 3384.

I. RESOLUTION AMENDING RESOLUTION NO. 3373 APPROVING A TEMPORARY EVENT LIQUOR LICENSE FOR HISTORIC DOWNTOWN LIBERTY, INC. (HDLI) FOR THE 13TH ANNUAL DOG DAYS OF SUMMER CRAFT BEER CRAWL EVENT ON AUGUST 3, 2024 BY CHANGING THE EVENT DATE TO JULY 27, 2024

City Council previously approved Resolution No. 3373 on December 18, 2023. Due to a change in event date, the Resolution is being amended.

Action: Council Member Hagan moved to approve the resolution. 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
Inscribed in Resolution No. 3385.

XI. OTHER BUSINESS

XII. CITIZENS PARTICIPATION

Blaine Dome – 329 S. Missouri Street, Mr. Dome stated he has been at several City Council meetings to discuss the speeding on South Missouri Street. Mr. Dome thanked the maintenance department for installing the stop light but Mr. Dome doesn't understand why they removed the indicator letting people know how fast they are going. Mr. Dome stated that now people are speeding from Murray Street all the way down to the square like it's nothing. Mr. Dome stated he feels the speeding problem has started all over again.

Gieselle Fest – 1407 Lynette Street, Ms. Fest thanked City Council as a regular average person, a tax payer and resident for the opportunity to speak. Ms. Fest states with all due respect to stop the lawsuit to repossess the cemetery block. Ms. Fest asks 'why?' Ms. Fest states she doesn't understand why ground is being taken in a cemetery and why do you want something you don't own?

Dwayne Holtzclaw – 113 Kevin Street, Excelsior Springs, MO, Mr. Holtzclaw states his family is buried in Block 174. Mr. Holtzclaw states that his uncle and Mayor, John Will Hall sold Block 174 on January 6, 1900 and that is why Mr. Holtzclaw carries the Deed with him. Mr. Holtzclaw states the Deed is located in Book 136, Page 20. Mr. Holtzclaw states he wouldn't be present at the City Council meetings if the City wasn't trying to steal his grave marker. Mr. Holtzclaw stated atheists with a communist agenda steal grave markers not Christians. Mr. Holtzclaw stated this is his 90th City Council meeting.

XIII. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XIV. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XV. ADJOURNMENT

The meeting adjourned at 8:21 p.m.

Mayor

Attest:

Deputy City Clerk