



## City Council Meeting

Regular Session Minutes

October 14, 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 October 14, 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 Travis, 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  
Vicki McClure, Finance Director  
Andy Noll, Utilities Director  
Amy Blake, Human Resources Director  
BJ Staab, Parks and Recreation Director  
Jim Martin, Police Chief  
John Mills, Fire Chief  
Brandon Smith, Economic & Business Dev. Manager  
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  
13 members of the public

### IV. MONTAGE UPDATE AND PRESENTATION

Montage is a mixed-use master planned community, working with the natural landscape of 1,100 acres of beautiful rolling hills and creeks on the west side of Liberty. Montage from GaleHart Communities is preserving the legacy of the past and building the community of the future.

Montage features a Master Plan of nine distinct villages with each neighborhood carefully considered communal green spaces and a unique botanical environment. Montage will offer

an impressive range of lifestyle activities, indoor and outdoor to ensure families can enjoy an active and vibrant life. All families will share in the fun of pocket parks, athletic fields and trails where kids can learn to ride a bike or scooter on a purpose-built managed loop trail system.

Montage will meet tomorrow's standards of green living, urban vitality and smart development while preserving the unique history and landscape of Liberty.

Milestones achieved at this point have been zoning classification, annexation of 300+acres, amended the future land use plan, rezoned the property, created a Bondable Special District (TIF+CID) and negotiated a development agreement with the City which included the Master Plan and Guidelines. Presently the developers are securing and negotiating purchase contracts with builders and commercial developers.

Some speed bumps along the way have included a global pandemic, high inflation, higher interest rates, volatile bond market conditions, volatile real estate market conditions and general economic uncertainty.

The road ahead includes the first preliminary plat already submitted to the City Planning Department of 87 lots for single family use, SRD Governance Entity (CID) coming in the fourth quarter of 2024, Land and Bond Closings coming the first party of 2025, first plan approval that is currently under review will be coming for final approval in the first quarter of 2025 and that is when they begin the horizontal construction which lasts about a year as there is backbone infrastructure they are working with city staff on to create priority items. Then they will go vertical with residential and commercial construction in the second quarter of 2026.

Things we can expect next from Montage are general appointments of contractors, infrastructure sequencing showing when each of the priority items will have a ground breaking date and announcement of the contract.

V. PROCLAMATIONS

VI. APPROVE MINUTES AND SUMMARIES

VII. MEETING SCHEDULE

VIII. CONSENT AGENDA

- A. Motion to Approve the Purchase of Service Desk Plus Enterprise Edition - Perpetual Model Computer Software from Manage Engine in an amount not to exceed \$33,954.00

Service Desk Plus is the Technology and Logistics department's help desk and knowledge base system. To date, it has been a subscription service. As this software system will be in place for the foreseeable future, staff have decided to convert this to a perpetual license. This will essentially purchase the right to use the software outright with lifetime savings on the cost of the software.

This purchase also has co-termed an existing renewal for Endpoint Central service through the company. This is our system for tracking IT assets and distribution such as PCs, laptops, drivers, software, etc.

To date, the annual subscription cost has been roughly \$10,000/yr., increasing year after year. Switching to a perpetual license will have a one-time cost of \$39,785.00 before a discount of \$5,831.00 for a net one-time purchase of \$33,954.00.

**Action:** Council Member Hagan moved to approve the purchase. 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

**B. Motion to Approve the Purchase of a New Holland Powerstar 75 Tractor with Mower from Fries Ag & Turf, LLC in an amount not to exceed \$51,946.32**

The annual Capital Improvement Plan completed with the annual budget has allocated funds for the purchase of critical equipment necessary for the maintenance of infrastructure and delivery of services for the City. Public Works maintenance staff have identified a 2021 tractor mower that needs replacement due to reliability issues. Public Works requested bids for a new Holland Powerstar 75 and the bids were received and included a trade-in value of \$25,000.00 from both of them.

**Action:** Council Member Hagan moved to approve the purchase. 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

**C. Motion to Approve a Blanket Purchase Order for Road Salt from Independent Salt Company in an amount not to exceed \$81,000.00**

Due to the anticipated demand for road salt over the winter months, it is necessary to arrange for the purchase of the required salt material at this time. Authorization of this blanket purchase order will ensure delivery of materials as necessary to replenish the inventory of road salt utilized during the upcoming winter season. This purchase will be treated as a balance sheet inventory item. When quantities are consumed, the commodity will be charged to the expense budget and the inventory balance reduced. The proposed 2025 budget will include adequate funds to cover expenses.

The City of Gladstone coordinated a cooperative bid process for the supply of road salt, with the agencies including; Gladstone, Liberty, Excelsior Springs and Clay County.

Prices received are as follows:

- Independent Salt Company \$60.49 per ton
- Hutchinson Salt Company \$64.18 per ton

The cost of salt has stayed close to the previous year's price of \$60.78 per ton, and was also contracted through Independent Salt Company. Based on the bid cost for the upcoming winter weather, we find that the proposed price is reasonable.

**Action:** Council Member Hagan moved to approve the purchase. 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

D. Resolution Approving a Temporary Event Liquor License for St. James Catholic School's 35th Annual Auction Run for the Saints at St. James Church, 309 S. Stewart Road, Liberty, MO on November 2, 2024

St. James Catholic Church has applied for a temporary liquor license to serve alcohol for the 35th Annual Auction Run for the Saints on November 2, 2024. Because the public will have access to the event, State statute and City ordinance require a license. The organization contacted the owners/occupants of all properties within one hundred eighty-five (185) feet of the event locations, notifying them of the proposed events and the time and place of the Council meeting at which the application would be considered.

**Action:** Council Member Hagan moved to approve the resolution. 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

Inscribed in Resolution No. 3417.

IX. PUBLIC HEARINGS

A. Ordinance of the City of Liberty, Missouri Amending Chapter 30, Unified Development Ordinance, Relating to Marijuana Businesses in Compliance with Amendment 3 to the Missouri Constitution (P&Z Case 23-20A)

The Unified Development Ordinance (UDO) was approved in April 2005. Periodically, the City reviews potential changes that may be warranted due to changing technologies, trends, community preference, grammatical errors in the code, or planning commission direction. On November 6, 2018, Missouri voters approved Constitutional Amendment 2, establishing a right to access medical marijuana and establishing steps for state permits

related to the use, cultivation, manufacturing, distribution, and dispensing of medical marijuana for qualifying patients. At that time, the City of Liberty updated our codes to allow the use, cultivation, and sales of medical marijuana. On November 8, 2022, the voters approved Amendment 3 to the Missouri Constitution revising Article XIV, Section 1 and adding a new Section 2 entitled, "Marijuana Legalization, Regulation, and Taxation" allowing the use of recreational marijuana for adults 21 years of age and older. As such, the City now needs to amend local ordinances regarding recreational or non-medical marijuana, particularly with regard to land use regulations.

Cities may regulate the "time, place, and manner" of the operation of marijuana facilities as long as the regulations are not "unduly burdensome on the operation" of the facility. The City of Liberty adopted a 300-foot buffer requirement between a marijuana facility and a primary or secondary school, child day-care center, or church when the medical marijuana regulations were. There are four types of marijuana facilities:

- Marijuana Cultivation Facilities are where the plants will be grown, harvested, and processed.
- Marijuana Infused Products Facilities are where edibles or lotions containing marijuana are made.
- Marijuana Testing Facilities will test the quality, strength and purity of the marijuana, and is required for all products that will be sold at dispensaries.
- Marijuana Dispensary Facilities are commercial facilities licensed to store and sell marijuana products to medical patients and those 21 years of age and older.

These proposed amendments are based upon the rules by the Department of Health and Senior Services (DHSS).

Mayor Canuteson opened the Public Hearing and asked if anyone wished to speak either in favor or in opposition of the ordinance. Seeing no one wishing to speak, the Mayor closed the Public Hearing.

Document No. 9813 was read.

**Action:** Council Member Gentrup 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 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. 11978.

X. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Ordinance Acknowledging Vendor Payments for the Period of September 13, 2024 to October 4, 2024

Document No. 9812 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. 11977.

B. Ordinance of the City of Liberty, Missouri Amending Chapter 22, Offenses-Miscellaneous, Relating to Marijuana in Compliance with Amendment 3 to the Missouri Constitution and Controlled Substances

This proposed ordinance is intended to update Chapter 22 on offenses to align with changes to the Missouri Constitution (Amendment 3) on marijuana legalization. The language utilized herein, including the penalty provisions, is pulled directly from Amendment 3. This ordinance also proposes to clarify certain provisions within the no smoking ordinance, specifically that unenclosed areas within bars or restaurants such as patios or outdoor seating areas may authorize tobacco smoking if they so choose.

Document No. 9814 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 Graham 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. 11979.

C. Ordinance Approving an Agreement with Capitol Federal Savings Bank Authorizing a Two-Year Partnership for Naming Rights of the Liberty Sports Complex in an amount not to exceed \$55,000.00

The Parks and Recreation Department worked with an independent contractor in 2019 as the Sports Complex was renovated with artificial turf for naming rights, field naming scoreboards and an overall banner program. The sponsorship program has been beneficial in subsidizing the current sports budget, which helps offset Parks & Rec program registration fees and in the maintenance of the park at a high level, not only for our parks and rec teams but also as one of the premier complexes in the Midwest.

Document No. 9815 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. 11980.

- D. Ordinance Approving a Subaward Agreement with the 2024 American Rescue Plan Act State and Local Fiscal Recovery Funds First Responder Capital Improvement and Interoperable Communications Equipment Grant for Radios and Communication Equipment for the Fire Department in an amount not to exceed \$194,951.10

The State of Missouri Department of Public Safety opened up an opportunity for Fire Departments in the State to apply for a Capital Improvement & Interoperable Communications Equipment Grant using funds from the SFY 2024 American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds (SLFRF). The mobile and portable radios that we currently use are at their end of life and can no longer be serviced. The department has budgeted funds for the replacement of all the radios in stages. However, with these additional matching funds, we will be able to replace all the radios at one time. This will ensure that we are able to maintain good communication between our Fire department and those departments around us.

Document No. 9816 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 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. 11981.

- E. Ordinance Approving an Agreement with the 2024 American Rescue Plan Act State and Local Fiscal Recovery Funds First Responder Capital Improvement and Interoperable Communications Equipment Grant for Radios and Communication Equipment for the Police Department in an amount not to exceed \$259,667.38

The State of Missouri Department of Public Safety opened up an opportunity for Police Departments in the State to apply for a Capital Improvement & Interoperable Communications Equipment Grant using funds from the SFY 2024 American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds (SLFRF). The mobile and portable radios that we currently use are at their end of life and can no longer be serviced. The department has budgeted funds for the replacement of all the radios in stages. However, with these additional matching funds, we will be able to replace all the radios at one time. This will ensure that we are able to maintain good communication between our Police department and those departments around us.

Document No. 9817 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 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. 11982.

- F. Ordinance Approving a Contract for the City of Liberty Project 24-008, South Liberty Parkway (SLP) Roundabout Design Concept Project with George Butler Associates, Inc. in an amount not to exceed \$174,780.00

South Liberty Parkway (SLP) is a high volume, critical Southern East-West route within the City of Liberty. Previous plans for SLP had identified signalized intersections along its length. However, in the last few years, the City Council has expressed the desire to have roundabouts placed along the SLP instead of additional signals. This desire was further adopted and memorialized by the Council and Citizens within the City's revised Comprehensive Plan of 2023.

In April 2024, City Staff developed a project Scope of Work for a feasibility study and design concept project which would identify feasible locations and define growth/developmental triggers for the future placement of (5) roundabouts along SLP. The project will not and is not intended to result in construction ready plan sets.

To facilitate the study and design for the project, a Request for Design Consultant Qualifications (RFQ) was publicly advertised between June 17, 2024, and July 08, 2024. A total of five qualification submissions were received from the following firms:

- Cook, Flatt and Strobel, Inc.
- GBA, Inc.
- Great River Engineering, Inc.
- HDR, Inc.
- Taliaferro & Browne, Inc.

Following interviews, GBA was selected for the project.

During contract negotiations, the project was broken into three overarching tasks:

Task 1000 - Project Management and Administration:

- General project administration and progress/coordination meetings as well as site visits.

Task 2000 - Feasibility Study:

- Review and analysis of existing data and development along SLP which will culminate in a feasibility report detailing the differences in a signalized vs a roundabout intersection along the parkway, potential locations for the placement of future roundabouts, potential future funding sources, triggers for intersection improvements and an intersection control evaluation matrix.

Task 3000 - Conceptual Plans:

- Design of concept plans and estimates for up to (5) roundabout locations along SLP as determined by the feasibility study.  
Document No. 9818 was read.

**Action:** Council Member Pozel 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 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. 11983.

G. Ordinance Accepting Permanent Public Easements for the M-291/Blue Jay Traffic Signal and Stewart/M-291 Intersection Project

To facilitate the M-291/Blue Jay Traffic Signal and Stewart/M-291 intersection project, a number of public construction easements, permanent sidewalk and storm sewer easements are needed to be acquired from various property owners along the project length. The acquisition of private property needed in connection with all federally funded projects are governed by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (commonly referred to as the Uniform Act). Local Public Agencies (LPAs) are responsible for acquisition of all necessary property to permit construction.

Property owners may donate property to be acquired for public use, or they have the right to request just compensation. The City of Liberty, through its project design contract, accepted by Council on November 14, 2022, retained the services of Donoho Appraisals, to determine the value of the property to be acquired from those owners requesting compensation and handle subsequent acquisition negotiations.

Six properties have been impacted by property acquisition on this project. Four of the six have been acquired and accepted through previous Council actions. This action involves the acquisition of and acceptance of the remaining two properties.

The following permanent easements were acquired at a negotiated cost to the City of Liberty:

McBee’s Coffee N Carwash, LLC	SWE	\$2,600.00
Triangle 11, LLC & Triangle 12, LLC and Timothy D. Harris, LLC	SWE	\$750.00

TCE = Temporary Construction Easement  
SWE = Permanent Sidewalk Easement  
SDE = Permanent Storm Drainage Easement

Document No. 9819 was read.

**Action:** Council Member Pozel 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 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. 11984.

H. Ordinance Amending Ordinance No. 11901 Approving a Change Order with Inco USA, LLC for City of Liberty Project 24-003 2024 Concrete Flatwork

Replacement Project Increasing the Contract Amount by \$21,840.45 from \$68,292.39 to \$90,132.84

The 2024 Concrete Flatwork Replacement Project for the amount of \$68,292.39 was awarded to Inco USA, LLC, on March 11, 2024 (Ordinance No. 11901).

The project involved concrete flatwork along:

- N. Jewell Street
- S. Jewell Street
- E. Kansas Street
- Lightburne Street
- E. Mill Street

Throughout the project, additional work items were added along Mississippi St. and Claywoods Pkwy. This action increases the contract amount by \$21,840.45 from \$68,292.39 to \$90,132.84. This amendment is required to:

- Incorporate additional agreed to line items of work which were not in the original contract; and
- Reconcile all line item costs from estimated quantities to final installed quantities.

Document No. 9820 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 Gentrup 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. 11985.

I. Ordinance Approving a Contract with Heartland Traffic Services, Inc. for the City of Liberty 2024 Annual Pavement Marking Project (24-019) in an amount not to exceed \$78,914.05

City staff advertised a bid for striping services (pavement marking) on 08/26/2024 and received bids on 09/17/2024. There was one bid received from Heartland Traffic Services for \$99,660.85. The City's internal estimate was \$86,813.16. A calculation error in the bid document and subsequent discussions resulted in a revised bid price of \$78,914.05.

The project will provide marking improvements to locations with faded street markings. Heartland Traffic Services is a known provider for pavement markings within the Kansas City Metro Area. Previous premiere marking companies within the area were Twin Traffic Marking, K&G Stripping, and Traffic Zone Services, and they have all been consolidated under Heartland Traffic Services. Heartland Traffic Services performed the 2022 and 2023 Striping Project and has served as the subcontractor for striping associated with the 2022, 2023 and 2024 Overlay Projects.

The roadways that have been identified for this project are as follows:

- Birmingham Rd from S. Withers to South Liberty Parkway
- Flintlock Flyover from Liberty Dr. to South Liberty Parkway
- Kings Hwy from Rd from N, Stewart Rd. to Conistor St.
- S. La Frenz Rd. from Ruth Ewing Rd. to Richfield Rd.
- N. Church Rd. from City Limits to Oakwood Ln.
- Ruth Ewing Rd. from S. La Frenz to Birmingham Rd.
- Sunset Ave. and Forest Ln. from S. Ridge Ave to S. Fairview Ave.
- Buckingham Dr. from S. Withers to Old Withers Rd.
- The intersection of Kansas St. & Conistor St.
- Claywoods Pkwy.

Document No. 9821 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 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. 11986.

- J. Ordinance Amending Ordinance No. 11951, Approving a Contract with the Mid-America Regional Council Pertaining to Senior Services by Approving Amendment #1 Increasing the Set Maximum Reimbursement Rates by \$33,473.53 from \$143,250.00 to \$176,723.53 from a Period of July 1, 2024 through June 30, 2025

Each year 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.

All MARC funding is based on usage and capped at the grant funded amounts. The table below outlines the maximum amounts to be paid outlined in the original contract and the maximum amounts to be paid proposed in Amendment #1.

Service	Original Contract	Amendment #1
Transportation services to and from the center, unit rate \$2.89/one-way trip	\$15,000	\$15,000
Delivery of home delivered meals, unit rate \$2.00	\$22,000	\$22,000
Home delivered meals administration of a volunteer system, unit rate \$5.75	\$63,250	\$63,250
Evidence-based DPHP programs	\$10,000	\$10,000
Administration of senior center	\$33,000	\$66,473.53
<b>Total Value of Contract</b>	<b>\$143,250</b>	<b>\$176,723.53</b>

Document No. 9822 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 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. 11987.

- K. Ordinance Amending Ordinance No. 11556 Approving a Contract Between the City of Liberty and VSM Engineering LLC by Increasing the Contract Amount by \$45,997.50 from \$129,250.00 to \$175,247.50 for the Mississippi Street and Liberty Drive Design Project

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 Street from Fairview Ave. to Maple Street
- Liberty Drive from Midjay Drive to Fairview Ave.

At the February 27, 2023 City Council meeting, the design contract was amended (Amendment No. 1) to increase the scope of work along Liberty Dr. to include the segment between Midjay Dr. and Red Oak Ln.

At the May 8, 2023 City Council meeting, the design contract was amended (Amendment No. 2) to increase the scope of work along Mississippi St. to include the design of a water main between Fairview Ave. and Maple St. This scope of work has since been completed and the funding source provided by the Utilities department may be released from the contract. This will result in a contract decrease of \$14,402.50.

At the August 12, 2024 City Council meeting, a Carbon Reduction Funding Agreement was approved which will provide for construction funding assistance for the Liberty Dr. sidewalk improvements. The addition of federal funding to the Liberty Dr. project requires that the project design and plan sets meet additional federal and state requirements (and an additional ADA ramp along Mississippi St) necessitate an increase in the consultant scope of work to continue design work to completion. This will result in a contract increase of \$60,400.00.

This action item would effectively increase the contract by a net amount of \$45,997.50 thereby allowing an increase in the scope to account for the revised scope of work associated with federal funding requirements and additions to the project.

Document No. 9823 was read.

**Action:** Council Member Pozel 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 Watt moved to approve the ordinance. Council Member Gentrup 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. 11988.

- L. Ordinance Amending Ordinance No. 11854 Approving a Final Change Order with Zipco Contracting, Inc. by Increasing the Contract Amount by \$2,180.00 from \$152,050.00 to \$154,230.00

On December 11, 2024 City Council approved a contract with Zipco, Inc. for renovations to the first and second floor bathrooms (Ordinance No. 11854). The original contract amount was \$152,050.00 and included removal of existing floor tiles, wall tiles, partial walls, and existing toilets; placing new flooring; installing LED lighting, ADA stools, sinks, and stools; installing new partitions and grab bars; and replacing the existing first floor lobby floor tiles with epoxy flooring.

During construction, some changes were necessary that added or deducted from the original scope of work. The contract is completed and a final reconciliation change order is required to adjust the final contract amount and to authorize final payment. The attached change order summarizes those changes.

The net result of all the changes increases the contract amount of \$152,050.00 by \$2,180.00 to a final amount of \$154,230.00. Approving an ordinance amending the original contract amount will allow for the final payment to the contractor and close out the project.

Document No. 9824 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 Hagan 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. 11989.

M. Ordinance Authorizing the City of Liberty, Missouri to Enter Into an Equipment Lease Purchase Agreement and Authorizing and Approving Certain Documents in Connection with the Delivery of the Lease

The amount of lease to be issued is expected to be \$2,070,000. This will provide a project deposit of \$2,042,610. The remaining funds of \$27,390 will be used to pay for the cost of issuance. The issuance of this lease will provide funding for the following:

- \$1,654,025 for the purchase of 1 New Ambulance and 4 New Ambulance Chassis; and,
- \$388,585 for the purchase of a Street Sweeper for the Public Works Department.

Lease debt service payments will be made from the following budgets starting in April 2025:

- 2024 Ambulance purchase from the Fire Sales Tax Fund; and,
- Street Sweeper for the Public Works Department from the Capital Sales Tax Fund.

The ordinance to be approved will establish the lease parameters.

Staff has reviewed each applicable fund capacity to make the required debt payments and believes sufficient long-term funds exist.

The City sought Requests for Terms from Commerce Bank, US Bank, Central Bank of the Midwest, Bank Liberty, Clay County Savings, PNC Bank, NBH Bank and KCB Bank. The terms offered by Bank of America were deemed to be the best.

Document No. 9825 was read.

**Action:** Council Member Pozel 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 Travis 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. 11990.

## N. Security Alarm Services

### 1. Ordinance Amending Chapter 22, "Offenses-Miscellaneous", of the Code of the City of Liberty, Clay County, Missouri

The Liberty Police Department strives to maintain the most efficient use of officers to prevent and react to crime. The vast majority of intrusion alarms that officers respond to are accidental or false in nature. False alarms often result from malfunctioning alarm systems, user error, or lack of proper training, leading to an increased number of unnecessary responses. Statistics show that between January 1, 2021, and September 30, 2024, the Police Department received 3,216 intrusion alarm calls for service. Officers responded to approximately 2,808 business and residential intrusion alarms where no crime had occurred, resulting in two officers being out of service for about 430 hours. In that same time period, only 18 calls resulted in a criminal report or arrest. Twenty-five addresses accounted for 686 false alarm calls or 24.4% of the false alarms. This situation can create a disconnect between the police and the community, as residents may feel their safety is compromised when officers are consistently tied up in false calls.

Initially, in the mid-1990s, a citizen could obtain a permit through Police Records when their alarm was installed by a "certified" company. The permit program continues to this day. However, records are not updated and are not accessible to our Communications Unit. Due to the antiquated CAD/RMS systems, which were recently replaced, the ability to track repeated false alarms at specific addresses was cumbersome and time-consuming. With the implementation of Central Square in 2020, the tracking of repeated false alarms has become more manageable. Central Square has partnered with CryWolf to allow integration and to track all intrusion alarm calls as well as the disposition of those calls (i.e. Burglary, False Alarm, Canceled by Owner, etc.) At zero cost to the City, CryWolf can then apply the standards of the City ordinance to collect fees from those addresses, with the goal of reducing the number of false alarms and the amount of time officers spend responding to false alarms. The City will receive 71% of the fees collected from permits and false alarms.

The proposed changes to the ordinance update language to be more consistent with modern alarm systems and increase assessed fees to be more in line with area municipalities' false alarm fees. Implementing more stringent registration processes, enhanced user education, and modernizing alarm systems can help reduce false alerts. These proactive measures will allow police to focus on legitimate emergencies, improve overall public safety and resource management.

Document No. 9826 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 Gentrup 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. 11991.

2. Ordinance Approving a Contract with CentralSquare Technologies, LLC for CryWolf Security Alarm Software

Document No. 9827 was read.

**Action:** Council Member Watt 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 Pozel 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. 11992.

O. Resolution Accepting the 2024 Concrete Flatwork Replacement Project with Inco USA, LLC

The 2024 Concrete Flatwork Replacement Project was awarded to Inco USA, LLC, on March 11, 2024 (Ordinance No. 11901). The project involved concrete flatwork along

N. Jewell St., S. Jewell St., E. Kansas St., Lightburne St., E. Mill St., Mississippi St., and Claywoods Pkwy.

All contract work has been completed by Inco USA, LLC in accordance with City standards, specifications and contract requirements. This action accepts the 2024 Concrete Flatwork Replacement Project, thus allowing release of retainage which has been held per the project contract.

**Action:** Council Member Hagan moved to approve the resolution. 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

Inscribed in Resolution No. 3418.

**P. Resolution Authorizing the Filing of a Grant Application with the Land and Water Conservation Fund for the Renovation of Place Liberté Park within the City of Liberty, Missouri**

In March 2019, the City of Liberty purchased 10.24 acres of land from the Liberty Public School District adjacent to the existing Place Liberté Park and across the street from Warren Hills Elementary. The Parks Department applied for, and was successful, in securing a Land & Water Conservation Fund (LWCF) Grant to build a baseball field in that space. However, the staff weren't able to follow through on that plan due to the pandemic.

As a part of the Parks Master Plan from 2022, several goals pertaining to Place Liberté Park were identified. Those included:

- Develop the vacant property between Place Liberté Park and Church Rd. (Goal 4, Obj 4.1)
- Develop a trail connection between Place Liberté Park and Church Rd. (Goal 1, Obj 1.2)
- Replace paved loop trail in Place Liberté Park. (Goal 1, Obj 1.3)
- Replace the parking lot at Place Liberté Park. (Goal 3, Obj 3.2)
- Replace the basketball hoops and court at Place Liberté Park. (Goal 3, Obj 3.2)
- Install a small picnic shelter at Place Liberté Park. (Goal 3, Obj 3.4)
- Install a porta restroom and enclosure at Place Liberté Park

In 2023, Park staff were able to resurface the parking lot and loop trail in Place Liberté Park. In late 2023, Parks staff applied for a LWCF Grant to replace the basketball hoops and court in the existing park, and develop the new property by adding a new parking lot, trail, open field space, hill slide and trail among other amenities. That application was not successful, so Park staff plans to update the application based on feedback from the LWCF Committee and reapply for funding to be awarded in late 2025 for 2026 construction.

**Action:** Council Member Graham moved to approve the resolution. 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  
Inscribed in Resolution No. 3419.

XI. OTHER BUSINESS

XII. CITIZENS' PARTICIPATION

David Langston – 1920 Carter Court, stated he is here to talk about his five family members and Block 174. Mr. Langston wants his family members to be able to rest in peace.

Dwayne Holtzclaw – 113 Kevin Street, Excelsior Springs, MO, Mr. Holtzclaw stated he has family members buried in privately owned Block 174 and his uncle, John Will Hall, City of Liberty Mayor, sold Block 174 on January 6, 1900. Mr. Holtzclaw stated he is here for the 99<sup>th</sup> time to ask the City Council to please stop attacking his family members' graves.

Gieselle Fest – 1407 Lynette Street, Ms. Fest thanked the City Council for the opportunity to speak. Ms. Fest states she is here to speak on behalf of families that have family members buried in Block 174. Ms. Fest asks that we let the dead rest in peace and move on.

XIII. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XIV. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XV. ADJOURNMENT

The meeting adjourned at 7:50 p.m.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Deputy City Clerk