Agenda

City Council Regular Session

Monday, November 28, 2022 - 7:00 PM
Council Chambers

I. Call to Order

II. Invocation and Pledge of Allegiance

A. COUNCIL MEMBER PHILLIPS

III. Roll Call

IV. Approve Minutes and Summaries

A. REGULAR SESSION MINUTES OF OCTOBER 10, 2022

B. REGULAR SESSION MINUTES OF OCTOBER 24, 2022

V. Citizens' Participation

VI. Meeting Schedule

VII. Consent Agenda

A. RESOLUTION ACCEPTING THE SANITARY, WATER, STREET AND STORM IMPROVEMENTS FOR THE HOMESTEAD OF LIBERTY, 3RD PLAT PROJECT

B. RESOLUTION ACCEPTING THE SANITARY, WATER, AND STORM SEWER IMPROVEMENTS FOR THE WELLINGTON PROJECT

C. PURCHASE OF MOBILE BARRICADES AND STORAGE CONTAINER FROM ROAD SAFE MOBILE VEHICLE BARRIERS IN AN AMOUNT NOT TO EXCEED $58,752.00

D. BOARDS AND COMMISSIONS APPOINTMENT
1. Liberty Housing Authority

- Appoint Yvette Madden to a term expiring July 1, 2025

VIII. Public Hearings

A.

ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LIBERTY, MISSOURI BY REZONING 50+/- ACRES AT NORTH of I-35/US 69 INTERSECTION FROM R-1A, SUBURBAN RESIDENTIAL DISTRICT TO C-2, GENERAL BUSINESS DISTRICT FOR NORTH LIBERTY COMMERCIAL (P&Z CASE 22-49 R&PDP)

B. RESOLUTION APPROVING A PRELIMINARY PLAT FOR NORTH LIBERTY COMMERCIAL, 50.47 ACRES BETWEEN INTERSTATE 35 AND US 69 HWY,

A SUBDIVISION OF LAND IN LIBERTY, CLAY COUNTY, MISSOURI (P&Z CASE 22-50PP) **(NOT A PUBLIC HEARING)** - POSTPONED FROM NOVEMBER 14, 2022

C. RESOLUTION APPROVING A SPECIAL USE PERMIT ON THE SOUTH SIDE OF 291 BETWEEN KENT AND BROWN ON SUTTON PLACE TO ALLOW AN ELECTRIC SUBSTATION FOR A PUBLIC UTILITY, IN LIBERTY, CLAY COUNTY, MISSOURI(P&Z CASE 22-56SUP)

IX. Ordinances, Contracts and Resolutions

A. ACKNOWLEDGEMENT OF VENDOR PAYMENTS FOR THE PERIOD OF NOVEMBER 4, 2022 TO NOVEMBER 18, 2022

B. ORDINANCE ACCEPTING A COVENANT TO MAINTAIN STORM WATER MANAGEMENT SYSTEM FOR CHARLIE'S CAR WASH

C. 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 $43,316.00 FROM $300,000.00 FOR AN AMOUNT NOT TO EXCEED $343,316.00

D. ORDINANCE APPROVING AN AGREEMENT AND THE CITY OF LIBERTY'S PARTICIPATION AND MEMBERSHIP IN THE MISSOURI FIREFIGHTERS CRITICAL ILLNESS TRUST AND POOL IN AN AMOUNT NOT TO EXCEED $7,198.00

X. Other Business

A. LIBERTY AFRICAN AMERICAN LEGACY MONUMENT - PRESENTATION

B. FAIRVIEW CEMETERY / BLOCK 174

XI. Miscellaneous Matters from City Administrator

XII. Miscellaneous Matters from Mayor and City Council

XIII. Adjournment

ADA Accessible entrance is available from Missouri Street at the Police Department entrance. An elevator will provide access to the second floor – Council Chambers

City Council Meeting

Regular Session Minutes
October 10, 2022

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 10, 2022 with Mayor Lyndell Brenton presiding. Mayor Brenton called the meeting to order at 7:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Council Member Duncan, who then led the pledge of allegiance.

III. ROLL CALL

Council Members Present:	Harold Phillips, Ward I Greg Duncan and Kelley Wrenn Pozel, Ward II Kevin Graham and Jeff Watt, Ward III Michael Hagan and Gene Gentrup, Ward IV
Council Members Absent:	Paul Jenness, Ward I
Staff Present:	Curt Wenson, City Administrator Sara Cooke, Assistant City Administrator Shawnna 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 Wade Thomas, Technology and Logistics Director Sherri McIntyre, Public Works Director Janet Pittman, Deputy City Clerk
Public Present:	Kellie Houx, Courier Tribune 20 members of the public

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION –

A. 2022 CIVIC LEADERSHIP AWARD

Gordon Hadden was presented with the City of Liberty 2022 Civic Leadership Award. Mayor Brenton stated that Gordon has been actively involved as a volunteer servant leader for the past six decades. Gordon is well known and respected for stepping-up, serving selflessly and getting things done. His influence can be witnessed in a variety of areas including public education, historic preservation, and many other activities to

improve our community

Mayor Brenton and Amy Gray, representing Historic Downtown Liberty Inc., also announced that Gordon Hadden was the recipient of the Vicki Vance Legacy Award, an annual award recognizing an individual or group whose influence, volunteer involvement, ideals, and activities have left a lasting, positive impression on the downtown Liberty area and raised the standard of excellence for future generations!

B. NATIONAL CYBER SECURITY AWARENESS MONTH PROCLAMATION

Mayor Brenton read the Proclamation and presented it to Wade Thomas, Director of IT Services.

C. FIRE PREVENTION WEEK PROCLAMATION

Mayor Brenton read the Proclamation and presented it to Dustin Paddack, Fire Marshal.

Sharon Feine, 457 E. Franklin, stated that she read on Facebook a person serving on the Parks and Recreation Foundation put inappropriate materials into Little Libraries; and, if so, they should be removed from the Foundation.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. BLANKET PURCHASE ORDER FOR ROAD SALT FROM INDEPENDENT SALT COMPANY IN AN AMOUNT NOT TO EXCEED $81,000

Road salt is used for the treatment of roadways during snow and ice events in the winter driving season. Due to the anticipated demand for road salt over the winter months, it is necessary to arrange for the purchase of the required 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 2023 budget proposal will include adequate funds to cover the expenses realized in 2023.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup

B. BOARDS AND COMMISSIONS APPOINTMENT

1. Liberty Community Christmas Tree Commission - Appoint Hank Pittman to a term expiring 5/1/2025
2. Liberty Municipal Redevelopment Corporation - Appoint Carly Riley

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

VIII. PUBLIC HEARINGS

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Ordinance acknowledging vendor payments for the period of September 16 – 30, 2022

Mayor Pro Tem Gentrup took over as Chair of the meeting.

Document No. 9474 was read.

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

Roll Call
Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11649.

Mayor Brenton resumed as chair of the meeting.

B. ORDINANCE APPROVING THE MONTAGE TAX INCREMENT FINANCING PLAN, ESTABLISHING A REDEVELOPMENT AREA, DESIGNATING GALEHART COMMUNITIES, LLC AS THE DEVELOPER OF PROJECTS 1, 2, 3, 4 AND 5 AND AUTHORIZING THE MAYOR TO EXECUTE A TAX INCREMENT FINANCING CONTRACT WITH GALEHART COMMUNITIES, LLC FOR IMPLEMENTATION OF THE MONTAGE TAX INCREMENT FINANCING PLAN (Second Reading)

The site is anticipated to be constructed in 5 phases, with construction costs being incurred over a period of 16 years. The projects will be activated individually at varying times in order to align with the start of development of the respective phases of development located within that Project Area. This phased proposal will have a total TIF term of 32 years. The development will bring necessary water, sewer and storm sewer infrastructure to this area. The development anticipates the planning, development, and construction of all associated street networks, utilities to include sewer, gas, water, etc. Total Development Cost: $304,689,954 before Debt Service & Financing Cost, Eligible Reimbursable TIF Expenses: $126,126,930, Eligible Reimbursable CID Expenses: $13,869,772.

The Project contemplates formation of a Community Improvement District (CID), anticipated to issue bonds to finance all or a portion of the Reimbursable Project Costs. It would levy a 1% sales and use tax; 50% captured by TIF. Non-captured portion pledged to payment of bonds (boundaries to include the Redevelopment Area and the property to be annexed).

Document No. 9467 was read.

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

Roll Call
Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11650.

INTRODUCTION OF PROJECT ACTIVATION ORDINANCES:

ORDINANCE APPROVING AND DESIGNATING REDEVELOPMENT PROJECT AREA 1 OF THE MONTAGE TAX INCREMENT FINANCING PLAN AS A REDEVELOPMENT PROJECT; AND ADOPTING TAX INCREMENT FINANCING THEREIN.

Document No. 9475 was read.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

ORDINANCE APPROVING AND DESIGNATING REDEVELOPMENT PROJECT AREA 2 OF THE MONTAGE TAX INCREMENT FINANCING PLAN AS A REDEVELOPMENT PROJECT; AND ADOPTING TAX INCREMENT FINANCING THEREIN.

Document No. 9476 was read.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

ORDINANCE APPROVING AND DESIGNATING REDEVELOPMENT PROJECT AREA 3 OF THE MONTAGE TAX INCREMENT FINANCING PLAN AS A

REDEVELOPMENT PROJECT; AND ADOPTING TAX INCREMENT FINANCING THEREIN.

Document No. 9477 was read.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

ORDINANCE APPROVING AND DESIGNATING REDEVELOPMENT PROJECT AREA 4 OF THE MONTAGE TAX INCREMENT FINANCING PLAN AS A REDEVELOPMENT PROJECT; AND ADOPTING TAX INCREMENT FINANCING THEREIN.

Document No. 9478 was read.

Action: Council Member Gentrup moved to table ordinance. Council Member Phillips seconded the motion.

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

ORDINANCE APPROVING AND DESIGNATING REDEVELOPMENT PROJECT AREA 5 OF THE MONTAGE TAX INCREMENT FINANCING PLAN AS A REDEVELOPMENT PROJECT; AND ADOPTING TAX INCREMENT FINANCING THEREIN.

Document No. 9479 was read.

Action: Council Member Hagan moved to table ordinance. Council Member Pozel seconded the motion.

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

C. ORDINANCE APPROVING A COMMUNITY INVESTMENT AND SETTLEMENT AGREEMENT WITH CANADIAN PACIFIC RAILWAY COMPANY IN THE AMOUNT OF $250,000.00

Canadian Pacific Railway has a proposed merger with Kansas City Southern Railway and will increase train traffic in the City. There is currently an at-grade crossing at Old Birmingham Roadway, just south of Holt Drive. The merger is proposing a 376 percent increase in train traffic through the intersection, going from less than 4 trains per day to about 18 trains a day.

The Mayor, on behalf of the City, submitted a letter of concern to the Surface of Transportation Board dated December 31, 2021, regarding concerns created by the increase in train traffic and mitigation concerns. Several items such as a new crossing with grade separation, installation of barriers, lowering the speed of trains and implementing reasonable hours of operation between 9 p.m. and 7 a.m. were asked to mitigate the effects that safety, environmental and quality of life impacts the proposed acquisition would have on Liberty.

The amount of $250,000.00 was based on the estimated cost of upgrading the existing at-grade crossing on Old Birmingham to a "Quiet-Zone" designation. A quiet-zone is such that the horns would not have to be sounded in advance of the at-grade intersection because there is a higher level of barriers that prevent vehicles from crossing the tracks as trains approach. The Community Investment in the railway is a voluntary contribution to the City of Liberty. The City would be agreeing to not seek any further mitigation conditions as part of the STB Docket No. FD 36500.

Document No. 9480 was read.

Mayor Brenton stated the ordinance would be considered on second reading at the October 24, 2022 Regular Session Meeting.

D. ORDINANCE APPROVING A RIGHT-OF-WAY USE AGREEMENT WITH MISSOURI NETWORK ALLIANCE, LLC, dba BLUEBIRD NETWORK

Missouri Network Alliance LLC., under the name of Bluebird Network fiber network, uses the City rights-of-way (ROW) to build their system. Under City Code section 25-27, a franchise or ROW use agreement with the city is required. The agreement will be for a ROW use agreement only.

The agreement being proposed under the current business model doesn't require a franchise fee, nor does their current proposal generate any fees within the City at this time. Thus, the only oversight will be the standard city ROW management fees. Those requirements require full repair to all yards, curbs, sidewalks, streets, and other utility impacts.

The proposed network facilities proposed by Bluebird include the installation of fiber along Leonard Street from MO-291 to Mill Street, along Mill Street east to H Highway, from H Highway to B Highway, and along B Highway to MO-69 Highway.

Document No. 9481 was read.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11651.

X. OTHER BUSINESS

A. MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT UPDATE

The City of Liberty is now under a new State Municipal Separate Storm Sewer System (MS4) permit #MOR04C027. This permit is a compliance requirement of the City of Liberty under the national Clean Water Act - National Pollution Discharge Elimination System (NPDES) program administered by the EPA. The City's Permit allows discharges into tributaries of Little Shoal Creek, Rush Creek, Town Branch and Fishing River. The permit was issued on November 1, 2021 and expires September 30, 2026.

This first year of the current permit has seen City Staff begin to adapt to the new permitting requirements and attempt to create a more independent system. Staff is currently working on preparing the annual report for submission to MDNR, this is due by February 25th, 2023.

Some of the highlights of the City's current stormwater program activities for this last year include:

1. Public Education, Outreach and Participation
    a. MARC water quality information is available and linked on the City stormwater quality webpages.
    b. Quarterly Social media posts.
    c. Household Hazardous Waste collected from Liberty Citizens –
    d. City Staff presentation at Farmers Market.
    e. Upcoming City Participation in County Ploggathon
    f. Volunteer Stream Clean Up
    g. Volunteer Storm Drain Marking
    h. Stormwater Management Plan is anticipated to be revamped in 2023
2. Illicit Discharge and Construction Stormwater Runoff Control
    a. Dry weather field inspections are conducted at City storm sewer outfalls checking for any illicit discharges.
    b. One (1) confirmed illicit discharge was reported by citizens and investigated by City staff, which resulted in enforcement actions and was successfully rectified.
    c. Construction sites are continuously monitored by City staff. Weekly erosion control reports are typically submitted to City staff for construction sites from open land disturbance permits.
    d. Post-construction storm water BMPs are periodically inspected by City staff.

3. Pollution Prevention and Good housekeeping in Municipal Operations
    a. Continuous training of City employees in Parks, Public Works, and Utilities departments on stormwater quality protection and maintaining good housekeeping policies and standard operating procedures.
    b. Updated Storm Water Pollution Prevention Plans were provided to City Maintenance Facilities.

It is important to note that adherence to the Permit is an unfunded requirement under the Clean Water Act NPDES program. A significant amount of staff time and resources are dedicated toward these compliance efforts.

B. FAIRVIEW CEMETERY / BLOCK 174

David Langston, 1920 Carter Ct., stated the grave marker is historic and should be preserved.

Dwayne Holtzclaw, 113 Kevin St, Excelsior Springs, stated the revestment process is modern day grave robbing and asked Council to stop it.

Gieselle Fest, 1407 Lynette, asked that the revestment be stopped.

Sharon Feine, 457 E. Franklin, spoke about the history of Lincoln and asked that the lawsuit be stopped.

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:57 p.m.

_____
Mayor

Attest:

_____
Deputy City Clerk

City Council Meeting

Regular Session Minutes
October 24, 2022

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 24, 2022 with Mayor Lyndell Brenton presiding. Mayor Brenton called the meeting to order at 7:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Council Member Hagan, who then led the pledge of allegiance.

III. ROLL CALL

Council Members Present:	Harold Phillips, Ward I Greg Duncan and Kelley Wrenn Pozel, Ward II Kevin Graham and Jeff Watt, Ward III Michael Hagan and Gene Gentrup, Ward IV
Council Members Absent:	Paul Jenness, Ward I
Staff Present:	Curt Wenson, City Administrator Sara Cooke, Assistant City Administrator Shawnna Funderburk, Chief Strategic Operations Officer Vicki McClure, Finance Director Andy Noll, Utilities Director BJ Staab, Parks and Recreation Director Matt Kellogg, Police Captain John Mills, Fire Chief Katherine Sharp, Planning and Development Director Sherri McIntyre, Public Works Director Janet Pittman, Deputy City Clerk
Public Present:	Kellie Houx, Courier Tribune 22 members of the public

IV. APPROVE MINUTES AND SUMMARIES

A. REGULAR SESSION MINUTES OF SEPTEMBER 12, 2022

Council Member Hagan moved to approve the minutes as distributed. Council Member Graham seconded the motion, which carried 5-0-2. Council Members Gentrup and Phillips abstained due to absence.

V. CITIZENS' PARTICIPATION

Sharon Feine, 457 E. Franklin, noted she heard that Liberty is filled with hate. Is it disagreement or hate? She believes that controversial books should not be in the little free libraries.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. RESOLUTION ANNOUNCING DATE FOR MUNICIPAL ELECTION AND DATES FOR FILING BY CANDIDATES FOR MUNICIPAL OFFICE

The dates for filing by candidates for municipal office are set by State statutes and local ordinance. The filing period for the April 4, 2023 municipal election will begin at 8 a.m. on December 6, 2022 and close at 5 p.m. on December 27, 2022. Municipal offices included in this election are: Mayor, Ward I Council Member; Ward II Council Member; Ward III Council Member; Ward IV Council Member; and honorary positions of City Clerk; City Treasurer, City Constable and City Auditor.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3279

B. RESOLUTION ANNOUNCING THE ELECTION DATE AND DATES FOR FILING BY CANDIDATES FOR THE BOARD OF DIRECTORS FOR THE BLUE JAY CROSSING COMMUNITY IMPROVEMENT DISTRICT

The Blue Jay Crossing CID Board of Directors terms have expired and it is now time to conduct an election to select successors. State Statutes require that successors to a CID Board must follow certain election procedures as outlined within the Statutes which are similar to Municipal elections. The Directors must be property owners within the District and are elected by the property owners within the District.

The dates for filing by candidates for the CID Board of Directors are set by State Statute and the CID Petition. The filing period for this election will begin at 8:00 a.m. on November 1, 2022 and will close at 5:00 p.m. on November 30, 2022. There are five CID Board positions, each serving a four (4) year term.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

Inscribed in Resolution No. 3280

C. BOARDS AND COMMISSIONS APPOINTMENTS

Liberty Arts Commission - Appoint Karly Schieder to a term expiring 5/15/2024
Community Christmas Tree Advisory Commission - Appoint Molly Casel to a term expiring 5/1/2024

Council Member Phillips moved to approve the appointments. Council Member Pozel seconded the motion, which carried unanimously.

VIII. PUBLIC HEARINGS

A. ORDINANCE PROVIDING THE ANNEXATION OF UNINCORPORATED TERRITORY DESCRIBED AS THE HALLMARK ANNEXATION AREA AND THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF LIBERTY, ALL PURSUANT TO SECTION 71.012 OF THE REVISED STATUTES OF MISSOURI

On September 16, 2022, staff received a request by Stacey Paine, Executive Vice President of Real Estate for Hallmark Cards, the property owner, requesting voluntary annexation of 385 acres from unincorporated Clay County into the City of Liberty. The State of Missouri provides, in effect, three approaches to annexation. For actions that involve the annexation of unincorporated holdings into a municipality, either a voluntary or standard annexation can be pursued. This is a voluntary annexation of one, 131-acre property into the city limits for the purpose of development.

Mayor Brenton 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. 9482 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 Phillips moved to approve the ordinance. Council Member Pozel seconded the motion.

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11652.

B. ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LIBERTY, MISSOURI BY REZONING 1,075 ACRES GENERALLY LOCATED AT N CHURCH ROAD BOUND BY I-35, 104TH STREET, AND PORTIONS EXTENDING TO 116TH

STREET, INCLUDING 378 ACRES TO BE ANNEXED INTO THE CITY OF LIBERTY TO PD FLEX (P&Z CASE 22-54RMP)

Document No. 9483 was read.

The applicant, GaleHart Communities, is proposing to rezone to PD-FLEX to allow a large scale, mixed-use development on 1,075 acres. This includes 385 acres to be voluntarily annexed into the City at the northern city boundary. The project is generally located to the east and west of N Church Road bound by I-35, 104th Street, and portions of the project area extending to 116th Street.

The purpose of the planned development flex district is to facilitate the development of master planned, mixed use developments containing a minimum of five hundred acres. The PD-FLEX district allows a mix of land uses, densities, setbacks, and building heights for a defined area and allows for flexibility of change over an extended period of time. This zoning district is intended to encourage innovative and creative design and to facilitate a mix of uses in the development of a balanced community over an extended period of time or build out. The PD- FLEX land use designation shall require approval of a master plan in order to provide general development goals for the property. The PD-FLEX zoning district shall clearly define the purpose and intent of the property and its development limitations or allowances while being sufficiently flexible to meet the demands of increased population and evolutionary changes in such fields as architecture, transportation, and redevelopment. The PD-FLEX district must conform to the requirements of the UDO in requiring adequate standards necessary to protect the public health, safety and general welfare.

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

David Gale, Galehart Communities, noted the option of a super roundabout and that MODOT requested a south bound ramp onto I-35 from the development.

Michelle Adamson, 10115 N Hedges Ave., Kansas City, MO, represents 25 neighbors located in the Amber Lakes development on the Kansas City side. She requested the developer keep a tree line, which would benefit both areas. She asked what the timeline would be and requested a tree survey on the tree line to determine which trees would be kept or replaced. The neighbors are worried some of the new homes would abutt the current homes.

William Seeker, Westhill area, stated his three acres homestead are not to be included in the rezoning area.

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

The developer anticipates a third quarter 2023 start. They will be sensitive to the trees in that area, noting however there are some invasive species in the tree line. It was confirmed that Mr. Seeker's portion is excluded.

Mayor Brenton stated the Ordinance would be considered on second reading at the November 14th Regular Session meeting.

C. ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LIBERTY, MISSOURI BY REZONING 50+/- ACRES AT NORTH of I-35/US 69 INTERSECTION FROM R-1A, "SUBURBAN RESIDENTIAL DISTRICT" TO C-2, "GENERAL BUSINESS DISTRICT" FOR NORTH LIBERTY COMMERCIAL (P&Z CASE 22-49 R&PDP)

This is a proposal for a commercial development with approximately 223,000 square feet of space in 9 buildings. There are 9 lots proposed on 50.47+/- acres. The applicant is requesting to rezone the property from R-1A, “Suburban Residential” to C-2, “General Business”. The buildings are proposed to be utilized for automotive sales and accompanying uses. The project is located between I-35 and US 69 Hwy. The intersection of Edgar Petty Road and US 69 Hwy was approved to be relocated to the north away from the I-35/US 69 intersection with the approval of the industrial project adjacent to the north of this proposal.

Mayor Brenton opened the Public Hearing.

Action: Council Member Hagan moved to continue the public hearing and ordinance to November 14, 2022. Council Member Phillips seconded the motion.

Vote: Motion passed unanimously.

D. RESOLUTION APPROVING A PRELIMINARY DEVELOPMENT PLAN AT THE NE CORNER OF S. STEWART ROAD AND WILSHIRE BOULEVARD TO ALLOW A 96 ROOM HOTEL ON 2.3 ACRES WITH A VARIANCE TO ALLOW FOUR STORIES IN A C-1 ZONING DISTRICT, IN LIBERTY, CLAY COUNTY, MISSOURI (P&Z CASE 22-47 PDP)

The use is proposed as a 60,000 square foot, 96 room, four story hotel. The use as a hotel is appropriate in this zoning district, but the maximum height in the C-1 district is 3 stories. The proposal for a four-story building requires a variance request as part of this application.

The applicant states in the variance request, “We need the 4 stories as it’s a prototype. A minimum of 96 rooms is a requirement set by IHG. At 96 rooms it will not fit on the lot as a 3 story building and the brand does not allow new construction of 3 story building.”

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

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

Action: Council Member Hagan moved to approve the resolution with variance. Council Member Graham seconded the motion.

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None

Abstain: None
Inscribed in Resolution No. 3281

E. ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LIBERTY, MISSOURI BY REZONING 20.77 ACRES AT THE NW CORNER OF RUTH EWING ROAD AND BIRMINGHAM ROAD FROM R-1A, "SUBURBAN RESIDENTIAL DISTRICT" TO R-1C, "STANDARD SINGLE FAMILY RESIDENTIAL" FOR WHITEHORSE (P&Z CASE 22-42R&PP)

This is a request to rezone 20.52 acres of R-1A, "Suburban Residential District" to R-1C, "Standard Single Family" and a preliminary plat for a 153-acre single-family residential development with 326 lots.

This application also includes three variance requests:

- **Sec. 30-35.2.** - Street capacity requirements; required improvements. Which requires the developer to improve all collector or arterial streets that abut the proposed development along the entire limits of the development site to city improvement standards.
- **Sec. 30-36.1.** - Sanitary sewer facilities; required connection. States that all development shall be required to provide a direct gravity flow sewer connection to the public sewer system.
- **Sec. 30-93.3.** - Design specifications, streets and alleys. States that five-foot wide sidewalks are required on both sides of the street.

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

Dewey Murdock, 1840 Birmingham Rd., owns property across from the development. It is a residential/agricultural property. He stated he was not notified and a small notice of the hearing was posted.

Sheena Callahan, 507 Blythe, is interested in details of what will happen to Blythe, and asked if Birmingham will be widened.

Erin Blanch, 504 Melissa, asked what the cost to the community is to build a bridge and if there has been consideration of a roundabout at Melissa for folks that miss the turn.

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

Document No. 9484 was read.

Mayor Brenton stated the ordinance will be considered on second reading at the November 14, 2022 meeting.

F. RESOLUTION APPROVING A SPECIAL USE PERMIT AT 825 ROUTE B TO ALLOW AN EVENT CENTER USE FOR UP TO 30 PEOPLE IN A RESIDENTIAL ZONING DISTRICT, IN LIBERTY, CLAY COUNTY, MISSOURI (P&Z Case 22-40SUP)

This application is for a Special Use Permit to allow an event center in the R-1A zoning district as allowed in the Unified Development Ordinance, Sec. 30-25.5.(29) –

"Special use permit, uses to be considered". The proposal is for a small event venue that would allow up to 30 people for gatherings in a portion of the existing home at 825 Route B. The proposed hours are 7:00 a.m. to 11:00 p.m. Sunday through Saturday. Events will be held in a new addition to the home. The new addition is located on the back and side of the home. There will be a patio below the new addition that can host any outdoor events. Any outdoor music will cease by 10 p.m. Guests will have access to two restrooms located in the new addition. Parking in the existing driveway is accessible for 10 cars while still allowing for fire or emergency response access. All catering will be responsibility of the guests. The property owner will remain living in the home and the event use is considered secondary to the residential use on the property. Should the residential use cease, the event use will no longer be permitted.

Mayor Brenton 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.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Inscribed in Resolution No. 3282

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. ORDINANCE ACKNOWLEDGING VENDOR PAYMENTS FOR THE PERIOD OF SEPTEMBER 30, 2022 TO OCTOBER 14, 2022

Mayor Pro Tem Gentrup took over as Chair of the meeting.

Document No. 9485 was read.

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

Roll Call
Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11653.

Mayor Brenton resumed as chair of the meeting.

B. ORDINANCE APPROVING A COMMUNITY INVESTMENT AND SETTLEMENT AGREEMENT WITH CANADIAN PACIFIC RAILWAY COMPANY IN THE AMOUNT

OF $250,000.00 (second reading)

Canadian Pacific Railway has a proposed merger with Kansas City Southern Railway and will increase train traffic in the City. There is currently an at-grade crossing at Old Birmingham Roadway, just south of Holt Drive. The merger is proposing a 376 percent increase in train traffic through the intersection, going from less than 4 trains per day to about 18 trains a day.

The Mayor, on behalf of the City, submitted a letter of concern to the Surface of Transportation Board dated December 31, 2021, regarding concerns created by the increase in train traffic and mitigation concerns. Several items such as a new crossing with grade separation, installation of barriers, lowering the speed of trains and implementing reasonable hours of operation between 9 p.m. and 7 a.m. were asked to mitigate the effects that safety, environmental and quality of life impacts the proposed acquisition would have on Liberty.

The amount of $250,000.00 was based on the estimated cost of upgrading the existing at-grade crossing on Old Birmingham to a "Quiet-Zone" designation. A quiet-zone is such that the horns would not have to be sounded in advance of the at-grade intersection because there is a higher level of barriers that prevent vehicles from crossing the tracks as trains approach. The agreement by the railway is a voluntary contribution to the City of Liberty. The City would be agreeing to not seek any further mitigation conditions as part of the STB Docket No. FD 36500.

Document No. 9480 was read.

Action: Council Member Watt moved to replace the word “may” to “shall” in the agreement. Council Member Hagan seconded the motion.

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

Action: Council Member Watt moved to include the stipulation that if the City does not receive grant funding for a bridge at Birmingham, Canadian Pacific will provide the funds to complete. Motion failed due to lack of a second.

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

Vote: Motion passed 6-1-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Duncan and Gentrup
No: Council Member Watt
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11654.

C. RESOLUTION APPROVING A PRELIMINARY PLAT FOR NORTH LIBERTY COMMERCIAL, 50.47 ACRES BETWEEN INTERSTATE 35 AND US 69 HWY, A SUBDIVISION OF LAND IN LIBERTY, CLAY COUNTY, MISSOURI (P&Z CASE 22-

50PP)

This is a proposal for a commercial center with approximately 223,000 square feet of space in 9 buildings. There are 9 lots proposed on 50.47+/- acres. The buildings are proposed to be utilized for automotive sales and accompanying uses. The project is located between I-35 and US 69 Hwy. The project is located between I-35 and US 69 Hwy. The intersection of Edgar Petty Road and US 69 Hwy was approved to be relocated to the north away from the I-35/US 69 intersection with the approval of the industrial project adjacent to the north of this proposal. A preliminary plat is required for the general subdivision of land to ensure the layout of a proposed subdivision conforms to the comprehensive plan and the UDO. Staff finds this application meets the standards of review for a Preliminary Plat in Section 30-28.10 of the UDO.

Action: Council Member Hagan moved to postpone consideration of the resolution to November 14, 2022. Council Member Phillips seconded the motion.

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None

D. AN ORDINANCE AUTHORIZING A DEVELOPMENT AGREEMENT WITH STAR DEVELOPMENT FOR THE WHITEHORSE RESIDENTIAL SUBDIVISION, LIBERTY, MISSOURI

The developer is interested in developing the 153-acre site into a single-family residential subdivision. Soon after the conversation with the developer about Whitehorse, staff was made aware of a railroad merger which would add additional trains onto the existing line at the location of the proposed Whitehorse development. City staff and the developer discussed the potential for a bridge at Birmingham which would remove the need for the existing at-grade crossing. The developer redesigned the portion of the subdivision nearest the railroad crossing to allow a bridge over the crossing. To achieve the required grades needed for the bridge height, Birmingham would need to be realigned further east. In lieu of making road improvements along the area of Birmingham that will not be used when the bridge is constructed, the developer is contributing $100,000 to the design of the bridge, and right-of-way for the roadway re-alignment. This design will allow City staff to apply for future Federal Railroad Administration (FRA) funding to provide help with the cost of the grade-separation. The City is moving forward to procure a consultant to assist in the bridge design and grant application with support from the Canadian Pacific Railway. Grant funding will be applied for in 2023. Future roadway and bridge construction could start as early as summer of 2024 if funding and grant applications are successful.

Document No. 9486 was read.

Mayor Brenton stated the ordinance will be considered on second reading at the November 14, 2022 meeting.

E. ORDINANCE GRANTING A UTILITY EASEMENT FOR EVERGY METRO, INC

Evergy is requesting a permanent utility easement for the installation of electric and communication transmission and distribution lines and their appurtenances. The easement is a 10'-0" wide strip either on City property or within City ROW which follows the City Wastewater Treatment Plant's northern property line and then hugs the outside property line of the adjacent Property Reserve Inc. property. The easement is necessary to provide power for the Canadian Pacific Railroad.

Document No. 9487 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11655.

F. ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF LIBERTY AND FEDERAL SIGNAL TO INSTALL FOUR NEW OUTDOOR WARNING SIRENS AND UPGRADE THE REMAINING EIGHT IN AN AMOUNT NOT TO EXCEED $173,620.94

The city currently has 12 outdoor warning sirens. In the past few years, several of the sirens have experienced maintenance issues. Upon review, it was found that 4 of the sirens are outdated and will need replacement to ensure reliability and replacement parts when needed. Out of these 4 sirens, one was installed before 1980 and the other 3 were installed before 1990. After reviewing the age of all 12 of the City's sirens, staff created a replacement program to take place over the next few years. Included in this purchase are needed upgrades to all sirens to replace the radios and alerting components. This will allow staff to test the sirens without having to sound the siren to ensure it is working.

The City’s twelve (12) sirens are manufactured by Federal Signal Corporation. The sole provider, in the metropolitan area, of the Federal Signal siren is Blue Valley Public Safety, Inc. in Grain Valley, Missouri. Blue Valley Public Safety also currently provides the maintenance of the City’s our outdoor warning sirens.

Document No. 9488 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 7-0-0
Yes: Council Members Phillips, Pozel, Hagan, Graham, Watt, Duncan and Gentrup
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11656.

X. OTHER BUSINESS

A. FAIRVIEW CEMETARY/BLOCK 174

Sharon Fiene, 457 E. Franklin, asked Council to stop going in the wrong direction, end the lawsuit.

Gieselle Fest, 1407 Lynette, asked Council to stop the lawsuit. She stated that a trial for the case has been requested.

Dwayne Holtzclaw, 113 Kevin St., read his cousin's obituary (Captain Theodore Duncan), and asked to stop the revestment.

David Langston, 1920 Carter Court, stated this is private property that has not been abandoned, stop trying to steal it.

Erin Blanch, 504 Melissa St., stated to take away one persons symbol, you may lose yours. Stop the revestment.

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 9:20 p.m.

_____
Mayor

Attest:

_____
Deputy City Clerk

The City of Liberty missouri

CITY COUNCIL ACTION REPORT

Meeting Date: November 28, 2022
A/R No.: 2022-298

Department: Public Works **Submitted By:** John Findlay, City Engineer

Subject: RESOLUTION ACCEPTING THE SANITARY, WATER, STREET AND STORM IMPROVEMENTS FOR THE HOMESTEAD OF LIBERTY, 3RD PLAT PROJECT

Summary:

- Public Improvements to sanitary sewer, water, street and storm were constructed to facilitate the development of the Homestead of Liberty, 3rd Plat project.
- The above-referenced project has been completed and constructed according to the plans and specifications of the City of Liberty.

Background:

Homestead of Liberty, 3rd Plat is located west of S. Withers Road and south of Red Orchard Drive. The developer constructed public sanitary sewer, water main, street and storm sewer improvements to facilitate the residential development. The public improvements were constructed by Holthouse Construction, LLC and Metro Asphalt, Inc. in accordance with City plans and specifications.

Staff recommends approving a resolution accepting this project.

Previous Action (if applicable):

N/A

Policy/Committee Review:

Citizen Sales Tax Oversight Committee	Completed/Recommended:
Public Safety Sales Tax Oversight Committee	Completed/Recommended:
Budget Committee	Completed/Recommended:
Other:	Completed/Recommended:

Financial Considerations:

Budgeted:	Line Item: Line Item:	Amount: Amount:
	Revenue Line (if applicable):	Amount:
Non-Budgeted	Line Item: Line Item:	Amount:
	Funding Source:	Amount:

Attachments:

1. 2022-298 Accept Project - Homestead of Liberty 3rd Plat RES (1)

RESOLUTION NO._____

A RESOLUTION ACCEPTING THE SANITARY, WATER, STREET AND STORM IMPROVEMENTS FOR THE HOMESTEAD OF LIBERTY, 3RD PLAT PROJECT

WHEREAS, the project has been completed by Holthouse Construction, LLC and Metro Asphalt, Inc.; and

WHEREAS, the project has been constructed in accordance with the plans and specifications of the City of Liberty;

NOW, THEREFORE, BE IT RESOLVED that the City of Liberty does hereby accept the Homestead of Liberty, 3rd Plat Project (#PWKS-07-22-00001 and PWKS-4-22-14791);

PASSED by the City Council of Liberty, Clay County, Missouri, this _____ day of _____, 2022.

_____
MAYOR

ATTEST:

_____
DEPUTY CITY CLERK

The City of Liberty missouri

CITY COUNCIL ACTION REPORT

Meeting Date: November 28, 2022
A/R No.: 2022-299

Department: Public Works **Submitted By:** John Findlay, City Engineer

Subject: RESOLUTION ACCEPTING THE SANITARY, WATER, AND STORM SEWER IMPROVEMENTS FOR THE WELLINGTON PROJECT

Summary:

- Public Improvements to sanitary sewer, water, and storm sewer were constructed to facilitate the development of the Wellington senior living project.
- The above-referenced project has been completed and constructed according to the plans and specifications of the City of Liberty.

Background:

The Wellington senior living project is located east of S. Withers Road between Prgress Drive and Kent Street. The developer constructed public sanitary sewer, water main, sidewalks, and storm sewer improvements to facilitate the senior living facility development. The public improvements were constructed by O'Reilly Build, LLC in accordance with City plans and specifications.

Staff recommends approving a resolution accepting this project.

Previous Action (if applicable):

N/A

Policy/Committee Review:

Citizen Sales Tax Oversight Committee	Completed/Recommended:
Public Safety Sales Tax Oversight Committee	Completed/Recommended:
Budget Committee	Completed/Recommended:
Other:	Completed/Recommended:

Financial Considerations:

Budgeted:	Line Item: Line Item:	Amount: Amount:
	Revenue Line (if applicable):	Amount:
Non-Budgeted	Line Item: Line Item:	Amount:
	Funding Source:	Amount:

Attachments:

1. 2022-299 Accept Project - Wellington RES (1)

RESOLUTION NO._____

A RESOLUTION ACCEPTING THE SANITARY, WATER, AND STORM SEWER IMPROVEMENTS FOR THE WELLINGTON PROJECT

WHEREAS, the project has been completed by O'Reilly Build, LLC; and

WHEREAS, the project has been constructed in accordance with the plans and specifications of the City of Liberty;

NOW, THEREFORE, BE IT RESOLVED that the City of Liberty does hereby accept the Wellington Project (#PWKS-6-20-12262, PWKS-6-20-12265, PWKS-6-20-12266);

PASSED by the City Council of Liberty, Clay County, Missouri, this _____ day of _____, 2022.

_____
MAYOR

ATTEST:

_____
DEPUTY CITY CLERK

The City of Liberty missouri

CITY COUNCIL ACTION REPORT

Meeting Date: November 28, 2022
A/R No.: 2022-292

Department: Police

Submitted By: Matt Kellogg, Police Captain

Subject: PURCHASE OF MOBILE BARRICADES AND STORAGE CONTAINER FROM ROAD SAFE MOBILE VEHICLE BARRIERS **IN AN AMOUNT NOT TO EXCEED** $58,752.00

Summary:

- Recommend purchase of mobile barricades for festivals and events.
- The purchase will be from Road Safe Mobile Vehicle Barriers, distributor for Mifram, sole source supplier for MVB 3X barricades.

Background:
The Liberty Police Department is tasked with the safety of our citizens at large gatherings and festivals. Last year, in Wisconsin, a person drove a SUV into a Christmas parade on purpose. Six people were killed and 62 others were injured. During the 2022 Juneteenth celebration in Liberty, another police agency was involved in a pursuit of a vehicle that headed toward the historic downtown Liberty Square. The only option officers had was to move police vehicles to block Kansas Street or risk the vehicle driving recklessly into the crowds. During the Kansas City Chief's Superbowl parade, an intoxicated driver accidentally drove onto the parade route, nearly causing lethal means to stop the driver before hurting attendees. Terrorism and accidental vehicle entry into crowds of people are of the highest concern during threat assessments for large gatherings of people.

Road Safe MVB 3X Mobile Vehicles Barriers are compact when stored, but when deployed properly, they can stop heavy trucks up to 7.5 tons. These barricades are easily moved out of the way for emergency vehicle access by one person. The barricades could also be shared with partner agencies.

The cost of $58,752 includes a storage container and 30 barricades, allowing for four 12' sections to be deployed.

Previous Action (if applicable):

Policy/Committee Review:

Citizen Sales Tax Oversight Committee	Completed/Recommended:
Public Safety Sales Tax Oversight Committee	Completed/Recommended:
Budget Committee	Completed/Recommended:

Other:	Completed/Recommended:

Financial Considerations:

Budgeted:	Line Item:10.40.500.18.5601 Line Item:	Amount:$58,752 Amount:
	Revenue Line (if applicable):	Amount:
Non-Budgeted	Line Item: Line Item:	Amount:
	Funding Source:	Amount:

Attachments:

None

The City of Liberty missouri

To: City Council Members
From: Lyndell Brenton, Mayor
Subject: Boards and Commissions Appointment
Date: November 23, 2022

I would like to recommend the following individual for appointment to the board/commission listed below:

1. Liberty Housing Authority
    a. Appoint Yvette Madden to a term expiring 7/1/2025

STAFF REPORT

Planning and Zoning Case 22-49R&PDP

Staff: Mike Peterman, City Planner

Date: October 24, 2022

GENERAL INFORMATION

Application:	**Rezoning and Preliminary Development Plan for North Liberty Commercial. Rezoning from R-1A "Suburban Residential' to C-2 "General Business", 9 lots on 50.5 +/- acres for commercial development, north of I-35/US 69 intersection**
Applicant:	Grant Polley Northpoint Development, LLC 3315 N. Oak Trafficway Kansas City, MO 64116
Owner:	North Liberty Commerce Center. LLC 3315 N. Oak Trafficway Kansas City, MO 64116
Location:	North of US 69 Hwy, east of I-35
Site Acreage:	50.47 +/- Acres
Existing Land Use/Zoning:	Undeveloped / R-1A, "Suburban Residential District"
Future Land Use Map:	Business and Conservation Lands
Surrounding Land Uses/Zoning:	**North**: Future North Liberty Logistics Park/ M-1, Light Industrial **South**: US 69 Hwy, Undeveloped/ R-1A, Suburban Residential, and **West**: I-35 Interstate **East**: Undeveloped / R-1A, Suburban Residential and Heartland Meadows Industrial Park/ M-1, Light Industrial
Public Notice:	Legal Notice printed in Courier Tribune-September 22 Letter sent to property owners within 185 ft. on September 23 Sign Posted on site on September 23
File Date:	September 2, 2022

PREVIOUS CASES/SITE HISTORY

PZ Case 22-50PP: Preliminary Plat for North Liberty Commercial for 9 lots on 50.47 acres is running concurrently with this application.

PZ Case 22-14FP: Final Plat for North Liberty Logistics Park, Lots 1-3 & Tracts A, B, C on 118 +/- ac. was approved by the City Council in April of 2022

PZ Case 22-15FDP: A Final Development Plan North Liberty Logistics Park, Building 1, a 386,619 sq. ft. industrial/warehouse building on 24.3 ac. on Lot 1 of North Liberty Logistics Park was approved by the City Council in April of 2022

PZ Case 22-16FDP: A Final Development Plan North Liberty Logistics Park, Building 2, a 480,050 sq. ft. industrial/warehousing building on 29.2 ac. on Lot 2 of North Liberty Logistics Park was approved by the City Council in April of 2022

PZ Case 21-50PP Preliminary Plat for North Liberty Logistics Park was approved by the City Council in December 2021.

PZ Case 21-49R&PDP: Rezoning and Preliminary Development Plan for North Liberty Logistics Park. Rezoning from R-1A "Suburban Residential "and "Agricultural" to M-1 "Light Industrial" was approved by the City Council in December 2021.

APPLICANT'S PROPOSAL

Summary

This is a proposal for a commercial development with approximately 223,000 square feet of space in 9 buildings. There are 9 lots proposed on 50.47+/- acres. The applicant is requesting to rezone the property from R-1A, "Suburban Residential" to C-2, "General Business". The buildings are proposed to be utilized for automotive sales and accompanying uses. The project is located between I-35 and US 69 Hwy. The intersection of Edgar Petty Road and US 69 Hwy was approved to be relocated to the north away from the I-35/US 69 intersection with the approval of the industrial project adjacent to the north of this proposal.

The proposed zoning is C-2, "General Business", which allows; commercial, retail and office services.
UDO Section 30-63.1.

Use

The applicant's proposal includes approximately 223,000 square feet of commercial space. The preliminary development plan includes 9 automotive sales type buildings ranging in size from 20,000 sq. ft. to 25,000 sq. ft. The proposed use is in conformance with the General Business zoning requirements.

Site Design

The site is proposed north of US 69 Hwy, east of I-35. The proposed access to the site is via Edgar Petty Rd. Edgar Petty Rd. is proposed to bisect the site from US 69 Hwy on the southeast side and runs north on the recently approved alignment. The Edgar Petty Rd. intersection with US 69 Hwy was approved to be moved to the north with the approval of the North Liberty Logistic Park.

The 9 commercial buildings are proposed to range in size from 20,000 sq. ft. to 25,000 sq. ft. There will be multiple areas that will serve as stormwater maintenance areas. These will be further defined in the Final Plat and Final Development Plan stages.

Access/Circulation/Parking
The site is accessed from US 69 Hwy on the southeast via Edgar Petty Rd. All lots will be accessible from Edgar Petty Rd. Cross access agreements will be in place for parking, stormwater and utilities.

There are 2,296 total parking stalls proposed for the area. Each lot will be evaluated for appropriate amount of parking at the Final Development Plan stage based on the individual user identified as that lot develops.

Building Design/ Signage
The buildings are proposed to be painted concrete tilt up panels. Final building details will be worked through during the Final Development Plan phase.

Landscaping/ Open Space/ Tree Preservation
The proposal has included a preliminary landscaping table that meets the minimum requirements per the UDO. Final details regarding landscaping species will be provided during the Final Development Plan. A tree survey has been conducted and the applicant has indicated that a they intend to preserve trees with in the stream buffer and that those preserved tree credits will satisfy the open space trees as noted on Sheet C-0110. The overall site will be required to meet the 20% open space standard as defined in the UDO Section 30-97.6. Sheet C-0200 provides a Site Data table that details the proposed open space for each lot. Further evaluation of landscaping will occur at Final Development Plan phase.

PUBLIC INFRASTRUCTURE

The submitted plans for this application have been evaluated in accordance with the adequate public facilities ordinance:

Streets
The property has access to US 69 Hwy via Edgar Petty Road.

Sanitary Sewer
Sanitary sewer service will be provided via an existing sanitary sewer main on the south side of the US 69 Hwy. The development will be required to construct on-site sanitary sewer extensions.

Water
Water service will be provided via a loop through the property from connections to a public main on the south side of the US 69 Hwy and from the north along Edgar Petty Rd.

Stormwater
Storm water will be collected on the property and directed into a combination of storm water quality best management practices and storm water detention basins. Storm water released from the development will be managed to reduce offsite erosion potential or additional erosion prevention measures will be designed and constructed.

STAFF ANALYSIS

Staff evaluates all rezoning applications in accordance with the following criteria described in section 30-24.3 of the Unified Development Ordinance:

1. **The conformance of the proposed rezoning to the comprehensive plan and other adopted planning policies.**
   The Future Land Use Map in this area is Business. Business is an appropriate land use for this proposed project. The project plans to have automotive sales uses. The business land use definition includes manufacturing businesses, warehouses, research and development, offices and commercial uses.

   Our Comprehensive Plan, The Blueprint for Liberty (1999), Key Recommendation nine encourages the City to protect natural drainage ways from development. Key Recommendation thirteen recommends we provide ample opportunities for economic development and employment in Liberty. Principle eleven of the Comprehensive Plan states development of vacant or underutilized parcels within the City should be encouraged. Principle twelve also encourages development where municipal services are readily available. This application does achieve many of the goals set forth in the document.

   Staff believes the proposed rezoning conforms to the Future Land Use Map and Comprehensive Plan.

2. **The effect the proposed rezoning will have on properties in the general vicinity.**
   The area of the proposed project has been envisioned to be used for business type uses for many years as shown in the 1999 Land Use Plan. The roadways that border the property, a US Highway and an Interstate Highway are appropriate for the type and volume of the new traffic.

   Staff believes that development at this location is appropriate and will not negatively affect the surrounding area.

3. **The extent to which public facilities and services are available and adequate to meet the demand generated by the proposed use.**
   As further described in the Infrastructure section, the site will be served by adequate sanitary sewer and water.

In accordance with the Liberty Unified Development Ordinance (UDO), staff's analysis of a Preliminary Development Plan application is guided by Section 30-27.3. In evaluating an application for a preliminary development plan the following three criteria are considered:

1. **The plan substantially complies with the intent of the comprehensive plan;**
   As further described above, Staff believes this proposal satisfies the intent of the comprehensive plan, future land use map. Industrial development is appropriate in this location.

2. **The plan complies with the provisions of this UDO;**
   Staff finds that the application substantially conforms to the requirements set forth in the Unified Development Ordinance and requires no variances.

3. **The plan substantially complies with approved city development standards and policies;**
   Staff finds that this application does fully comply with the intent of city development standards and policies.

STAFF RECOMMENDATION

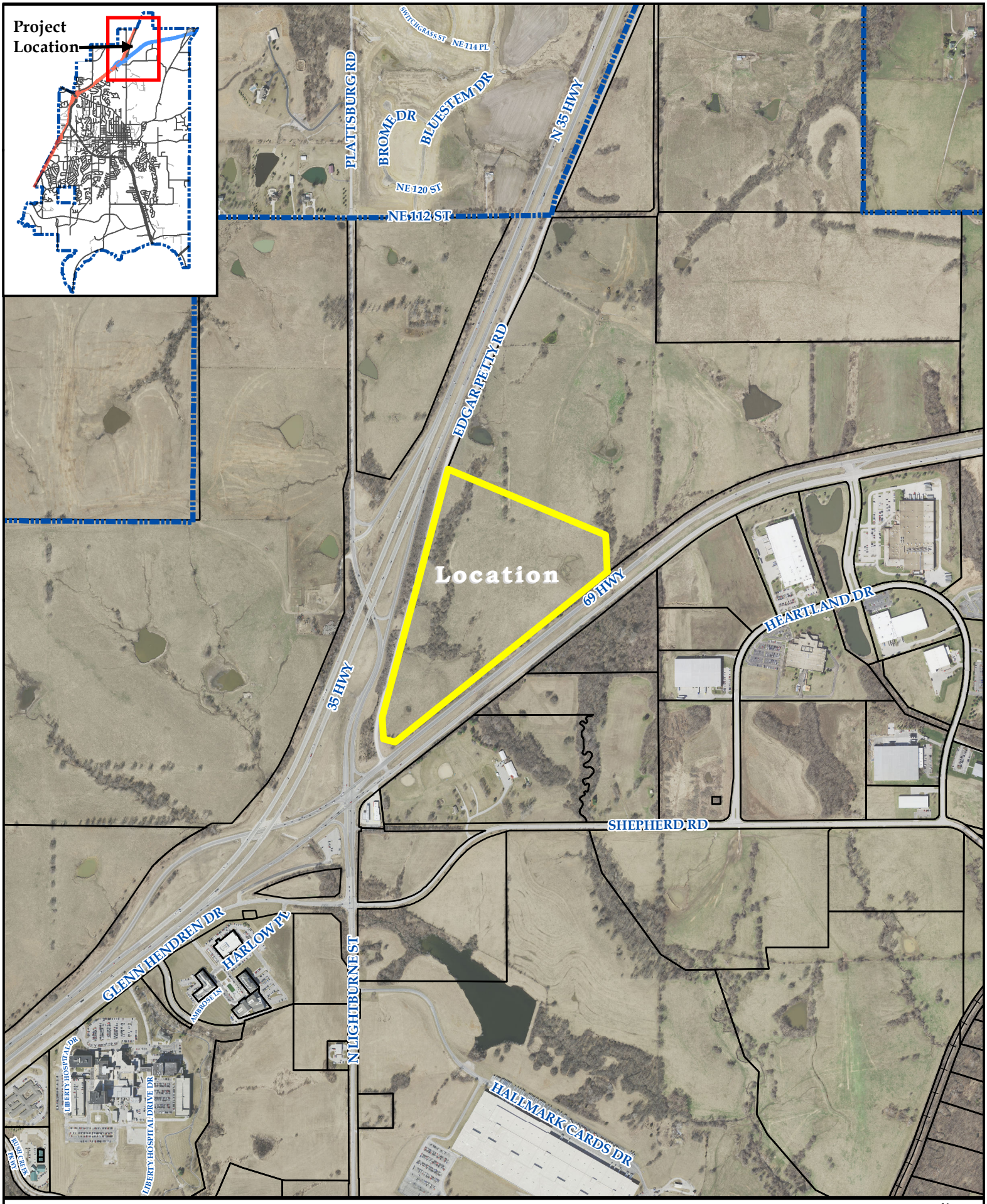
Staff finds that this application meets the standards of review for a rezoning and preliminary plan and staff recommends approval of P&Z Case 22-49R&PDP.

PZ RECOMMENDATION

At its October 11, 2022 meeting, the Planning Commission voted 8-0-0 to recommend approval of P&Z Case 22-49R&PDP as presented in the staff report.

ATTACHMENTS

Exhibit A:	Vicinity Map
Exhibit B:	Site Plan
Exhibit C:	Elevations
Exhibit D:	Landscape Plan
Exhibit E:	Minutes Excerpt from Planning & Zoning Commission meeting
Exhibit F:	Ordinance



City of Liberty missouri

P&Z Case 22-49R&PDP
Rezoning & Preliminary Development Plan
North Liberty Commercial

EXHIBIT A:
VICINITY MAP

N
W E
S

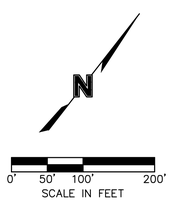
Date: 10/4/2022

GENERAL NOTES

1. THIS PLAN SHALL SERVE AS A PRELIMINARY PLAT.
2. EXISTING ZONING: R-1A (RESIDENTIAL) AND CLAY COUNTY OPEN SPACE (CITY OF LIBERTY)
3. PROPOSED ZONING: C-2 (CITY OF LIBERTY)
4. EXISTING CONDITIONS AND UTILITIES ARE INDICATED ON THE EXISTING CONDITIONS PLAN.
5. GENERAL CONFIGURATION OF PROPOSED LOTS AND TRACTS ARE AS INDICATED IN PLAN SET.
6. FINAL DEVELOPMENT PLAN TO INCLUDE FINAL DETAILS ON SIGNAGE, BUILDING MATERIALS, BUILDING ELEVATIONS, LANDSCAPING AND LIGHTING PLAN.
7. PROPOSED CONTOURS, GRADES AND UTILITIES ARE SUBJECT TO FINAL ENGINEERING DESIGN AND APPROVAL BY CITY, PRIVATE UTILITY COMPANIES AND BUILDING PERMIT PLAN APPROVAL.
8. INGRESS AND EGRESS TO EACH LOT WILL BE FROM A PUBLIC STREET AND/OR ACCESS EASEMENT.
9. PRIVATE ACCESS EASEMENT AGREEMENTS FOR EACH LOT SHALL BE RECORDED AGAINST THE PROPERTY AS REQUIRED TO PROVIDE ACCESS.
10. LOTS OR TRACTS ESTABLISHED BY THIS PLAN MAY BE FURTHER SUBDIVIDED BY APPLICATION FOR LOT SPLIT OR MINOR SUBDIVISION.
11. FINAL DEVELOPMENT PLANS WILL COORDINATE FIRE ACCESS DRIVE LOCATION WITH THE CITY OF LIBERTY FIRE DEPARTMENT AND MODOT.

BUILDING SETBACK:

1. FRONT YARD (MIN.): 15'
2. REAR YARD (MIN.): NONE
3. SIDE YARD (MIN.): NONE
4. STREET SIDE YARD (MIN.): NONE



SITE DATA

LOT	GROSS AREA	GROSS BUILDING AREA	OPEN SPACE	OPEN SPACE (%)	LAND USE	NUMBER OF FLOORS	BUILDING HEIGHT (MAX)	FAR	PARKING PROVIDED
1	4.6 AC. (200,569 S.F.)	25,000 S.F.	1.8 AC. (76,558 S.F.)	38%	AUTOMOTIVE SALES	2	40'	0.12	248
2	4.9 AC. (214,065 S.F.)	25,000 S.F.	2.1 AC. (89,936 S.F.)	42%	AUTOMOTIVE SALES	2	40'	0.12	290
3	10.9 AC. (473,776 S.F.)	20,000 S.F.	7.3 AC. (319,415 S.F.)	67%	AUTOMOTIVE SALES	2	40'	0.05	247
4	5.7 AC. (246,999 S.F.)	20,000 S.F.	3.3 AC. (145,562 S.F.)	59%	AUTOMOTIVE SALES	2	40'	0.08	188
5	4.9 AC. (211,356 S.F.)	25,000 S.F.	2.0 AC. (87,503 S.F.)	41%	AUTOMOTIVE SALES	2	40'	0.12	267
6	6.1 AC. (265,258 S.F.)	25,000 S.F.	2.1 AC. (92,730 S.F.)	35%	AUTOMOTIVE SALES	2	40'	0.09	321
7	4.0 AC. (174,584 S.F.)	25,000 S.F.	1.0 AC. (44,311 S.F.)	25%	AUTOMOTIVE SALES	2	40'	0.14	234
8	4.8 AC. (208,005 S.F.)	25,000 S.F.	1.9 AC. (80,591 S.F.)	40%	AUTOMOTIVE SALES	2	40'	0.12	249
9	4.7 AC. (203,731 S.F.)	25,000 S.F.	1.9 AC. (82,645 S.F.)	40%	AUTOMOTIVE SALES	2	40'	0.12	252

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816.888.7380
sitepoint@northpointkc.com

NO.	DATE:	REVISIONS/APPROVALS:
	2022.09.02	INITIAL SUBMITTAL
	2022.09.16	CITY RESUBMITTAL

REVIEWED BY: KRM/RB
DESIGNED BY: KRM/RB
DRAFTED BY: BRC/KRM/RB
SP PROJECT #: 3360
MELISSA DEGONIA, P.E. MO #2011000892

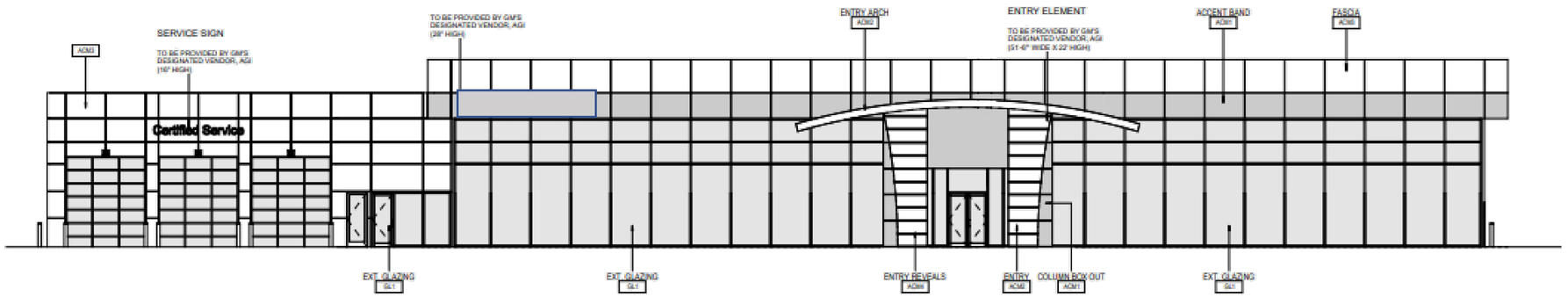
PRELIMINARY DEVELOPMENT PLAN
NORTH LIBERTY COMMERCIAL REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT
LIBERTY, CLAY COUNTY, MISSOURI

Certificate of Authority # 2020018354

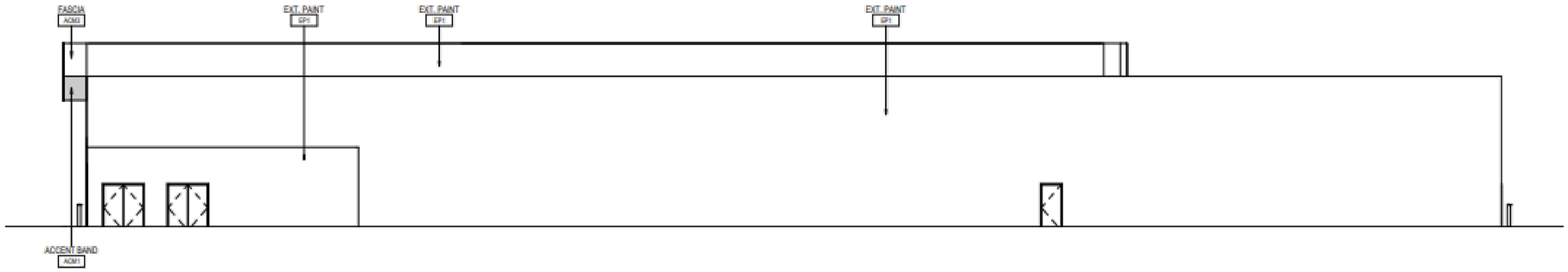
SHEET #:

C-0200

S:\01 PROJECTS\INDUSTRIAL\3360 NORTH LIBERTY LOGISTICS PARK (LIBERTY, MO)\PHASE 1\PLANS\05_COMMERCIAL ENTITLEMENT PLANS\C-0200 SITE PLAN.DWG



FRONT ELEVATION



BACK ELEVATION

DATE:	NO:	REVISIONS/APPROVALS:
2022.09.02		INITIAL SUBMITTAL
2022.09.16		CITY RESUBMITTAL

BUILDING ELEVATIONS

NORTH LIBERTY COMMERCIAL
REZONING/PRELIMINARY DEVELOPMENT
PLAN/PRELIMINARY PLAT
LIBERTY, CLAY COUNTY, MISSOURI

SHEET #:

A-0.01

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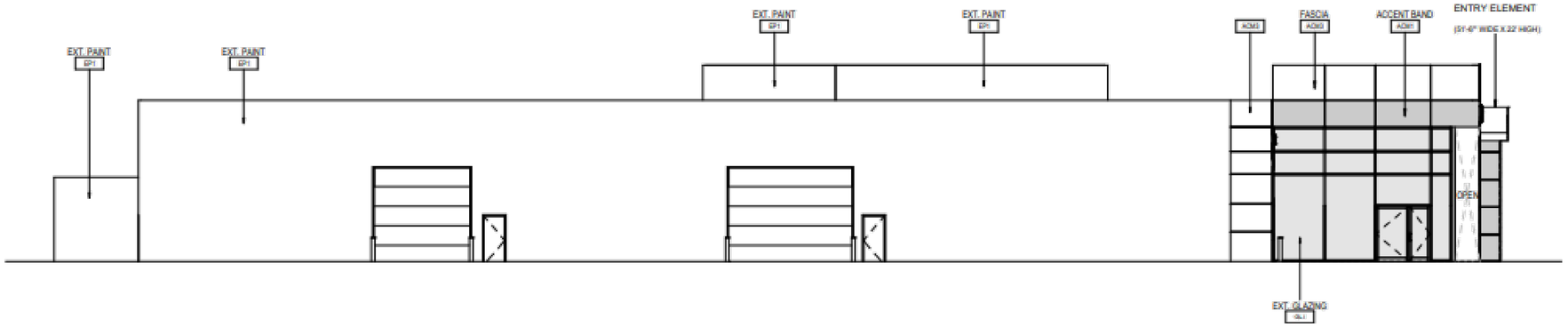
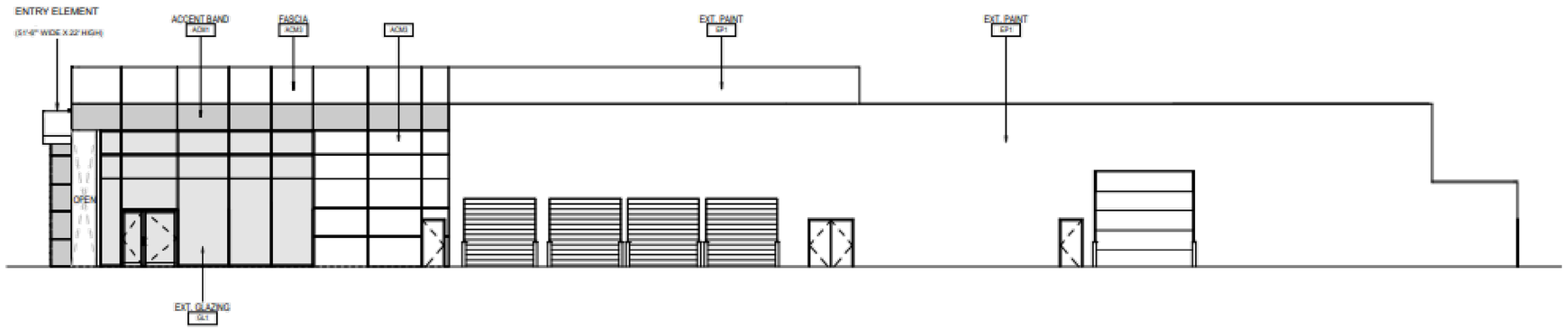


LEFT ELEVATION



RIGHT ELEVATION

NO:	DATE:	REVISIONS/APPROVALS:
	2022.09.02	INITIAL SUBMITTAL
	2022.09.16	CITY RESUBMITTAL

BUILDING ELEVATIONS

NORTH LIBERTY COMMERCIAL
REZONING/PRELIMINARY DEVELOPMENT
PLAN/PRELIMINARY PLAT
LIBERTY, CLAY COUNTY, MISSOURI

SHEET #:

A-0.02

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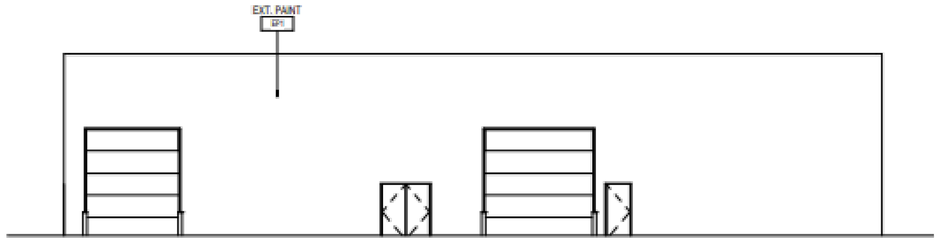
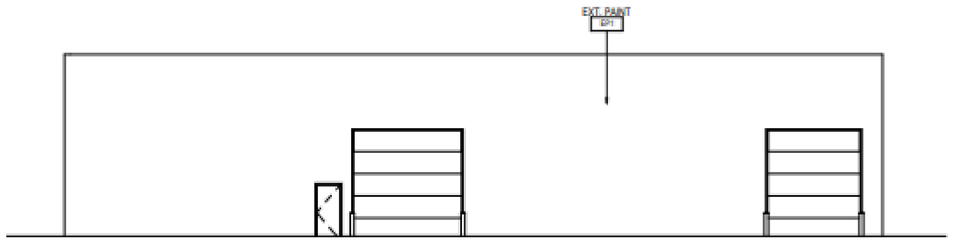


LEFT ELEVATION



RIGHT ELEVATION

DATE:	NO:	REVISIONS/APPROVALS:
2022.09.02		INITIAL SUBMITTAL
2022.09.16		CITY RESUBMITTAL

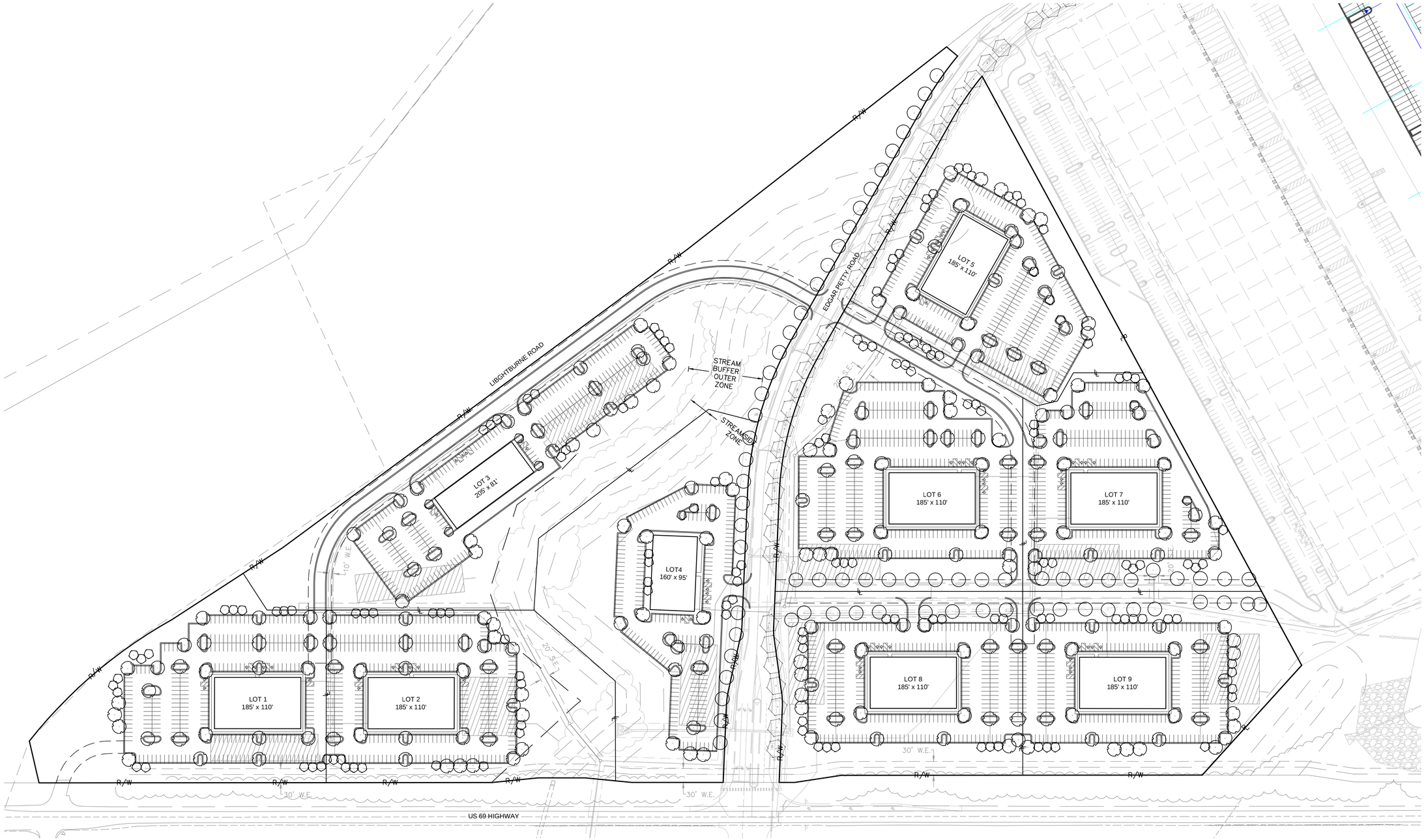
BUILDING ELEVATIONS

NORTH LIBERTY COMMERCIAL
REZONING/PRELIMINARY DEVELOPMENT
PLAN/PRELIMINARY PLAT
LIBERTY, CLAY COUNTY, MISSOURI

SHEET #:

A-0.03

S:\01 PROJECTS\INDUSTRIAL\3360 NORTH LIBERTY LOGISTICS PARK (LIBERTY, MO)\PHASE 1\PLANS\05_COMMERCIAL ENTITLEMENT PLANS\A-0.01 ARCH ELEVATIONS.DWG



GENERAL NOTES:

1. GENERAL PROPOSED TREE LOCATIONS AND QUANTITIES ARE AS SHOWN ON THIS PLAN.
2. TREE TYPE (DECIDUOUS, ORNAMENTAL AND EVERGREEN) SHALL BE SELECTED AND INCLUDED IN THE FINAL DEVELOPMENT PLAN.
3. GENIUS AND SPECIES OF ALL PROPOSED PLANT MATERIAL SHALL BE SELECTED AND INCLUDED ON THE FINAL DEVELOPMENT PLAN.
4. FINAL LANDSCAPE DESIGN OF ALL AREAS INCLUDING BUILDING FOUNDATION PLANTINGS, MONUMENT SIGN PLANTINGS AND GENERAL LANDSCAPING SHALL BE PER THE FINAL DEVELOPMENT PLAN AND BUILDING PERMIT PLANS.
5. ALL PROPOSED PLANT MATERIAL SIZE AND SPECIFICATIONS SHALL BE IN ACCORDANCE WITH THE CITY OF LIBERTY UNIFIED DEVELOPMENT ORDINANCE.

LEGEND

- STREET TREE - 1.5" CALIPER AT PLANTING
- SITE (LARGE) TREE - 1.5" CALIPER AT PLANTING
- ORNAMENTAL (SMALL) TREE - 1.5" CALIPER AT PLANTING
- STREET TREE - APPROVED WITH NORTH LIBERTY LOGISTICS CENTER PRELIMINARY DEVELOPMENT PLAN APPROVAL

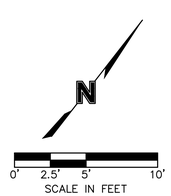
LANDSCAPE DATA

				PARKING LOT						PROPERTY FRONTAGE		OPEN SPACE**	
				LARGE TREES		SMALL TREES		SHRUBS*		STREET TREES		TREES	
LOTS	BUILDING AREA (S.F.)	PARKING PROVIDED	PROPERTY FRONTAGE (L.F.)	REQUIRED	PROVIDED	REQUIRED	PROVIDED	REQUIRED	PROVIDED	REQUIRED	PROVIDED	REQUIRED	PROVIDED
1	20,000	248	0	25	25	17	17	124	124	0	0	7	7**
2	20,000	290	0	29	29	19	19	145	145	0	0	7	7**
3	17,000	247	896	25	25	16	16	124	124	18	18	6	6**
4	15,000	188	778	19	19	13	13	94	94	16	12	5	5**
5	20,000	267	559	27	27	18	18	134	134	11	13***	7	7**
6	20,000	321	1125	32	32	21	21	161	161	23	22***	7	7**
7	20,000	234	505	23	23	16	16	117	117	10	10	7	7**
8	20,000	249	873	25	25	17	17	125	125	17	16***	7	7**
9	20,000	252	523	25	25	17	17	126	126	10	10	7	7**
TOTALS	172,000	2,296	5,259	230	230	157	154	1,148	1,148	105	101	57	60**

*SHRUBS TO BE PROVIDED ON FINAL DEVELOMENT PLANS

**OPEN SPACE TREES PROVIDED BY PRESERVED TREES ON SITE

*** TREES PROVIDED IN NORTH LIBERTY LOGISTICS PARK PRELIMINARY DEVELOPMENT PLAN APPROVAL



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NO.	REVISIONS/APPROVALS:	DATE:
	INITIAL SUBMITTAL	2022.09.02
	CITY RESUBMITTAL	2022.09.16

REVIEWED BY: KRM/RB
DESIGNED BY: KRM/RB
DRAFTED BY: BRC/KRM/RB
SP PROJECT #: 3360
MELISSA DEGONIA, P.E. MO #2011000892

LANDSCAPE PLAN

NORTH LIBERTY COMMERCIAL
REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT
LIBERTY, CLAY COUNTY, MISSOURI

Certificate of Authority #:2020018354

SHEET #:

L-0100

S:\01 PROJECTS\INDUSTRIAL\3360 NORTH LIBERTY LOGISTICS PARK (LIBERTY, MO)\PHASE 1\PLANS\05_COMMERCIAL ENTITLEMENT PLANS\L-0100 LANDSCAPE PLAN - OVERVIEW.DWG

E. 22-49R&PDP: Rezoning and Preliminary Development Plan for North Liberty Commercial, 223,000 sq. ft. of commercial development on 50.47 acres.

Mr. Peterman presented the case as described in the staff report.

Chairman Rosekrans asked the commissioners if they had any questions.

Chairman Rosekrans asked if the applicant would like to speak.

Grant Polley, Northpointe Development, the applicant, stated that this was envisioned as commercial with the Industrial development approved last year. The location of Edgar Petty has been approved by MoDOT and that the Traffic Study for the previous development contemplated this development as part of that study.

Chairman Rosekrans opened the public hearing. He asked if there was anyone in the audience that would like to speak for or against the case, seeing none he closed the public hearing.

Chairman Rosekrans asked if all the building would be the same size and materials.

Mr. Polley stated that they presented a representation of the expected occupants, but each would have their own design and that would be shown in the individual development plans for each lot.

Ms. Sharp said final detail on materials and style would be reviewed at the Final Development Plan phase of development.

Chairman Rosekrans asked the commissioners if they had any other questions, seeing none he asked for a motion.

Action: Commissioner Summers moved to approve the case as presented in the staff report. Commissioner Dilts seconded the motion.

Vote: Motion passed 8-0-0
Yes: Dilts, Holt, Howard, Reinier, Personett, Rosekrans, Summers, and Waterman
No: None
Recusal: None

Chairman Rosekrans said this case would be heard in front of the City Council on Monday, October 24, 2022.

Document No._____ P&Z Case No. 22-49R&PDP

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LIBERTY, MISSOURI BY REZONING 50+/- ACRES AT NORTH OF I-35/US 69 INTERSECTION FROM R-1A, "SUBURBAN RESIDENTIAL DISTRICT" TO C-2, "GENERAL BUSINESS DISTRICT" FOR NORTH LIBERTY COMMERCIAL

BE IT ORDAINED by the City Council of the City of Liberty, Missouri as follows:

SECTION I

WHEREAS, the City Council finds that the rezone described duly conforms to the standards and requirements of the Unified Development Ordinance of the City of Liberty, Missouri, the official zoning map shall be and the same is hereby amended rezoning North Liberty Commercial in the City of Liberty, Clay County, Missouri, the legal description of which is as follows:

Two tracts of land lying in the Northwest and Southwest quarters of Section 29, Township 52 North, Range 31 West, all lying East of Interstate 35 and North of US Highway 69, Clay County Missouri, being a portion of lands currently owned by Hallmark Cards, Inc. and further described as follows:
Tract A:
Commencing at the Center Section Corner of said Section 29 as is currently monumented by a 3.5" aluminum monument stamped J & J Survey, KS 232; Thence South 00°13'14" West, a distance of 127.43 feet along the North-South centerline of said section to the north right of way line of Missouri Highway 69; Thence South 51°41'44" West, a distance of 286.79 feet along said right of way; Thence South 60°13'35" West, a distance of 101.12 feet along said right of way; Thence South 51°41'44" West, a distance of 226.57 feet along said right of way to the POINT OF BEGINNING of the tract herein described; Thence continuing South 51°41'44" West, a distance of 773.43 feet; Thence South 43°09'54" West, a distance of 101.12 feet along said right of way; Thence South 51°41'44" West, a distance of 33.72 feet along said right of way; Thence, departing said right of way, North 35°50'36" West, a distance of 162.49 feet to the beginning of a curve tangent to said line; Thence northwesterly a distance of 28.05 feet along the curve concave to the southwest, having a radius of 156.00 feet and a central angle of 10°18'06"; Thence North 46°08'43" West tangent to said curve, a distance of 118.34 feet to the beginning of a curve tangent to said line; Thence northwesterly a distance of 25.89 feet along the curve concave to the northeast, having a radius of 144.00 feet and a central angle of 10°18'06"; Thence North 35°50'36" West tangent to said curve, a distance of 283.89 feet to the beginning of a curve tangent to said line; Thence northwesterly a distance of 314.16 feet along the curve concave to the east, having a radius of 666.00 feet and a central angle of 27°01'37"; Thence North 08°49'00" West tangent to said curve, a distance of 576.40 feet to the beginning of a curve tangent to said line; Thence northerly a distance of 117.01 feet along the curve concave to the east, having a radius of 666.00 feet and a central angle of 10°03'59" to a point of cusp; Thence South 66°44'24" East, a distance of 1437.27 feet; Thence South 03°52'53" West, a distance of 317.68 feet to the true POINT OF BEGINNING. Said Tract A containing 1,062,843 square feet or 24.40 acres more or less.
Tract B:
Commencing at the Center Section Corner of said Section 29 as is currently monumented by a 3.5" aluminum monument stamped J & J Survey, KS 232; Thence South 00°13'14" West, a distance of 127.43 feet along the North-South centerline of said section to the north right of way line of Missouri Highway 69; Thence South 51°41'44" West, a distance of 286.79 feet along said right of way; Thence South 60°13'35" West, a distance of 101.12 feet along said right of way; Thence South 51°41'44" West, a distance of 226.57 feet along said right of way; Thence continuing South 51°41'44" West, a

distance of 773.43 feet; Thence South 43°09'54" West, a distance of 101.12 feet along said right of way; Thence South 51°41'44" West, a distance of 33.72 feet along said right of way; Thence continuing South 51°41'44" West, a distance of 120.11 feet to the true POINT OF BEGINNING; Thence South 51°41'44" West, a distance of 196.17 feet along said right of way; Thence South 57°24'23" West, a distance of 100.50 feet along said right of way; Thence South 51°41'44" West, a distance of 100.00 feet along said right of way; Thence South 45°59'06" West, a distance of 100.50 feet along said right of way; Thence South 51°41'44" West, a distance of 970.81 feet along said right of way to the East right of way Interstate Highway 35; Thence North 51°23'16" West, along said right of way, a distance of 92.00 feet to the beginning of a curve concave to the east having a radius of 1025.92 feet and a central angle of 22°33'42" and being subtended by a chord which bears North 11°18'35" East 401.38 feet; Thence northerly along said curve, a distance of 403.98 feet along said right of way; Thence North 18°43'34" East, a distance of 283.70 feet along said right of way; Thence North 15°19'54" East, a distance of 1077.46 feet along said right of way; Thence North 13°43'13" East, a distance of 705.84 feet along said right of way; Thence South 88°45'01" East, a distance of 30.88 feet to the beginning of a curve radial to said line; Thence southerly a distance of 128.96 feet along the curve concave to the east, having a radius of 734.00 feet and a central angle of 10°03'59"; Thence South 08°49'00" East tangent to said curve, a distance of 576.40 feet to the beginning of a curve tangent to said line; Thence southerly a distance of 346.23 feet along the curve concave to the east, having a radius of 734.00 feet and a central angle of 27°01'37"; Thence South 35°50'36" East tangent to said curve, a distance of 283.89 feet to the beginning of a curve tangent to said line; Thence southeasterly a distance of 25.89 feet along the curve concave to the southwest, having a radius of 144.00 feet and a central angle of 10°18'06"; Thence South 25°32'30" East tangent to said curve, a distance of 118.34 feet to the beginning of a curve tangent to said line; Thence southeasterly a distance of 28.05 feet along the curve concave to the northeast, having a radius of 156.00 feet and a central angle of 10°18'06"; Thence South 35°50'36" East tangent to said curve, a distance of 167.64 feet to the true POINT OF BEGINNING. Said Tract B containing 1,135,408 square feet or 26.07 acres more or less.

SECTION II

The City Council finds and declares that, prior to any action on the amendment herein described, all requirements pertaining to notices and hearings have been fulfilled.

SECTION III

Any and all development within the above-described lot shall comply with all applicable standards and requirements as set forth in the City Code of the City of Liberty, Missouri

SECTION IV

This Ordinance shall be in full force and effect from and after its passage by the City Council and approval by the Mayor.

PASSED by the City Council this _____ day of _____, 2022.

_____
MAYOR

ATTEST:

_____
DEPUTY CITY CLERK

APPROVED by the Mayor this _____ day of _____, 2022.

_____
MAYOR

STAFF REPORT

Planning and Zoning Case 22-50PP

Staff: Michael Peterman, City Planner

Date: October 24, 2022

GENERAL INFORMATION

Application:	**Preliminary Plat for North Liberty Commercial, 9 Lots on 50.47 +/- acres north of US 69 Hwy and east of I-35**
Applicant:	Grant Polley Northpoint Development, LLC 3315 N. Oak Trafficway Kansas City, MO 64116
Owner:	North Liberty Commerce Center. LLC 3315 N. Oak Trafficway Kansas City, MO 64116
Location:	North of US 69 Hwy and east of I-35
Site Acreage:	50.47 +/- Acres
Existing Land Use/Zoning:	Undeveloped / R-1A, "Suburban Residential District"
Future Land Use Map:	Business and Conservation Lands
Surrounding Land Uses/Zoning:	**North**: Future North Liberty Logistics Park/ M-1, Light Industrial **South**: US 69 Hwy, Undeveloped/ R-1A, Suburban Residential, and **West**: I-35 Interstate **East**: Undeveloped / R-1A, Suburban Residential and Heartland Meadows Industrial Park/ M-1, Light Industrial
Public Notice:	None required
File Date:	September 2, 2022

PREVIOUS CASES/SITE HISTORY

PZ Case 22-49R&PDP: Rezoning and Preliminary Development Plan for North Liberty Commercial. Rezoning from R-1A "Suburban Residential' to C-2 "General Business". 9 lots on 50.5 +/- acres for commercial development running concurrently with this application.

PZ Case 22-14FP: Final Plat for North Liberty Logistics Park, Lots 1-3 & Tracts A, B, C on 118 +/- ac. was approved by the City Council in April of 2022

PZ Case 22-15FDP: A Final Development Plan North Liberty Logistics Park, Building 1, a 386,619 sq. ft.

industrial/warehouse building on 24.3 ac. on Lot 1 of North Liberty Logistics Park was approved by the City Council in April of 2022

PZ Case 22-16FDP: A Final Development Plan North Liberty Logistics Park, Building 2, a 480,050 sq. ft. industrial/warehousing building on 29.2 ac. on Lot 2 of North Liberty Logistics Park was approved by the City Council in April of 2022

PZ Case 21-50PP Preliminary Plat for North Liberty Logistics Park was approved by the City Council in December 2021.

PZ Case 21-49R&PDP: Rezoning and Preliminary Development Plan for North Liberty Logistics Park. Rezoning from R-1A "Suburban Residential "and "Agricultural" to M-1 "Light Industrial" was approved by the City Council in December 2021.

DESCRIPTION OF PROPOSAL

Technical Information

This is a proposal for a commercial center with approximately 223,000 square feet of space in 9 buildings. There are 9 lots proposed on 50.47+/- acres. The buildings are proposed to be utilized for automotive sales and accompanying uses. The project is located between I-35 and US 69 Hwy. The project is located between I-35 and US 69 Hwy. The intersection of Edgar Petty Road and US 69 Hwy was approved to be relocated to the north away from the I-35/US 69 intersection with the approval of the industrial project adjacent to the north of this proposal.

PUBLIC INFRASTRUCTURE

Facility	City Standard	Status
Streets	Direct connection to fully improved street network	The property has access to US 69 Hwy via Edgar Petty Road.
Sanitary Sewer	Direct, gravity flow connection	Sanitary sewer service will be provided via an existing sanitary sewer main on the south side of the US 69 Hwy. The development will be required to construct on-site sanitary sewer extensions.
Water	Direct connection to City water services	Water service will be provided via a loop through the property from connection to a public main on the south side of the US 69 Hwy and from the north along Edgar Petty Rd.
Storm Water	Storm water must be released at an acceptable rate	Storm water will be collected on the property and directed into a combination of storm water quality best management practices and storm water detention basins. Storm water released from the development will be managed to reduce offsite erosion potential or additional erosion prevention measures will be designed and constructed.

STAFF ANALYSIS

A preliminary plat is required for the general subdivision of land to ensure the layout of a proposed subdivision conforms to the comprehensive plan and the UDO. Staff's analysis of a preliminary plat application is guided by Section 30-28.10. Preliminary plat, approval criteria:

1. **The preliminary plat substantially complies with the intent of the comprehensive plan;**
   Staff believes this proposal satisfies the intent of the comprehensive plan, future land use map. Commercial development is appropriate in this location. Principle eleven of the Comprehensive Plan states development of vacant or underutilized parcels within the City should be encouraged. Principle twelve also encourages development where municipal services are readily available.

2. **The preliminary plat complies with the provisions of this UDO; and**
   Staff finds that the application substantially conforms to the requirements set forth in the Unified Development Ordinance.

3. **The preliminary plat substantially complies with approved city development standards and policies.**
   Staff finds that this Preliminary Plat complies with the intent of city development standards and policies.

STAFF RECOMMENDATION

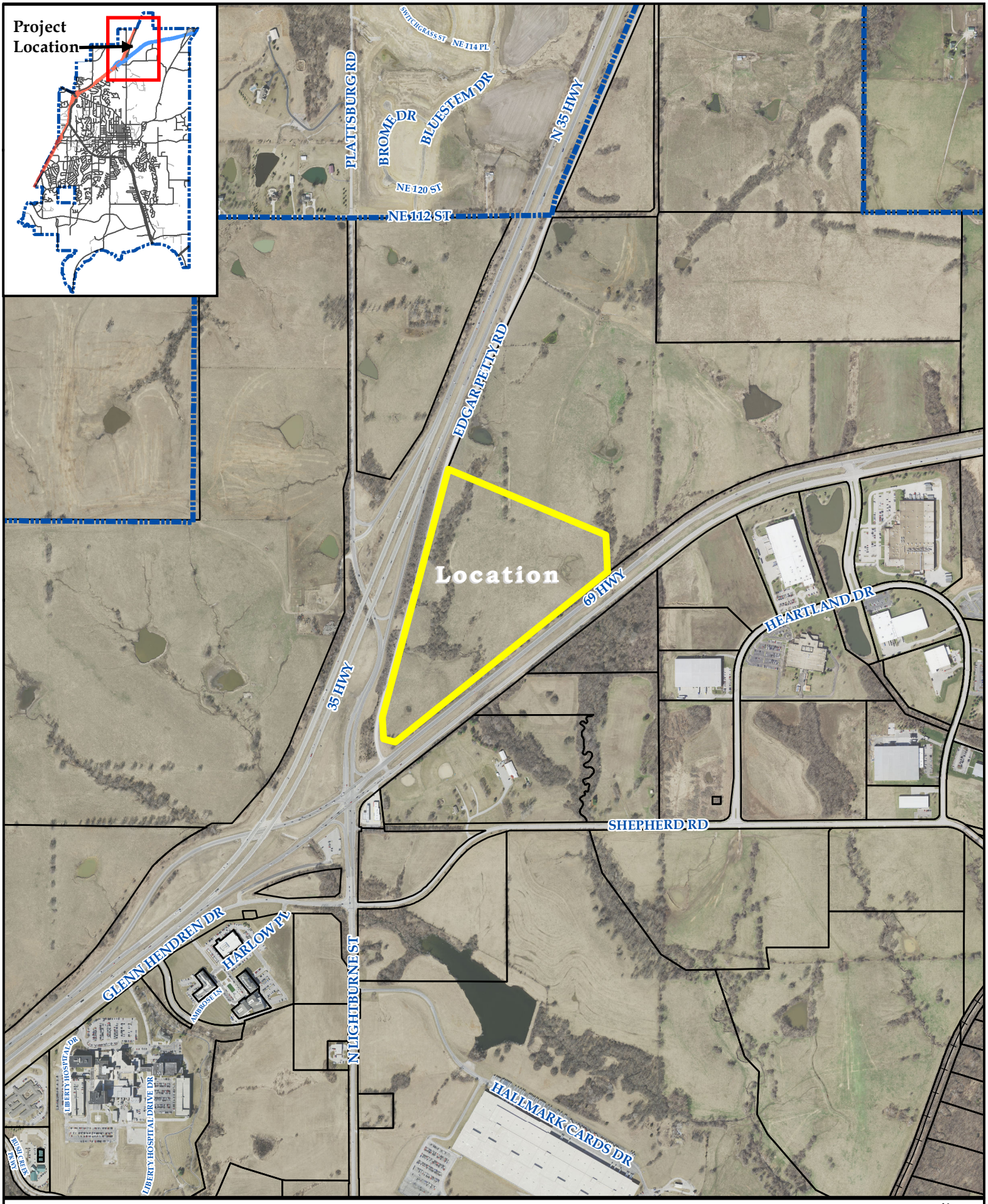
Staff finds this application meets the standards of review for a Preliminary Plat in Section 30-28.10 of the UDO and recommends approval of P&Z Case 22-50PP.

PZ RECOMMENDATION

At its October 11, 2022 meeting, the Planning Commission voted 8-0-0 to recommend approval of P&Z Case 22-50PP as presented in the staff report.

ATTACHMENTS

Exhibit A:	Vicinity Map
Exhibit B:	Preliminary Plat
Exhibit E:	Minutes Excerpt from Planning & Zoning Commission meeting
Exhibit F:	Resolution



City of Liberty missouri

P&Z Case 22-50PP
Preliminary Plat
North Liberty Commercial

EXHIBIT A:
VICINITY MAP

N
W E
S

Date: 10/4/2022

PRELIMINARY PLAT OF

NORTH LIBERTY COMMERCIAL

Lots 1-9

A subdivision in Section 29, Township 52 North, Range 31 West, Liberty, Clay County, Missouri

Sheet 1 of 1

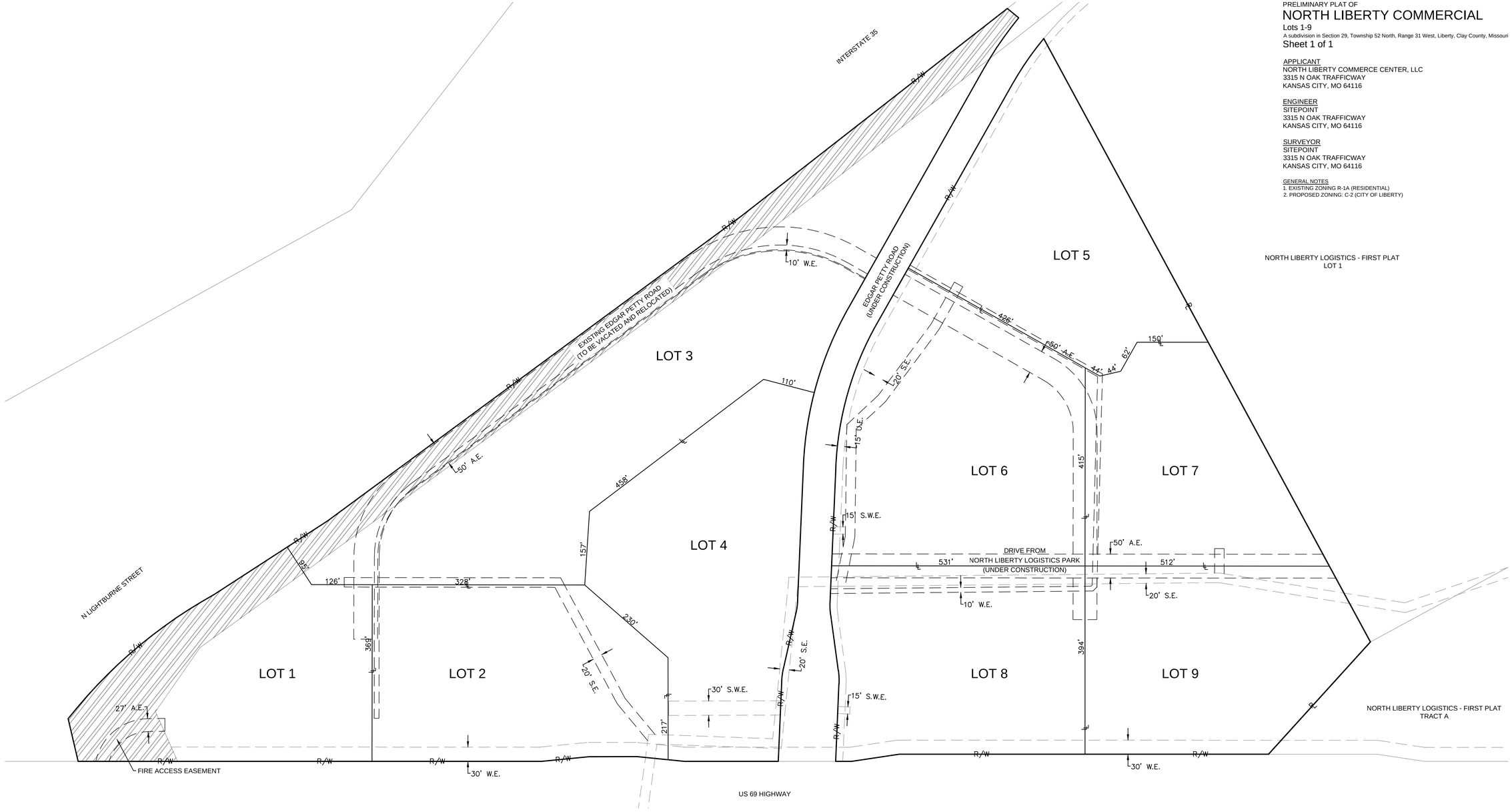
APPLICANT
NORTH LIBERTY COMMERCE CENTER, LLC
3315 N OAK TRAFFICWAY
KANSAS CITY, MO 64116

ENGINEER
SITEPOINT
3315 N OAK TRAFFICWAY
KANSAS CITY, MO 64116

SURVEYOR
SITEPOINT
3315 N OAK TRAFFICWAY
KANSAS CITY, MO 64116

GENERAL NOTES
1. EXISTING ZONING R-1A (RESIDENTIAL)
2. PROPOSED ZONING: C-2 (CITY OF LIBERTY)

NORTH LIBERTY LOGISTICS - FIRST PLAT
LOT 1



GENERAL NOTES
1. THIS PLAN SHALL SERVE AS A PRELIMINARY PLAT.
2. EXISTING ZONING: R-1A (RESIDENTIAL) AND CLAY COUNTY OPEN SPACE (CITY OF LIBERTY)
3. PROPOSED ZONING: C-2 (CITY OF LIBERTY)
4. EXISTING CONDITIONS AND UTILITIES ARE INDICATED ON THE EXISTING CONDITIONS PLAN.
5. GENERAL CONFIGURATION OF PROPOSED LOTS AND TRACTS ARE AS INDICATED IN PLAN SET.
6. FINAL DEVELOPMENT PLAN TO INCLUDE FINAL DETAILS ON SIGNAGE, BUILDING MATERIALS, BUILDING ELEVATIONS, LANDSCAPING AND LIGHTING PLAN.
7. PROPOSED CONTOURS, GRADES AND UTILITIES ARE SUBJECT TO FINAL ENGINEERING DESIGN AND APPROVAL BY CITY, PRIVATE UTILITY COMPANIES AND BUILDING PERMIT PLAN APPROVAL.
8. INGRESS AND EGRESS TO EACH LOT WILL BE FROM A PUBLIC STREET AND/OR ACCESS EASEMENT.
9. PRIVATE ACCESS EASEMENT AGREEMENTS FOR EACH LOT SHALL BE RECORDED AGAINST THE PROPERTY AS REQUIRED TO PROVIDE ACCESS.
10. LOTS OR TRACTS ESTABLISHED BY THIS PLAN MAY BE FURTHER SUBDIVIDED BY APPLICATION FOR LOT SPLIT OR MINOR SUBDIVISION.

SURVEY DESCRIPTION

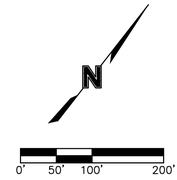
Note: This description is based on actual surveys performed in 2015 by J&J Survey and 2020 by SitePoint, a division of NorthPoint Development. Bearings herein are based on Missouri State Plane Grid North.

Two tracts of land lying in the Northwest and Southwest quarters of Section 29, Township 52 North, Range 31 West, all lying East of Interstate 35 and North of US Highway 69, Clay County Missouri, being a portion of lands currently owned by Hallmark Cards, Inc. and further described as follows:

Tract A:
Commencing at the Center Section Corner of said Section 29 as is currently monumented by a 3.5" aluminum monument stamped J & J Survey, KS 232; Thence South 00°13'14" West, a distance of 127.43 feet along the North–South centerline of said section to the north right of way line of Missouri Highway 69; Thence South 51°41'44" West, a distance of 286.79 feet along said right of way; Thence South 60°13'35" West, a distance of 101.12 feet along said right of way; Thence South 51°41'44" West, a distance of 226.57 feet along said right of way to the POINT OF BEGINNING of the tract herein described; Thence continuing South 51°41'44" West, a distance of 773.43 feet; Thence South 43°09'54" West, a distance of 101.12 feet along said right of way; Thence South 51°41'44" West, a distance of 33.72 feet along said right of way; Thence, departing said right of way, North 35°50'36" West, a distance of 162.49 feet to the beginning of a curve tangent to said line; Thence northwesterly a distance of 28.05 feet along the curve concave to the southwest, having a radius of 156.00 feet and a central angle of 10°18'06"; Thence North 46°08'43" West tangent to said curve, a distance of 118.34 feet to the beginning of a curve tangent to said line; Thence northwesterly a distance of 25.89 feet along the curve concave to the northeast, having a radius of 144.00 feet and a central angle of 10°18'06"; Thence North 35°50'36" West tangent to said curve, a distance of 283.89 feet to the beginning of a curve tangent to said line; Thence northwesterly a distance of 314.16 feet along the curve concave to the east, having a radius of 666.00 feet and a central angle of 27°01'37"; Thence North 08°49'00" West tangent to said curve, a distance of 576.40 feet to the beginning of a curve tangent to said line; Thence northerly a distance of 117.01 feet along the curve concave to the east, having a radius of 666.00 feet and a central angle of 10°03'59" to a point of cusp; Thence South 66°44'24" East, a distance of 1437.27 feet; Thence South 03°52'53" West, a distance of 317.68 feet to the true POINT OF BEGINNING. Said Tract A containing 1,062,843 square feet or 24.40 acres more or less.

Tract B:
Commencing at the Center Section Corner of said Section 29 as is currently monumented by a 3.5" aluminum monument stamped J & J Survey, KS 232; Thence South 00°13'14" West, a distance of 127.43 feet along the North–South centerline of said section to the north right of way line of Missouri Highway 69; Thence South 51°41'44" West, a distance of 286.79 feet along said right of way; Thence South 60°13'35" West, a distance of 101.12 feet along said right of way; Thence South 51°41'44" West, a distance of 226.57 feet along said right of way; Thence continuing South 51°41'44" West, a distance of 773.43 feet; Thence South 43°09'54" West, a distance of 101.12 feet along said right of way; Thence South 51°41'44" West, a distance of 33.72 feet along said right of way; Thence continuing South 51°41'44" West, a distance of 120.11 feet to the true POINT OF BEGINNING; Thence South 51°41'44" West, a distance of 196.17 feet along said right of way; Thence South 57°24'23" West, a distance of 100.50 feet along said right of way; Thence South 51°41'44" West, a distance of 100.00 feet along said right of way; Thence South 45°59'06" West, a distance of 100.50 feet along said right of way; Thence South 51°41'44" West, a distance of 970.81 feet along said right of way to the East right of way Interstate Highway 35; Thence North 51°23'16" West, along said right of way, a distance of 92.00 feet to the beginning of a curve concave to the east having a radius of 1025.92 feet and a central angle of 22°33'42" and being subtended by a chord which bears North 11°18'35" East 401.38 feet; Thence northerly along said curve, a distance of 403.98 feet along said right of way; Thence North 18°43'34" East, a distance of 283.70 feet along said right of way; Thence North 15°19'54" East, a distance of 1077.46 feet along said right of way; Thence North 13°43'13" East, a distance of 705.84 feet along said right of way; Thence South 88°45'01" East, a distance of 30.88 feet to the beginning of a curve radial to said line; Thence southerly a distance of 128.96 feet along the curve concave to the east, having a radius of 734.00 feet and a central angle of 10°03'59"; Thence South 08°49'00" East tangent to said curve, a distance of 576.40 feet to the beginning of a curve tangent to said line; Thence southerly a distance of 346.23 feet along the curve concave to the east, having a radius of 734.00 feet and a central angle of 27°01'37"; Thence South 35°50'36" East tangent to said curve, a distance of 283.89 feet to the beginning of a curve tangent to said line; Thence southeasterly a distance of 25.89 feet along the curve concave to the southwest, having a radius of 144.00 feet and a central angle of 10°18'06"; Thence South 25°32'30" East tangent to said curve, a distance of 118.34 feet to the beginning of a curve tangent to said line; Thence southeasterly a distance of 28.05 feet along the curve concave to the northeast, having a radius of 156.00 feet and a central angle of 10°18'06"; Thence South 35°50'36" East tangent to said curve, a distance of 167.64 feet to the true POINT OF BEGINNING. Said Tract B containing 1,135,408 square feet or 26.07 acres more or less.

LOT	GROSS AREA
1	4.6 AC. (200,569 S.F.)
2	4.9 AC. (214,065 S.F.)
3	10.9 AC. (473,776 S.F.)
4	5.7 AC. (246,999 S.F.)
5	4.9 AC. (211,356 S.F.)
6	6.1 AC. (265,258 S.F.)
7	4.0 AC. (174,584 S.F.)
8	4.8 AC. (208,005 S.F.)
9	4.7 AC. (203,731 S.F.)



SITEPOINT
A Division of NorthPoint Development
4925 NW 41st Street, Suite 500
Riverside, MO 64150
816.888.7380
sitepoint@northpointkc.com

NO:	REVISIONS/APPROVALS:	DATE:
	INITIAL SUBMITTAL	2022.09.02
	CITY RESUBMITTAL	2022.09.16

REVIEWED BY: KRM/RB
DESIGNED BY: KRM/RB
DRAFTED BY: BRC/KRM/RB
SP PROJECT #: 3360
MELISSA DEGONIA, P.E. MO #2011000892

PRELIMINARY PLAT

NORTH LIBERTY COMMERCIAL
REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT
LIBERTY, CLAY COUNTY, MISSOURI

Certificate of Authority # 2020018354

SHEET #:

C-0205

S:\01 PROJECTS\INDUSTRIAL\3360 NORTH LIBERTY LOGISTICS PARK (LIBERTY, MO)\PHASE 1\PLANS\05_COMMERCIAL ENTITLEMENT PLANS\C-0205 PRELIMINARY PLAT.DWG

22-50PP: Preliminary Plat for North Liberty Commercial, 9 lots on 50.47 ac for commercial development.

Mr. Peterman presented the case as described in the staff report.

Chairman Rosekrans asked the commissioners if they had any other questions, seeing none he asked for a motion.

Action: Commissioner Holt moved to approve the case as presented in the staff report. Commissioner Summers seconded the motion.

Vote: Motion passed 8-0-0
Yes: Dilts, Holt, Howard, Reinier, Personett, Rosekrans, Summers, and Waterman
No: None
Recusal: None

Chairman Rosekrans said this case would be heard in front of the City Council on Monday, October 24, 2022.

RESOLUTION NO. _____

A RESOLUTION APPROVING A PRELIMINARY PLAT FOR NORTH LIBERTY COMMERCIAL, 50.47 ACRES BETWEEN INTERSTATE 35 AND US 69 HWY, A SUBDIVISION OF LAND IN LIBERTY, CLAY COUNTY, MISSOURI

WHEREAS, a preliminary plat for North Liberty Commercial, a subdivision of land in Liberty, Clay County, Missouri, has been duly and properly presented to the Planning and Zoning Commission on October 11, 2022 and City Council on October 24, 2022; and

WHEREAS, the City Council finds that the preliminary plat described duly conforms to the standards and requirements of section 30-28.10 of the Unified Development Ordinance:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Liberty, Missouri, that the preliminary plat for North Liberty Commercial, a subdivision of land in Liberty, Clay County, Missouri, is hereby approved and made apart hereof as though more fully set out herein;

BE IT FURTHER RESOLVED, that any and all development within the above-described preliminary plat shall be allowed only after a final plat which substantially conforms to this preliminary plat is approved and recorded, and shall comply with all other applicable standards and requirements as set forth in the City Code of the City of Liberty, Missouri.

PASSED by the City Council this _____ day of _____, 2022.

_____
MAYOR

ATTEST:

_____
DEPUTY CITY CLERK

STAFF REPORT

Planning and Zoning Case 22-56SUP

Staff: Mike Peterman, City Planner

Date: November 28, 2022

GENERAL INFORMATION

Application:	**Special Use Permit for Evergy – A Substation on the south side of 291 between Kent and Brown on Sutton Place**
Applicant:	Jessica Keck Evergy 818 S. Kansas Ave. Topeka, KS 66612
Owner:	Evergy 1200 Main St. Kansas City, MO 64105
Location:	Tract C-2B, of Liberty Industrial Park. South of 291 between Kent and Brown on Sutton Place
Site Acreage:	1.8 acres
Existing Land Use/Zoning:	Vacant Lot/ C-2, "General Business"
Future Land Use Map:	Commercial
Neighboring Land Use/Zoning:	**North**: 291 Hwy & Current Evergy Sub-station / M-1, "Light Industrial" **South**: Automotive Repair / M-1, "Light Industrial" **East**: Automotive Repair / C-2, "General Business" **West**: Veterinarian / C-2, "General Business"
Public Notice:	Legal Notice printed in Courier Tribune- Oct 20 Letter sent to property owners within 185 ft. on Oct 21 Sign Posted on site on Oct 24
File Date:	October 7, 2022

CASE HISTORY

PZ Case # 22-07FP: A Final Plat for Chiefs Addition, 1 lot on 1.8 acres, a replat of part of Tract C, Liberty Industrial Park, was approved by the City Council on June 27, 2022

PROJECT DESCRIPTION

The applicant is requesting approval of a Special Use Permit for the construction of a new electrical substation measuring 25 feet in height, not including the poles that connect to the transmission lines. The substation will be constructed to transform the utility-supplied voltage (69,000 volts or 69 kV) to a site distribution voltage of 15 kV. This is the standard voltage use to supply a facility such as the Ford Stamping Plant.

SITE ANALYSIS

Use

The proposal is for an electric substation. According to the FAQ's provided by the applicant, the main purpose to the new substation is to "transform power from a higher voltage to a lower voltage and control the power flow to other substations in the area. Bulk power is transported most efficiently over long distances when it is at very high voltages, so substations like this one, would serve as the point at which bulk power for the area is transformed to a lower voltage, before being distributed to homes and businesses. Inside the substation, the transformer changes the voltage from 69kV to 12kV distribution circuits. The switches and breakers are used to turn power to individual circuits off and on, just like light switch in a home, but on a larger scale. The electronic devices are used for monitoring and remote switching." The applicant states that the new Substation will increase the reliability, serviceability and load of Evergy's electrical system in Liberty.

Site Layout/Access

The site is a current undeveloped lot within the Liberty Industrial Park. The only access will be via two driveways from Sutton Place. Both drives will be gated. The site will have 8-foot decorative walls on all four sides to screen and secure the electrical equipment inside. Inside the station, the yard will have a crushed rock surface, which is a safety requirement for Evergy personnel working inside the station. The wall will be set off the property line, providing green space around all four sides of the wall.

Building Design

The only buildings on site will be relatively small electrical control rooms. Power poles, electrical lines and other electrical equipment will be the main components on the site. The stamped concrete wall will be set back behind the build lines of the property.

Landscaping

The applicant has proposed to provide significant landscaping on both the north and south side of the project adjacent to public right-of-way. The proposal includes two trees, 168 shrubs and 188 grasses.

PUBLIC INFRASTRUCTURE

Streets

The site has direct access to Sutton Place.

Sanitary Sewer

Sanitary sewer service is available to the site via an 8-inch public main on Sutton Place.

Water

Water service is available to the site via an 8-inch public main on Sutton Place.

Stormwater
Stormwater will continue to be collected on site via underground detention system and discharged at acceptable rates.

STAFF ANALYSIS

In accordance with Section 30.25, Special Use Permit, of the Liberty *Unified Development Ordinance* (UDO), staff's analysis of a special use permit application is guided by Section 30-25.3, which provides six findings to which each application must conform:

1. **The proposed use is consistent with the intent of the City's Comprehensive Plan.**
   The proposed use appears to be consistent with the intent of the Comprehensive Plan to provide economic opportunity in Liberty. Principle Eleven states: '(Use) of vacant and under-utilized parcels should be encouraged.' This project will update and enhance the City's' electrical system to be more reliable. Staff believes the application fulfills this requirement.

2. **The proposed use is one specifically permitted by this article or, as an exception, any previously granted special use permit may be considered for renewal.**
   This application is being reviewed as allowed by Section 30-25.5, Special use permit, uses to be considered, *14) Buildings, structures or premises for public utility services.*

3. **The proposed use does not adversely impact the public health, safety, comfort or general welfare.**
   The addition of this new substation and the decommissioning of the old substation immediately north of this proposal will provide a needed upgrade that will address safety, upgrade facilities to newer and safer standards and provide reliability to the electrical network in the City. In an email to staff, Evergy stated that they plan on decommissioning the existing substation site and removing all equipment on site. Once the above-grade substation infrastructure has been removed, Evergy will commission environmental testing to evaluate whether any releases of hazardous substances or pollutants have occurred on the property. Any contamination found will be remediated as needed. Evergy will then regrade the site and reseed it back to a native vegetation. Decommissioning of the site will begin within 12 months of the Kent substation in-service to allow time for distribution tie-ins to occur.

4. **The proposed use conforms to all conditions and performance standards as set forth herein.**
   Staff believes all conditions and performance standards are met with this proposal and no variances are proposed with this application.

5. **The proposed use does not adversely impact the public infrastructure system.**
   The proposed building should not adversely impact the public infrastructure system. The site and has access to all public facilities that are required.

6. **The proposed use is compatible with the use, scale, orientation and setback of properties in the general vicinity.**
   The proposal for a substation at this location will provide a needed upgrade to service in the City and move the service away from adjacent residential and public use areas. There is currently a substation located on the north side of 291 Hwy immediately north of this location adjacent to a City park and single-family dwellings. When that substation is decommissioned in favor of this substation, it will be in a location that will have a less effect than currently exists.

STAFF RECOMMENDATION

Staff finds that this application meets the standards of review for a Special Use Permit in Section 30.25 in the UDO and recommends approval of P&Z Case 22-56SUP.

PZ RECOMMENDATION

At its November 8, 2022 meeting, the Planning Commission voted 7-0-0 to recommend approval of P&Z Case 22-56SUP as presented in the staff report.

ATTACHMENTS

Exhibit A: Vicinity Map
Exhibit B: Site Plan
Exhibit C: Elevations
Exhibit D: Landscape Plan
Exhibit E: Applicant's Proposal: FAQs from Evergy
Exhibit F: Minutes Excerpt from Planning & Zoning Commission meeting
Exhibit G: Resolution

City of Liberty Missouri

P&Z Case 22-56SUP
Special Use Permit
Evergy Kent Substation

EXHIBIT A:
VICINITY MAP

N
W E
S

Date: 11/2/2022

N

0 20' 40'
SCALE IN FEET

M O . H W Y . M - 2 9 1
RIGHT OF WAY ESTABLISHED BY DOCUMENT NO. C-1606, BOOK 899, PAGE 512

DECORATIVE WALL CORNER/ RETAINING WALL END N 1117878.99 E 2808301.99

6' KCP&L EASEMENT

20' UTILITY EASEMENT

DECORATIVE WALL CORNER N 1117874.90 E 2808536.78

8' DECORATIVE WALL

10' MISSOURI PUBLIC SERVICE EASEMENT

PROPOSED VARIABLE-HEIGHT RETAINING WALL

STALEY RD LINE #7

SIBLEY LINE #8

XF#2

R2-7

R2-8

R1-7

R3-8

R1-6

R3-6

PLUMMER LINE #6

XF#3

OWNER: DENNY FAMILY WEALTH TRUST

OWNER: JOHN & PATRICIA CHARLENE POTEE

1 STORY BRICK BUILDING #928 SUTTON PLACE

DECORATIVE/RETAINING WALL CORNER N 1117655.23 E 2808252.53

DECORATIVE WALL CORNER/ RETAINING WALL START N 1117638.53 E 2808263.53

DECORATIVE WALL CORNER N 1117638.42 E 2808268.54

CP #1

CENTER OF 15' RADIUS N 1117624.84 E 2808253.38

CONCRETE ACCESS ROAD SURFACE (TYP)

BEGIN 20' WIDE ACCESS ROAD N 1117609.30 E 2808278.06

CENTER 20' DECORATIVE GATE END 20' WIDE ACCESS ROAD N 1117638.22 E 2808278.53

DECORATIVE WALL CORNER N 1117638.00 E 2808288.53

CRUSHED ROCK SURFACE (TYP)

CENTER OF 15' RADIUS N 1117623.76 E 2808303.38

PROPOSED 4' SIDEWALK

10' UTILITY EASEMENT

DECORATIVE WALL CORNER N 1117633.53 E 2808501.70

CENTER OF 15' RADIUS N 1117619.94 E 2808486.56

CONCRETE ACCESS ROAD SURFACE (TYP)

BEGIN 20' WIDE ACCESS ROAD N 1117604.40 E 2808511.24

CENTER 20' DECORATIVE GATE END 20' WIDE ACCESS ROAD N 1117633.32 E 2808511.71

DECORATIVE WALL CORNER N 1117633.10 E 2808521.72

DECORATIVE WALL CORNER N 1117632.90 E 2808531.71

CP #2

CENTER OF 15' RADIUS N 1117618.86 E 2808536.56

℄ S U T T O N P L A C E
(ASPHALT SURFACE)

126.59'

SITE NOTES:

1. HORIZONTAL AND VERTICAL CONTROL, BASIS OF BEARING, PROPERTY, LAND AND TOPOGRAPHIC INFORMATION OBTAINED FROM SURVEY PERFORMED BY:
   ANDERSON SURVEY COMPANY
   1270 NE DELTA SCHOOL ROAD
   LEE'S SUMMIT, MO 64064
   PHONE 816-246-5050
2. HORIZONTAL DATUM: NAD83, STATE PLANE - MISSOURI WEST ZONE.
3. VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).

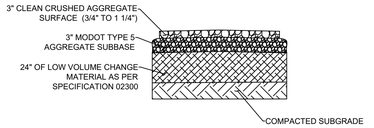
SITE BENCHMARKS:

CP1: NORTHING: 1117624.01
EASTING: 2808240.44
ELEVATION: 870.30

CP2: NORTHING: 1117617.76
EASTING: 2808538.13
ELEVATION: 863.77

LEGEND:

- PROPERTY LINE
- EXISTING FIELD FENCE
- EXISTING CHAIN LINK FENCE
- EXISTING MAJOR CONTOURS
- EXISTING MINOR CONTOURS
- EXISTING OVER HEAD ELECTRICAL LINE
- EXISTING GAS LINE
- EXISTING OVERHEAD POWER & TV LINE
- EXISTING STORM LINE
- EXISTING WATER LINE
- EXISTING SANITARY SEWER LINE
- EXISTING UTILITY POLE
- EXISTING TREELINE
- EDGE OF PAVEMENT
- PROPOSED ACCESS ROAD CENTERLINE
- PROPOSED SUBSTATION DECORATIVE SECURITY WALL
- PROPOSED RETAINING WALL WITH DECORATIVE WALL
- PROPOSED CRUSHED ROCK SURFACE
- PROPOSED ACCESS ROAD SURFACE



TYPICAL CRUSHED ROCK SURFACE DETAIL
NOT TO SCALE

BURNS & McDONNELL
Professional Engineering Corporation
MO Certificate of Authority # 000165
Date Prepared:

JASON J. RINGER
MISSOURI LICENSE NUMBER: PE-2020090811

BMCD#: 136220
9400 WARD PARKWAY
KANSAS CITY, MO 64114
(816) 333-9400

BURNS McDONNELL

REV.	REV. DATE	REVISION & JOB NO.	BY	CK.	APP
A	09/23/22	ISSUED FOR REVIEW	BL	NS	JJR

	DATE		DATE
DRAWN: H. COLLINS	09/23/2022	APPROVED: J. RINGER	09/23/2022
DRAFT. CK.: B. LONG	09/23/2022	SCALE: 1" = 20'	
ENGR. CK.: N. SANCHEZ	09/23/2022	JOB NO.: 136220	

EVERGY
KENT SUBSTATION (502)
161KV SUBSTATION
SITE PLAN

evergy.

DWG. NO. 100/502/D011

DWG: C:\Users\hecollins\Burns & McDonnel\Evergy Sub - 136220_Kent Substation\Design\Substation\CADD\Working\100-502-D011.dwg USER: hecollins
DATE: Sep 23, 2022 5:28pm XREFS: M0D_Kent ALTA Survey M0D_Kent_Mechanical_11-19-21 136220 Proposed Grading Rev1

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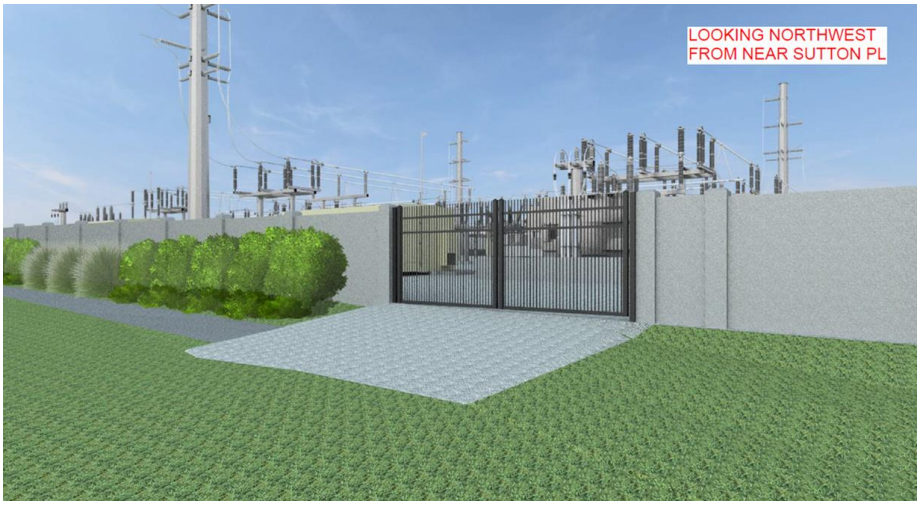
LOOKING NORTHEAST
FROM NEAR SUTTON PL


LOOKING NORTHWEST
FROM NEAR SUTTON PL

LOOKING SOUTHEAST
FROM NEAR HIGHWAY 291

N

0 20' 40'

SCALE IN FEET

M O . H W Y . M - 2 9 1

RIGHT OF WAY ESTABLISHED BY DOCUMENT NO. C-1606, BOOK 899, PAGE 512

FOUND 1/2" STEEL ROD

FOUND 1/2" STEEL ROD ON PROPERTY CORNER

POWER POLE
GUY WIRE

S 81°14'49" E 147.44'
(PLAT=S 81°18'26" E)

FOUND STEEL ROD & CAP STAMPED "GBA" ON PROPERTY CORNER

FOUND 3/8" STEEL ROD

N 87°46'22" W 110.00'
(PLAT =N 87°50'26" W 111.00')

FOUND 1/2 STEEL ROD

FOUND STEEL ROD & CAP STAMPED "GBA" ON PROPERTY CORNER

℄ 6' KCP&L EASEMENT

STEEL EDGE

8' DECORATIVE WALL

℄ 10' MISSOURI PUBLIC SERVICE EASEMENT

20' UTILITY EASEMENT BY PLAT

(PLAT=S 81°18'38" E 7.23')

EXISTING TREE TO BE REMOVED

3.00'

3.00'

PROPOSED VARIABLE-HEIGHT RETAINING WALL

CONCRETE FLUME 0.41' EAST OF PROPERTY LINE

BUILDING CORNER IS 4.70' EAST OF PROPERTY CORNER

OWNER:
DENNY FAMILY
WEALTH TRUST

TRACT C-2A

TRACT C-2B

TRACT C-2

WROUGHT IRON FENCE WITH (3)12"X2.5" BRICK FENCE POST COLUMNS

(PLAT=S 12°24'23" W 295.89')

OWNER:
JOHN & PATRICIA
CHARLENE POTEE

(PLAT=S 10°07'54" W 285.05')

1 STORY
BRICK BUILDING
#928 SUTTON PLACE

TRACT B

NORTHEAST CORNER OF CONCRETE PAD IS 0.30' EAST OF PROPERTY LINE

SOUTHEAST CORNER OF CONCRETE PAD IS 0.41' EAST OF PROPERTY LINE

CONC. PAD

(2)EB

CP #1
NORTH = 1117624.01
EAST = 2828240.44
ELEVATION = 863.77

CONCRETE FLUME 0.0' EAST OF PROPERTY LINE

BENCHMARK/CP #1
NORTH = 1117624.01
EAST = 2828240.44
ELEVATION = 863.77

CRUSHED ROCK SURFACE (TYP)

NORTHWEST CORNER OF CONCRETE PAD IS 2.75' NORTH OF PROPERTY LINE & THE NORTHEAST CORNER OF PROPERTY

BUILDING CORNER IS 4.63' EAST OF PROPERTY CORNER

8" BRICK WALL

6" VERTICAL CONCRETE CURB

FOUND 1/2" STEEL ROD ON PROPERTY CORNER
FOUND 1/2" STEEL ROD 0.00' NORTH & 0.77' EAST OF PROPERTY CORNER

(PLAT=N 88°52'06" W)
N 88°47'50" W 110.00'

N 88°47'50" W 141.10'
(PLAT=N 88°52'06" W 141.03')

CONCRETE SIDEWALK

CONCRETE SIDEWALK

FOUND CUT "+"

YARD SETBACK

S U T T O N P L A C E

CONCRETE ACCESS ROAD SURFACE (TYP)

PROPOSED 4' SIDEWALK

CONCRETE ACCESS ROAD SURFACE (TYP)

STEEL EDGE

10' UTILITY EASEMENT BY PLAT

POINT OF BEGINNING

BENCHMARK #2

10" PVC

SSMH

EA	8	EA	7	EA	6	
MS	3	EA	6	EA	6	
CC	1	MS	3	MS	3	
		CC	1	CC	1	
JB	13	JB	10	JB	15	
MS	7	MS	7	MS	7	
JB	10	JB	10	JB	10	
EA	5	EA	6	EA	6	EA 5
SH	142	MS	3	MS	3	
JB	8	JB	10	JB	10	JB 8
MS	3	MS	3			
JB	10	JB	10			

PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	COND	NOTES
CC	2	Cercis canadensis 'JN2'	Rising Sun Redbud	1.5" CAL	B&B	
SHRUBS	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**COND**	**NOTES**
EA	64	Euonymus alatus 'Compactus'	Dwarf Burning Bush	5 GAL.	CONT	
JB	104	Juniperus sabina 'Buffalo'	Buffalo Juniper	5 GAL.	CONT	
GRASSES	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**COND**	**NOTES**
MS	46	Miscanthus sinensis 'Gracillimus'	Maiden Grass	1 GAL.	CONT	
SH	142	Sporoboluos heterolepis	Prairie Dropseed	1 GAL.	CONT	PLANT 18" O.C.

GRADING NOTES:

1. HORIZONTAL AND VERTICAL CONTROL, BASIS OF BEARING, PROPERTY, LAND AND TOPOGRAPHIC INFORMATION OBTAINED FROM SURVEY PERFORMED BY:
   ANDERSON SURVEY COMPANY
   1270 NE DELTA SCHOOL ROAD
   LEE'S SUMMIT, MO 64064
   PHONE 816-246-5050
2. HORIZONTAL DATUM: MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE.
3. VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
4. SLOPES SHALL BE MADE AT 3:1 MAXIMUM GRADE.
5. PROPOSED AGGREGATE SURFACE SHALL EXTEND A MINIMUM 5 FEET BEYOND PROPOSED PERIMETER FENCE.
6. THE PROJECT PARCEL IS LOCATED IN ZONE DISTRICT C-2.

LEGEND:

- PROPERTY LINE
- EXISTING FENCE
- PROPOSED SUBSTATION SECURITY DECORATIVE WALL
- PROPOSED ROAD CENTERLINE
- PROPOSED CRUSHED ROCK SURFACE
- PROPOSED CONCRETE ACCESS ROAD SURFACE
- PROPERTY SETBACK LIMITS
- PROPOSED RETAINING WALL
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- SHADE TREES
- SHRUBS

LANDSCAPE CALCULATIONS:

SITE AREA: 77,308 SF

GREEN SPACE AREA: 14,293 SF (18%)

IMPERVIOUS AREA: 63,015 SF (82%)

BURNS & MCDONNELL
Professional Engineering Corporation
MO Certificate of Authority # 000160
Date Prepared: 05/19/21

BRITTNEY M. SWARTZ
MISSOURI LICENSE NUMBER:LA-2011003571

BMCD#: 136220
9400 WARD PARKWAY
KANSAS CITY, MO 64114
(816) 333-9400

BURNS McDONNELL

REV.	REV. DATE	REVISION & JOB NO.	BY	CK.	APP.
D					
C					
B	10/24/22	ISSUED FOR REVIEW	RG	BMS	BMS
A	10/05/21	ISSUED FOR REVIEW	RG	BMS	BMS

BURNS McDONNELL
PROJECT # 136220

DRAWN	DATE	APPROVED	DATE
R. GARCIA	9/24/21	B. SWARTZ	9/24/21
DRAFT. CK.	DATE	SCALE	
J. BREED	9/31/21	1"=20'	
ENGR. CK.	DATE	JOB NO.	
B. SWARTZ	9/24/21	136220	

EVERGY
KENT SUBSTATION (502)
161KV SUBSTATION
LANDSCAPE DEVELOPMENT PLAN

evergy.

DWG. NO. LANDSCAPE DEVELOPMENT PLAN | SHT. NO. 1 OF 1

FILE NAME: LANDSCAPE DEVELOPMENT PLAN.DWG
LAST EDITED BY: RGARCIA4 10/24/2022 3:41 PM

DWG. NO. LANDSCAPE DEVELOPMENT PLAN

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FAQ Document

Evergy's
KENT ELECTRICAL SUBSTATION
FAQ DOCUMENT

The new substation is necessary to increase the reliability of the electric distribution service in the Liberty, Missouri. Here are the answers to some questions you might have about this project.

WHAT'S THE PROBLEM?

Currently, the Liberty Moss Street Substation, located on the north side of MO-291 Highway, serves the central Liberty area and has exceeded its intended service life. Additionally, the current configuration is undesirable from a reliability standpoint and is becoming very challenging from a maintenance stance to meet today's current and future load growth demands. At Liberty Moss Street, three 69kV transmission lines are 'bussed together', creating a single point of failure for all sources into the substation. Furthermore, the substation's configuration doesn't phase with neighboring substations, limiting its capability to tie to neighboring distribution circuitry during planned or unplanned outages, which negatively affects reliability. Lastly, the Liberty Moss Street substation parcel is too small to rebuild a new substation that can properly be configured for the existing transmission line system that enters/exits into the existing substation.

WHAT'S THE SOLUTION?

Evergy's planning engineers have determined that a new substation (named Kent Substation) is needed to provide a reliable source of electricity to the City of Liberty. The property directly South of the Liberty Moss Street substation, across MO-291 Highway, has been acquired for the proposed new substation. Kent Substation will have separate terminals (bus sections) for each of the three 69kV lines and each of the three 69-12kV transformers, greatly improving reliability. The new substation would also phase with neighboring circuitry, reducing/eliminating the interruptions experienced by customers during planned outages.

WHY BUILD THE SUBSTATION IN THIS PARTICULAR LOCATION?

Several important factors led to the selection of the proposed substation site:

1. *The proposed location is in close proximity to the existing transmission and distribution lines.* The proposed location allows Evergy to relocate the existing 69kV high-voltage lines without adding additional transmission lines throughout Liberty, as well as connecting to the existing distribution lines, minimizing outages during the new station energizing process.
2. *Willingness of the owner to sell.* Evergy prefers to work with willing sellers when purchasing land for proposed substation sites. The property slated for the Kent Substation, has already been purchased by Evergy.
3. *Size of the tract.* This site is large enough to build a substation where all lines and load-serving transformers can be situated on separate bus sections, improving reliability for all components.

WHAT'S THE SCHEDULE?

Internal Use Only

Construction is scheduled to begin in 2024 and be completed in December 2025. Once the new substation is operational, the aging substation across the street will be removed.

WHAT DOES THIS SUBSTATION DO?

The main purpose of this substation is to transform power from a higher voltage to a lower voltage and control the power flow to other substations in the area. Bulk power is transported most efficiently over long distances when it is at very high voltages, so substations like this one, would serve as the point at which bulk power for the area is transformed to a lower voltage, before being distributed to homes and businesses.

Inside the substation, the transformer changes the voltage from 69kV to 12kV distribution circuits. The switches and breakers are used to turn power to individual circuits off and on, just like light switch in a home, but on a larger scale. The electronic devices are used for monitoring and remote switching.

WHAT WILL IT LOOK LIKE?

The electrical equipment will be inside an 8 foot tall perimeter decorative wall, approximately 290' x 250', serving as both a screening component, as well as a security barrier. Inside the station, the yard will have a crushed rock surface, which is an important safety component for Evergy personnel working inside the station. The south side of the decorative wall, along Sutton Place, will be landscaped where possible.

The tallest equipment is about 25', not including the deadend poles that connect to the transmission lines.

Yard lights will photocell-operated and will only be used at night.

WILL THE SUBSTATION IMPACT FUTURE DEVELOPMENT OF NEARBY PROPERTIES?

Based on similar projects in several other cities, we have found that home builders and developers who know about the plans for a future substation in advance are rarely reluctant to build on the adjacent lots. The value of property adjacent to a substation site has not been measurably different from similar property further away.

HOW WILL IT AFFECT PUBLIC FACILITIES AND SERVICES?

The substation will not generate waste, increase traffic, etc., and does not require water or sewer, so no additional services will be necessary. Ample parking space for maintenance vehicles is available inside the substation.

WILL THERE BE A LOT OF TRAFFIC?

Except during construction, the station will be unmanned. Equipment and operation checks are performed by Evergy personnel about once a month.

WHAT DO WE DO IF THERE IS AN EMERGENCY AT THE SUBSTATION?

Do the same thing you do for all other emergencies- call 911. Evergy will provide the fire department our emergency contact information and a fire preplan so they will be able to respond quickly and correctly.

Internal Use Only

HOW WILL THE SUBSTATION IMPACT THE ENVIRONMENT?

A substation does not actually generate nor produce a physical product, so it does not have an environmental impact to air, land or water. Additionally, a substation does not produce dust, fumes, odors, smoke or vibration.

The humming sound many people associate with a substation comes from the transformers. Today's transformers are significantly quieter than old ones, and the sound dissipates rapidly with distance.

As part of the design development and permitting process, the Evergy team will coordinate, as required, with the Missouri Department of Natural Resources, the U.S. Fish & Wildlife Service, the U.S. Army Corps of Engineers, the State Historical Society of Missouri and the City of Liberty, allowing them to assess the impact of the new substation.

Standard sediment and erosion control measures will be utilized during construction. Once the final grading efforts have been completed, the substation will be stabilized, using crushed rock inside the substation and grass outside the perimeter decorative wall, providing permanent erosion control.

Evergy is pleased that the location and design of the proposed substation will ensure an adequate supply of electricity to our customers and yet minimize the impact on the surrounding area.

Internal Use Only

IV. Public Hearing Cases

A. 22-56SUP: 22-56SUP: Special Use Permit for the Kent Substation. A new Evergy electric sub-station on Sutton Place.

Mr. Peterman presented the case as described in the staff report.

Chairman Rosekrans asked the commissioners if they had any questions.

Commissioner Personett asked for clarification on the image of the substation on the screen.

Mr. Peterman stated that the pictures were of a recently completed substation near Topeka, KS that is similar to what the applicant is proposing.

Commissioner Dilts asked how tall the wall will be and how tall the substation will be inside the wall.

Chairman Rosekrans asked the applicant if they wish to speak.

Jessica Keck, Evergy representative, 818 S Kansas Ave, Topeka, KS, said the wall is 8 feet and the substation will be 25 feet tall, there will be taller transmission poles. She said she was available to answer any questions.

Chairman Rosekrans opened the public hearing. He asked if there was anyone in the audience that would like to speak for or against the case.

Gerald Wicklund, Wicklund's CarStar, 941 Sutton Place, south of the proposed substation, asked if what is shown on the rendering is exactly what the substation will look like. Will there be interruption of business, such as power being down during construction. And will there be traffic control for construction. He asked what is the distance between the proposed wall and sidewalk.

Jason Wicklund, Wicklund's Car Star, 941 Sutton Place, asked what are the long term plans for the transmission lines, are they headed south to SLP. He also asked for specifics regarding the heights of multiple items associated with the substation including the poles and transmission lines. He asked if the power lines come directly across. Is Evergy anticipating coming in and taking property from his lot back lot. He also asked about the staggering height of the wall near the animal hospital (west side of the lot). He asked if there will be any form of security in the area to help with security with a draw to crime in the area.

Jeremy Adams, Liberty Car Care, 928 Sutton Place, said he was east of the proposed substation and asked how close it will be to his building. He was concerned about graffiti, contaminants, and traffic during construction.

Chairman Rosekrans asked if anyone else would like to speak, seeing none he closed the public hearing.

Staff stated that most of the questions should be directed to the applicant and their representatives. Speaking for the applicant were; Mark Rothmeyer, 2523 N

Webster; Michael Blake, Burns & McDonnel, 9400 Ward Parkway and Ms. Keck.

They applicant stated that there will be 3 tall poles and then everything else in the substation will be 25 feet high or below.

The current lines along 291 will enter the new substation and 1 line will come from the south and will run along Sutton Place.

They do not have any current plans to run new large transmission line to the South from this substation.

The new substation will meet current safety standards and any hazardous material will be properly contained based on federal regulations. This new substation will be safer than the old one that is being replaced.

The wall on the west side will be 8 ft above grade. The grade slopes from north to south, that is the reason it appears to change height along the west side.

The security at the site will be provided by cameras and entry alarms. The new site will be more secure than the old site fencing.

Construction on the site does not anticipate any extended road closures. Any disruption to traffic will only be caused by delivery of items to the site. The applicant will try to schedule any traffic disruption at off peak traffic times.

The applicant does not anticipate any disruption in power service. The old station will be continuously in service until the new substation is complete and functioning.

Chairman Rosekrans asked the commissioners if they had any other questions.

Commissioner Holt asked if there were any other substations in Liberty.

Ms. Sharp stated that the most recent one is on South Liberty Parkway in front of the Ford Stamping plant.

Commissioner Holt asked if it was normal for a substation to be in this type of area.

Ms. Sharp stated that they are allowed in all districts through the Special Use Permit. This is an industrial park and so staff does feel it is appropriate.

Commissioner Holt asked if an environmental report would be required for the old site.

Ms. Sharp said that that would be an MDNR requirement. Staff does have a desire for the old substation site to be returned to natural state when it is decommissioned. The applicant has agreed to removing the old site completely.

Chairman Rosekrans asked the commissioners if they had any other questions, seeing none he asked for a motion.

Action: Commissioner Holt moved to approve the case as presented in the staff report. Commissioner Dilts seconded the motion.

Vote: Motion passed 7-0-0
Yes: Dilts, Evans, Holt, Howard, Personett, Reinier, Rosekrans
No: None
Recusal: Summers

Chairman Rosekrans said this case would be heard in front of the City Council on Monday, November 28, 2022.

RESOLUTION NO. _____

A RESOLUTION APPROVING A SPECIAL USE PERMIT ON THE SOUTH SIDE OF 291 BETWEEN KENT AND BROWN ON SUTTON PLACE TO ALLOW AN ELECTRIC SUBSTATION FOR A PUBLIC UTILITY, IN LIBERTY, CLAY COUNTY, MISSOURI

WHEREAS, public hearings have been held by the Planning & Zoning Commission November 8, 2022 and City Council on November 28, 2022; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Liberty, Clay County, Missouri, special use permit is hereby granted to allow an electric substation for a public utility company on the south side of 291 between Kent and Brown on Sutton Place in the City of Liberty, Clay County, Missouri, according to the plan on file in the Planning and Development Department.

BE IT FURTHER RESOLVED that any and all development within the above-described special use permit shall comply with all other applicable standards and requirements as set forth in the City Code of the City of Liberty, Missouri.

BE IT FURTHER RESOLVED that said permit shall be issued from the date of adoption of this resolution.

PASSED by the City Council this _____ day of _____, 2022.

_____
MAYOR

ATTEST:

_____
DEPUTY CITY CLERK

Document No. _____

ORDINANCE NO._____

AN ORDINANCE ACKNOWLEDGING VENDO
FOR THE PERIOD OF NOVEMBER 4, 2022 TO N

BE IT ORDAINED, by the City Council of the City of
as follows:

The attached lists of vendor checks as drawn by the finance director is he
acknowledged, in the amounts and to the persons as listed. Said report is he
incorporated by reference as part of this ordinance. Total disbursements by i
fund is also hereby acknowledged as listed below:

FUND NAME	FUND NUMBER
GENERAL OPERATING FUND	10
LIMITED CAPITAL FUND	11
TIF-SLP WHITEHALL	31
CAPTIAL SALES TAX FUND	50
TRANSPORTATION SALES TAX FUND	52
PUBLIC SAFETY SALES TAX FUND	59
PARKS FUND	60
SPORTS COMPLEX FUND	61
COMMUNITY CENTER FUND	65
TRANSIENT GUEST TAX FUND	67
CEMETERY MAINTENANCE FUND	73
WATER OPERATING FUND	90
WASTEWATER OPERATING FUND	92
PAYROLL CHECKS & BENEFITS	Nov. 18th
TOTAL APPROPRIATIONS	

PASSED by the Council this 28th day of November, 2022.

ATTEST:

_____
DEPUTY CITY CLERK

APPROVED by the Mayor this 28th day of November, 2022.

)R PAYMENTS
OVEMBER 18, 2022

Liberty, Clay County, Missouri,

ereby
reby
ndividual

	AMOUNT
$	426,213.96
$	158,214.78
$	15,600.00
$	27,031.18
$	1,729.91
$	6,195.91
$	345.78
$	10,890.92
$	55,106.13
$	9,329.12
$	2,148.00
$	92,196.08
$	70,064.87
$	1,448,418.18
$	**2,323,484.82**

_____
MAYOR PRO TEM

_____
MAYOR PRO TEM

Appropriations Legend

Account Number	Fund and Departments
10	General Fund
10.10	Council
10.20	Administration
10.25	Human Resources
10.30	Finance
10.40	Police
10.50	Fire
10.60	Parks-Aging Services
10.70	Public Works
10.80	Planning and Development Services
10.90	Information Services
10.95	City Wide
11	Limited Capital Fund
14	Downtown 353
15	Residential 353
16	TIF-Liberty Commons
17	CID-Liberty Commons
18	TDD-Liberty Commons
20-21	TIF-Liberty Triangle Project
22	TIF-Liberty Triangle Series 2007
23	TIF-Roger's Plaza
24	TIF-Blue Jay Crossing
25	TIF-Triangle Project B-1
26	TIF-Triangle Project F
27	Rogers CID Sales Tax
28	Blue Jay Crossing CID Sales Tax
29	Triangle CID Sales Tax
30	South Liberty Parkway
31	TIF-South Liberty Parkway-Whitehall
32	TIF-Project E
33	TIF-Triangle Project E
35	TIF-Tiangle Project E-4
36	Liberty Corners CID
37	TIF-Triangle Project E-1
38	TIF-Triangle Project E-2
39	Healthy Living Community
40 & 41	Cemetery Trust Funds
42	F Hughes Library Trust
50	Capital Sales Tax Fund
51	PFA Construction Fund
52	Transportation Sales Tax Fund
54	Park Sales Tax Fund
55	Parks Development Fund
56	Eco/Devo Sales Tax Fund
57	Capital Const Bond Fund
58	Fire Sales Tax Fund
59	Public Safety Sales Tax Fund
60	Parks Fund
61	Sports Complex Fund
65	Community Center Fund

	67	Transient Guest Tax Fund
	68	Preservation & Development Fund
	69	Police Training Fund
	70	Cable Reserve Fund
	73	Cemetery Maintenance Fund
	75	Loss Control Fund
	80	Debt Service Fund
	81	Tax Escrow Fund
	82	TIF-Triangle B-1 Debt Service (CCHC)
	83	TIF Debt Service 2007 Fund
	86	TIF Debt Service Fund
	87	NID Debt Service Fund
	88	PFA Debt Service Fund
	90	Water Operating Fund
	90.30	Finance-Utility Billing
	90.70	Public Works
	92	Wastewater Operating Fund
	92.30	Finance-Utility Billing
	92.70	Public Works
	94	Water Capital Fund
	96	Wastewater Capital Fund
	97	Wastewater Treatment Facility
	98	Solid Waste Fund
	98.30	Finance-Utility Billing
	98.70	Public Works

NOVEMBER 11th CHECKS

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	9	S	ACCOUNT NAME	ACCOUNT
ALERT ALL CORP 000162											
179586	11/11/22	FIRE PREVENT HELMETS	1,215.00	037071	222090446		P	-	W	FIRE PREVENTION	10.50.321.04.5099
ALTERATIONS & CUSTOM SEW 005482											
179587	11/11/22	POL UNIFORM ALTERATIONS	48.00	037146	2855		P	N	W	CLOTHING EXPENSE	10.40.500.38.5812
AMERICAN DIGITAL SECURIT 004908											
179588	11/11/22	PKS ALARM MONITORING	147.00	037073	INV0004755		P	-	W	MISCELLANEOUS EX	61.60.458.38.5989
179588	11/11/22	ST ALARM SYSTEM	24.95	037113	INV0004939		P	-	W	BUILDING MAINTEN	10.70.225.14.5571
			171.95	*CHECK TOTAL							
		VENDOR TOTAL	171.95								
AMOR/NATHAN 006511											
179589	11/11/22	CCTR SWIM INSTR	120.00	037114	11/6		P	N	W	PRIVATE SWIMMING	65.60.417.08.8125
ANCHOR TRUCKING SERVICE 004656											
179590	11/11/22	HAULING EQUIP	200.00	037072	22-6480		P	-	W	CONTRACT LABOR	90.70.801.08.5397
179590	11/11/22	HAULING EQUIP	200.00	037072	22-6480		P	-	W	CONTRACT LABOR	92.70.901.08.5397
			400.00	*CHECK TOTAL							
		VENDOR TOTAL	400.00								
ARTS ENGAGEMENT FOUNDATI 005222											
179591	11/11/22	ART GALLERY EXHIBIT ADS	1,275.00	037074	5134		P	-	W	MAKE MUSIC DAY-S	67.20.061.04.5072
BOUND TREE MEDICAL LLC 002300											
179592	11/11/22	FIRE EMS SUPPLIES	1,620.60	037075	84739731		P	-	W	MEDICAL SUPPLIES	10.50.311.04.5003
179592	11/11/22	FIRE EMS SUPPLIES	392.00	037076	84725731		P	-	W	MEDICAL SUPPLIES	10.50.311.04.5003
			2,012.60	*CHECK TOTAL							
		VENDOR TOTAL	2,012.60								
BRADY INDUSTRIES OF KANS 000081											
179593	11/11/22	CUSTODIAL SUPPLIES	752.69	037147	7665987	220004	P	N	W	MAINTENANCE MATE	10.95.140.04.5009
179593	11/11/22	CUSTODIAL SUPPLIES	32.95	037148	7653614	220004	P	N	W	MAINTENANCE MATE	10.95.140.04.5009
			785.64	*CHECK TOTAL							
		VENDOR TOTAL	785.64								
BRENNTAG MID-SOUTH INC 005767											
179594	11/11/22	WTP CHEMICALS	9,961.44	037115	BMS275756		P	-	W	CHEMICALS	90.70.802.04.5010
179594	11/11/22	DISCOUNT	195.32CR	037115	BMS275756		P	-	W	CHEMICALS	90.70.802.04.5010
			9,766.12	*CHECK TOTAL							
		VENDOR TOTAL	9,766.12								
CARUSO/LORI .14237											
179596	11/11/22	PKS REFUND ENROLLMENT	105.00	037150	1702018		P	-	W	REFUNDS PAYABLE	61.2265
CENTRAL JACKSON CO FPD 008355											
179597	11/11/22	FIRE CPR CARDS	660.00	037077	TC-22-202		P	-	W	CPR TRAINING SUP	10.50.315.04.5025
CINTAS FIRST AID & SAFET 004991											
179598	11/11/22	1ST AID SUPPLIES,STOCK	294.76	037116	5132028235		P	-	W	MAINTENANCE MATE	10.95.140.04.5009

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	9	S	ACCOUNT NAME	ACCOUNT
CLAY COUNTY COMMISSION 000349											
176166	11/09/22	VOIDED CHECK	600.00CR	037110	2022 MAKE MUSI		P	-	H	SPECIAL EVENTS	10.95.140.38.5804
CLAYTON PAPER & DISTRIBU 005670											
179599	11/11/22	PAPER	12.40	037078	165240		P	-	W	GENERAL SUPPLIES	10.25.011.04.5001
179599	11/11/22	PAPER	65.05	037079	165144		P	-	W	GENERAL SUPPLIES	10.20.051.04.5001
179599	11/11/22	PAPER	18.60	037080	165144		P	-	W	GENERAL SUPPLIES	10.25.011.04.5001
179599	11/11/22	COPY PAPER	1,662.40	037117	165373		P	-	W	INVENTORY-CENTRA	10.1710
			1,758.45	*CHECK TOTAL							
		VENDOR TOTAL	1,758.45								
CLAYTON'S LAWN SERVICE L 000499											
179595	11/11/22	WWTP MOWING SERVICES	700.00	037149	4451	220076	P	N	W	CONTRACT LABOR	92.70.902.08.5397
COMMERCIAL AQUATIC SERVI 007993											
179600	11/11/22	CCTR HOT TUB MOTORS	2,244.88	037081	44310-1		P	-	W	BUILDING MAINTEN	65.60.491.14.5571
179600	11/11/22	PKS HANDICAP LIFT HOTTUB	8,206.00	037151	444319-1	220118	F	-	W	BUILDING MAINTEN	65.60.491.14.5571
			10,450.88	*CHECK TOTAL							
		VENDOR TOTAL	10,450.88								
CORE & MAIN LP 008799											
179601	11/11/22	WTR INVENTORY	3,253.98	037118	R775665		P	-	W	INVENTORY-MATERI	90.1700
CRIME SCENE CLEANERS 000380											
179602	11/11/22	POL DECONTAMINATION	97.85	037152	7601		P	N	W	MISCELLANEOUS SU	10.40.500.04.5099
CUSTOM GRAPHICS LLC 006668											
179603	11/11/22	PKS YOUTH SPORTS APPAREL	315.00	037153	919	220023	P	N	W	RECREATION SUPPL	61.60.458.04.5004
179603	11/11/22	PKS YOUTH SPORTS APPAREL	432.00	037154	918	220023	P	N	W	RECREATION SUPPL	61.60.458.04.5004
179603	11/11/22	PKS YOUTH SPORTS APPAREL	2,057.75	037155	923	220023	P	N	W	RECREATION SUPPL	61.60.458.04.5004
179603	11/11/22	PKS YOUTH SPORTS APPAREL	90.00	037156	920	220023	P	N	W	RECREATION SUPPL	61.60.458.04.5004
179603	11/11/22	PKS YOUTH SPORTS APPAREL	4,335.48	037157	922	220023	F	N	W	RECREATION SUPPL	61.60.458.04.5004
179603	11/11/22	PKS SPORT SHIRTS	260.12	037158	922		P	N	W	RECREATION SUPPL	61.60.458.04.5004
			7,490.35	*CHECK TOTAL							
		VENDOR TOTAL	7,490.35								
DANNER/MAX .14235											
179604	11/11/22	CCTR REFUND MEMBERSHIP	57.50	037082	1698663		P	-	W	REFUNDS PAYABLE	65.2265
DREXEL TECHNOLOGIES 002272											
179605	11/11/22	T&L KIP MAINT	42.90	037083	INV90711		P	-	W	MAINT-OFFICE EQU	10.90.132.14.5551
EWER/MEREDITH ANN 000583											
1822	11/09/22	SICK/VACK PAYOUT	2,917.15	037111	3 OF 13		P	N	H	REGULAR	10.40.501.02.4001
FASTKICK MARTIAL ARTS 003059											
179606	11/11/22	CCTR MARTIAL ARTS INSTR	98.00	037159	11.7.22		P	N	W	COMMUNITY PROGRA	65.60.417.08.8602
FIRE RECOVERY EMS LLC 005342											
179608	11/11/22	AMB BILLING CHARGES	11,898.27	037119	15311		P	N	W	CONTRACT LABOR-A	10.95.140.08.5397

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	9	S	ACCOUNT NAME	ACCOUNT
FLEX MADE EASY 005921											
179609	11/11/22	FLEX SPENDING ACCT FEES	48.00	037084	LIB OCT 2022		P	N	W	MISCELLANEOUS FE	10.25.011.08.5399
FOLEY EQUIPMENT CO INC 006120											
179610	11/11/22	WTR HOSES	122.86	037085	PS400443051		P	-	W	MISC EQUIPMENT M	90.70.801.14.5559
179610	11/11/22	WWT HOSES	122.86	037085	PS400443051		P	-	W	MISC EQUIPMENT M	92.70.901.14.5559
179610	11/11/22	ST #143 FILTERS	123.78	037120	PS400442673		P	-	W	VEHICLE MAINTENA	10.70.225.14.5541
179610	11/11/22	ST ASPHALT	32.01	037121	PS400443528		P	-	W	PW EQUIPMENT REN	50.75.225.18.5611
			401.51	*CHECK TOTAL							
		VENDOR TOTAL	401.51								
FOWLER-MADLOCK/STACY .14238											
179611	11/11/22	PKS REFUND ENROLLMENT	55.00	037160	1702784		P	-	W	REFUNDS PAYABLE	61.2265
GALL'S INC 005394											
179612	11/11/22	FIRE UNIFORMS	18.10	037086	022503837		P	-	W	CLOTHING EXPENSE	10.50.301.38.5812
179612	11/11/22	FIRE UNIFORMS	9.54	037087	022517443		P	-	W	CLOTHING EXPENSE	10.50.301.38.5812
179612	11/11/22	FIRE UNIFORMS	177.32	037088	022269313		P	-	W	CLOTHING EXPENSE	10.50.301.38.5812
179612	11/11/22	FIRE UNIFORMS	18.96	037089	022269536		P	-	W	CLOTHING EXPENSE	10.50.301.38.5812
179612	11/11/22	FIRE UNIFORMS	42.25	037090	022269538		P	-	W	CLOTHING EXPENSE	10.50.301.38.5812
179612	11/11/22	FIRE UNIFORMS	9.48	037091	022269591		P	-	W	CLOTHING EXPENSE	10.50.301.38.5812
179612	11/11/22	FIRE UNIFORMS	51.87	037092	022269950		P	-	W	CLOTHING EXPENSE	10.50.301.38.5812
179612	11/11/22	FIRE UNIFORMS	59.84	037093	022275022		P	-	W	CLOTHING EXPENSE	10.50.301.38.5812
179612	11/11/22	POL UNIFORM BOOTS	265.00	037161	022373517		P	-	W	CLOTHING EXPENSE	10.40.500.38.5812
			652.36	*CHECK TOTAL							
		VENDOR TOTAL	652.36								
GEIGER READY-MIX 000045											
179613	11/11/22	WTR CONCRETE-KS ST	2,981.20	037094	1071945		P	-	W	MAINS & LINES MA	90.70.801.14.5532
GENE'S CLEANERS 004807											
179614	11/11/22	FIRE UNIFORM CLEANING	114.20	037095	SEPT/OCT		P	N	W	CLOTHING EXPENSE	10.50.301.38.5812
GUILD CONTENT 000147											
179615	11/11/22	ADVERTISING	1,725.12	037096	2693		P	N	W	ADVERTISING	67.20.061.08.5371
HDR ENGINEERING INC 006018											
179616	11/11/22	PW WITHER& HOLT TRAFFIC	1,010.00	037162	1200475722	210008	P	-	W	OVERLAY PROGRAM	52.75.607.14.5501
HEARTLAND COCA-COLA 000076											
179617	11/11/22	COCA COLA PRODUCTS	405.27	037163	5783216120	220056	F	N	W	CONCESSION	61.60.458.04.5007
HELGET GAS PRODUCTS 006305											
179618	11/11/22	FIRE OXYGEN	25.16	037097	01941861		P	-	W	CHEMICALS	10.50.311.04.5010
HILL/DAVID 000528											
179619	11/11/22	CCTR SWIM INSTR	90.00	037122	11/6		P	N	W	PRIVATE SWIMMING	65.60.417.08.8125
HISTORIC DOWNTOWN LIBERT 004528											
179620	11/11/22	HDLI STAFF SALARY	1,250.00	037098	221115		P	-	W	HDLI CONTRACT	67.20.061.38.5823

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	9	S	ACCOUNT NAME	ACCOUNT
HUFFMAN/JACOB .14239											
179621	11/11/22	PKS REFUND ENROLLMENT	105.00	037164	1700022		P	-	W	REFUNDS PAYABLE	61.2265
IDEKER INC 005268											
179622	11/11/22	ST ASPHALT	332.20	037123	21263		P	-	W	ASPHALT-STREET R	50.75.607.14.5621
179622	11/11/22	ST ASPHALT	605.70	037124	21266		P	-	W	ASPHALT-STREET R	50.75.607.14.5621
			937.90	*CHECK TOTAL							
		VENDOR TOTAL	937.90								
INLAND TRUCK PARTS CO 001659											
179623	11/11/22	ST #711 HYDRAULIC RPRS	5,208.21	037125	IN-1258141		P	-	W	VEHICLE MAINTENA	10.70.225.14.5541
JOEL REINOEHL MARKETING 000012											
179624	11/11/22	GOLF SPONSORSHIP	120.00	037099	KCDG002-KCDG		P	N	W	CONTRACT LABOR	60.60.415.08.5397
179624	11/11/22	PKS FIELD SPONSORSHIP	99.90	037165	RR020 RED ROBI		P	N	W	MISCELLANEOUS FE	61.60.458.08.5399
			219.90	*CHECK TOTAL							
		VENDOR TOTAL	219.90								
JONES/NATHAN 005257											
179625	11/11/22	CCTR SWIM INSTR	162.00	037126	11/6		P	N	W	PRIVATE SWIMMING	65.60.417.08.8125
179625	11/11/22	CCTR SWIM INSTR	78.00	037126	11/6		P	N	W	SEMI-PRIVATE SWI	65.60.417.08.8123
			240.00	*CHECK TOTAL							
		VENDOR TOTAL	240.00								
K C MO WATER SERVICES 003552											
179626	11/11/22	WWT SERVICES	2,521.82	037100	527657-320655		P	-	W	SEWAGE TREATMENT	92.70.902.08.5394
KITCHS LAWNCARE & LANDSC 006136											
179627	11/11/22	CEMETERY MOWING	2,100.00	037166	202022	220095	F	-	W	MOWING CONTRACT	73.70.226.14.5577
KOHL WHOLESALE INC 000713											
179628	11/11/22	PKS- CONCESSIONS	768.95	037167	493561	220026	F	-	W	CONCESSION	61.60.458.04.5007
LAWN & LEISURE 000675											
179629	11/11/22	PKS MOWER BLADE	93.20	037127	32735		P	-	W	MISCELLANEOUS EX	61.60.458.38.5989
LIBERTY AGGREGATES LLC 004693											
179630	11/11/22	PKS CITY PARK ROCK	1,039.78	037168	19898		P	-	W	CITY PARK IMPROV	11.60.415.36.7305
MADDEN MEDIA 006202											
179631	11/11/22	ADVERTISING	312.34	037101	2022-015302		P	N	W	ADVERTISING	67.20.061.08.5371
MC JANITORIAL LLC 003416											
179632	11/11/22	JANITORIAL SERVICES	138.67	037102	11668		P	-	W	BUILDING MAINTEN	90.70.801.14.5571
179632	11/11/22	JANITORIAL SERVICES	138.67	037102	11668		P	-	W	BUILDING MAINTEN	92.70.902.14.5571
179632	11/11/22	JANITORIAL SERVICES	138.66	037102	11668		P	-	W	MISCELLANEOUS FE	92.70.901.08.5399
			416.00	*CHECK TOTAL							
		VENDOR TOTAL	416.00								

VENDOR NAME AND NUMBER / CHECK# DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S	ACCOUNT NAME	ACCOUNT
MIDWEST MOBILE RADIO SER 004570								
179633 11/11/22	POL MICROPHONES	258.53	037169	104012919		P - W	MINOR EQUIPMENT	10.40.500.18.5601
MISSISSIPPI LIME CO INC 005761								
179634 11/11/22	WTR LIME DRINKING WATER	6,982.43	037170	1640954	220015	P - W	CHEMICALS	90.70.802.04.5010
MO DEPT OF NATURAL RESOU 002823								
179635 11/11/22	PWK STORMWATER PERMIT	250.00	037128	34602303165		P - W	STORMWATER-CLAYV	50.77.653.36.7526
MO ONE CALL SYSTEM INC 004393								
179636 11/11/22	UTIL LOCATES	320.63	037103	2100217		P - W	MISSOURI ONE CAL	90.70.801.08.5305
179636 11/11/22	UTIL LOCATES	320.62	037103	2100217		P - W	MISSOURI ONE CAL	92.70.901.08.5305
		641.25	*CHECK TOTAL					
	VENDOR TOTAL	641.25						
MSEC FINANCIAL SERVICES 006167								
179637 11/11/22	PKS POSTAGE LEASE	225.78	037104	32756989		P - W	OFFICE EQUIPMENT	60.60.415.14.5551
PLATTE COUNTY READY MIX 004482								
179638 11/11/22	CITY PARK CONCRETE	7,175.00	037129	22646		P - W	CITY PARK IMPROV	11.60.415.36.7305
PRINTING UNLIMITED 004763								
179639 11/11/22	POL BUSINESS CARDS	52.33	037171	68247		P - W	OUTSIDE PRINTING	10.40.500.04.5120
179639 11/11/22	BUSINESS CARDS	89.16	037172	68309		P - W	MISCELLANEOUS EX	10.95.140.38.5989
		141.49	*CHECK TOTAL					
	VENDOR TOTAL	141.49						
PUBLIC WATER DIST #5 002759								
179640 11/11/22	WTR SERVICE	201.90	037130	0215		P - W	WATER PURCHASES-	90.70.802.08.5390
R/S ELECTRIC MOTOR CORP 006134								
179641 11/11/22	WTR WELL MOTOR	8,536.98	037173	40377	220125	F - W	WATER PLANT MAIN	90.70.802.14.5534
RBE LAWN CARE LLC 006213								
179642 11/11/22	FORCED MOWS	225.00	037131	6512		P N W	CONTRACT LABOR	10.70.225.08.5397
REJIS COMMISSION 006030								
179643 11/11/22	POL SUBSCRIPTION	911.77	037174	494497		P - W	REGIONAL ALERT S	10.40.512.08.5393
RICOH USA, INC 007683								
179644 11/11/22	POL COPIER LEASE	153.81	037175	106630685		P - W	COPIER LEASE & U	10.40.512.04.5110
ROUSE FRETS WHITE GOSS G 006287								
179645 11/11/22	MONTAGE TIF	15,600.00	037132	100052090		P - W	MISCELLANEOUS FE	31.70.611.08.5399
SEDLOCK/EDDIE .14240								
179646 11/11/22	PKS REFUND ENROLLMENT	105.00	037176	1700020		P - W	REFUNDS PAYABLE	61.2265
SHOGER/LAUREL 005680								
179647 11/11/22	CCTR SWIM INSTR	234.00	037133	11/6		P N W	PRIVATE SWIMMING	65.60.417.08.8125

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	9	S	ACCOUNT NAME	ACCOUNT
SHRED IT 001928											
179648	11/11/22	SHREDDING SERVICES	114.17	037177	8002586922		P	-	W	MISCELLANEOUS FE	10.40.500.08.5399
179648	11/11/22	SHREDDING SERVICES	18.10	037177	8002586922		P	-	W	MISCELLANEOUS FE	10.20.131.08.5399
179648	11/11/22	SHREDDING SERVICES	18.10	037177	8002586922		P	-	W	MISCELLANEOUS FE	10.25.011.08.5399
179648	11/11/22	SHREDDING SERVICES	25.28	037177	8002586922		P	-	W	MISCELLANEOUS FE	10.20.021.08.5399
179648	11/11/22	SHREDDING SERVICES	27.58	037177	8002586922		P	-	W	MISCELLANEOUS FE	10.30.130.08.5399
			203.23	*CHECK TOTAL							
		VENDOR TOTAL	203.23								
SPECTRUM BUSINESS 004364											
179649	11/11/22	POL CABLE SERVICE	100.00	037178	0333316101722		P	N	W	REGIONAL ALERT S	10.40.512.08.5393
STRATHMAN/AMY E 006050											
179650	11/11/22	CCTR SWIM INSTR	18.00	037134	11/6		P	N	W	PRIVATE SWIMMING	65.60.417.08.8125
SUDMANN/ASHLEY ELIZABETH 006541											
179651	11/11/22	CCTR SWIM INSTR	119.00	037135	11/1-11/5		P	N	W	PRIVATE SWIMMING	65.60.417.08.8125
179651	11/11/22	CCTR SWIM INSTR	69.00	037135	11/1-11/5		P	N	W	SEMI-PRIVATE SWI	65.60.417.08.8123
			188.00	*CHECK TOTAL							
		VENDOR TOTAL	188.00								
SUMNERONE INC 005662											
179652	11/11/22	PRINTER RPR ROLLERS	6.05	037136	3379282		P	-	W	GENERAL SUPPLIES	10.30.130.04.5001
179652	11/11/22	PRINTER RPR ROLLERS	6.05	037136	3379282		P	-	W	GENERAL SUPPLIES	90.30.133.04.5001
179652	11/11/22	PRINTER RPR ROLLERS	6.06	037136	3379282		P	-	W	GENERAL SUPPLIES	92.30.134.04.5001
179652	11/11/22	FIN TONER CARTRIDGE	65.00	037137	3384779		P	-	W	GENERAL SUPPLIES	10.30.130.04.5001
			83.16	*CHECK TOTAL							
		VENDOR TOTAL	83.16								
SUTTON/KATELYN DANIELLE 000327											
179653	11/11/22	CCTR SWIM INSTR	28.00	037138	11/4-11/7		P	N	W	PRIVATE SWIMMING	65.60.417.08.8125
179653	11/11/22	CCTR SWIM INSTR	20.00	037138	11/4-11/7		P	N	W	SWIM TEAM BASICS	65.60.417.08.8121
179653	11/11/22	CCTR SWIM INSTR	50.00	037138	11/4-11/7		P	N	W	SWIM TEAM BASICS	65.60.417.08.8121
			98.00	*CHECK TOTAL							
		VENDOR TOTAL	98.00								
SYNERGY SERVICES INC 005964											
179654	11/11/22	DOMESTIC VIOLENCE FUND	1,132.00	037105	OCT 2022		P	-	W	DOMESTIC VIOLENC	10.2472
THE RUGGED STORE 000545											
179655	11/11/22	T&L TOUGHBOOKS	8,925.00	037139	69184		P	N	W	MINOR COMPUTER E	10.90.132.18.5605
179655	11/11/22	T&L WARRANTY	930.00	037140	69211		P	N	W	MINOR COMPUTER E	10.90.132.18.5605
179655	11/11/22	IS PATROL TOUGHBOOKS	17,850.00	037179	68706	220109	P	N	W	MINOR COMPUTER E	10.90.132.18.5605
179655	11/11/22	IS PATROL TOUGHBOOKS	1,860.00	037180	68747	220109	F	N	W	MINOR COMPUTER E	10.90.132.18.5605
179655	11/11/22	POL TOUGHBOOKS	16,425.00	037181	69020	220120	F	N	W	CAPITAL EQUIPMEN	10.40.500.36.7201
			45,990.00	*CHECK TOTAL							
		VENDOR TOTAL	45,990.00								
TOWN AND COUNTRY BUILDIN 007143											
179656	11/11/22	CITY HALL JANITORIAL SER	2,380.00	037182	00147932	220001	P	-	W	CONTRACT LABOR	10.70.221.08.5397

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	9	S	ACCOUNT NAME	ACCOUNT
TRANSMAP CORPORATION 006475											
179657	11/11/22	PAVEMENT CONDITION INDEX	5,007.00	037183	2982015	220046	P	-	W	OVERLAY PROGRAM	50.75.604.36.7515
TURNER/MICHELLE .14236											
179658	11/11/22	CCTR REFUND MEMBERSHIP	132.70	037106	1697502		P	-	W	REFUNDS PAYABLE	65.2265
UMB BANK N A 004100											
1823	11/09/22	SO BOND PMT SERIES 2013	154,617.00	037112	LMO3		P	-	H	LEASE PRINCIPAL	10.40.500.24.6003
1823	11/09/22	SO BOND PMT SERIES 2013	7,479.00	037112	LMO3		P	-	H	PRINCIPAL-SPECIA	50.95.140.24.6008
1823	11/09/22	SO BOND PMT SERIES 2013	3,952.00	037112	LMO3		P	-	H	ACCRUED CURRENT	90.2510
1823	11/09/22	SO BOND PMT SERIES 2013	3,952.00	037112	LMO3		P	-	H	ACCRUED CURRENT	92.2510
1823	11/09/22	SO BOND PMT SERIES 2013	4,707.00	037112	LMO3		P	-	H	LEASE INTEREST	10.40.500.24.6013
1823	11/09/22	SO BOND PMT SERIES 2013	228.00	037112	LMO3		P	-	H	INTEREST-SPECIAL	50.95.140.24.6018
1823	11/09/22	SO BOND PMT SERIES 2013	120.00	037112	LMO3		P	-	H	BOND INTEREST	90.70.803.24.6011
1823	11/09/22	SO BOND PMT SERIES 2013	120.00	037112	LMO3		P	-	H	BOND INTEREST EX	92.70.903.24.6011
			175,175.00	*CHECK TOTAL							
		VENDOR TOTAL	175,175.00								
UNIFIRST CORPORATION 002825											
179659	11/11/22	CCTR MATS	119.56	037184	229 0097150		P	-	W	MISC EQUIPMENT M	65.60.491.14.5559
UNITE PRIVATE NETWORKS L 005621											
179607	11/11/22	TELECOMMUNICATIONS	8,572.00	037141	SI-22-032463		P	N	W	TELECOMMUNICATIO	10.90.132.12.5455
USIC LOCATING SERVICES I 006076											
179660	11/11/22	WTR 2022 LOCATES	6,305.47	037185	545850	220038	P	-	W	CONTRACT LABOR	90.70.801.08.5397
179660	11/11/22	WWT 2022 LOCATES	6,305.46	037186	545850	220038	P	-	W	CONTRACT LABOR	92.70.901.08.5397
			12,610.93	*CHECK TOTAL							
		VENDOR TOTAL	12,610.93								
VALVOLINE LLC 005460											
179661	11/11/22	FIRE #603 OIL CHANGE	46.23	037107	44001		P	-	W	VEHICLE MAINTENA	10.50.321.14.5541
179661	11/11/22	WWT #183 OIL CHANGE	55.97	037108	44181		P	-	W	VEHICLE MAINTENA	92.70.901.14.5541
179661	11/11/22	POL #208 OIL CHANGE	24.99	037187	43491		P	-	W	VEHICLE MAINTENA	10.40.500.14.5541
179661	11/11/22	POL #203 OIL CHANGE	24.99	037188	43495		P	-	W	VEHICLE MAINTENA	10.40.500.14.5541
179661	11/11/22	POL #205 OIL CHANGE	28.98	037189	43917		P	-	W	VEHICLE MAINTENA	10.40.500.14.5541
			181.16	*CHECK TOTAL							
		VENDOR TOTAL	181.16								
VANCE BROTHERS INC 000957											
179662	11/11/22	ST ASPHALT	764.50	037142	IG00017781		P	-	W	ASPHALT-STREET R	50.75.607.14.5621
VOSS LIGHTING INC 005809											
179663	11/11/22	PWK LIGHTING	2,685.00	037143	817256708		P	-	W	FACILITIES MAINT	10.70.221.14.5572
179663	11/11/22	LED LIGHTS AT CITY HALL	43,841.00	037190	817254383F	220014	F	-	W	CAPITAL EQUIPMEN	10.95.140.36.7201
			46,526.00	*CHECK TOTAL							
		VENDOR TOTAL	46,526.00								
WEX BANK 005626											
179664	11/11/22	FUEL-OCT	40,536.94	037144	84854624		P	-	W	INVENTORY-GASOLI	10.1720

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	9	S	ACCOUNT NAME	ACCOUNT
WORK ZONE INC/THE 008901											
179665	11/11/22	ST SIGN MATERIALS	33.10	037145	63785		P	-	W	STREET SIGNS	50.75.607.14.5641
ZONES INC 004299											
179666	11/11/22	T&L MODEM ADAPTER	102.75	037109	K20249780101		P	-	W	MINOR EQUIPMENT	10.90.132.18.5601
179666	11/11/22	FIN PRINTER	249.33	037191	K20251290101		P	-	W	MINOR EQUIPMENT	10.30.130.18.5601
179666	11/11/22	WWT PRINTER	498.67	037191	K20251290101		P	-	W	MINOR EQUIPMENT	92.30.134.18.5601
			850.75	*CHECK TOTAL							
		VENDOR TOTAL	850.75								
3CMA 007305											
179667	11/11/22	MEMBERSHIP DUES	400.00	037070	1987		P	-	W	MEMBERSHIP DUES	10.20.031.38.5811

NOVEMBER 18TH CHECKS

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	9	S	ACCOUNT NAME	ACCOUNT
AMEREN MISSOURI 007206											
1827	11/16/22	ELECTRIC SERVICE	45.47	037246	54334-08113		P	-	H	ELECTRIC	90.70.801.12.5401
1827	11/16/22	ELECTRIC SERVICE	33.14	037247	29334-08115		P	-	H	ELECTRICITY-STRE	10.70.225.12.5405
1827	11/16/22	ELECTRIC SERVICE	13.32	037248	48334-08115		P	-	H	EMERGENCY MGT MA	10.50.300.14.5553
			91.93	*CHECK TOTAL							
		VENDOR TOTAL	91.93								
AMOR/NATHAN 006511											
179668	11/18/22	CCTR SWIM INSTR	120.00	037192	11/9-11/13		P	N	W	PRIVATE SWIMMING	65.60.417.08.8125
ANDERSON/NICK .14240											
179669	11/18/22	PKS REFUND ENROLLMENT	55.00	037193	1703468		P	-	W	REFUNDS PAYABLE	61.2265
APEX CONCRETE COATINGS 000592											
179670	11/18/22	CCTR LOCKER ROOM	40,403.88	037252	10/18/22	220132	F	N	W	BUILDING MAINTEN	65.60.491.14.5571
BACKGROUND INVEST BUREAU 004179											
179671	11/18/22	PKS BACKGROUND CHECKS	139.85	037194	INV-11644		P	-	W	RECREATION SUPPL	61.60.458.04.5004
179671	11/18/22	BACKGROUND CHECKS	44.85	037194	INV-11644		P	-	W	A/R REIMBURSEABL	10.1405
			184.70	*CHECK TOTAL							
		VENDOR TOTAL	184.70								
BARTS ELECTRIC CO INC 002795											
179672	11/18/22	CCTR NATATORIUM LIGHTS	27,910.00	037253	NOV 16	220133	F	-	W	MINOR EQUIPMENT	10.60.481.18.5601
BLACK & MCDONALD ELECTRI 006424											
179673	11/18/22	PWK ST LIGHT MAINT	260.08	037195	76-1366058		P	-	W	TRANSPORTATION E	52.80.151.08.5420
179673	11/18/22	PWK ST LIGHT MAINT	174.51	037196	76-1366060		P	-	W	TRANSPORTATION E	52.80.151.08.5420
179673	11/18/22	PWK ST LIGHT MAINT	90.78	037197	76-1366061		P	-	W	TRANSPORTATION E	52.80.151.08.5420
179673	11/18/22	PWK ST LIGHT MAINT	194.54	037198	76-1366059		P	-	W	TRANSPORTATION E	52.80.151.08.5420
			719.91	*CHECK TOTAL							
		VENDOR TOTAL	719.91								
BOARD OF POLICE COMMISSI 000142											
179674	11/18/22	POL DNA SAMPLE	1,120.00	037254	10968		P	-	W	MISCELLANEOUS FE	10.40.500.08.5399
179674	11/18/22	POL LAB EXAM	480.00	037254	10968		P	-	W	MISCELLANEOUS FE	10.40.500.08.5399
			1,600.00	*CHECK TOTAL							
		VENDOR TOTAL	1,600.00								
BOONE/BRADLEY JASON 007562											
1824	11/16/22	NETWORK/SEC SERVICES	5,063.50	037249	050		P	N	H	CONTRACT LABOR	10.90.132.08.5397
BOUND TREE MEDICAL LLC 002300											
179675	11/18/22	FIRE EMS SUPPLIES	65.43	037199	84749494		P	-	W	MEDICAL SUPPLIES	10.50.311.04.5003
179675	11/18/22	FIRE EMS SUPPLIES	196.50	037200	84718973		P	-	W	MEDICAL SUPPLIES	10.50.311.04.5003
179675	11/18/22	FIRE EMS SUPPLIES	27.35	037201	84731278		P	-	W	MEDICAL SUPPLIES	10.50.311.04.5003
			289.28	*CHECK TOTAL							
		VENDOR TOTAL	289.28								

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	9	S	ACCOUNT NAME	ACCOUNT
CITY OF GLADSTONE 000022											
179677	11/18/22	CONSTR/EQUIP DISPATCH	150,000.00	037205	37953330		P	-	W	CAPITAL EQUIPMEN	12.95.140.36.7201
CITY OF NORTH KANSAS CIT 001236											
179705	11/18/22	POL RANGE USE	600.00	037256	INV-00007513		P	-	W	ARMORY SUPPLIES	10.40.501.04.5051
CLAY CO PUBLIC HEALTH CE 007626											
179678	11/18/22	2023 FOOD PERMIT	196.50	037202	06-0045		P	-	W	OTHER PREPAYMENT	65.1810
179678	11/18/22	2023 FOOD PERMIT	196.50	037202	06-0045		P	-	W	OTHER PREPAYMENT	10.1810
179678	11/18/22	CCTR POOL PERMITS 2023	900.00	037257	POOL PERMITS		P	-	W	OTHER PREPAYMENT	65.1810
			1,293.00	*CHECK TOTAL							
		VENDOR TOTAL	1,293.00								
CLAY CO RECORDER 001059											
179679	11/18/22	RECORDING FEES	69.00	037203	2022036344		P	-	W	RECORDING FEES	10.80.151.08.5361
179679	11/18/22	RECORDING FEES	36.00	037204	2022036345		P	-	W	RECORDING FEES	10.80.151.08.5361
			105.00	*CHECK TOTAL							
		VENDOR TOTAL	105.00								
CLAYTON'S LAWN SERVICE L 000499											
179676	11/18/22	WTP MOWING	1,100.00	037255	4452	220075	P	N	W	CONTRACT LABOR	90.70.802.08.5397
COMMERCIAL AQUATIC SERVI 007993											
179680	11/18/22	CCTR SEAL PLATE GASKET	390.00	037206	44810-1		P	-	W	BUILDING MAINTEN	65.60.491.14.5571
DENALI WATER SOLUTIONS 004182											
179681	11/18/22	WWT BIOSOLIDS DISPOSAL	7,567.56	037258	INV366090	220050	P	N	W	FEES-BIOSOLID DI	92.70.902.08.5370
GALL'S INC 005394											
179682	11/18/22	POL UNIFORM BOOTS	203.09	037259	022477234		P	-	W	CLOTHING EXPENSE	10.40.500.38.5812
GUILD CONTENT 000147											
179683	11/18/22	STRATEGIC MARKETING PLAN	2,416.66	037260	2692	220007	P	N	W	CONSULTING SERV-	67.20.061.08.5342
GULF STATES DISTRIBUTORS 005859											
179684	11/18/22	POL AMMUNITION	3,440.00	037261	1430083-IN	220033	P	-	W	ARMORY SUPPLIES	10.40.501.04.5051
179684	11/18/22	POL AMMUNITION	6,160.00	037262	1430083-IN	220033	P	-	W	MINOR EQUIPMENT	59.40.500.18.5601
			9,600.00	*CHECK TOTAL							
		VENDOR TOTAL	9,600.00								
HEALTHY SOLUTIONS INC 005088											
179685	11/18/22	FLU SHOT CLINIC	299.00	037208	121315		P	N	W	OTHER	10.25.011.38.5989
HEARTLAND MECHANICAL SER 005408											
179686	11/18/22	WTP MAINT	1,702.27	037207	14641		P	-	W	WATER PLANT MAIN	90.70.802.14.5534
HELGET GAS PRODUCTS 006305											
179687	11/18/22	FIRE OXYGEN	38.27	037209	02528791		P	-	W	CHEMICALS	10.50.311.04.5010

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	9	S	ACCOUNT NAME	ACCOUNT
HILL/DAVID 000528											
179688	11/18/22	CCTR SWIM INSTR	144.00	037210	11/12-11/13		P	N	W	PRIVATE SWIMMING	65.60.417.08.8125
HUTCHINSON SALT COMPANY 004121											
179689	11/18/22	2022 ROAD SALT	1,471.74	037263	174057	220002	P	-	W	SALT-SNOW REMOVA	10.70.225.15.5632
179689	11/18/22	2022 ROAD SALT	1,460.25	037264	174058	220002	P	-	W	SALT-SNOW REMOVA	10.70.225.15.5632
			2,931.99	*CHECK TOTAL							
		VENDOR TOTAL	2,931.99								
HY-VEE FOOD 006115											
179690	11/18/22	FUNERAL PLANT	90.00	037211	4850227350		P	-	W	OTHER	10.25.011.38.5989
179690	11/18/22	EMP APPRECIATION LUNCH	1,507.05	037212	4850252218		P	-	W	MEETING EXPENSE	10.10.101.38.5803
			1,597.05	*CHECK TOTAL							
		VENDOR TOTAL	1,597.05								
IDEKER INC 005268											
179691	11/18/22	ST ASPHALT	289.85	037213	21142		P	-	W	ASPHALT-STREET R	50.75.607.14.5621
179691	11/18/22	ST ASPHALT	813.80	037214	21327		P	-	W	ASPHALT-STREET R	50.75.607.14.5621
179691	11/18/22	ST ASPHALT	894.85	037215	21334		P	-	W	ASPHALT-STREET R	50.75.607.14.5621
			1,998.50	*CHECK TOTAL							
		VENDOR TOTAL	1,998.50								
JONES/NATHAN 005257											
179692	11/18/22	CCTR SWIM INSTR	126.00	037216	11/13		P	N	W	PRIVATE SWIMMING	65.60.417.08.8125
179692	11/18/22	CCTR SWIM INSTR	78.00	037216	11/13		P	N	W	SEMI-PRIVATE SWI	65.60.417.08.8123
			204.00	*CHECK TOTAL							
		VENDOR TOTAL	204.00								
K C WINWATER WORKS CO 002767											
179693	11/18/22	WTR INVENTORY	5,354.40	037217	302812 01		P	-	W	INVENTORY-MATERI	90.1700
179693	11/18/22	WTR SUPPLIES	118.00	037218	302812 01		P	-	W	MAINS & LINES MA	90.70.801.14.5532
179693	11/18/22	WTR INVENTORY	5,150.00	037219	303024 01		P	-	W	INVENTORY-MATERI	90.1700
179693	11/18/22	WWT SUPPLIES	380.00	037220	303143 01		P	-	W	INVENTORY-MATERI	92.1700
			11,002.40	*CHECK TOTAL							
		VENDOR TOTAL	11,002.40								
KEY EQUIPMENT & SUPPLY C 007275											
179694	11/18/22	WWT EQUIPMENT	1,003.08	037221	KC205917		P	-	W	MISC EQUIPMENT M	92.70.901.14.5559
179694	11/18/22	WWT EQUIPMENT	347.00	037222	KC205958		P	-	W	MISC EQUIPMENT M	92.70.901.14.5559
179694	11/18/22	ST #709 OIL LEAK	9,965.49	037223	KC205966		P	-	W	PW EQUIPMENT REN	50.75.225.18.5611
			11,315.57	*CHECK TOTAL							
		VENDOR TOTAL	11,315.57								
KILOWATT/JOE .14242											
179695	11/18/22	REFUND PERMIT FEE	33.00	037224	BLD-22-0322		P	-	W	ELECTRICIAL INSP	10.40.3224
LAW OFFICE OF MARY M PAR 000161											
179696	11/18/22	LEGAL FEES	500.00	037225	15803		P	N	W	LEGAL FEES	10.20.121.08.5311

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	9	S	ACCOUNT NAME	ACCOUNT
LIBERTY AGGREGATES LLC 004693											
179697	11/18/22	ROCK	391.01	037226	19899		P	-	W	MAINS & LINES MA	90.70.801.14.5532
179697	11/18/22	ROCK	391.01	037226	19899		P	-	W	MAINS & LINES MA	92.70.901.14.5532
			782.02	*CHECK TOTAL							
		VENDOR TOTAL	782.02								
LINEAGE MAILING SERVICES 000391											
179698	11/18/22	UTIL BILL PROCESSING	76.96	037227	199255		P	N	W	OUTSIDE PRINTING	90.30.133.04.5120
179698	11/18/22	UTIL BILL PROCESSING	76.96	037227	199255		P	N	W	OUTSIDE PRINTING	92.30.134.04.5120
179698	11/18/22	UTIL BILL POSTAGE	237.93	037227	199255		P	N	W	POSTAGE	90.30.133.38.5808
179698	11/18/22	UTIL BILL POSTAGE	237.93	037227	199255		P	N	W	POSTAGE	92.30.134.38.5808
179698	11/18/22	UTIL BILL PROCESSING	487.68	037231	199253		P	N	W	OUTSIDE PRINTING	90.30.133.04.5120
179698	11/18/22	UTIL BILL PROCESSING	487.68	037231	199253		P	N	W	OUTSIDE PRINTING	92.30.134.04.5120
179698	11/18/22	UTIL BILL POSTAGE	1,161.59	037231	199253		P	N	W	POSTAGE	90.30.133.38.5808
179698	11/18/22	UTIL BILL POSTAGE	1,161.58	037231	199253		P	N	W	POSTAGE	92.30.134.38.5808
179698	11/18/22	UTIL BILL PROCESSING	51.03	037232	199256		P	N	W	OUTSIDE PRINTING	90.30.133.04.5120
179698	11/18/22	UTIL BILL PROCESSING	51.03	037232	199256		P	N	W	OUTSIDE PRINTING	92.30.134.04.5120
179698	11/18/22	UTIL BILL POSTAGE	134.16	037232	199256		P	N	W	POSTAGE	90.30.133.38.5808
179698	11/18/22	UTIL BILL POSTAGE	134.16	037232	199256		P	N	W	POSTAGE	92.30.134.38.5808
179698	11/18/22	UTIL BILL PROCESSING	370.24	037233	199254		P	N	W	OUTSIDE PRINTING	90.30.133.04.5120
179698	11/18/22	UTIL BILL PROCESSING	370.23	037233	199254		P	N	W	OUTSIDE PRINTING	92.30.134.04.5120
179698	11/18/22	UTIL BILL POSTAGE	905.12	037233	199254		P	N	W	POSTAGE	90.30.133.38.5808
179698	11/18/22	UTIL BILL POSTAGE	905.11	037233	199254		P	N	W	POSTAGE	92.30.134.38.5808
179698	11/18/22	UTIL ENVELOPES	240.26	037234	199985		P	N	W	OUTSIDE PRINTING	90.30.133.04.5120
179698	11/18/22	UTIL ENVELOPES	240.26	037234	199985		P	N	W	OUTSIDE PRINTING	92.30.134.04.5120
			7,329.91	*CHECK TOTAL							
		VENDOR TOTAL	7,329.91								
METROPOLITAN TELECOMM; M 000243											
179699	11/18/22	T&L POTS LINES	774.12	037228	01005310622918		P	-	W	TELECOMMUNICATIO	10.90.132.12.5455
MIDWEST OFFICE TECHNOLOG 008612											
179700	11/18/22	COPIER USAGE	55.87	037229	INST333078		P	-	W	COPIER LEASE & U	10.80.151.04.5110
179700	11/18/22	COPIER USAGE	55.87	037229	INST333078		P	-	W	COPIER LEASE & U	10.70.201.04.5110
179700	11/18/22	COPIER USAGE	60.05	037230	INST337779		P	-	W	COPIER LEASE & U	10.80.151.04.5110
179700	11/18/22	COPIER USAGE	60.04	037230	INST337779		P	-	W	COPIER LEASE & U	10.70.201.04.5110
			231.83	*CHECK TOTAL							
		VENDOR TOTAL	231.83								
MISSISSIPPI LIME CO INC 005761											
179701	11/18/22	WTR LIME DRINKING WATER	6,970.62	037265	1641825	220015	P	-	W	CHEMICALS	90.70.802.04.5010
MISSOURI LTAP 006379											
179702	11/18/22	UTIL TRAINING	90.00	037235	EOS 081622		P	-	W	TRAINING COSTS	90.70.801.06.5259
179702	11/18/22	UTIL TRAINING	45.00	037235	EOS 081622		P	-	W	TRAINING COSTS	92.70.901.06.5259
179702	11/18/22	UTIL TRAINING	90.00	037236	WZF 081622		P	-	W	TRAINING COSTS	90.70.801.06.5259
179702	11/18/22	UTIL TRAINING	45.00	037236	WZF 081622		P	-	W	TRAINING COSTS	92.70.901.06.5259
179702	11/18/22	UTIL TRAINING	160.00	037237	CNSH 081822		P	-	W	TRAINING COSTS	90.70.801.06.5259
179702	11/18/22	UTIL TRAINING	80.00	037237	CNSH 081822		P	-	W	TRAINING COSTS	92.70.901.06.5259

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	9	S	ACCOUNT NAME	ACCOUNT
MISSOURI LTAP 006379											
179702	11/18/22	UTIL TRAINING	160.00	037238	TSSH081722		P	-	W	TRAINING COSTS	90.70.801.06.5259
179702	11/18/22	UTIL TRAINING	80.00	037238	TSSH081722		P	-	W	TRAINING COSTS	92.70.901.06.5259
			750.00	*CHECK TOTAL							
		VENDOR TOTAL	750.00								
MOAZ CONSTRUCTION INC 006100											
179703	11/18/22	WTR CONCRETE	16,505.50	037239	89		P	-	W	MAINS & LINES MA	90.70.801.14.5532
NITSCH/DALTON .14243											
179704	11/18/22	CCTR REFUND MEMBERSHIP	83.19	037266	1707525		P	-	W	REFUNDS PAYABLE	65.2265
PACE ANALYTICAL SERVICES 005664											
179706	11/18/22	WTR LEE CHEMICAL TESTING	1,080.57	037267	2260171105	220071	P	-	W	LAB FEES	90.70.802.08.5365
PETTY CASH/CITY OF LIBER 000204											
179707	11/18/22	POL GIFT CARD	55.95	037240	PETTY CASH		P	-	W	MISCELLANEOUS EX	10.40.500.38.5989
179707	11/18/22	POL FBI CONF-UBER	35.91	037240	PETTY CASH		P	-	W	TRAINING COSTS	59.40.500.06.5259
179707	11/18/22	POL UNIFORM BOOTS	100.00	037240	PETTY CASH		P	-	W	CLOTHING EXPENSE	10.40.500.38.5812
179707	11/18/22	CEM DEEDS	48.00	037240	PETTY CASH		P	-	W	PREPAYMENT-RECOR	73.2410
179707	11/18/22	EMP SUPPLIES	37.18	037240	PETTY CASH		P	-	W	MISCELLANEOUS EX	10.20.001.38.5989
179707	11/18/22	COURT MILEAGE	64.50	037240	PETTY CASH		P	-	W	TRAINING TRAVEL	10.20.131.06.5210
179707	11/18/22	FIN MPR CONF	119.50	037240	PETTY CASH		P	-	W	TRAINING TRAVEL	10.30.130.06.5210
179707	11/18/22	FIR TRAINING	150.50	037240	PETTY CASH		P	-	W	TRAINING COSTS	10.50.315.06.5259
179707	11/18/22	ST SUPPLIES	82.00	037240	PETTY CASH		P	-	W	GENERAL SUPPLIES	10.70.225.04.5001
179707	11/18/22	WTR CDL PERMIT	42.07	037240	PETTY CASH		P	-	W	TRAINING COSTS	90.70.801.06.5259
179707	11/18/22	WTR TRAINING	51.25	037240	PETTY CASH		P	-	W	TRAINING COSTS	90.70.802.06.5259
			786.86	*CHECK TOTAL							
		VENDOR TOTAL	786.86								
PLZ CORP 000593											
179708	11/18/22	PWK SNOW REMOVE SUPPLIES	1,304.29	037241	91083381		P	-	W	SUPPLIES-SNOW RE	10.70.225.15.5634
PRINTING UNLIMITED 004763											
179709	11/18/22	UTIL BILL INSERT	655.60	037242	68321		P	-	W	PRINTING	10.20.031.04.5120
RED EQUIPMENT, LLC 001027											
179710	11/18/22	WWT HYDRAULIC LEAK	1,307.85	037243	2652		P	-	W	MISC EQUIPMENT M	92.70.901.14.5559
179710	11/18/22	WTR EQUIP MAINT	176.60	037244	2675		P	-	W	MISC EQUIPMENT M	90.70.801.14.5559
			1,484.45	*CHECK TOTAL							
		VENDOR TOTAL	1,484.45								
REEDER/CURTIS .14241											
179711	11/18/22	CCTR REFUND MEMBERSHIP	627.92	037245	1703955		P	-	W	REFUNDS PAYABLE	65.2265
REPUBLIC SERVICES #468 008397											
179712	11/18/22	DUMPSTER SERVICE	2,008.75	037268	0468-003908847		P	-	W	MISCELLANEOUS FE	92.70.902.08.5399
179712	11/18/22	DUMPSTER SERVICE	258.95	037268	0468-003908847		P	-	W	CONTRACT LABOR	90.70.801.08.5397
179712	11/18/22	DUMPSTER SERVICE	258.95	037268	0468-003908847		P	-	W	CONTRACT LABOR	92.70.901.08.5397

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	9	S	ACCOUNT NAME	ACCOUNT
REPUBLIC SERVICES #468 008397											
179712	11/18/22	DUMPSTER SERVICE	475.07	037269	0468-003909027		P	-	W	MISCELLANEOUS FE	92.70.902.08.5399
179712	11/18/22	DUMPSTER SERVICE	475.08	037269	0468-003909027		P	-	W	CONTRACT LABOR	90.70.801.08.5397
179712	11/18/22	DUMPSTER SERVICE	475.08	037269	0468-003909027		P	-	W	CONTRACT LABOR	92.70.901.08.5397
			3,951.88	*CHECK TOTAL							
		VENDOR TOTAL	3,951.88								
RICOH USA, INC 000314											
179713	11/18/22	COPIER USAGE	25.15	037270	5065976681		P	-	W	COPIER LEASE & U	10.20.131.04.5110
179713	11/18/22	FIRE COPIER USAGE	162.49	037271	5066004089		P	-	W	COPIER LEASE & U	10.50.300.04.5110
			187.64	*CHECK TOTAL							
		VENDOR TOTAL	187.64								
RICOH USA, INC 007683											
179714	11/18/22	FIRE PRINTER LEASE	137.89	037272	106650285		P	-	W	COPIER LEASE & U	10.50.300.04.5110
RITE WAY AUTO SERVICE, I 000297											
179715	11/18/22	WWT #183 TIRES	1,062.23	037273	1175019		P	-	W	VEHICLE MAINTENA	92.70.901.14.5541
SAFEGAURD BUSINESS SYSTE 000428											
179716	11/18/22	DEPOSIT TICKETS	80.54	037274	035158832		P	-	W	COPIER LEASE & U	10.20.131.04.5110
SAMS CLUB DISCOVER-GECRS 003621											
1825	11/16/22	FIN SUPPLIES	7.49	037250	OCT		P	-	H	GENERAL SUPPLIES	10.30.130.04.5001
1825	11/16/22	POL SUPPLIES	755.19	037250	OCT		P	-	H	GENERAL SUPPLIES	10.40.500.04.5001
1825	11/16/22	FIRE STATION SUPPLIES	390.34	037250	OCT		P	-	H	STATION SUPPLIES	10.50.301.04.5020
1825	11/16/22	PKS CONCESSION SUPPLIES	1,216.40	037250	OCT		P	-	H	CONCESSION	61.60.458.04.5007
1825	11/16/22	CCTR CHILD SUPPLIES	8.82	037250	OCT		P	-	H	CHILD CARE PROGR	65.60.417.08.8701
1825	11/16/22	CCTR RENTAL SUPPLIES	13.98	037250	OCT		P	-	H	GENERAL SUPPLIES	65.60.491.04.5001
1825	11/16/22	CCTR MEETING EXP	21.20	037250	OCT		P	-	H	MEETING EXPENSE	65.60.491.38.5803
1825	11/16/22	WTR SUPPLIES	7.49	037250	OCT		P	-	H	GENERAL SUPPLIES	90.30.133.04.5001
			2,420.91	*CHECK TOTAL							
		VENDOR TOTAL	2,420.91								
SCHMITT/DONNA .14241											
179717	11/18/22	PKS REFUND ENROLLMENT	105.00	037275	1703239		P	-	W	REFUNDS PAYABLE	61.2265
SHAWNEE MISSION FORD INC 006636											
179718	11/18/22	P&D FORD RANGERS 2022	31,782.00	037276	27878	220078	F	-	W	VEHICLES	10.80.153.36.7101
SUMNERONE INC 005662											
179719	11/18/22	FIRE PRINTER CARTRIDGE	78.00	037277	3377991		P	-	W	GENERAL SUPPLIES	10.50.300.04.5001
SUTTON/KATELYN DANIELLE 000327											
179720	11/18/22	CCTR SWIM INSTR	56.00	037278	11/9-11/14		P	N	W	PRIVATE SWIMMING	65.60.417.08.8125
179720	11/18/22	CCTR SWIM INSTR	40.00	037278	11/9-11/14		P	N	W	SWIM TEAM BASICS	65.60.417.08.8121
179720	11/18/22	CCTR SWIM INSTR	50.00	037278	11/9-11/14		P	N	W	SWIM TEAM BASICS	65.60.417.08.8121
			146.00	*CHECK TOTAL							
		VENDOR TOTAL	146.00								

VENDOR NAME AND NUMBER / CHECK#	DATE	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F	9	S	ACCOUNT NAME	ACCOUNT
TECHNOLOGY GROUP SOLUTIO 004267											
179721	11/18/22	IS FORTIGATE SWITCH	9,591.04	037279	50300	220126	F	-	W	CAPITAL EQUIPMEN	10.90.132.36.7201
UMB BANK N A 004100											
1826	11/16/22	WWT SRF 2005C	2,336.75	037251	11/25/22		P	-	H	SRF 2005 INTERES	92.2502
1826	11/16/22	WWT SRF 2005C	33,333.33	037251	11/25/22		P	-	H	TRUSTEE SRF PRIN	92.1274
			35,670.08	*CHECK TOTAL							
		VENDOR TOTAL	35,670.08								
UTILITY SERVICE CO INC 005709											
179722	11/18/22	WTR WATER TOWER MAINT	5,698.05	037280	569735	220098	P	-	W	WATER TOWERS MAI	90.70.802.14.5537
VALVOLINE LLC 005460											
179723	11/18/22	UTIL #124 VEH SERVICE	15.49	037281	44216		P	-	W	VEHICLE MAINTENA	90.70.801.14.5541
179723	11/18/22	UTIL #124 VEH SERVICE	15.49	037281	44216		P	-	W	VEHICLE MAINTENA	92.70.901.14.5541
179723	11/18/22	WWT #126 OIL CHANGE	106.99	037282	44571		P	-	W	VEHICLE MAINTENA	92.70.901.14.5541
			137.97	*CHECK TOTAL							
		VENDOR TOTAL	137.97								
VANCE BROTHERS INC 000957											
179724	11/18/22	ST ASPHALT	130.35	037283	ZH00027014		P	-	W	ASPHALT-STREET R	50.75.607.14.5621
WORK ZONE INC/THE 008901											
179725	11/18/22	ST SIGN MATERIALS	77.62	037284	63850		P	-	W	STREET SIGNS	50.75.607.14.5641
179725	11/18/22	ST SIGN MATERIALS	127.71	037285	63866		P	-	W	STREET SIGNS	50.75.607.14.5641
			205.33	*CHECK TOTAL							
		VENDOR TOTAL	205.33								
ZAHNER METAL CONSERVATIO 000360											
179726	11/18/22	SCULPTURE CLEANING	2,350.00	037286	MAINT		P	N	W	CITY SCULPTURE M	67.20.061.14.5548

The City of Liberty missouri

CITY COUNCIL ACTION REPORT

Meeting Date: November 28, 2022
A/R No.: 2022-297

Department: Public Works **Submitted By:** John Findlay, City Engineer

Subject: ORDINANCE ACCEPTING A COVENANT TO MAINTAIN STORM WATER MANAGEMENT SYSTEM FOR CHARLIE'S CAR WASH

Summary:

- The City of Liberty has a permit from the Missouri Department of Natural Resources regulating the discharge of storm water.
- Per this permit, an agreement between the City and property owner to designate maintenance activities on storm water facilities is required.
- Acceptance of the Covenant to Maintain Storm Water Management System for Charlie's Car Wash development.

Background:
To facilitate the addition to Charlie's Car Wash, located at 220 N. Chruch Road, Liberty, MO, storm water quality facilities will be constructed on the property. Per the City of Liberty's storm water discharge permit from the Missouri Department of Natural Resources, an agreement between the City and post-development landowner(s) is required to designate the responsible party(ies) and the type/frequency of maintenance activities for continued performance of storm water detention and storm water quality facilities. In response to the requirement, the Covenant to Maintain Storm Water Management System associated with the Charlie's Car Wash development has been executed by the property owner. This covenant is the City's standard requirement where storm water detention and storm water quality facilities are required. City Council acceptance is required prior to recording the covenant document.

The covenant document was obtained from the property owner, Carolyn L. Walker Trust No. 1 dated June 1, 1991, a Trust at no cost to the City.

Staf recommends approval of an ordinance accepting the storm water maintenance covenant for the Charlie's Car Wash development in order to facilitate the recording of the document at the Clay County Recorder of Deeds.

Previous Action (if applicable):
N/A

Policy/Committee Review:

Citizen Sales Tax Oversight Committee	Completed/Recommended:
Public Safety Sales Tax Oversight Committee	Completed/Recommended:
Budget Committee	Completed/Recommended:

Other:	Completed/Recommended:

Financial Considerations:

Budgeted:	Line Item: Line Item:	Amount: Amount:
	Revenue Line (if applicable):	Amount:
Non-Budgeted	Line Item: Line Item:	Amount:
	Funding Source:	Amount:

Attachments:

1. 2022-297 Storm Water Covenant Charlies Car Wash
2. 2022-297 Accept Storm Cov Charlies Car Wash ORD (1)

COVENANT TO MAINTAIN STORM WATER MANAGEMENT SYSTEM PLAT OF LOT 1, WILSHIRE PLAZA 6TH PLAT

THIS COVENANT made and entered into this 14th day of September, 2022, by and between Liberty, Missouri, a special chartered Municipal corporation (**City**), and of Carolyn L. Walker Trust No. 1 dated June 1, 1991, a Trust, (**Owner**).

WHEREAS, Owner has an interest in certain real estate generally located at 220 N Church Road in Liberty, of Clay County, Missouri, (**Property**) more specifically described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, the Property is platted as Plat of Wilshire Plaza 6th Plat, (**Plat**), in accordance with Chapter 30, Code of Ordinances of the City of Liberty, Missouri; and

WHEREAS, the Property consists of a single lot, Lot 1, as shown on Exhibit "B" attached hereto.

WHEREAS, the improvement proposed by Owner on the Property warrant storm water control to serve Lot 1 and require preservation and maintenance of storm water management facilities, located within the Plat, in order to ensure continuous and perpetual operation and effectiveness in controlling storm water runoff rates, volumes, and quality; and

WHEREAS, the City and Owner agree that it is in the public interest to install the storm water management system for the benefit of the Property and surrounding areas; and

WHEREAS, the provisions for the maintenance of the storm water management system is necessary to serve the development;

NOW, THEREFORE, Owner and City, for and in consideration of the benefits to themselves, their assigns and future grantees do hereby agree as follows:

Sec. 1. Owner at its sole cost shall:

a. Be responsible for the perpetual preservation, maintenance, repair and replacement, if necessary of the storm water management system and appurtenances (Facilities) located on Lot 1, Wilshire Plaza 6th Plat. Storm water detention facilities shall be maintained in accordance with the maintenance requirements attached as Reference Exhibit "C"

i. The person or Association with maintenance responsibility must evaluate the maintenance plan for effectiveness at least annually and revise as necessary.
ii. A detailed, written log of all preventative and corrective maintenance performed at the storm water management measure must be kept, including a record of all inspections and copies of maintenance-related work orders.
iii. The person or Association with maintenance responsibility must retain and, upon request, make available the maintenance plan and associated logs and other records for review by the City.

b. Maintain the pipes, structures, grounds, and appurtenances for the Facilities located on Lot 1, Wilshire Plaza 6th Plat per the maintenance schedule outlined on the approved plans and specifications.
c. Keep the pipes, structures and appurtenances open and free of silt and vegetation.
d. Keep the pipes, structures and appurtenances in good working condition or replace same if necessary.
e. Mow the grass area within Lot 1, Wilshire Plaza 6th Plat.
f. Maintain the grades within Lot 1, Wilshire Plaza 6th Plat pursuant to the approved plan on file with the Planning & Development Department and identified as File No _____.
g. Obtain all necessary improvement and repair permits prior to performing any work on the Facilities.

Sec. 2. City is granted the right, but is not obligated to enter upon Lot 1, Wilshire Plaza 6th Plat in order to maintain the Facilities including the pipes, structures, grounds, and appurtenances if Owner fails to maintain same. In the event that the City does provide maintenance for the facilities, then City may:

a. Charge the costs for such maintenance against Owner of Lot 1, Wilshire Plaza 6th Plat, served by the Facility on Lot 1, Wilshire Plaza 6th Plat;
b. Assess a lien on Lot 1, Wilshire Plaza 6th served by the Facility on Lot 1, Wilshire Plaza 6th Plat;
c. Maintain suit against Owner of Lot 1, Wilshire Plaza 6th Plat served by the Facility on Lot 1, Wilshire Plaza 6th Plat for all cost incurred by the City for such maintenance.

Unless necessitated by a threat to life and/or safety, City shall notify Owner and/or the then-current owners of Lot 1, Wilshire Plaza 6th Plat not less than thirty (30) days before it begins maintenance of the Facilities.

Sec. 3. Owner of Lot 1, Wilshire Plaza 6th Plat shall not use, nor attempt to use, in any manner which would interfere with the operation of the Facilities, in such manner as would interfere with the proper, safe, and continuous maintenance and use thereof, and, in particular, shall not build, thereon or thereover, any structure which may interfere, or cause to interfere, with the maintenance and use thereof.

Sec. 4. This covenant shall run with the land legally described in Exhibit "A." Owner, its successors, assigns and transferees shall remain liable under the terms of this Covenant.

Sec. 5. Notices. All notices required by this Covenant shall be in writing sent by regular United States mail, postage prepaid, commercial overnight courier or facsimile and addressed as hereinafter specified. Each party shall have the right to specify that notice be addressed to any other address by giving the other party ten (10) days' notice thereof. Unless a party to this Agreement has given ten (10) days' notice of a change of person and address for purposes of notice under this Agreement to the other party in writing, notices shall be directed to the following:

Notices to the City:
Director of Public Works
City Hall, 101 East Kansas Street
Liberty, Missouri 64068

Notices to Owner shall be addressed to:
Carolyn L. Walker Trust No. 1 dated June 1, 1991
c/o Real Estate Department
500 Graves Boulevard
Salina, Kansas 67401
Trace E. Walker, Trustee
Tel (785) 825-2221 Fax (785) 825-0801

Sec. 6. This Agreement shall not be amended, modified, canceled or abrogated without the prior written consent of the City.

Sec. 7. Invalidation of any part or parts of this Covenant by judgment or other court action shall in no way affect any of the other provisions, which shall remain in full force and effect.

Sec. 8. This Agreement shall be construed and enforced in accordance with the laws of the State of Missouri.

Sec. 9. Upon the effective date of this Covenant, the City shall file this Covenant in the Office for recording real estate documents in Clay County, Missouri, and shall be binding on Owner, its successors, assigns and transferees.

Sec. 10. Owner shall jointly and severally release, hold harmless, indemnify and defend City and its agents, officers and employees from any and all responsibility, liability, loss, damage or expense resulting to Owner or to any person or property caused by or incidental as to the design, function, construction, maintenance or failure to maintain the storm water management system.

ATTESTATION BY CITY CLERK:

LIBERTY, MISSOURI

_____
City Clerk

By: _____
Director of Public Works

STATE OF MISSOURI)
) SS
COUNTY OF _____)

BE IT REMEMBERED that on this ___ day of _____, 2_____, before me, the undersigned, a notary public in and for the county and state aforesaid, came _____, Director of Public Works, of Liberty, Missouri, a corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Missouri, and _____, _____ of Liberty, Missouri, who are personally known to me to be the same persons who executed, as officials, the within instrument on behalf of Liberty, Missouri, and such persons duly acknowledge the execution of the same to be the act and deed of said Liberty, Missouri.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

_____
Notary Public

My Commission Expires:_____

OWNER
Carolyn L. Walker Trust No. 1 dated June 1, 1991
c/o Real Estate Department
500 Graves Boulevard
Salina, Kansas 67401
Trace E. Walker, Trustee
Tel (785) 825-2221 Fax (785) 825-0801

I hereby certify that I have authority to execute this document on behalf of Owner.

By: Trace E Walker

Title: Trustee

Date: September 16. 2022

Check one:
( ) Sole Proprietor
( ) Partnership
( ) Corporation
( ) Limited Liability Company (LLC)
(X) Trust

Attach corporate seal if applicable

STATE OF KANSAS)
) SS
COUNTY OF SALINE)

BE IT REMEMBERED, that on the 16th day of September, 2022, before me, the undersigned notary public in and for the county and state aforesaid, came **Trace E. Walker,** to me personally known, who being by me duly sworn did say that he is the Trustee of the Carolyn L. Walker Trust No. 1 dated June 1, 1991, and that said instrument was signed on behalf of said Trust by authority of **its** Trust Agreement and acknowledged said instrument to be the free act and deed of said Trust.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

K. Kitchen
Notary Public

My commission expires: 06/08/2025

KATHERINE A. KITCHEN
Notary Public, State of Kansas
My Appointment Expires
06/08/2025

EXHIBIT "A"

Legal Description

Lot 1, Wilshire Plaza – Sixth Plat
Lying in the Northwest Quarter of Section 12, Township 51 North, Range 32 West, in the City of Liberty, Clay County Missouri

EXHIBIT "B"

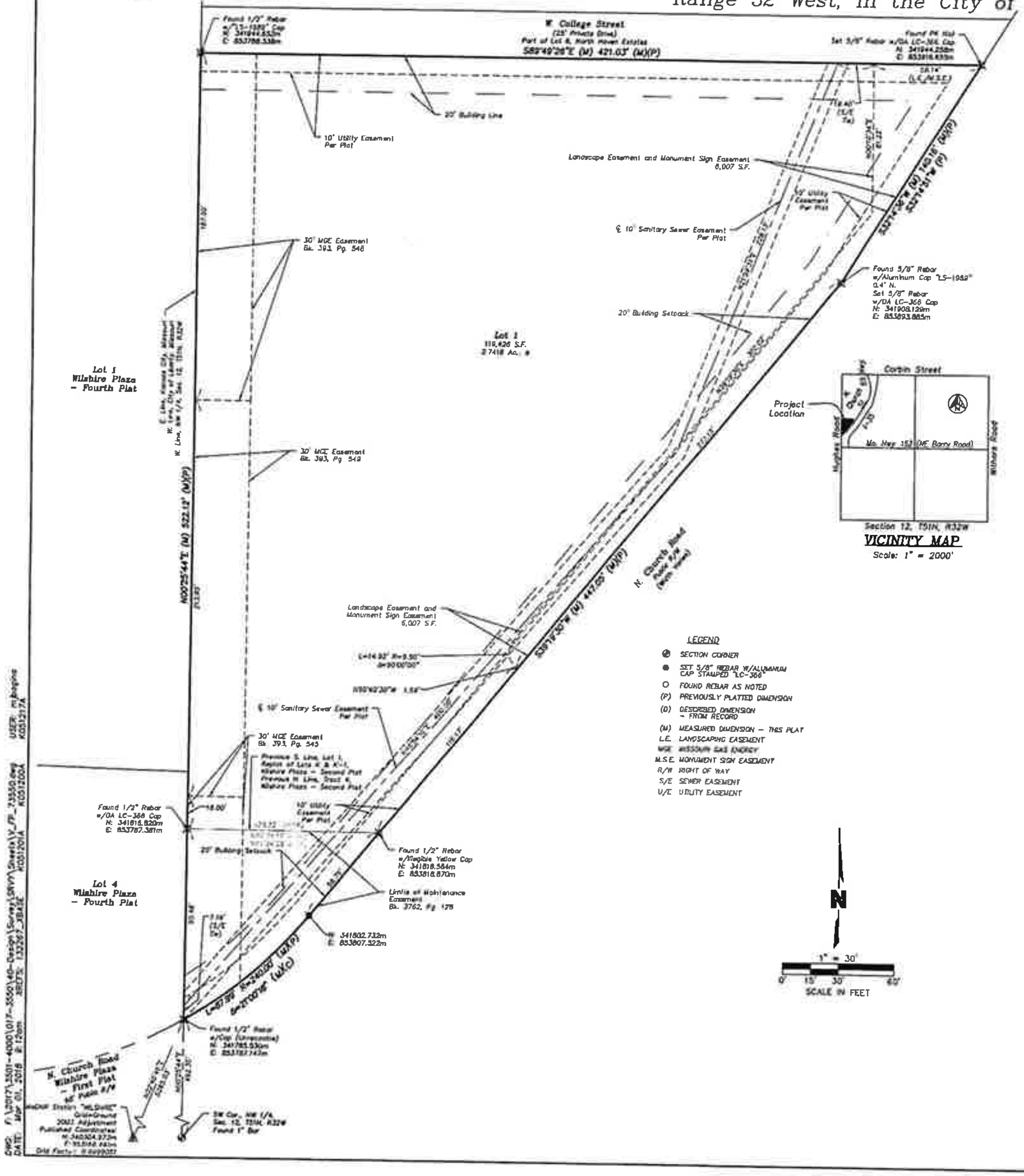
See Attached Plat

Recorded in Clay County, Missouri
Recording Date/Time: 04/26/2018 at 02:36:37 PM
Instr #: 2018012931
Book: 1 Page: 32.4

Web Copy

Final Plat of
Wilshire Plaza – Sixth Plat

A Replat of all of Lot 1, Replat of Lots K & K-1 Wilshire Plaza, Second Plat, together with all of Tract 4, Wilshire Plaza – Second Plat, both subdivisions lying in the Northwest Quarter of Section 12, Township 51 North, Range 32 West, in the City of Liberty, Clay County, Missouri



Property Description

All of Lot 1, Replat of Lots K & K-1 Wilshire Plaza, Second Plat, together with all of Tract 4, Wilshire Plaza – Second Plat, both subdivisions lying in the Northwest Quarter of Section 12, Township 51 North, Range 32 West, in the City of Liberty, Clay County, Missouri.

Plat Dedication

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall be hereafter known as "Wilshire Plaza – Sixth Plat".

Easement Dedication

An easement or license is hereby granted to the City of Liberty, Missouri, to locate, construct and maintain, and to authorize the location, construction, maintenance or use of conduits, for all and any purpose, water, gas, and sewer mains, poles, wires, anchors and appurtenances thereto, or any or all of them upon, under and along the strip of land outlined on this plat and designated "UTILITY EASEMENT" or "U/E".

An easement or license is also hereby granted to the City of Liberty, Missouri, to located, construct and maintain, and to authorize the location, construction, maintenance, and use of sanitary sewerage ways and installations, and underground pipes and appurtenances incidental thereto for sanitary sewerage purposes in, under, upon, over and through the strip of land outlined on this plat and designated "SANITARY SEWER EASEMENT" OR "S/E".

Building Lines or Setback Lines, designated "BUILDING LINE" or "B.L.", are hereby established as shown on this plat, and no building or portion thereof shall be built or otherwise located between this line and the lot or street line.

An easement or license is hereby defined hereon to locate, construct and maintain, and to authorize the location, construction and maintenance or use for landscaping and the construction and maintenance of a monument sign of a strip of land outlined on this plat and designated "LANDSCAPE EASEMENT AND MONUMENT SIGN EASEMENT" OR "L.E./M.S.E.". Said strip of land contains 6,007 Square Feet, and is equal in area to Tract 4 of Wilshire Plaza – Second Plat, a subdivision in the City of Liberty, Clay County, Missouri.

Execution

OWNER of Lot 1:

Carolyn L. Walker Trust No 1, Dated June 1, 1991

By: ______________________
Carolyn L. Walker, Trustee

By: ______________________
Trace E. Walker, Trustee

State of KANSAS)
)SS
County of SALINE)

On this 21st day of March 2018, before me, a Notary Public in and for said County and State, personally appeared Carolyn L. Walker and Trace E. Walker, Trustees under the Carolyn L. Walker Trust No. 1 Dated June 1, 1991, known to me to be the persons described in and who executed this instrument as trustees as aforesaid, and acknowledged that they executed the same as their free act and deed as trustees as aforesaid and acknowledged to me that they executed the same for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year last above written.

Signature ______________________ (Seal)
My Commission Expires: ______________________

ANDRA KAY ERDNER
Notary Public - State of Kansas

Approvals

Approved by the Planning Commission of the City of Liberty, Missouri, this 13th day of February 2018.

____
Dee Rosekrans, Chairperson, Planning Commission

Approved by the City Council of the City of Liberty, Missouri, this 26th day of February 2018.

____
Lyndell Brenton, Mayor

____
Janet Pittman, City Clerk

____
Andy Noll, Public Works Director

Date: April 23/18

CITY OF LIBERTY · MISSOURI

Surveyor's Notes

1. Basis Of Bearings: Held the West line of Lot 1, Replat of Lots K & K-1 Wilshire Plaza, Second Plat at N00°25'44"E, Missouri Coordinate System 1983 West Zone, utilizing MoDOT Continuously Operating GNSS RTK Network. Rotate "as-surveyed" bearings 00°00'13" clockwise to match plats of Replat of Lots K & K-1 Wilshire Plaza, Second Plat, and Wilshire Plaza – Second Plat, unless otherwise noted.
2. Subject Property contains 119,426 Square Feet or 2.7416 Acres, more or less, and is defined in Book 3134, Page 708, and in Book 7184, Page 202. Error of closure=1:703,628.
3. Subject Property lies within "Zone X – Areas determined to be outside the 0.2% annual chance floodplain," as depicted on FEMA Flood Insurance Rate Map Number 29047C0227E, Effective Date August 3, 2015.

I hereby certify that this Final Plat of "Wilshire Plaza – Sixth Plat" is a subdivision is based on an actual survey made by me or under my direct supervision and that survey meets or exceeds the current "minimum standards for property boundary surveys" as established by the Missouri Board for Architects, Professional Engineers and Land Surveyors, and the Urban Property Accuracy Standards of the Missouri Department of Natural Resources. I further certify that the bearings shown on this plat are grid bearings, based on the State Plane Coordinate System of Missouri, Western Zone of the North American Datum of 1983; that the section and section subdivision corner monuments and Survey boundary corner monuments were either found or set as indicated on this plat; that the corner lots and street center lines have been marked with permanent monumentation as indicated on this plat; that I have complied with all State and Jackson County Statutes, ordinances, and regulations governing the practice of Surveying and the platting of subdivisions to the best of my professional knowledge and belief.

By: ______________________
Timothy Blair Wissell, MO PLS No. 2009000087
Olsson Associates LC-366

PREPARED FOR:
Green Lantern Car Wash, LLC
500 Graves Boulevard
Salina, KS 67401
Telephone (785) 825-2221
Fax (785) 822-3761

PROPERTY OWNER:
Carolyn L. Walker Trust No. 1, dated June 1, 1991
500 Graves Boulevard
Salina, KS 67401
Telephone (785) 825-2221
Fax (785) 822-3761

PREPARED BY:
Olsson Associates
7301 W. 133rd Street, Suite 200
Overland Park, Kansas 66213
Telephone (913) 381-1170
Fax (913) 381-1174

OLSSON ASSOCIATES
7301 West 133rd Street, Suite 200, Overland Park, KS 66213-4750 TEL 913.381.1170 FAX 913.381.1174

REV. NO.	DATE	REVISIONS DESCRIPTION	BY
		REVISIONS	

Final Plat
Wilshire Plaza - Sixth Plat

A replat of all of Lot 1, Replat of Lots K & K-1 Wilshire Plaza, Second Plat together with all of Tract 4, Wilshire Plaza - Second Plat

City of Liberty, Clay County, Missouri | 2018

SHEET 1 of 1

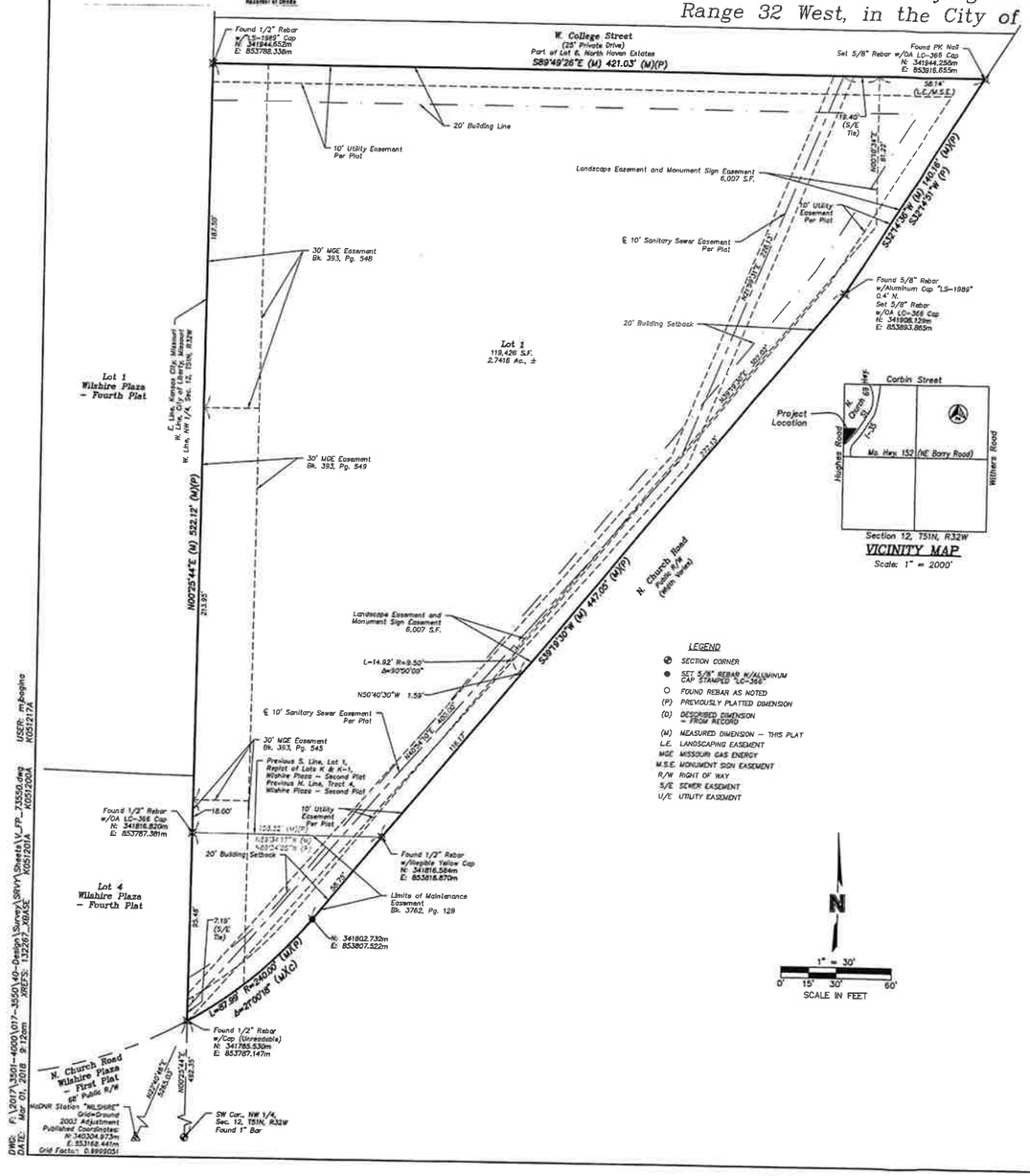
Katee Porter, Recorder of Deeds

Web Copy

Recorded in Clay County, Missouri
Recording Date/Time: 04/26/2018 at 02:36:37 PM
Instr #: 2018012931
Book: I Page: 32.4
Type: PL
Pages: 1
Fee: 843.00 S 201801057G
Katee Porter
Recorder of Deeds

Final Plat of
Wilshire Plaza – Sixth Plat

A Replat of all of Lot 1, Replat of Lots K & K–1 Wilshire Plaza, Second Plat, together with all of Tract 4, Wilshire Plaza – Second Plat, both subdivisions lying in the Northwest Quarter of Section 12, Township 51 North, Range 32 West, in the City of Liberty, Clay County, Missouri



LEGEND

- SECTION CORNER
- SET 5/8" REBAR W/ALUMINUM CAP STAMPED "LC-366"
- FOUND REBAR AS NOTED
- (P) PREVIOUSLY PLATTED DIMENSION
- (D) DESCRIBED DIMENSION – FROM RECORD
- (M) MEASURED DIMENSION – THIS PLAT
- L.E. LANDSCAPING EASEMENT
- MGE MISSOURI GAS ENERGY
- M.S.E. MONUMENT SIGN EASEMENT
- R/W RIGHT OF WAY
- S/E SEWER EASEMENT
- U/E UTILITY EASEMENT

Property Description

All of Lot 1, Replat of Lots K & K–1 Wilshire Plaza, Second Plat, together with all of Tract 4, Wilshire Plaza – Second Plat, both subdivisions lying in the Northwest Quarter of Section 12, Township 51 North, Range 32 West, in the City of Liberty, Clay County, Missouri.

Plat Dedication

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Easement Dedication

An easement or license is hereby granted to the City of Liberty, Missouri, to locate, constuct and maintain, and to authorize the location, construction, maintenance or use of conduits, for all and any purpose, water, gas, and sewer mains, poles, wires, anchors and appurtenances thereto, or any or all of them open, under and along the strip of land outlined on this plat and designated "UTILITY EASEMENT" or "U/E".

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An easement or license is hereby defined hereon to locate, construct and maintain, and to authorize the location, construction and maintenance or use for landscaping and the construction and maintenance of a monument sign of a strip of land outlined on this plat and designated "LANDSCAPE EASEMENT AND MONUMENT SIGN EASEMENT" OR "L.E./M.S.E.". Said strip of land contains 6,007 Square Feet, and is equal in area to Tract 4 of Wilshire Plaza – Second Plat, a subdivision in the City of Liberty, Clay County, Missouri.

Execution

OWNER of Lot 1:

Carolyn L. Walker Trust No 1. Dated June 1, 1991

By: CAROLYN L. WALKER
Carolyn L. Walker, Trustee

By: Trace E. Walker
Trace E. Walker, Trustee

State of KANSAS)
)SS
County of SALINE)

On this 21st day of March, 2018, before me, a Notary Public in and for said County and State, personally appeared Carolyn L. Walker and Trace E. Walker, Trustees under the Carolyn L. Walker Trust No. 1 Dated June 1, 1991, known to me to be the persons described in and who executed this instrument as trustees as aforesaid, and acknowledged that they executed the same as their free act and deed as trustees as aforesaid and acknowledged to me that they executed the same for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year last above written.

Signature Andra Kay Erdner (Seal)

My Commission Expires: February 4, 2019

ANDRA KAY ERDNER
Notary Public – State of Kansas
My Appt. Expires 2-4-19

Approvals

Approved by the Planning Commission of the City of Liberty, Missouri, this 13th day of February, 2018.

Dee Rosekrans, Chairperson, Planning Commission

Approved by the City Council of the City of Liberty, Missouri, this 26th day of February, 2018.

Lynnell W. Brenton, Mayor

Janet Pittman, City Clerk

Andy Noll, Public Works Director

Date: April 23, 18

Surveyor's Notes

1. Basis Of Bearings: Held the West line of Lot 1, Replat of Lots K & K–1 Wilshire Plaza, Second Plat at N00°25'44"E, Missouri Coordinate System, 1983, West Zone, utilizing MoDOT Continuously Operating GNSS RTK Network. Rotate "as–surveyed" bearings 00°00'13" clockwise to match plats of Replat of Lots K & K–1 Wilshire Plaza, Second Plat, and Wilshire Plaza – Second Plat, unless otherwise noted.
2. Subject Property contains 119,426 Square Feet or 2.7416 Acres, more or less, and is defined in Book 3134, Page 708, and in Book 7184, Page 202. Error of closure=1: 703,628.
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I hereby certify that this Final Plat of "**Wilshire Plaza – Sixth Plat**" is a subdivision is based on an actual survey made by me or under my direct supervision and that survey meets or exceeds the current "minimum standards for property boundary surveys" as established by the Missouri Board for Architects, Professional Engineers and Land Surveyors, and the Urban Property Accuracy Standards of the Missouri Department of Natural Resources. I further certify that the bearings shown on this plat are grid bearings, based on the State Plane Coordinate System of Missouri, Western Zone of the North American Datum of 1983; that the section and section subdivision corner monuments and Survey boundary corner monuments were either found or set as indicated on this plat; that the corner lots and street center lines have been marked with permanent monumentation as indicated on this plat; that I have complied with all State and Jackson County Statutes, ordinances, and regulations governing the practice of Surveying and the platting of subdivisions to the best of my professional knowledge and belief.

STATE OF MISSOURI · TIMOTHY BLAIR WISWELL · NUMBER LS-2009000067 · 3/11/2018 · LAND SURVEYOR

By: Timothy Blair Wiswell, MO PLS No. 2009000067
Olsson Associates LC–366

PREPARED FOR:
Green Lantern Car Wash, LLC
500 Graves Boulevard
Salina, KS 67401
Telephone (785) 825–2221
Fax (785) 822–3761

PROPERTY OWNER:
Carolyn L. Walker Trust No. 1, dated June 1, 1991
500 Graves Boulevard
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Overland Park, KS 66213-4750
TEL: 913.381.1170
FAX: 913.381.1174
www.olssonassociates.com

REVISIONS

REV. NO.	DATE	REVISIONS DESCRIPTION	BY
1	3/13/18	Revised City Signature Blocks	MJB

Final Plat
Wilshire Plaza - Sixth Plat

A replat of all of Lot 1, Replat of Lots K & K-1 Wilshire Plaza, Second Plat together with all of Tract 4, Wilshire Plaza - Second Plat

City of Liberty, Clay County, Missouri

2018

drawn by:	MJB
checked by:	TBW
approved by:	TBW
QA/QC by:	TBW
project no.:	015.3056
drawing no.:	V: FP 73550
date:	2017.01.04

SHEET 1 of 1

DWG: F:\2017\3501-4000\017-3550\40-Design\Survey\SRVY\Sheets\V_FP_73550.dwg
DATE: Nov 01, 2016 8:12am
USER: mjboging
XREFS: 15226P_XBASE K051217A K051201A K051200A

Katee Porter, Recorder of Deeds

EXHIBIT "C"

STF Maintenance Plan

Native Grass Vegetation Maintenance Plan

Short –term: Year 1

1. Inspect Native Grass Area for growth of species not in the plan (invasive species). Eliminate invasive plants at the soonest possible time. Hand weed and remove invasive plants, whenever possible. Spot applications of appropriate herbicides may also be utilized. Only persons certified as professional applicators should apply herbicide. Follow all manufacturer's recommendations.
2. Mow grasses no shorter than 6 inches starting in late spring and continuing mowing once per month until August 1st prior to the maturation of weed seed. Do not mow in wet or muddy locations. Do not mow after August 1st.
3. Complete the first annual inspection of the Native Grass Area condition during the fall to assess vegetation establishment. Overseed areas that do not provide at least 75% coverage in any 3 feet by 3 feet area.

Mid- and Long-Term: Year 2

During the second year, more of the planned plant species will be more noticeable and vigorous in their growth.

1. Inspect Native Grass Area for growth of species not in the plan (invasive species). Eliminate invasive plants at the soonest possible time. Hand weed and remove invasive plants, whenever possible. Spot applications of appropriate herbicides may also be utilized. Only persons certified as professional applicators should apply herbicide. Follow all manufacturer's recommendations.
2. Mow grasses no shorter than 8 inches in late spring or early summer and continuing mowing once per month until August 1st prior to the maturation of weed seed. Do not mow in wet or muddy locations. Do not mow after August 1st.
3. Complete an annual inspection of the Native Grass Area condition during the fall to assess vegetation establishment. Overseed areas that do not provide at least 75% coverage in any 3 feet by 3 feet area.

Rev. 11-10-17
DO NOT WRITE, TYPE OR STAMP ANYTHING BELOW THIS LINE OR IN THE MARGINS.

DO NOT WRITE, TYPE OR STAMP ANYTHING ABOVE THIS LINE OR IN THE MARGINS.

STF Maintenance Plan (Continued)

Long-Term: Year 3 and beyond

During the third and succeeding years, more of the planned plant species will be more noticeable and vigorous in their growth.

1. After year 3, native vegetation should be self-sustaining. Inspect for invasive species once per year. Mow early each spring (do not cut vegetation lower than 8 inches above the ground) to remove dead vegetative matter and invasive species. Never mow in wet or muddy locations. Thin out overgrown native grasses or flowering species by hand weeding, pruning, or with spot herbicide applications

Detention Basin Maintenance Plan

Short –term: Establishment (1-3 years)

Watering plants(Seeded areas up to 8 weeks, plugs in drought) - 1" per week as needed
Weed control (flail mow, string-trim, selective/preemerg herbicides) - Monthly
Remove litter and debris (trash, leaves, sand, mower discharge) - Monthly
Monitor & repair erosion (stabilize soil, replace plants, secure edging) - Monthly
Check for standing water (longer than design, any puddles, saturated soil) - Monthly
Add mulch (moisture & weed control with plugs/containers, 3" or less) - Annually
Inspect drainage area (parking lot sweeping, open dumpsters, etc) - Annually
Replace dead plants (use design species/size: overseed, install deep cell plugs) - Annually, as needed

Long –term: Maintenance (3+ years)

Vegetation cleanup (spot treat, prescribed burn, prune) - Annually, spring or fall
Evaluate plant composition (woody invasion, grass/flower ratio, "right plant right place") - Annually
Sediment removal, erosion control (pretreatment structures: forebay, check dams) - Annually
Address animal damage (beaver dams, muskrat burrows, deer rubs) - Annually
Verify structural component function (v-notch weir, check dams, outlet protection) - Annually
String trim vegetation to minimize disturbance - Annually
Inspect for erosion in flow lines and slopes - Annually

Rev. 11-10-17
DO NOT WRITE, TYPE OR STAMP ANYTHING BELOW THIS LINE OR IN THE MARGINS.

EXHIBIT "D"

Description of BMP Locations on the Property

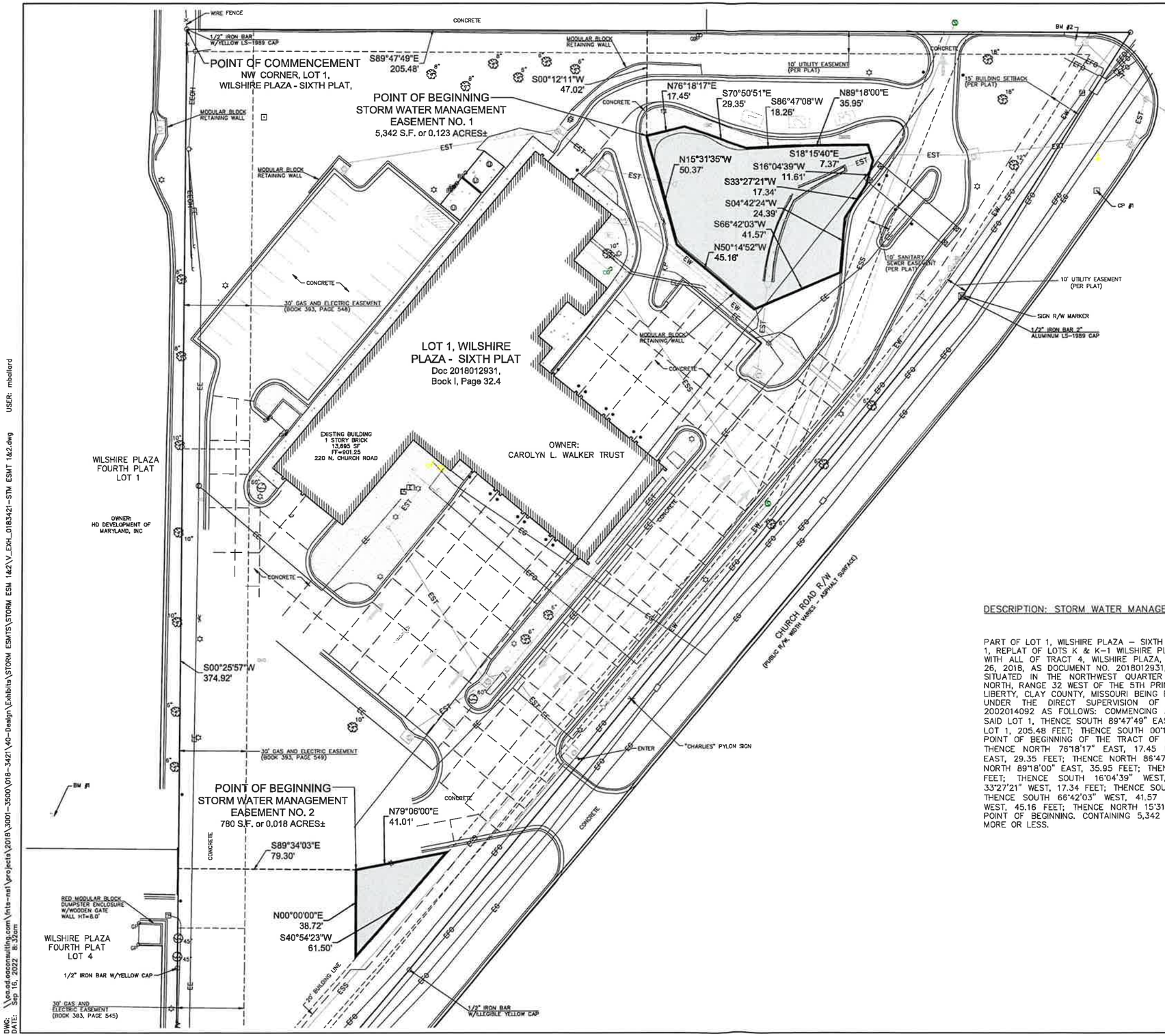
CHARLIE'S CAR WASH OF LIBERTY
STORM WATER MANAGEMENT EASEMENT NO. 1
Olsson No. 018-3421
Date: September 16, 2022

DESCRIPTION: STORM WATER MANAGEMENT EASEMENT NO. 1

Part of Lot 1, WILSHIRE PLAZA – SIXTH PLAT, a Replat of all of Lot 1, Replat of Lots K & K-1 Wilshire Plaza, Second Plat, together with all of Tract 4, Wilshire Plaza – Second Plat, recorded April 26, 2018, as Document No. 2018012931, in Book I, at Page 32.4 and situated in the Northwest Quarter of Section 12, Township 51 North, Range 32 West of the 5th Principal Meridian in the City of Liberty, Clay County, Missouri being bounded and described by or under the direct supervision of Jason S Roudebush, P.L.S. 2002014092 as follows: Commencing at the Northwest corner of said Lot 1, thence South 89°47'49" East, on the North Line of said Lot 1, 205.48 feet; thence South 00°12'11" West, 47.02 feet to the Point of Beginning of the tract of land to be herein described; thence North 76°18'17" East, 17.45 feet; thence South 70°50'51" East, 29.35 feet; thence North 86°47'08" East, 18.26 feet; thence North 89°18'00" East, 35.95 feet; thence South 18°15'40" East, 7.37 feet; thence South 16°04'39" West, 11.61 feet; thence South 33°27'21" West, 17.34 feet; thence South 04°42'24" West, 24.39 feet; thence South 66°42'03" West, 41.57 feet; thence North 50°14'52" West, 45.16 feet; thence North 15°31'35" West, 50.37 feet to the Point of Beginning. Containing 5,342 square feet or 0.123 acres, more or less.

CHARLIE'S CAR WASH OF LIBERTY
PART OF LOT 1,
WILSHIRE PLAZA - SIXTH PLAT,
NW 1/4 OF SECTION 12 - T51N - R32W
LIBERTY, CLAY COUNTY, MISSOURI

STORM WATER MANAGEMENT EASEMENT NO. 1



DESCRIPTION: STORM WATER MANAGEMENT EASEMENT NO. 1:

PART OF LOT 1, WILSHIRE PLAZA – SIXTH PLAT, A REPLAT OF ALL OF LOT 1, REPLAT OF LOTS K & K–1 WILSHIRE PLAZA – SECOND PLAT, TOGETHER WITH ALL OF TRACT 4, WILSHIRE PLAZA, SECOND PLAT, RECORDED APRIL 26, 2018, AS DOCUMENT NO. 2018012931, IN BOOK I, AT PAGE 32.4 AND SITUATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 51 NORTH, RANGE 32 WEST OF THE 5TH PRINCIPAL MERIDIAN IN THE CITY OF LIBERTY, CLAY COUNTY, MISSOURI BEING BOUNDED AND DESCRIBED BY OR UNDER THE DIRECT SUPERVISION OF JASON S ROUDEBUSH, P.L.S. 2002014092 AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1, THENCE SOUTH 89°47'49" EAST, ON THE NORTH LINE OF SAID LOT 1, 205.48 FEET; THENCE SOUTH 00°12'11" WEST, 47.02 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE NORTH 76°18'17" EAST, 17.45 FEET; THENCE SOUTH 70°50'51" EAST, 29.35 FEET; THENCE NORTH 86°47'08" EAST, 18.26 FEET; THENCE NORTH 89°18'00" EAST, 35.95 FEET; THENCE SOUTH 18°15'40" EAST, 7.37 FEET; THENCE SOUTH 16°04'39" WEST, 11.61 FEET; THENCE SOUTH 33°27'21" WEST, 17.34 FEET; THENCE SOUTH 04°42'24" WEST, 24.39 FEET; THENCE SOUTH 66°42'03" WEST, 41.57 FEET; THENCE NORTH 50°14'52" WEST, 45.16 FEET; THENCE NORTH 15°31'35" WEST, 50.37 FEET TO THE POINT OF BEGINNING. CONTAINING 5,342 SQUARE FEET OR 0.123 ACRES, MORE OR LESS.

DATE OF SURVEY
09-16-2022 (Bal)

drawn by: Bal
surveyed by:
checked by: Bal
approved by: JSR
project no.: 018-3421
file: V_EXH_0183421-STM ESMT 1&2

olsson
Olsson - Land Surveying - MO 366, KS 114, MO Certificate of Authority-001692
1301 Burlington Street
North Kansas City, MO 64116
TEL 816.361.1177 FAX 816.361.1888
www.olsson.com

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DATE: Sep 16, 2022 8:32am

CHARLIE'S CAR WASH OF LIBERTY
STORM WATER MANAGEMENT EASEMENT NO. 2

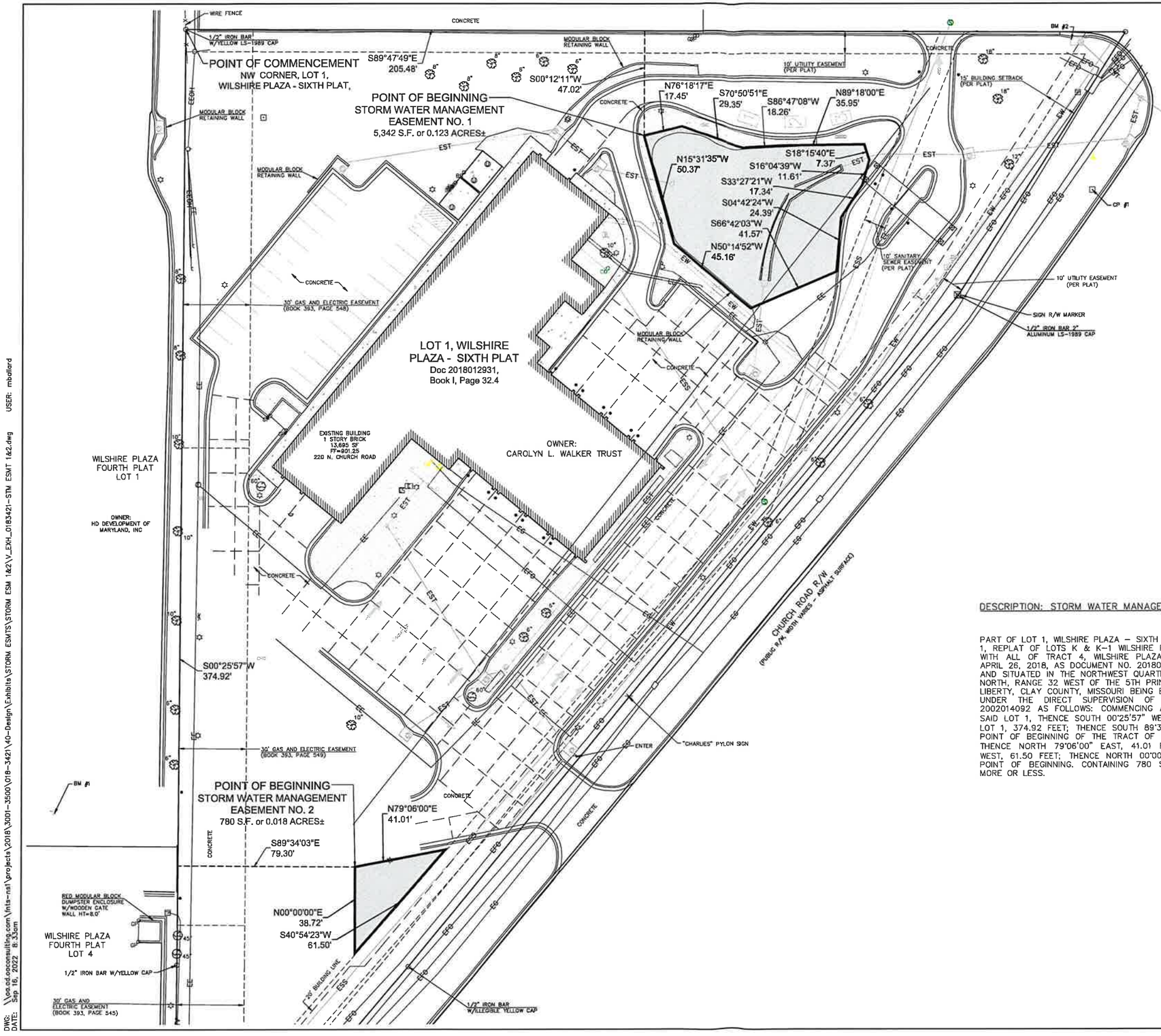
Olsson No. 018-3421
Date: September 16, 2022

DESCRIPTION: STORM WATER MANAGEMENT EASEMENT NO. 2

Part of Lot 1, WILSHIRE PLAZA – SIXTH PLAT, a Replat of all of Lot 1, Replat of Lots K & K-1 Wilshire Plaza, Second Plat, together with all of Tract 4, Wilshire Plaza – Second Plat, recorded April 26, 2018, as Document No. 2018012931, in Book I, at Page 32.4 and situated in the Northwest Quarter of Section 12, Township 51 North, Range 32 West of the 5th Principal Meridian in the City of Liberty, Clay County, Missouri being bounded and described by or under the direct supervision of Jason S Roudebush, P.L.S. 2002014092 as follows: Commencing at the Northwest corner of said Lot 1, thence South 00°25'57" West, on the West Line of said Lot 1, 374.92 feet; thence South 89°34'03" East, 79.30 feet to the Point of Beginning of the tract of land to be herein described; thence North 79°06'00" East, 41.01 feet; thence South 40°54'23" West, 61.50 feet; thence North 00°00'00" East, 38.72 feet to the Point of Beginning. Containing 780 square feet or 0.018 acres, more or less.

CHARLIE'S CAR WASH OF LIBERTY
PART OF LOT 1,
WILSHIRE PLAZA - SIXTH PLAT,
NW 1/4 OF SECTION 12 - T51N - R32W
LIBERTY, CLAY COUNTY, MISSOURI

STORM WATER MANAGEMENT EASEMENT NO. 2



N

0' 10' 20' 40'
SCALE IN FEET

DESCRIPTION: STORM WATER MANAGEMENT EASEMENT NO. 2:

PART OF LOT 1, WILSHIRE PLAZA – SIXTH PLAT, A REPLAT OF ALL OF LOT 1, REPLAT OF LOTS K & K–1 WILSHIRE PLAZA, SECOND PLAT, TOGETHER WITH ALL OF TRACT 4, WILSHIRE PLAZA – SECOND PLAT, RECORDED APRIL 26, 2018, AS DOCUMENT NO. 2018012931, IN BOOK I, AT PAGE 32.4 AND SITUATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 51 NORTH, RANGE 32 WEST OF THE 5TH PRINCIPAL MERIDIAN IN THE CITY OF LIBERTY, CLAY COUNTY, MISSOURI BEING BOUNDED AND DESCRIBED BY OR UNDER THE DIRECT SUPERVISION OF JASON S ROUDEBUSH, P.L.S. 2002014092 AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1, THENCE SOUTH 00°25'57" WEST, ON THE WEST LINE OF SAID LOT 1, 374.92 FEET; THENCE SOUTH 89°34'03" EAST, 79.30 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE NORTH 79°06'00" EAST, 41.01 FEET; THENCE SOUTH 40°54'23" WEST, 61.50 FEET; THENCE NORTH 00°00'00" EAST, 38.72 FEET TO THE POINT OF BEGINNING. CONTAINING 780 SQUARE FEET OR 0.018 ACRES, MORE OR LESS.

DATE OF SURVEY
09-16-2022 (Bal)

drawn by:	Bal
surveyed by:	
checked by:	Bal
approved by:	JSR
project no.:	018-3421
file:	V_EXH_0183421-STM ESMT 1&2

olsson
Olsson - Land Surveying, MO 368, KS 114, MO Certificate of Authority-001592
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North Kansas City, MO 64116
TEL 816.361.1177
FAX 816.361.1888
www.olsson.com

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DATE: Sep 16, 2022 8:33am

Document No. _____

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING A COVENANT TO MAINTAIN STORM WATER MANAGEMENT SYSTEM FOR CHARLIE'S CAR WASH

BE IT ORDAINED by the City Council of the City of Liberty, Clay County, Missouri, as follows:

SECTION I

The City Council of the City of Liberty, Clay County, Missouri, hereby accepts from Carolyn L. Walker Trust No.1 dated June 1, 1991, a Trust, a covenant to maintain storm water management system. A copy of said covenant is attached hereto and made a part hereof as though more fully set out herein.

SECTION II

The City Council of the City of Liberty, Clay County, Missouri, hereby directs said covenant to be filed with this ordinance after being recorded with the Office of the Recorder of Deeds of Clay County, Missouri.

SECTION III

This Ordinance shall be in full force and effect from and after its passage by the City Council and approval by the Mayor according to law.

PASSED by the City Council this_____ day of _____, 2022.

_____
MAYOR

ATTEST:

_____
DEPUTY CITY CLERK

APPROVED by the Mayor this_____ day of_____, 2022.

_____
MAYOR

The City of Liberty missouri

CITY COUNCIL ACTION REPORT

Meeting Date: November 28, 2022
A/R No.: 2022-296

Department: Police

Submitted By: Matt Kellogg, Police Captain

Subject: 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 $43,316.00 FROM $300,000.00 FOR AN AMOUNT NOT TO EXCEED $343,316.00

Summary:

- Amending a lease agreement with Utility Associates, Inc. (Ord. 11494) approved on 8/21/2021.
- Increase in lease agreement by $43,316.00 for additional equipment.
- Four body cameras and three vehicle cameras are being added to the current allotment of 44 body cameras and 10 vehicle dash cameras.
- The additional equipment is needed to accommodate additional vehicles and personnel.

Background:
The police department is adding one patrol vehicle requiring an additional dash camera. Additionally, dash cameras will be added to the SRO vehicle and SWAT van. Patrol staffing will be increased by four personnel in 2023, requiring four additional body cameras. The original ordinance was approved Nov 8/21 (ordinance # 11492). This amendment will increase the cost of the lease agreement by $43,316.00 with a one-time payment, expiring at the end of the year 2025.

Previous Action (if applicable):
The original ordinance was approved Nov 8/21 (ordinance # 11492).

Policy/Committee Review:

Citizen Sales Tax Oversight Committee	Completed/Recommended:
Public Safety Sales Tax Oversight Committee	Completed/Recommended:
Budget Committee	Completed/Recommended:
Other:	Completed/Recommended:

Financial Considerations:

Budgeted:	Line Item:**10.40.500.36.7201** Line Item:	Amount: $43,316.00 Amount:

	Revenue Line (if applicable):	Amount:
Non-Budgeted	Line Item: Line Item:	Amount:
	Funding Source:	Amount:

Attachments:

1. BodyWorn ORD 2022

DOCUMENT NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 11494, APPROVING A LEASE AGREEMENT WITH UTILITY, INC. FOR THE LEASE, MAINTENANCE, AND INSTALL OF POLICE VEHICLE/BODY CAMERAS.

BE IT ORDAINED by the City Council of the City of Liberty, Clay County, Missouri as follows:

SECTION I

That the City Council hereby amends Ordinance 11494, approving a Lease Agreement with Utility, Inc. for the Lease, Maintenance, and Install of Police Vehicle/Body Cameras. by and between the City of Liberty and Utility, Inc., 250 E. Ponce de Leon Ave, Ste. 700, Decatur, GA 30030, amending the lease to be 44 body worn cameras, 10 vehicle cameras, and 3 stationary cameras to 48 body worn cameras, 13 vehicle cameras, and 3 stationary cameras, increasing the amount by FORTY-THREE THOUSAND THREE HUNDRED AND SIXTEEN DOLLARS $43,316.00 from THREE HUNDRED THOUSAND AND ZERO DOLLARS ($300,000.00) for an amount not to exceed THREE HUNDRED FORTY-THREE THOUSAND THREE HUNDRED AND SIXTEEN DOLLARS ($343,316.00), said amendment being incorporated herein by reference and available for review as required by law.

SECTION II

The City Council hereby authorizes the Mayor to execute the amendment described in Section I of this ordinance.

SECTION III

This ordinance shall be in full force and effect from and after its passage by the City Council and approval by the Mayor.

PASSED by the City Council this ____ day of _____, 2022.

_____
MAYOR

ATTEST:

_____
Deputy City Clerk

ORDINANCE NO. _____(CONT.)

APPROVED by the Mayor this ____ day of _____, 2022.

_____
MAYOR

The City of Liberty missouri

CITY COUNCIL ACTION REPORT

Meeting Date: November 28, 2022
A/R No.: 2022-291

Department: Fire **Submitted By:** John Mills, Fire Chief

Subject: ORDINANCE APPROVING AN AGREEMENT AND THE CITY OF LIBERTY'S PARTICIPATION AND MEMBERSHIP IN THE MISSOURI FIREFIGHTERS CRITICAL ILLNESS TRUST AND POOL IN AN AMOUNT NOT TO EXCEED $7,198.00

Summary:
In 2021, Senate Bill 45 was passed in Jefferson City, creating the Missouri Firefighters Critical Illness pool. This was in response to the increased number of 17 types of cancers that are more often seen in firefighters.

Background:
In 2021, the State of Missouri provided $ 5,000,000 to help start the Firefighters Critical Illness pool, which was created to aid the State's fire professionals and agencies to contain the human and financial burdens created by serious health issues by providing cancer benefits to the State's firefighters. The support from the State makes it more affordable for departments to join this program.

Studies have shown that firefighters are more likely than non-firefighters to be diagnosed with 17 types of cancer. In the last five years, the four members of the Liberty Fire department have been diagnosed with cancers that are on this list.

To be eligible, the member must meet the following

- 5 Years of full-time service
- Annual physical required before the diagnosis
- 25% reduced benefit for tobacco users

Benefits to Employer

- Cap on liabilities $100,000, $200,000 or $300,000 per claim payout depending on the elected limit
- Potential to lower future work comp rates
- No investigations over a claim being job-related or not

Benefits to Member

- Benefits paid upon confirmation of diagnosis
- Payment made within 10 days after completed documentation
- Scaled awards based on condition - type and stage of cancer
- Tax-free benefits

- Retirees covered up to 15 years after retirement from service or age of 70

Covered Cancers
Bladder, Brain, Breast, Colon, Esophagus, Kidney, Lung, Melanoma, Mesothelioma Multiple Myeloma, Non-Hodgkin Lymphoma, Prostate, Rectal, Skin, Stomach, Testicular, Thyroid

Cost for coverage

Coverage Limit	Annual Cost Per Firefighter **2022**	**2023**	**2024**
$100,000	$39	$46	$55
$200,000	$78	$94	$109
$300,000	$118	$142	$165

Staff recommends joining the Firefighters Critical Illness pool at the $300,000 coverage level to help cover medical expenses that are not covered by work comp.

Previous Action (if applicable):

Policy/Committee Review:

Citizen Sales Tax Oversight Committee	Completed/Recommended:
Public Safety Sales Tax Oversight Committee	Completed/Recommended:
Budget Committee	Completed/Recommended:
Other:	Completed/Recommended:

Financial Considerations:

Budgeted:	Line Item: Line Item:	Amount: Amount:
	Revenue Line (if applicable):	Amount:
Non-Budgeted	Line Item:10.50.300.08.5356 Line Item:	Amount: $7,198.00
	Funding Source: General fund	Amount: $ 7,198.00

Attachments:
1. Cancer-Award-Program-Summary-Updated
2. Cancer-Plan-Document
3. 11.17.2002 Critical (1)

MISSOURI FIRE FIGHTERS
CRITICAL ILLNESS POOL

Cancer Award Program Summary

Background

Legislators in Jefferson City asked interested parties—unions, chiefs, and the insurance community—to discuss and put forth parameters that all could agree on with regard to providing cancer benefits to firefighters in Missouri. Implementation occurred on March 1, 2022. Below is a short review of the cancer program process.

Several committees were convened over the last four years to meet the above goal, settling on the long-term solution of building a Trust similar to what was accomplished in Colorado in 2014 with Heart and expanded to Cancer in 2017.

In 2021 Senate Bill 45 was introduced to the Missouri legislature with the support of fire operation's labor and management to implement a solution that would see the majority of public funds expended on a Cancer Award Program going to the benefit of Missouri firefighters through a self-insured Pool. Sixty percent of the funding requested will go toward capitalization; thirty percent to rate subsidy; and ten percent for cancer prevention and testing.

Purpose

The purpose of this proposed Cancer Award Program is to put forth a program that equitably ends discussion at the legislature between labor and management interests over the presumption of cancer for firefighters.

Cancer rates are high for the general public without the added exposure caused from fighting fires. On the surface, it appears reasonable to have a rebuttable presumption where the burden of proof is on the employer to disprove a cancer is job-related. Several states currently do just that as did Colorado.

Unfortunately, in those states' firefighters and management often see two-thirds of their cancer claims denied or stalled in litigation, sometimes for years, while employers gather evidence to disprove the cancer was job-related. This often accompanies a tentative notice of denial and an invasive 3-6 month or longer investigation, which can add further strain on a firefighter's physical and mental health. As it currently stands in states with rebuttal presumptions, the workers' compensation system and subsequent legal battles do not benefit firefighters as they diagnose, treat, and recover from cancer.

For employers in states that see more claims than are actually job-related, due to a non-rebuttable presumption, it is arguably less fiscally feasible especially for firefighters' employers that lack adequate funding.

Cancer claims are already covered under current health plans, disability, and social security. Additionally, it is important to note that under managed care or adjudication through the workers' compensation system, firefighters lack the ability to choose their own specialized doctors for treatment as they do under their own medical plans.

A presumption without rebutability would be nice but is frequently looked at as an entitlement for firefighters often employed by cash-strapped fire operations.

The Cancer Award Program

This Program has been determined to be a nontaxable accident coverage intended to supplement or pay for out of pocket expenses as well as provide additional compensation for other benefits no longer available once traditional disability coverage is eliminated. The highlights of this Program are as follows:

1. Cash award is paid within 10 days of a completed claim form to include the attending physician's diagnosis.
2. Up to $4,000 disbursements, depending on limit selected, issued twice a month based on the schedule of benefits.
3. Payments are made before sick leave and vacation time need to be used.
4. Diagnosis, for this Program and with the employer's agreement, will be treated as a Line of Duty occurrence for the purpose of not arguing about it, but it does not entitle a workers' compensation claim.
5. This Program coverage is technically not disability insurance; it is an accident award.
6. This benefit does not exclude the filing of a workers' compensation claim; however, any payments issued under this Program will be offset under any workers' compensation payment.

Timeline

- Implementation March 1, 2022

Trust Structure

- Owned and operated Trust by participants of Missouri fire operations
- Stakeholders from numerous organizations assembled to address all issues and provide guidance
- Original Steering Committee make-up was from five stakeholder representatives; the Pool/Trust was then expanded to seven Board/Trustee Members.

Member Agreement

Pool/Trust Agreements have been finalized as well as a resolution for districts and a municipal ordinance for cities. Both documents must be adopted by each participating fire operation and are available on the Pool/Trust Website at www.MFFCIP.org. Please review the Pool/Trust Agreement checklist to ensure proper completion of these documents.

Proposed Covered Cancers

- Per International Association of Fire Fighters, this chart lists Credible Causal Relationship Findings of **14 specific cancers** analyzed through various epidemiological studies, according to Dr. Virginia Weaver, MD, MPH. We have added Breast Cancer to this list as appropriate studies are pending.
- Breast, testicular and thyroid cancer are now among our covered cancers. Other cancers can be added as new studies are published and approved by the Trustees.
- Smoking, vaping, or the use of tobacco products reduces award benefits by 25%.

Cancer Rate in Firefighters Compared to General Population

Cancer	LeMasters	NIOSH	Nordic	Other
Bladder		*		K
Brain	✓			C
Breast				
Colon	✓	✓		K
Esophagus		✓		C
Kidney		✓		C, K
Lung		✓	✓	
Melanoma	✓		✓	A, C
Mesothelioma		✓	*	
Multiple myeloma	✓		*	C
NHL	✓	*		K
Prostate	✓	*	✓	A, C
Rectal	✓			K
Skin	✓		✓	
Stomach		*		

Significant ✓overall or in *specific age group; A=Australia, C=California, K=Korea; Cancers listed if significant in being ≥ 2 times the general population rate studies.

Choice of Limit and Cost Options

Available limits and three year cost per full time, or part time and volunteer firefighter rates:

LIMITS	Year 1 Cost		Year 2 Cost		Year 3 Cost	
	F/T	P/T & Vol	F/T	P/T &Vol	F/T	P/T & Vol
$300,000	$118	$95	$142	$114	$165	$133
$200,000	$78	$63	$94	$75	$109	$88
$100,000	$39	$31	$46	$38	$55	$44

- Rates for years 4 and 5 will be reviewed by the Trustees to determine where further subsidies are available
- Cost of Living Adjustment (COLA) on limits and contributions applicable annually after year five

Eligibility Requirements

- Five (5) years for full time, part time, and volunteer firefighters
- Participant must have had a medical exam that would have reasonably caught cancers at or after employment but prior to diagnosis of a covered cancer
- Coverage extends 15 years after the last year of eligibility, prior to the age of 70

Cash Flow Design

To preserve capital and keep costs reasonable, participant payouts are made bi-weekly until the Award Limit defined is reached as follows:

$4,000 for the $300,000 limit level;

$2,640 for the $200,000 limit level; and

$1,320 for the $100,000 limit level.

A full limit payout at each limit level would be spread over more than 36 months, or three years, to the participant or survivors, giving the Trust time to make rate adjustments and extend timely notice to participants for unforeseen events effecting future Pool contributions.

Administration and Startup Cost

Most of the startup costs for the feasibility study and administration, with the exception of actuary and legal, are being deferred to "Management Fees" in future years. An Administration Scope of Services Agreement with McGriff Insurance Services, Inc. has been approved. McGriff Insurance Services currently administers the Colorado Firefighters Heart and Cancer Benefits Trust.

MISSOURI FIRE FIGHTERS
CRITICAL ILLNESS POOL

Missouri Fire Fighter Voluntary Cancer Coverage Award Plan

Plan Summary of Awards

Plan administered by McGriff, Insurance Services Inc.
Effective: March 1, 2022

This Plan Document further defines the awards payable under RSMo sections 287.245, 320.400, and 537.620

Rev 02/18/2022

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This Coverage Plan Document represents coverage under the **Voluntary Cancer Award Program** and shall cover the voluntary and legal liability of **Members** of the Pool established under RSMo sections 287.245, 320.400, and 537.620 as well to defend **Members** from any actions brought by a **Covered Individual** against the **Member** regarding the interpretation of this statute.

This Coverage is intended to be read in its entirety. In order to understand all the limitations to the Schedule of Awards and the applicable provisions/conditions, exclusions to its awards and general definitions please read all of the coverage provisions carefully.

Coverage Declarations	
Coverage Effective Date	January 1, annually or upon execution of Member Resolution, Pool Agreement, and receipt of payment by **Pool Administrator**
Coverage Period	The twelve-month period beginning January 1, at 12:00 a.m. and ending December 31 at 11:59 p.m.
Contribution Due Date	January 1, annually or at the inception of coverage
Contribution	As determined by the **Pool Administrator** annually, subject to prorated changes for midterm adjustments

GENERAL DEFINITIONS

Please note that certain words used in this Coverage Plan have specific meanings. These terms will be capitalized and in bold print throughout the document. The definition of any word, if not defined in the text where it is used, may be found either in this Definitions section or in the *Schedule of Awards*.

Cancer	Means cancer that originates as a cancer of the brain, skin, bladder, colon, rectum, esophagus, kidney, lung, mesothelioma, myeloma, non-hodgkin lymphoma, prostate, stomach, breast, testis and thyroid.
Claim Administrator	Processes claim information, makes claim determinations as respects to Coverage Plan, and makes appropriate payments on behalf of the **Pool.**
Covered Individual	Means a paid **Firefighter** who is Full-Time, **Part-Time**, and **Volunteer** who meets the coverage requirements as defined in Coverage Provision #6.
Directly Involved with the Provision of Fire Protection Services	Means being currently on active duty with fire operations.
Employer	Means an "employer" as defined by RSMo 320.400 (including a municipality, special district, fire authority, or the division of fire prevention) which employs one or more **Firefighters**, **Part-Time Firefighters**, or **Volunteer Firefighters** and participates in the Pool for purposes of providing benefits to all **Covered Individuals** under its employment, pursuant to RSMo sections 287.245, 320.400, and 537.620.

Firefighter(s)	Means a full-time active employee of an **Employer** who regularly works at least one thousand six hundred (1,600) hours in any calendar year and whose duties are directly involved with the provision of fire protection services and who is not a **Volunteer Firefighter**.
Member	Means an **Employer** who has passed a resolution to join this **Pool** and has signed the **Pool's** Trust and Pool Agreement.
Part-Time Firefighter	Means an active employee of an **Employer** who regularly works less than one thousand six hundred (1,600) hours in any calendar year, whose duties are directly involved with the provision of fire protection services and who is not a **Volunteer Firefighter**.
Tobacco Product	Means any product, including a vaping product that is made or derived from tobacco that is intended for human consumption.
Pool	Means the multiemployer Pool described in RSMO 537.620 and RSMo 320.400 established for the purposes of RSMo sections 287.245, 320.400, and 537.620.
Pool Administrator	Means the administrator who provides marketing, underwriting, invoicing, accounting and other membership support services under contract to the **Pool**.
Volunteer Firefighter	Means a **Volunteer Firefighter** as defined in RSMo 287.243, and 320.33.
Voluntary Fire Fighter Cancer Award Program	Means a program to cover the voluntary and legal liability of **Members** of the **Pool** established under RSMo sections 287.245, 320.400, and 537.620 as well to defend **Members** from any actions brought by a **Covered Individual** against the **Member** regarding the interpretation of this statute.

SCHEDULE OF AWARDS

The Pool will pay the awards listed below if the **Covered Individual** suffers from a diagnosis of a covered **Cancer**, subject to the terms, conditions, provisions, and limitations of this Coverage Plan. If the **Covered Individual** sustains more than one diagnosis of a covered **Cancer** simultaneously, awards will be paid for the covered loss for which the largest available award is payable. Please read the Definitions, Exclusions, Coverage Provisions/Conditions, Claims and Administrative provisions in order to understand all of the terms, conditions and limitations applicable to these awards and coverage.

Aggregate Limit	The maximum amount that can be paid to a **Covered Individual** as a result of a diagnosis of a covered **Cancer** is the Member chosen Limit of either Limit A: $300,00, B: $200,000 or C: $100.000 as shown on the Member's current memorandum of coverage.

No more than the Aggregate Limit specified above will be paid for all covered losses suffered by a **Covered Individual** as the result of any one diagnosis of a covered **Cancer** or series of related diagnosis of covered **Cancers**, as specified above.

Regarding Award Level Zero A – F, variable limits apply depending upon assigned award limit. When a **Covered Individual** can show that their actual out of pocket expenses were higher than the scheduled award, then an additional maximum amount may be reimbursed based on remitted Explanation of Benefits or receipts as follows: $3,000 will apply at $300,000 limit; $2,000 at $200,000 limit; and $1,000 at the $100,000 limit. Award Level Zero will **not** be paid in addition to any other applicable Award Level.

Award Level	Coverage Conditions	Applicable Award Limit		
		$300,000	$200,000	$100,000
Zero A	Diagnosis that is covered for $1,000 in treatment and medication paid by the provider	$200	$132	$66
Zero B	Diagnosis that is covered for $2,000 in treatment and medication paid by the provider	$400	$164	$122
Zero C	Diagnosis that is covered for $4,000 in treatment and medication paid by the provider	$800	$528	$264
Zero D	Diagnosis that is covered for $6,000 in treatment and medication paid by the provider	$1,000	$660	$330
Zero E	Diagnosis that is covered for $8,000 in treatment and medication paid by the provider	$1,500	$990	$495
Zero F	Diagnosis that is covered for $10,000 in treatment and medication paid by the provider	$2,000	$1,320	$660

Award Level	Applicable Award Limit		
	$300,000	$200,000	$100,000
1	$4,000	$2,640	$1,320
2	$9,000	$6,000	$3,000
3	$20,000	$13,200	$6,600
4	$28,000	$18,480	$9,240
5	$35,000	$23,100	$11,550
6	$45,000	$29,700	$14,850
7	$75,000	$49,500	$24,750
8	$96,000	$63,360	$31,680
9	$188,000	$124,080	$62,040
10	$249,000	$164,340	$82,170

The following describes the stage of the **Cancer** and the designated Award Level for purposes of awards under this **Voluntary Firefighter Cancer Awards Program**:

STAGE OF CANCER ⇨ / TYPES OF CANCER ⇩	0	1	2	3	4
Skin Melanoma	**(Award 0)** Abnormal cells are found in the squamous cell or basal cell layer of the epidermis	**(Award 0)** Confined to skin as thick as 10mm	**(Award 1)** Grown thicker up to 4mm, but not spread	**(Award 6)** Has spread to either nearby skin or nearby lymph nodes	**(Award 8)** Has spread to an internal organ, or is found on the skin far from the original melanoma, squamous cell carcinoma, or basal cell carcinoma.
Colon Rectal Esophagus Stomach	**(Award 0)** Limited to the inner lining layer of the stomach and have not grown into deeper layers	**(Award 2)** Has grown into the inner layer of the wall of the stomach, but it has not spread to any lymph nodes or other organs	**(Award 5)** Stage 2 has two types depending on severity of the spread. In general, the cancer is still limited to local tissues and lymph nodes at this stage	**(Award 7)** Stage 3 has two types depending on severity of spread. At this Award, the cancer may/may not spread to nearby organs or structures	**(Award 9)** A cancer of any size that has spread to distant parts of the body in addition to the area around the stomach
Bladder Kidney Prostate Testis	**(Award 0)** No evidence of tumor in the prostate	**(Award 3)** Found in the prostate only and is usually made up of cells that look more like healthy cells and is likely to grow slowly	**(Award 4)** Has not spread outside of the prostate gland, but the cells are usually more abnormal and may tend to grow more quickly. It has not spread to lymph nodes or distant organs	**(Award 6)** Has spread beyond the outer layer of the prostate into nearby tissues. It may also have spread to the seminal vesicles	**(Award 9)** Any tumor that has spread to other parts of the body, such as the bladder, rectum, bone, liver, lungs, or lymph nodes
Brain	**(Award 0)** In general, the cancer cells are still located in the place they started and have not spread to nearby tissues in the brain	**(Award 2)** A separate group of tumors called juvenile pilocytic astrocytoma (JPA). The term "juvenile" refers to the type of cell, not the age of the patient. This is a non-cancerous, slow-growing tumor that is oftentimes curable with surgery. It is different from a low-grade astrocytoma or Grade II glioma, which are likely to come back after treatment	**(Award 5)** Tumor does not have dead cells in the tumor, called necrosis, but shows an abnormally large number of cells, called hypercellular	**(Award 8)** Tumor is hypercellular and has cells that are actively dividing, called mitosis. It is often called anaplastic astrocytoma	**(Award 10)** Tumor is usually a glioblastoma, also called GBM (glioblastoma multiforme). Cells in the tumor are actively dividing, and it has blood vessel growth and areas of dead cells in addition to the factors common to grade II and III tumors

STAGE OF CANCER ⇨ / ⇩ TYPES OF CANCER	0	1	2	3	4
Myeloma **Non-Hodgkin Lymphoma** **Thyroid**	**(Award 0)** Too many lymphocytes in the blood, but no other signs or symptoms of leukemia. Chronic lymphocytic leukemia is indolent	**(Award 0)** Has lymphocytosis and enlarged lymph nodes. The patient does not have an enlarged liver or spleen, anemia, or low levels of platelets	**(Award 3)** Has lymphocytosis and an enlarged spleen and/or liver and may or may not have swollen lymph nodes	**(Award 6)** Has lymphocytosis and anemia. The patient may or may not have swollen lymph nodes and an enlarged liver or spleen	**(Award 8)** Has lymphocytosis and low levels of platelets. The patient may or may not have swollen lymph nodes, an enlarged liver or spleen, or anemia
Breast	**(Award 1)** No evidence of cancer cells outside breast; not invading nearby tissues. Cancer cells are only in the ducts of breast tissues. Non-invasive.	**(Award 2)** Type A: Tumor up to 2 cm confined to breast and lymph nodes are not compromised Type B: Small cancer cells found in lymph nodes but no tumor in breast, or tumors are only 2cm or less in breast	**(Award 5)** Type A: No tumor or small tumor less than 2 cm in breast and cancer cells are found in 1-3 auxiliary lymph nodes; or a tumor between 2 cm and 5 cm in breast but has not spread to lymph nodes Type B: A tumor between 2 cm and 5 cm in breast and has spread to lymph nodes; or a tumor larger than 5 cm but has not spread to lymph nodes	**(Award 7)** Type A: Any tumor size and has spread to 4-9 lymph node Type B: Tumor has spread to chest wall. It may or may not have spread to up to 9 lymph nodes Type C: Any tumor size and has spread to 10 or more lymph nodes	**(Award 8)** Tumor is any size and has spread to other organs
Lung	**(Award 0)** Tumor is only visible in the top layers of cell lining and has not invaded into nearby tissues or lymph nodes.	**(Award 1)** Type A: Tumor is no more than 3 cm and hasn't spread to lymph nodes. Type B: Tumor is between 3-4 cm and hasn't spread to lymph nodes.	**(Award 3)** Type A: Tumor is between 4-5 cm and hasn't spread to lymph nodes but it could have reached main bronchus or the innermost tissue of the lung. Type B: Tumor is less than 5 cm but has reached nearby lymph nodes. Tumor could have reached main bronchus or innermost lung tissue.	**(Award 6)** Tumor is between 5-7 cm or any size. One additional tumor is found in the lung or the cancer is spread to chest wall or other nearby chest tissues.	**(Award 7)** Tumor is any size and has spread to other organs

Additional Awards

Coverage Conditions	Applicable Awards
Payment to the provider for actual cost for rehabilitative or vocational training employment services and educational training relating to the **Cancer** diagnosis;	Up to $25,000
Payment if a **Covered Individual** incurs cosmetic disfigurement cost resulting from a covered **Cancer**; and	Up to $10,000
If the **Cancer** is diagnosed as terminal, the **Covered Individual** will receive a lump sum payment as an accelerated payment toward the awards due in the Awards section above.	Up to $25,000

EXCLUSIONS

In addition to any award-specific exclusion, awards will not be paid for any diagnosis of a covered cancer, or for any claimed loss or expense occurring, arising, or resulting from:

1. Intentionally self-inflicted injury, suicide, or any self-inflicted injury or suicide attempt.
2. Any act of declared or undeclared war unless specifically provided by this Coverage.
3. Travel or activity outside the contiguous United States.
4. Any cancer which was diagnosed in a **Covered Individual** prior to the date of enrollment of **the Covered Individual** in this **Pool**.

COVERAGE PROVISIONS/CONDITIONS

The following provisions and conditions apply and must be met in order for a **Covered Individual** to be eligible for awards hereunder:

1. The **Covered Individual** is entitled to additional awards if the **Cancer** increases in Award Level, but the amount of any award paid earlier for this **Cancer** will be subtracted from the new award.
2. If a **Covered Individual** dies while owed awards under this Coverage Plan, the awards will be paid to the surviving spouse or domestic partner, if any at the time of death, and if there is no surviving spouse or domestic partner, any surviving children equally. If there is no surviving spouse, domestic partner or child, the obligation of the Pool to pay awards will cease.
3. If a **Covered Individual** returns to employment after a **Cancer** diagnosis, the **Covered Individual** is entitled to the awards in the Schedule of Awards in this Coverage Plan for any subsequent new type of covered **Cancer** diagnosis.
4. The awards paid pursuant to this Coverage Plan must be offset by any payments made under the "Workers' Compensation Act Chapter 287, regardless of when the payments are made. The Pool will have the authority to determine how and when the offsets are implemented. Notice to Workers' Compensation Provider will be made.
5. The awards in this Coverage Plan are reduced by twenty five percent [25%] if a **Covered Individual** used a **Tobacco Product** within five [5] years immediately preceding the **Cancer** diagnosis.

6. In order for a **Covered Individual** to be eligible for the awards in the Schedule of Awards in this Coverage Plan, the following conditions must be met:
    a. Prior to the diagnosis of **Cancer** and either in qualifying for a **Firefighter** position or any time after the **Firefighter**, **Volunteer Firefighter** or **Part-Time Firefighter** became employed by an **Employer**, the **Firefighter**, **Volunteer Firefighter** or **Part-Time Firefighter** had a medical examination that would reasonably have found an illness or injury that could have caused the **Cancer** and no illness or injury was found;
    b. Prior to the diagnosis of Cancer, the covered Firefighter/Part-time Firefighter/Volunteer Firefighter must have undergone a physical during pre or post-employment testing or after the date of employment but Prior to the dr. appointment leading to the diagnosis of a covered Cancer.
    c. The **Firefighter**:
        (I) Is a paid employee or is a volunteer firefighter as defined I n section 320.333;
        (II) Has been assigned to at least five years of hazardous duty as a firefighter;
        (III) Was last assigned to hazardous duty as a firefighter within the previous fifteen years; and
        (IV) Is not seventy years of age or older at the time of the diagnosis of cancer.
        (V) A break in service of no more than one [1] year will not be considered a break in continuous full-time employment for purposes of this section. The break in service will not count as part of the five years of service.
7. Where a **Covered Individual** is scheduled under more than one **Member** rosters of this **Pool** only one claim for the same diagnosis will be considered.
8. All **Covered Individuals** must be scheduled annually with the **Pool Administrator** and a **Contribution** must be paid based on the census in order to be eligible to receive an award payment under this Coverage Plan. Newly eligible **Covered Individuals** must be reported on the first census after they have been certified as eligible.

CLAIMS PROVISIONS

Notice of Claim

As the claim is formally established as a liability owed to the **Covered Individual** by the **Employer** and where the rules for a qualifying claim are very specific, the **Covered Individual** must work with the **Employer** to substantiate a valid claim by voluntarily providing necessary qualifying information with the **Employer** by written or authorized electronic notice of claim. This notice of claim must be given to the **Claims Administrator** through the **Employer** no more than three years after a diagnosis of a covered **Cancer** for which awards are sought occurs, or the eligibility is reviewed with the **Employer**. If written or authorized electronic/notice is not given within this period, the claim will not be invalidated or reduced if it is shown that written or authorized electronic notice was given as soon as was reasonably possible. Only one timely claim for each type of **Cancer** needs to be filed to allow the **Pool** to pay or increase the Award Level applicable in this Coverage Plan.

Timely claim notice must be given to the **Employer,** who must immediately contact the **Pool Administrator** at:

Missouri Cancer Award Pool Administrator
c/o McGriff Insurance Services Inc.
P.O. Box 1539
Portland, OR 97207-1539

Website Claim Form: https://www.mffcip.org/claims/
Claim First Report Notice – Toll Free: 888-895-1410 / Fax: 503-943-6622 / mffcip@mcgriff.com

It is important to file claims immediately even if all of the information is not yet known. Notice should include the **Employer's** name, coverage number, and the **Covered Individual's** name, address, contact information, date of event, medical facility, and attending physician along with a signed Medical Release of Information and Waiver form.

Claim Forms

Claim Administrator will send claim forms to either the **Covered Individual** or the **Employer** for filing proof of loss upon receiving notice of a claim. If such forms are not sent within 15 days after the **Claim Administrator** receives notice, the proof requirements will be met by submitting, within the time fixed in this Coverage Plan for filing proof of loss, written or authorized electronic proof of the nature and extent of the loss for which the claim is made.

Covered Individual Cooperation Provision

Failure of a **Covered Individual** to cooperate in the administration of the claim may result in the termination of the claim. Such cooperation includes but is not limited to: providing any information or documents needed to determine whether awards are payable, or the actual award amount due.

Proof of Loss

Proof of loss must include diagnoses documentation furnished by a physician and supported by clinical, radiological, histological, pathological, and/or laboratory evidence. If it is not reasonably possible to provide proof of claim within 90 days after the date of the diagnosis for which an award is claimed or date of covered loss for which an award is claimed, it must be given no more than three (3) years after the date of diagnosis, subject to the provisions of the Notice of Claim section above. These time limits will not apply during any time period the **Covered Individual** or his or her authorized representative lacks the legal capacity to give proof of claim.

Time of Payment of Claims

Pool will pay the Award Level due as follows:

a. Award Level 0 as a lump sum after an explanation of benefits from physician is received;
b. Award Level 1 as a lump sum after adequate proof of loss is filed;
c. Award Level 2 through 10 at a rate of: Plan A; $4,000 B: $2,640 C; $1,320 paid twice monthly from the date of diagnosis, less any applicable offsets; or
d. Immediately after **Pool** receive the proof of loss.

Any award due will be paid when the **Claims Administrator** receives written, or authorized electronic, proof of loss.

Payment of Claims

All awards will be paid in United States currency to the **Covered Individual.**

Denial Review Process.

If a **Covered Individual** and the **Pool** fail to agree on whether benefits under this Coverage Plan are due, the **Covered Individual** may request a review of the denial of benefits, in whole or in part, by submitting a written statement to the **Pool Administrator** within sixty (60) days of the denial; the denial is considered final if no request for review is submitted within sixty (60) days of the notice of denial. The form of the written request, and the details of the review process, are set forth in the Benefit Claims Review Procedure of the **Pool**. The **Pool Administrator** will forward timely written review requests to the Pool Claims Committee, which will provide a written decision within thirty (30) days, unless special circumstances exist for an extension, in which event the written decision shall be made within ninety (90) days. If a **Covered Individual** is dissatisfied with the decision rendered by the Pool Claims Committee, the **Covered Individual** may submit a written request for reconsideration to the Pool Committee. The decision of the Pooool Committee is final, conclusive, and binding upon the **Covered Individual** and all other persons thirty (30) days after the decision is issued.

Legal Actions

No action at law or in equity will be brought to recover awards under this Coverage Plan less than 60 days after satisfactory completing the appropriate proof of loss requirement has been furnished as required by this Coverage Plan or until such time that the Claims Administrator, Pool Claims Committee, and the Trustees have each have had 60 days to review the issues involved without reaching an acceptable resolution. No such action will be brought after expiry of the applicable statute of limitations from the time proof of loss is required to be furnished under this Coverage Plan.

ADMINISTRATIVE PROVISIONS

Changes to This Contract

This Coverage Plan and the **Pool** Agreement make up the entire contract between the **Employer**, **Covered Individual**, and the **Pool**. In the absence of fraud, all statements made by the **Covered Individual** or any **Employer** or **Covered Individual** will be considered representations and not warranties. No written statement made by a **Covered Individual** will be used in any contest unless a copy of the statement is furnished to the **Covered Individual** or personal representative. No change in this Coverage Plan will be valid until approved in accordance with the provisions of the **Pool** Agreement governing amendments to the Coverage Plan. The approval must be noted on or attached to this Coverage Plan. No party may change this Coverage Plan or waive any of its provisions.

Coverage Effective Date and Termination Date

Coverage is effective January 1, annually upon a **Member**'s payment of contribution or, for a new **Member**, upon enrollment, which includes the **Pool Administrator**'s receipt of signed Member Resolution and **Pool** Agreement joining the **Pool** as well as payment of contribution.

Pool may terminate coverage on or after the first anniversary of the coverage effective date, and the Employer may terminate coverage on any contribution due date. Written or authorized electronic notice must be given at least 90 days prior to such contribution due date. Termination will not affect a claim for award of a diagnosis of a covered Cancer that occurs while coverage was in effect.

Clerical Error

Clerical error, whether by the **Covered Individual**, **Employer,** or the **Pool** will not deny or void the coverage of any eligible **Covered Individual** that would otherwise have been in effect, nor extend the coverage if that coverage would have otherwise ended or been reduced as provided in this Coverage Plan.

Payment in Error

If an erroneous award payment is made by or on behalf of the **Pool**, the **Pool** may require the **Covered Individual**, the provider of services, or the ineligible person to refund the amount paid in error. The **Pool** reserves the right to correct payments made in error by offsetting the amount paid in error against any future award payments and new claims. The **Pool** also reserves the right to take legal action to correct payments made in error.

Conformity with Law

This Coverage Plan Document shall conform with any determination made by an appropriate jurisdiction regarding changes to the awards payable under RSMo sections 287.245, 320.400, and 537.620.

DOCUMENT NO._____

ORDINANCE NO. _____

AN ORDINANCE APPROVING AN AGREEMENT AND THE CITY OF LIBERTY'S PARTICIPATION AND MEMBERSHIP IN THE MISSOURI FIREFIGHTERS CRITICAL ILLNESS TRUST AND POOL

BE IT ORDAINED by the City Council of the City of Liberty, Clay County, Missouri as follows:

SECTION I

That the City Council approves an agreement by and between the City of Liberty and the Missouri Firefighters Critical Illness Trust and Pool, including participation and membership, in the amount not to exceed SEVEN THOUSAND ONE HUNDRED NINETY- EIGHT DOLLARS ($7,198.00) a copy of said agreement incorporated herein by reference and available for review as required by law.

SECTION II

The City Council hereby authorizes the Mayor to execute the Agreement more particularly described in Section I of this ordinance.

SECTION III

This ordinance shall be in full force and effect from and after its passage by the City Council and approval by the Mayor.

PASSED by the City Council this ____ day of _____, 2022.

_____
MAYOR

ATTEST:

_____
Deputy City Clerk

APPROVED by the Mayor this ___day of _____, 2022.

_____
MAYOR