



City Council Meeting

Regular Session Minutes
August 28, 2023

I. CALL TO ORDER

A regular meeting of the City Council of the City of Liberty, Missouri was held in the Council Chambers at City Hall on August 28, 2023 with Mayor Greg Canuteson presiding. Mayor Canuteson called the meeting to order at 7:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

Council Members Present: Harold Phillips, Ward I
Kelley Wrenn Pozel and Adam Travis, Ward II
Jeff Watt, Ward III
Gene Gentrup and Michael Hagan, Ward IV

Council Members Absent: Shelton Ponder, Ward I
Kevin Graham, Ward III

Staff Present: Curt Wenson, City Administrator
Sara Cooke, Assistant City Administrator
Shawna Funderburk, Chief Strategic Operations Officer
Vicki McClure, Finance Director
Andy Noll, Utilities Director
BJ Staab, Parks and Recreation Director
Jim Martin, Police Chief
John Mills, Fire Chief
Katherine Sharp, Planning and Development Director
Sherri McIntyre, Public Works Director
Sarah Ranes, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

V. CITIZENS' PARTICIPATION

Mary Hill – 1354 Wildbriar Drive, stated she is here to talk about the deforestation that is going on at Stocksdale Park. Mary thanked Mayor Canuteson for visiting the park with her. She also stated that the tax payer's money is being used to destroy this park.

Gieselle Fest – 1407 Lynette, stated she is concerned about history, private property and veterans. Gieselle stated that history isn't pretty but that we need to keep history and preserve it so we don't go down that path again. Block 174 is a monument to the history of Liberty and those soldiers.

Dwayne Holtzclaw – 113 Kevin Street, Excelsior Springs, stated he is a descendant of Liberty's first-born child. Mr. Holtzclaw stated he has family members buried ten inches away from that grave marker. He also stated that we need to use primary sources not Wikipedia when researching history. Mr. Holtzclaw stated this is his 74th meeting.

Richard Rudd – 901 Sunset Avenue, Mr. Rudd would like people to speak without being criticized for it. Mr. Rudd stated that he would like the City Council to let the people participating in the Citizens Participation to speak without being interrupted.

David Sallee – 9531 N. Laurel Avenue, Kansas City, stated that on today's date in Liberty, Missouri the discussion around town is still about how to remember people buried in Block 174.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. MOTION TO AUTHORIZE THE PURCHASE OF A FORD F-350 XL 4X4 SUPERCAB AND A FORD F350 XL CREWCAB FROM GARY CROSSLEY FORD

Due to order cancellations by Ford, staff recommended purchasing available trucks equipped to suit the Utility Department's needs. Gary Crossley Ford was the only dealership with readily available inventory.

The Utilities Operations Division is highly dependent upon these Utility maintenance trucks for the daily activities of distribution and collection tasks. The vehicles and equipment are necessary for the repair and maintenance of the City's infrastructure and assist in the removal of snow. The existing vehicles were purchased in 2013 and are currently experiencing high mileage, idle hours, upkeep and repair costs. Staff proposes the replacement of the current Utility trucks, vehicles #138 and #183, as they are nearing the end of their reliable life span.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

B. MOTION TO APPROVE THE PURCHASE OF A 2023 KUBOTA MINI TRACK LOADER AND ATTACHMENTS FROM COLEMAN EQUIPMENT

The Utilities Department is required to conduct site restorations of water breaks, sewer repairs and any other numerous utility maintenance activities. This machine will assist with increasing worker safety by helping to minimize injuries due to heavy manual

labor. It will also cut down on the time/staff required to complete these tasks while increasing the quality of work results. This machine was selected in part because it is small enough to fit through gates and in tight spaces for repairs, with no road or open access.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

C. BOARDS AND COMMISSIONS APPOINTMENTS

1. CITIZENS SALES TAX OVERSIGHT COMMITTEE

- a. APPOINT PAUL JENNESS TO A TERM EXPIRING 5/15/2025

2. PARKS & RECREATION FOUNDATION

- a. APPOINT DEBBIE REAMES TO A TERM EXPIRING 1/1/2026

BOARDS AND COMMISSIONS REAPPOINTMENTS

1. PARKS & RECREATION BOARD

- a. REAPPOINT RYAL BRIAR TO A TERM EXPIRING 6/1/2026
- b. REAPPOINT VERN WINDSOR TO A TERM EXPIRING 6/1/2026
- c. REAPPOINT CHRISTOPHER HAND TO A TERM EXPIRING 6/1/2026

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

VIII. PUBLIC HEARINGS

A. RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN FOR THE CONSTRUCTION OF A 10,790 SQ. FT. BUILDING ADDITION FOR DISCOVERY MIDDLE SCHOOL AT 800 MIDJAY DR. IN LIBERTY, CLAY COUNTY, MISSOURI (P&Z CASE 23-31FDP)

The existing site is 46 acres. Proposed is a 10,790 square foot addition to the existing 119,640 square foot building, for a total building size of 130,440 square feet. The addition will be used as a multipurpose school facility. There are 4 existing access points to Midjay Drive. The proposed addition will be on the west side of the existing building. No changes to the access or parking are being proposed with this project.

The addition is proposed as a single-story building with an overall height of 35 feet above grade. The materials proposed include brick faced precast structural concrete, aluminum framed glass windows and metal panels. The connection between the existing building and the addition is proposed to have exterior metal sheathing and requires the approval of a variance from the UDO.

The applicant is requesting that the entry way of the addition be clad in architectural metal sheathing. Staff finds this application meets the standards of review if the variance is approved for a Final Development Plan in Section 30-27.8 of the UDO.

Mayor Canuteson 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 Travis moved to approve the resolution. Council Member Phillips seconded the motion.

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Pozel, Travis, Watt, Gentrup and Hagan
No: None
Abstain: None
Inscribed in Resolution No. 3348.

B. RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN FOR THE CONSTRUCTION OF A 10,800 SQ. FT. BUILDING ADDITION FOR SOUTH VALLEY MIDDLE SCHOOL AT 1000 MIDJAY DR. IN LIBERTY, CLAY COUNTY, MISSOURI (P&Z CASE 23-32FDP)

The existing site is 46 acres. Proposed is a 10,800 square foot addition to the existing 119,640 square foot building, for a total building size of 130,440 square feet. The addition will be used as a multipurpose school facility. There are 4 existing access points to Midjay Drive. The proposed addition will be on the west side of the existing building. No changes to the access or parking are being proposed with this project.

The addition is proposed as a single-story building with an overall height of 35 feet above grade. The materials proposed include brick faced precast structural concrete, aluminum framed glass windows and metal panels. The connection between the existing building and the addition is proposed to have exterior metal sheathing and requires the approval of a variance.

The applicant is requesting that the entry way of the addition be clad in architectural metal sheathing. Staff finds this application meets the standards of review if the variance is approved for a Final Development Plan in Section 30-27.8 of the UDO.

Mayor Canuteson 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. Council Member Phillips seconded the motion.

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Pozel, Travis, Watt, Gentrup and Hagan
No: None
Abstain: None
Inscribed in Resolution No. 3349.

C. RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN FOR THE CONSTRUCTION OF A 7,990 SQ. FT. BUILDING ADDITION FOR EPIC ELEMENTARY SCHOOL AT 650 CONISTOR ST. IN LIBERTY, CLAY COUNTY, MISSOURI (P&Z CASE 23-33FDP)

The existing site is 8.8 acres. Proposed is a 7,990 square foot addition to the existing 28,364 square foot building, for a total building size of 36,354 square feet. The proposed addition will be used as a multipurpose school facility. There are two existing access points to Conistor Street. The proposed addition will be on the north side of the existing building. No changes to the access or parking are being proposed with this project.

The building addition is proposed as a single-story building with an overall height of 29 feet above grade. The materials proposed include concrete tilt up panels with a sandblast finish, aluminum framed glass windows and metal panels. The connection between the existing building and the addition is proposed to have exterior metal sheathing and requires the approval of a variance from the UDO.

The applicant is requesting that the entry way of the addition be clad in architectural metal sheathing. Staff finds this application meets the standards of review if the variance is approved for a Final Development Plan in Section 30-27.8 of the UDO.

Mayor Canuteson 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 Phillips moved to approve the resolution. Council Member Pozel seconded the motion.

Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Pozel, Travis, Watt, Gentrup and Hagan
No: None
Abstain: None
Inscribed in Resolution No. 3350.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. ACKNOWLEDGEMENT OF VENDOR PAYMENTS FOR THE PERIOD OF AUGUST 4, 2023 TO AUGUST 18, 2023

Document No. 9639 was read.

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

Roll Call
Vote: Motion passed 6-0-0
Yes: Council Members Phillips, Pozel, Travis, Watt, Gentrup and Hagan
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11805.

B. ORDINANCE ACCEPTING AND APPROVING A FINAL PLAT FOR LPS DISTRIBUTION FACILITY IN THE CITY OF LIBERTY, CLAY COUNTY, MISSOURI (P&Z CASE 23-30FP)

This plat contains 1 lot on 10.64+/- acres. This is a lot combination of Lot 2A of Thomas Acres and unplatted property the School District owns to accommodate a new distribution building. Staff finds the application meets the standards of review for a Final Plat in Section 30-28.14 of the UDO.

Document No. 9640 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 Hagan moved to approve the ordinance. Council Member Watt seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11806.

C. RESOLUTION APPROVING A FINAL DEVELOPMENT PLAN FOR THE CONSTRUCTION OF A 26,733 SQ. FT. DISTRIBUTION BUILDING FOR LIBERTY SCHOOL DISTRICT AT 1138 SOUTHVIEW DRIVE IN LIBERTY, CLAY COUNTY, MISSOURI (P&Z CASE 23-29FDP)

The site is 10.64 acres. There is an existing building on site which the district utilizes as a maintenance facility as well as smaller outbuildings. The proposal is for a new 26,733 square foot building that is planned to be utilized for distribution and storage for the district. There are two existing access points to Southview Drive. There will be dock areas and trailer parking on the east side of the proposed building.

The building is proposed as a warehouse type building and 36 feet tall from grade. The materials proposed include metal panels for a majority of the building and the office area will be split faced decorative concrete masonry blocks. This is a warehouse building in the M-1 "Light Industrial" zoning district, metal panels are allowed in this district. The docks and loading areas are located on the east side of the building. The applicant has stated that the grade and landscaping will obscure this view from Southview Dr.

Staff finds this application meets the standards of review for a Final Development Plan in Section 30-27.8 of the UDO.

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

Vote: Motion passed 6-0-0

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

No: None
Abstain: None
Inscribed in Resolution No. 3351.

D. ORDINANCE APPROVING AN AGREEMENT WITH MCCONNELL & ASSOCIATES FOR TRAIL REPAIRS AND OVERLAY OF THE CATES CREEK TRAIL FOR AN AMOUNT NOT TO EXCEED \$47,658.00

Cates Creek Trail along 291 Highway in the south-central part of Liberty connects Ruth Ewing Road at Cates Creek Greenway to Jefferson Park to the north. The Liberty Trails and Greenways Plan has this trail as a major connection from City Park south to Clay Ridge Park. Cates Creek Trail is one mile long and is in fair condition but requires repair and maintenance to preserve its overall integrity. Asphalt trails require regular maintenance of crack sealing and seal coating to prolong the life of the surface and base material. Trail overlays reset the life cycle of a trail. With proper care and maintenance, asphalt trails generally have a lifespan of up to ten years between overlays.

As part of the Parks 2023 operations budget, funds were allocated for trail overlay to several locations within the City. Cates Creek Trail is next on the list for repairs. Staff met with several paving contractors and found McConnell and Associates to be the most capable contractor for the work. They also participate in the TIPS national purchasing cooperative program, allowing us to utilize their services as they have accepted competitive pricing.

Document No. 9641 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11807.

E. ORDINANCE AMENDING ORDINANCE NO. 11690 ADOPTION OF THE 2023 BUDGET FOR THE CITY OF LIBERTY, MISSOURI

With recent changes to the Public Relations Department staff and structure, and with the growing revenue coming to the Transient Guest Tax fund from new hotels, a full-time, dedicated staff person is needed to continue to grow the tourism programs. The new Tourism Coordinator position will report to the Assistant Director of Public Relations and Communications and will be responsible for:

- Coordinating and promoting events
- Maintaining the Visit Liberty social media presence

- Research, produce and maintain written, visual and video content
- Prepare press kit materials and work with media outlets to secure coverage for Visit Liberty

Document No. 9642 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11808.

F. ORDINANCE APPROVING AN AGREEMENT FOR CITY OF LIBERTY PROJECT 23-008, CITY OF LIBERTY STORM WATER MASTER PLAN WITH HDR ENGINEERING INC. IN AN AMOUNT NOT TO EXCEED \$319,980.00

The Current City of Liberty Storm Water Master Plan is dated March 2003. In the two decades since the last plan, the City has experienced rapid industrial, commercial and residential growth. In conjunction with this growth, new design standards, Federal Storm Water Regulations and a 2015 revision to the City of Liberty FEMA flood maps have contributed to the need for a revised and updated Storm Water Master Plan.

In order to better allocate future resources, prioritize repairs to the existing infrastructure and guide the growth of the City's Storm Water infrastructure, the City Staff has proposed the development of a new Storm Water Master Plan. Master Plans are a critical component in the intentional growth and development of any municipality.

The proposed Storm Water Master Plan will:

- Investigate and Assess Existing Infrastructure
- Provide Avenues for Public Communication
- Study Storm Water Detention
- Review the FEMA Floodplain
- Identify High Risk Stream Channel Erosion Locations
- Establish a Capital Storm Water Improvement Plan

During contract negotiations, it was decided to complete the project in a single phase. This project will consist of the following:

- Project Management
- Public Communication and Input
- Investigation and Assessment of Existing Stormwater Infrastructure
- Stream Channel Erosion Analysis
- Flood Risk Reduction Assessment

- Project Prioritization and CIP Programming
- A Master Plan HUB with technical Memorandums

Document No. 9643 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 Hagan moved to approve the ordinance. Council Member Phillips seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11809.

G. ORDINANCE APPROVING AN AGREEMENT WITH ADVANCED VALVE TECHNOLOGIES FOR 20" EZ VALVE WITH INSTALLATION

Advanced Valve Technologies can provide a 20" EZ Valve and installation of the 20" EZ Valve for the East Lift station. EZ valves are used in situations where the flow cannot be isolated. EZ Valve installation consists of an assembly that goes around the main to seal it and prevent it from leaking or causing a spill. A cutting device is installed onto the assembly and the top of the main is removed with a cutting tool. The cutting device is then removed and the valve is installed onto the assembly, becoming a permanent valve on the sewer main. Once installed, the City has a means to perform needed maintenance on the flow meter station. Excavation and restorative work will be done by City staff.

Traditional valves don't work in this situation. Traditional valve installation requires shutting off the flow and removing a section of sewer main. If a sewer main has a valve in place, shutting off the flow can be achieved by closing upstream and downstream valves or by plugs to block flow. The sewage flow must be stopped since it hinders cutting into the main. This particular sewer main currently has no valves and therefore sewage flow cannot be stopped. Plugs are ineffective since they require removing a section of sewer main for installation.

The East Lift station flow meter stopped working in 2022. Fluid Equipment/Cogent will eventually be completing the flow meter equipment installation. The flow meter equipment and installation had to be purchased from Fluid Equipment/Cogent. The flow meter equipment was purchased and the repair was tentatively scheduled. The flow meter repair cannot be done safely without a valve to stop sewage flow and could render the lift station inoperable. The sewage flow volume would contain roughly three miles of upstream sewer main content, as well as added force from elevation changes. The flow meter installation will be brought forward at a later time as a separate council action item.

Document No. 9644 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11810.

X. OTHER BUSINESS

XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIII. ADJOURNMENT

The meeting adjourned at 7:41 p.m.

Mayor

Attest:

Deputy City Clerk