



City Council Meeting

Regular Session Minutes

December 9, 2024

I. CALL TO ORDER

A regular meeting of the City Council of the City of Liberty, Missouri was held in the Council Chambers at City Hall on December 9, 2024 with Mayor Greg Canuteson presiding. Mayor Canuteson called the meeting to order at 7:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

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

Council Members Absent: None

Staff Present: Curt Wenson, City Administrator
Vicki McClure, Finance Director
Andy Noll, Utilities Director
BJ Staab, Parks and Recreation Director
Jim Martin, Police Chief
Brandon Smith, Economic & Business Dev. Manager
Katherine Sharp, Planning and Development Director
Wade Thomas, Technology and Logistics Director
Sherri McIntyre, Public Works Director
Sarah Ranes, Deputy City Clerk

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

IV. PROCLAMATIONS

V. APPROVE MINUTES AND SUMMARIES

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

- A. Motion to Approve the purchase of two 2024 Ford Maverick Trucks from Gary Crossley Ford for the Utilities Department in an amount not to exceed \$58,529.10

The Utilities Operations Division relies heavily on utility locate trucks for daily activities. Currently, the division uses a 2013 F350 and a 2014 F150, which were held over from last year to support the City of Liberty taking over utility locates from USIC. However, these vehicles have surpassed their effective life cycle and are no longer practical for utility locating. The stop-and-go nature of utility locating significantly reduces fuel efficiency, which is currently around 7 MPG, and the high costs for upkeep and repairs make these vehicles expensive to operate. The Ford Mavericks feature hybrid engines, which are anticipated to have a significant reduction in operating costs.

Due to the inability to order and difficulty in securing vehicles for several weeks until Council approval is received, staff recommends purchasing available trucks equipped to suit the utility department needs from Gary Crossley Ford. Gary Crossley Ford was the only dealership with readily available inventory willing to hold vehicles. Staff also contacted Thoroughbred Ford and Midway Ford with neither dealership having inventory that meet the current requirements for the locate vehicles. The current utility locate vehicles will be liquidated per City of Liberty policy.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

- B. Resolution Appointing Directors to the North Haven Center Community Improvement District Board Of Directors

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3431.

VIII. PUBLIC HEARINGS

- A. Ordinance Adopting and Approving the Amended Development Plan for the Downtown Area Redevelopment Project (including the Thirty-Sixth Amendment for the 26 S. Main Project) submitted by the Liberty Municipal Redevelopment Corporation

This amendment to the Redevelopment Plan consists of one parcel (2022 Clay County Parcel 15114000503200). Owners: P&P Development LLC. This amendment to the Redevelopment Plan consists of landscaping improvements, concrete work, masonry replacement, railings, deck, skylight replacement, and a new roof. The building will also get a new facade, doors, and paint.

Interior improvements consist of new interior doors and frames, new plumbing, HVAC, and electrical improvements.

The total cost of the project is estimated to be \$272,620.00. The improvements meet the guidelines that 50% of the improvement cost eligible for abatement is exterior as required.

- Estimated taxes currently paid - \$9,520.00.
- Estimated taxes paid as a result of 353 program (PILOT) - \$1,351/year for 13 years.
- Benefit (savings) to project as a result of 353 tax abatement; approximately \$11,149/year for 13 years.
- Total abatement amount over the 13-year abatement period is \$138,901.00 unless the investment amount is reached. It is estimated that the abatement will end in 13 years.

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

Document No. 9845 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12010.

B. Resolution Granting a Certificate of Appropriateness for Exterior Improvements at 26 S. Main Street, Liberty Square Historic District (Not a Public Hearing)

The applicant proposes to do like in kind repairs or replacement; replace one broken window pane, re-glaze windows as needed, like in kind tuckpointing and replace the roof cap. Add an ADA ramp to the front elevation with a handrail. On the rear elevation, replace the existing decking material and handrail. Sidewalk repairs as needed.

Materials:

- Like in kind materials, with no change of appearance.
- Concrete ADA ramp on east/front elevation, design to be regulated by Public Works to meet ADA standards.
- Rear New Full Lite Exterior Door: Masonite 26x48.
- Rear Decking and Rail: Timber Tek to replace existing and 36" Aluminum Rail with Stainless Steel Cable.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3432.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Ordinance Acknowledging Vendor Payments for the Period of November 15, 2024 to November 29, 2024

Document No. 9846 was read.

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

Roll Call

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12011.

B. Ordinance Accepting and Approving a Final Plat for Water Street Lofts, a 1 Lot Plat on 0.44 acres at 1-11 N. Water Street in the City of Liberty, Clay County, Missouri (P&Z Case 24-41FP)

This prominent lot at the corner of E. Kansas Street and N. Water Street was the former site of a furniture store that was destroyed by collapse in May 2016. This building and adjacent buildings (5-7 N. Water Street) were subsequently deemed dangerous and demolished.

This is a final plat for Water Street Lofts, a 1 Lot subdivision. This is a replat of parts of 4 lots from the original plat of the Liberty, Original Town. This plat will accommodate a proposal for a three-story mixed-use building with ground floor commercial space, second and third floor residential space and underground parking for tenants.

This property owner will be required to replace any landscaping and street trees which may be damaged during construction. As no parkland has been identified, a fee in-lieu-of-public parkland will be required with the final plat totaling \$4,992.00.

Document No. 9847 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12012.

C. Ordinance Approving a Contract with Staco Electric Construction Company for the Construction and Relocation of the City's Primary Data Center in an amount not to exceed \$493,332.00

This action seeks Council approval for the completion of the relocated data center, ensuring a modern, secure, and reliable infrastructure for the City's I.T. operations.

Project general contractor will be Staco Electric Construction. Chosen primarily due to knowledge, insight, and experience with the City's current environment. Staco has consulted on, extended and managed our current data centers to this point and was able to provide a specific plan for the construction and relocation. A project of this scope should not be handled without experience of current infrastructure and network. Additionally, Staco was also the only contractor among the City's network vendors comfortable and willing to take on this project.

The proposal is in the amount of \$469,840.00. Staff have included an additional 5% for miscellaneous expenditures that may arise as well as to cover permitting costs and potential overtime costs. IT staff are seeking approval for the construction and relocation of the data center by Staco in an amount not to exceed \$493,332.00.

Document No. 9848 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 8-0-0
Yes: Council Members Phillips, Ponder, Pozel, Travis, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 12013.

D. Ordinance Approving an Intergovernmental Agreement with the Mid-America Regional Council Solid Waste Management District for Participation in the 2025 Regional Household Hazardous Waste Program in an amount not to exceed \$34,797.22

Included in the 2025 solid waste budget are funds for Liberty's participation in the regional Household Hazardous Waste (HHW) program offered by the Mid-America Regional Council (MARC) solid waste management district. Participation in the program allows Liberty residents to use permanent collection facilities located at 4707 Deramus, Kansas City, MO and 2101 S.E. Hamblen Road, Lee's Summit, MO, as well as to participate in mobile collection events throughout the metropolitan area without additional charge.

The City of Liberty has participated in the regional Household Hazardous Waste program since it started in 1997. Through the third quarter of 2024, 624 Liberty residents safely disposed of 66,470 lbs. of material at the permanent sites and mobile collection events. This is a 26,680 lb. increase from the third quarter of 2023.

Materials accepted for safe disposal include paint and paint-related products, automotive fluids, batteries, lawn and garden chemicals, house cleaners, fluorescent bulbs, and other items such as nail polish, bug spray, and oven cleaners.

The cost to participate in this program in 2025 is \$34,797.22, which is a slight increase from the 2024 payment of \$34,775.75. Participation cost is dependent on population size, with each community being charged \$1.13 per resident based upon the 2023 population estimates (Liberty pop 30,794). The per capita charge has not increased from the 2024 per capita rate.

Document No. 9849 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 Pozel seconded the motion.

Vote: Motion passed 8-0-0
Yes: Council Members Phillips, Ponder, Pozel, Travis, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12014.

E. Historic Downtown Liberty, Inc. (HDLI)

1. Presentation of HDLI Annual Report
2. Ordinance Approving a Contract for Service Agreement with Historic Downtown Liberty, Inc. in an amount not to exceed \$40,000.00

Historic Downtown Liberty, Inc. (HDLI) a 501c3 non-profit organization, was formed in November 2005 in response to recommendations outlined in the Liberty Downtown Master Plan. HDLI follows the National Main Street approach to downtown revitalization, established by the National Trust for Historic Preservation, a proven model based on a four-point approach: Organization, Promotion Design and Economic Vitality. This agreement may be terminated at any time by written, mutual agreement of all parties. The term of the agreement is through December 2025 and may be renewed thereafter with the City Council's approval.

As in previous years, the agreement for service with HDLI included the following:

- Implementation of the National Trust for Historic Preservation's Main Street Four Point Approach to Downtown Revitalization.
- Provide unified advocacy and support for the downtown commercial area.
- Continue a consistent promotion and advertising program for the downtown area.
- Encourage and promote historically appropriate design strategies for the overall aesthetic appearance of the downtown commercial area.
- Strengthen the existing economic assets of the downtown area while diversifying its economic base, including recruiting new businesses and strengthening the management capabilities of individual merchants.
- Management of the downtown Farmer's Market on Saturdays from May through October.
- Coordinate tourism efforts through the Liberty Tourism Committee and Transient Guest Tax (TGT) funds.

For these services, the City agrees to compensate HDLI in the amount of \$40,000.00 annually, with \$30,000.00 from the TGT Funds to be allocated to base services and \$10,000.00 from the General Fund to be allocated to staff salaries, to be paid monthly in equal amounts for the contract year. HDLI shall spend said funds in accordance with its 2025 budget, as submitted to the City. Additionally, the City will provide the HDLI Executive Director with health, dental and life insurance choices consistent with those offered to City employees. The estimated cost is approximately \$10,712.00 for these benefits for 2025 from the General Fund.

Document No. 9850 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12015.

F. Ordinance Approving the Vacation of Public Right-of-Way Adjacent to 7 N. Water St.

The City of Liberty has an established petition process in which public right-of-way (ROW) may be vacated. Downtown Liberty Investments LLC has followed this process to request the vacation of roughly 121 square feet of ROW adjacent to 7 N. Water St. and obtained signatures from property owners and utility companies. City staff have publicly advertised the petition in local news publications as required per City Code.

Document No. 9851 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 Graham moved to approve the ordinance. Council Member Hagan seconded the motion.

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12016.

G. 2025 Annual Budgets

1. Ordinance Adopting the Annual Budget for the City of Liberty, Clay County, Missouri for the Fiscal Year 2025

State law 67.010, 67.020 and 67.030 requires the City to annually adopt a budget prior to the beginning of the new fiscal year. Failure to adopt a new budget requires a default of the current year's budget. The only expenditures that would be automatically approved would be 2024 levels for staffing, maintenance cost levels for commodities and funding for prior contractual arrangements.

Desiring to have enhanced elected official oversight on fiscal matters, the Mayor and Council established the Council Budget Committee in May 2009. Continuing the partnership with City staff, work on the 2025 budget commenced in the fall with Administration and Finance issuing directions and forms to the departments. Over the last few months, the City's Management Team has been working through the budget process. The coordinated work with the Budget Committee was undertaken over numerous meetings and involved substantial hours of review. Liberty's elected officials were actively engaged in the 2025 budget development and offered substantial guidance to staff.

The 2025 Budget Message will provide the Council and the citizens of Liberty with details about the 2025 budget.

Document No. 9852 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 Watt moved to approve the ordinance. Council Member Hagan seconded the motion.

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12017.

2. Ordinance Adopting the Annual Park and Park Sales Tax Budgets for the City of Liberty, Clay County, Missouri for the Fiscal Year 2025

Document No. 9853 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12018.

H. Resolution Approving The 2025 – 2030 Street Capital Improvement Plan for the City of Liberty, Missouri

The 2025 – 2030 CIP represents the accumulation of prior planning, project prioritization by the City Council, efforts by Public Works staff to maximize Federal, State and other local funding resources and has been reviewed by the Budget Committee and City staff.

The CIP contemplates the spending of approximately \$59.5 million in street infrastructure improvements, equipment purchases, maintenance projects, public building improvements and associated debt service expense.

Projects to be accomplished from the Transportation, Capital and Economic Development Sales Funds are:

1. \$18.52M – Street Restoration/General Transportation Improvements/Street Maintenance Supplies
2. \$2.67M - Public Works Equipment – Building Maintenance/Misc. Expenses
3. \$2.92M - Signal Light Maintenance
4. \$3.74M - Storm Water Improvements
5. \$3.70M - Bridge Replacement Projects
6. \$1.80M - Sidewalk Program
7. \$1.89M - Capital Engineer/Street Maintenance Workers
8. \$0.40M - Transportation Enhancement Projects/City Landscaping Funds
9. \$1.02M - IRIS Transportation (\$170K annual commitment)
10. \$0.08M - Transfer Out – To Parks for City Landscaping Funds
11. \$19.12M - Debt Service/Loan Costs
12. \$3.64M - Transfers Out

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3433.

I. Resolution Accepting Sanitary Sewer, Water Main and Street and Storm Public Improvements for the Homestead Hills II Plat Project

Homestead Hills II is located North of South Liberty Parkway, West of S. Withers Rd. and East of Campbell Drive.

To facilitate the residential development, the following public improvements were constructed:

- Sanitary Sewer Main improvements by Holthouse Construction, LLC under Permit No. PWKS-1-22-14518
- Water Main improvements by Holthouse Construction, LLC under Permit No. PWKS-1-22-14519

- Street improvements by Metro Asphalt, Inc. under Permit No. PWKS-08-22-00001
- Storm improvements by Holthouse Construction, LLC under Permit No. PWKS1-22-14520

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3434.

J. Resolution Accepting Street and Storm Public Improvements for the Country Village Plat Project

Country Village is located West of S. Withers Rd. and North of Buckingham Dr. The project was formerly known as Vintage Estates.

To facilitate the residential development, the following public improvements were constructed:

- Street Improvements by Metro Asphalt, Inc. under Permit No. PWKS-08-22-00002
- Storm Improvements by Holthouse Construction, LLC under Permit No. PWKS-08-22-00002.

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

Vote: Motion passed 8-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3435.

X. OTHER BUSINESS

XI. CITIZENS' PARTICIPATION

David Langston – 1920 Carter Court, Mr. Langston stated he has family buried near Block 174 and he filed with the Clay County Circuit Court last week to be recognized on behalf of his five family members buried there. Mr. Langston stated he hopes that with making the filing with the Court that it will help make an opening to establish some common ground in hopes of settling this dispute and protecting his family members. Mr. Langston stated he hopes this dispute can get settled soon and he appreciated the Mayor taking time to speak with him on this matter.

Dwayne Holtzclaw – 113 Kevin Street, Excelsior Springs, MO, Mr. Holtzclaw stated he has family members buried in privately owned Block 174. Mr. Holtzclaw stated he also filed with the Clay County Circuit Court last week to be an intervenor because he wants a say so when it comes to his family members graves. Mr. Holtzclaw asked the City Council for the 103rd time to please stop the revestment lawsuit.

Gieselle Fest – 1407 Lynette Street, Ms. Fest stated she too has filed with the Clay County Circuit Court to be an intervenor for her family members. Ms. Fest stated she has been bullied, intimidated and had vandalism done at her home where she has had to call the police. Ms. Fest doesn't want to sue the City as her goal is to just go back to the shadows and to let her family rest in peace.

Robert Weagley – 1743 Wynbrick Drive, Mr. Weagley came to this City Council meeting to thank the Council Members for their service to the City of Liberty and a shout out to the Performing Arts Center staff for allowing the Heartland Men's Chorus to perform and sing at the Center for the holidays.

XII. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XIII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIV. ADJOURNMENT

The meeting adjourned at 7:59 p.m.

Mayor

Attest:

Deputy City Clerk