



## City Council Meeting

Regular Session Minutes

February 24, 2025

### 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 February 24, 2025 with Mayor Greg Canuteson presiding. Mayor Canuteson called the meeting to order at 7:00 p.m.

### II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

### III. ROLL CALL

Council Members Present: 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  
Sara Cooke, Assistant City Administrator  
Vicki McClure, Finance Director  
Andy Noll, Utilities Director  
BJ Staab, Parks and Recreation Director  
Jimmy Gibbs, Parks and Recreation Assistant Director  
Jim Martin, Police Chief  
Chris Young, Fire Chief  
Pete Vanness, Fire Division Chief  
Katherine Sharp, Planning and Development Director  
Sherri McIntyre, Public Works Director  
Sarah Ranes, Deputy City Clerk

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

### IV. EMPLOYEE RECOGNITION

### V. PROCLAMATIONS

### VI. APPROVE MINUTES AND SUMMARIES

#### A. Study Session Summary of November 18, 2024

Council Member Hagan moved to approve the summary as distributed. Council Member Travis seconded the motion, which carried 8-0-0.

B. Study Session Summary of December 2, 2024

Council Member Watt moved to approve the summary as distributed. Council Member Ponder seconded the motion, which carried 6-0-0. Council Members Phillips and Pozel abstained due to absence.

VII. MEETING SCHEDULE

VIII. CONSENT AGENDA

A. Motion to authorize a blanket purchase order for sending biosolids to the Courtney Ridge Landfill in an amount not to exceed \$225,000.00

The Wastewater Treatment Plant creates biosolids as a byproduct of the treatment process. These biosolids require disposal. In 2024, the Wastewater Treatment Plant created 3,890 tons of biosolids. Previously, in 2023, biosolids would have been land applied.

Per Missouri Department of Natural Resources and EPA regulations, there are three ways to dispose of biosolids.

1. Land application. Biosolids are used as fertilizer on agricultural fields. We discontinued the application of Biosolids on privately owned agricultural fields due to potential legal and human health issues from PFAS chemicals. Staff continues to monitor PFAS information and liability laws and will reconsider land application with new information.
2. Landfill. Biosolids are hauled off to the landfill and disposed of in the landfill. Benefits of this are:
  - Reduced monitoring/testing reduces the potential of lawsuits
  - Better protects human/wildlife health.
  - This disposal method was selected.
3. Incineration. Biosolids are sent through an incinerator which reduces them to ash. This method was not selected due to the required additional equipment, cost, and additional permitting (Air Quality Control Permit). We now send biosolids to Courtney Ridge landfill at a cost of \$57.83 per ton plus \$4.95 per ton administration fees, which would be an annual cost not to exceed \$225,000.00. Courtney Ridge is only accepting biosolids and not providing any other services. Hauling/disposal is done by a contracted hauler, which is currently CMT Trucking and is on an hourly rate, but is not included in this action.

Courtney Ridge was selected due to cost (lowest cost) and location (about two miles from the Wastewater Treatment Plant). Plant staff did reach out to other landfills and their cost was much higher and distance was greater (higher hauling cost). Some of the landfills were unwilling to accept biosolids. Others were unwilling to provide a quote.

Biosolids handling process:

Biosolids creation is at the end of the wastewater treatment process. Biosolids are dumped on the ground in the dewatering bay. Once the dewatering bay is full, staff contacts CMT Trucking to schedule removal and disposal. Wastewater staff then use a City-owned loader to move the Biosolids into CMT trucks. CMT goes to Courtney Ridge landfill and returns the scale tickets, which states the tons for that haul. This process usually takes 4 to 6 hours to empty the dewatering bay. This is done up to two times per month.

Controlling the volume of biosolids in the treatment process and safely disposing of them are vital components of meeting our Wastewater Permit requirements as established by the Department of Natural Resources.

Biosolids disposal is a significant expense of the wastewater treatment process and Wastewater Treatment staff will continue to evaluate Biosolids disposal methods and identify the best methods based on legal issues, human health, and cost.

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

B. Motion to approve the purchase of replacement bunker gear from Conrad Fire Equipment, Inc. in an amount not to exceed \$53,763.05

Using the current recommendations from the NFPA and the Collective Bargaining Agreement with Local 42, staff have established a 5-year bunker gear rotation that provides a firefighter with a new set of gear. Their current bunker gear kept as a second set of gear that is available if a call results in their primary gear being contaminated (i.e. structure or car fire or a hazardous chemical call).

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

C. Resolution approving a temporary event liquor license for the Knights of Columbus fish fry events at St. James Church on March 14, March 28 and April 11, 2025

The Knights of Columbus have applied for a temporary liquor license to serve alcohol at events located at 309 S. Stewart Road. Because the public will have access to the

events, State statute and City Ordinance require a license. The license covers the events on March 14, March 28 and April 11, 2025. The necessary certificate of liability insurance and authorization letter has been provided by the applicant.

**Action:** Council Member Phillips 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. 3442.

D. Board/Commission Appointment

1. Liberty Arts Commission

a. Appoint Christian Vedder to a term expiring 5/15/2026

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

E. Regular Session Minutes of January 13, 2025

Council Member Phillips moved to approve the minutes as distributed. Council Member Pozel seconded the motion, which carried unanimously.

F. Regular Session Minutes of January 27, 2025

Council Member Phillips moved to approve the minutes as distributed. Council Member Pozel seconded the motion, which carried unanimously.

IX. PUBLIC HEARINGS

A. Ordinance Amending Chapter 30, "Unified Development Ordinance", of the Code of the City of Liberty, Clay County, Missouri (P&Z Case 25-07A) **{to be further postponed to March 10, 2025}**

Document No. 9889 was read.

**Action:** Council Member Hagan moved to postpone consideration of the Ordinance to March 10, 2025. Council Member Graham seconded the motion.

**Vote:** Motion passed unanimously.

X. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Ordinance acknowledging vendor payments for the period of January 31, 2025 to February 14, 2025

Document No. 9890 was read.

**Action:** Council Member Phillips moved to approve the vendor payments. Council Member Hagan 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. 12053.

- B. Resolution approving an amended final development plan for Fulkerson Cottages, to eliminate the gate from the entry at Reagan Circle and Fulkerson Circle, in Liberty, Clay County, Missouri (P&Z Case 25-04FDP-A) **{to be further postponed to March 10, 2025}**

In 2023, this development received FDP approval to allow for the construction of 40 dwelling units, including five duplexes, six triplexes, and three fourplexes, in addition to a club house. The development was approved with a single public access at the northwest corner of the property onto W. Liberty Drive, with a gated emergency drive onto Fulkerson Circle. The applicant has filed this application to eliminate the gate from the drive onto Fulkerson Circle, creating a second public access into the development

**Action:** Council Member Hagan moved to postpone consideration of the Resolution to March 10, 2025. Council Member Pozel seconded the motion.

Vote: Motion passed unanimously.

- C. Ordinance approving a beverage agreement with Heartland Coca-Cola Beverage Company for purchase of product for the Capitol Federal Sports Complex and the Liberty Community Center in an amount not to exceed \$70,000.00 **(Second Reading, postponed from February 10, 2025)**

The City operates two seasonal concession stands at the Capitol Federal Sports Complex and provides beverage vending machines at the Liberty Community Center. Products are sold at both locations for a profit, which is reflected in the 2025 Sports Complex and Liberty Community Center revenue portions of the budget.

A summary of the vendor proposal is as follows:

20oz Bottles	Price/case	Rebate	Sponsorship	Price Increase
Coke - Cola	\$25.83	\$1/ 20oz Case	\$4,000 per year/ \$20,000 over 5 years	Up To 5% annually
Coke - Water	\$15.54	\$1/ 20oz Case		Up To 5% annually
Coke - Powerade	\$27.38	\$1/ 20oz Case		Up To 5% annually

This contract represents year one of a five-year agreement to purchase Coca-Cola products for resale at Capitol Federal Sports Complex and the Liberty Community Center. The staff is requesting approval of this contract in an amount not to exceed \$70,000.00. This pricing is based on average past usage levels, new costs, and increased days of usage. The product is sold for profit; accordingly, the purchase cost is recovered through sales. The amount is included as a part of the 2025 budget.

For the Liberty Community Center, vending machines are filled by Coca-Cola with revenue sharing based on sales.

Document No. 9887 was read.

**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. 12054.

- D. Ordinance approving a contract for services with Kitch’s Lawncare for FY2025 mowing services at Fairview, New Hope and Mount Memorial Cemeteries for a minimum of 22 mows and in an amount not to exceed \$65,000.00

The City of Liberty annually enters into an agreement with a lawn care company for professional mowing services for Fairview, New Hope and Mount Memorial Cemeteries. The services provided include mowing and trimming. The FY2025 cemetery budget includes \$65,000 in funding for these services.

In December 2024, staff developed a bid document using previous mowing history as well as with regard to the mowing and maintenance of the cemeteries. Staff publicly advertised lawn care services and one proposal was received.

Vendor	Mow and Trim Per Mow	Based on Minimum of 22 Mows
Kitch's Lawncare	\$2,310.00	\$50,820.00

Kitch's Lawncare's has been the professional service provider at the cemeteries for several years and is in good standing with the City of Liberty. The per mow price of this bid has increased from \$2,100/mow in 2024 to \$2,310/mow in 2025. The staff believes this is a reasonable increase and recommends entering into a contract with Kitch's Lawncare.

Given the weather-related variability of service needs year-to-year, the contract guarantees a minimum of 22 mows and all other services will be requested by staff as the budget allows in an amount not to exceed \$65,000.00.

Document No. 9891 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 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. 12055.

- E. Ordinance approving a maintenance management and fleet rental agreement with Enterprise Fleet Management for four vehicles in an amount not to exceed \$46,070.76

It is a goal of the Parks and Utilities department to develop and incorporate a vehicle replacement program for its ever-aging fleet. However, due to government purchasing procurement processes, increased purchase costs and increased staff time contacting dealerships, staff recommend using Enterprise Fleet Management to bridge those gaps.

Enterprise Fleet Management's proposal will save City resources and budget dollars through a managed vehicle program. The City will utilize an open-end lease as a funding mechanism, allowing the City to acquire additional vehicles while avoiding a large capital budget outlay. This will also allow the City to replace aged vehicles with newer models to increase fuel efficiency and reduce maintenance expenses. Maintenance and repair expenses will be reduced as the age of vehicles is lowered and with the integration of more fuel-efficient vehicles. Also, this will establish a proactive replacement plan that maximizes potential equity at a time of resale, reduces operational expenses and increases safety.

An open-end lease means there are no early termination, mileage, or abnormal wear and tear penalties. Leases are written to a residual balance to preserve cash flow. The City receives flexibility of ownership, as well as net equity from sale at the time of disposal.

The City of Liberty will have a dedicated, local account team to proactively manage and develop our fleet while delivering the highest level of customer service to facilitate day to-day needs. Our enterprise manager will provide ongoing analysis, which includes best makes/models, cents per mile, total costs of ownership and replacement analysis.

Document No. 9892 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 Phillips 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. 12056.

- F. Ordinance approving an agreement with Zoll Medical Corporation for the purchase of cardiac monitors and defibrillators with ALS/BLS Software Solutions Master Software from Zoll Medical Corporation in an amount not to exceed \$484,240.50

The Fire Department currently has seven Zoll Advanced Series 12 lead monitors and defibrillators. Six of the monitors are on front-line apparatus and the seventh is maintained in the Department's reserve ambulance. In 2010, the Department established a schedule based on the completed life cycle analysis for equipment. It was determined at that time and based on use, maintenance, and technology changes, that seven years was the longest time period to replace them.

The current monitors were received in 2017. With the current practice of a seven-year replacement cycle which expires in April 2024, our EKG monitors are due to be replaced. The purchase is included in the 2025 budget.

This vendor is part of the Sourcewell Cooperative Purchasing program.

Document No. 9893 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 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. 12057.

**G. Resolution to declare the official intent of the City of Liberty, Missouri to finance the cost of acquiring certain equipment and vehicles using tax exempt debt financing.**

The City will be acquiring certain vehicles, equipment and property improvements during 2025. The 2025 General Fund, Capital Sales Tax and Fire Sales Tax Fund anticipates using cash for its 2025 purchases and projects. The City may use either Special Obligation Bonds or a bank lease/purchase agreement instrument as the debt financing method. Discussions were held during the budget process with the Budget Committee on the usage of debt financing for these purchases.

For the General Fund Information Services Department, consisting of:

- Minor computer equipment at an estimated cost of \$137,500.00 and;
- Capital Equipment at an estimated cost of \$75,000.00.

For the General Fund Police Department, consisting of:

- Police vehicles with extended warranties at an estimated cost of \$318,000.00 and;
- Capital Equipment at an estimated cost of \$210,000.00.

For the Capital Sales Tax Fund, consisting of:

- Public Works Capital Equipment (Pothole Patching Truck and Skid Loader) at an estimated cost of \$380,000.00.

For the Fire Sales Tax Fund, consisting of:

- Vehicle purchases (3) at an estimated cost of \$180,000.00 and;
- Capital Equipment purchase at an estimated cost of \$353,100.00 and;
- Minor Equipment – Bunker Gear, TIC and new EMS Stair Chairs) at an estimated cost of \$190,000.00.
- The General Fund purchases are scheduled to be purchased with cash in 2025, but have been included in this Resolution as a potential borrowing in the event cash is needed for unanticipated projects within those funds.
- The capital purchases listed for Capital Sales Tax are scheduled to be purchased with cash in 2025, but have been included in this Resolution as a

potential borrowing in the event that cash is needed for any unanticipated projects within those funds.

- The Fire Sales Tax purchases are scheduled to be purchased with cash in 2025, but have been included in this Resolution as a potential borrowing in the event that cash is needed for an unanticipated project within those funds.
- The City may use either Special Obligation Bonds or a bank lease/purchase agreement instrument as the debt financing method.
- Discussions were held during the budget process with the Budget Committee on the usage of debt financing for these purchases.
- IRS requirements allow for a government entity to go back 60 days from the date of a Resolution of intent to reimburse itself using tax-exempt debt financing.

**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. 3443.

H. Resolution accepting the sanitary sewer improvements for the Prominence Phase I and Phase II sanitary sewer extension

On November 27, 2023 the City of Liberty entered into a development agreement with Prominence Holdings LLC for the Construction of a Gravity Sanitary Sewer Interceptor south of South Liberty Parkway.

The sewer main extension will facilitate the future development of land both North and South of the Parkway. The public improvements were constructed by Havens Construction Company, Inc. in accordance with City plans and specifications.

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

Inscribed in Resolution No. 3444.

XI. OTHER BUSINESS

XII. CITIZENS' PARTICIPATION

David Langston – 1920 Carter Court. Mr. Langston said he is here tonight to speak about the one percent sales tax question and that he would have voted in favor of the one percent sales tax if the information had been presented differently. Mr. Langston said it would have been

clearer to the voters if the proposal would have stated, here is 1% and the year we pay that off, that 1% stops, or, if part of it is going towards salaries, that is reduced to a half percent or quarter percent. Mr. Langston also wanted to talk about the new lighting on Main Street and how it cost \$300,000.00. Mr. Langston would like to know how the City says it is broke but \$300,000.00 was spent on street lighting? Mr. Langston said it's good to have nice things but you shouldn't borrow money to pay for nice things. Lastly, Mr. Langston would like to talk about the new records retention building purchased on Mill Street. Mr. Langston doesn't understand why Police and City staff can't work with the existing building, why do we need to knock down half of the building to build a new building for \$1.2M?

Carrie Lonsdale – 1320 Huntington Drive. Mrs. Lonsdale stated she has spent a lot of time reviewing the City budgets. Mrs. Lonsdale said she started with the revenue policies and they aren't like anything anyone has ever seen. Mrs. Lonsdale pointed out that one-time revenues should be used for one-time projects and she doesn't understand why the City of Liberty used COVID funds for police salaries last year because she says it's a direct violation of the policy written that she has read. Mrs. Lonsdale states the one-time money sources aren't supposed to be used for ongoing debt, they are supposed to be used for one-time funded projects.

Roy Werner – 1887 Mourning Dove Drive. Mr. Werner stated he has done a sales tax comparison with surrounding cities. Mr. Werner told City Council the City of Liberty needs affordable housing to build up the population in order to compete with some of these surrounding cities. Mr. Werner doesn't believe a one percent sales tax will put Liberty in the running to compete with these other cities.

Dwayne Holtzclaw – 113 Kevin Street, Excelsior Springs, MO. Mr. Holtzclaw stated this is his 108<sup>th</sup> City Council meeting he has attended because the City Council has filed a revestment lawsuit regarding Block 174. Mr. Holtzclaw told the City Council they have spent almost \$200,000.00 for one lawsuit and this is his 108<sup>th</sup> time where he asks that the lawsuit be stopped.

Gieselle Fest – 1407 Lynette Street. Ms. Fest stated she attended the most recent hearing regarding the lawsuit against Block 174 and the Court has acknowledged the dead deserve a voice. Ms. Fest said she doesn't claim to own the property, she just wants to be a voice for the families of the past and speak for the families of today. Ms. Fest is concerned about the families of tomorrow and the one percent sales tax as this is a forever tax that will affect our children and children to come. Ms. Fest stated if the one percent sales tax would have been smaller for the salaries, she would listen and support that but she can't support a forever tax. Ms. Fest concludes that she doesn't want to own Block 174, she just wants her dead family members to be left alone. Ms. Fest states she has first responders in her family and their salaries and well being are important.

- XIII. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR
- XIV. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL
- XV. ADJOURNMENT

The meeting adjourned at 7:59 p.m.

Attest:

\_\_\_\_\_  
Mayor

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