



City Council Meeting

Regular Session Minutes

June 23, 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 June 23, 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 Gentrup, who then led the pledge of allegiance.

III. ROLL CALL

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

Council Members Absent: Harold Phillips, Ward I

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

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

IV. PROCLAMATIONS

V. APPROVE MINUTES AND SUMMARIES

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Motion to approve the purchase of key secures and medvaults from Knox in an amount not to exceed \$24,993.00

In 2016, the Fire Department outfitted all of the City's fire apparatus with the KNOX Keysecure and Medvaults, which allowed staff to track the access and use of our KNOX keys throughout the City and store and track the access to the narcotics vaults in the ambulances.

This upgrade is now required due to the current systems being at the end of their life and can no longer be repaired and the software to track, store and audit the uses is no longer supported by the company. This is a cloud-based program to track usage, update and audit wirelessly, which will allow the City to move to the new "E-Key" KNOX system (a more secure system) as soon as they are ready, while allowing us to still access the "classic" system. This will also add a new narcotics vault to the station to replace the nontrackable, metal box that currently stores the narcotics supply.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

VIII. PUBLIC HEARINGS

- A. Resolution approving a special use permit to allow the temporary sale of fireworks from June 24, 2025, to July 4, 2025, at 1120 North Church Road in Liberty, Clay County, Missouri (P&Z Case 25-27SUP)

The applicant is requesting a special use permit to allow the temporary sale of fireworks between June 24th and July 4th, 2025 within a tent at 1120 N. Church Rd., north of Industrial Dr. and south of Oakwood Ln. The proposed hours of operation are 9:00 a.m. to 9:00 p.m., June 24-26, 8:00 a.m. to 10:00 p.m., June 27-July 2, and 7:00 a.m. to 10:00 p.m., July 3-4. The site has off-street parking available to the north of the tent on both sides of the existing drive. Inventory storage will be in an onsite trailer and sanitary facilities will be provided near the parking area. Power is available to the site.

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

Michelle Farage – 1287 Mulberry Court. Ms. Farage and her husband are neighbors to this property and are concerned because they have eleven grandchildren and spend a lot of time in their back yard. Ms. Farage stated they constantly are dealing with people pulling into the lot late at night and parking and transients who have been kicked out from Wood Springs Suites. Ms. Farage stated if this application was to be approved, it would only add to the existing problems they have been dealing with.

The applicant was not in the audience.

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

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

Vote: Motion failed 0-7-0

Yes: None

No: Council Members Ponder, Pozel, Graham, Watt, Gentrup and Hagan

Abstain: None

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

- A. Ordinance acknowledging vendor payments for the period of May 23, 2025 to June 13, 2025

Document No. 9955 was read.

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

Roll Call

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12118.

- B. Resolution approving a preliminary development plan for Oak Wood North Business Park, 3 offices/commercial buildings at 1120 N. Church Rd. (P&Z Case 25-24PDP)

This application is a preliminary plan for the development of a vacant parcel of land on N. Church Road. The proposal includes 3 commercial/office buildings similar to the new construction just to the south in Oakwood Business Park. The new development is proposed adjacent to N. Church Road. There is a stream with a stream buffer that runs north-south through the middle of this property, the development does not propose to cross or infringe on this existing stream buffer. There is an existing telecommunication tower on its own lot to the south west of the proposed development that will not be changed with this application.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3468.

- C. Resolution approving a preliminary plat for Oak Wood North Business Park, 3 lots on 23.5 acres at 1120 N. Church Rd. (P&Z Case 25-25PP)

This is a proposal for three lots on 24 +/- acres. The project includes 3 buildings on 3 lots on N. Church Road for a commercial/office project. The internal street will be private.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3469.

- D. Ordinance approving an agreement for service for manhole rehabilitation for sewer trunk line with HK Solutions Group/Hydro-Klean in an amount not to exceed \$94,800.00

The City maintains a wastewater collection system that includes 3,114 manholes, many of which are aging and in need of structural rehabilitation due to infiltration, corrosion, or other environmental damage. Traditional repair methods are labor-intensive, costly, and may require extensive excavation. Made of brick and in service since 1965, the eight manholes that need repair are located in a creek area that runs through Glenaire. Manholes in creek areas are especially vulnerable to infiltration and inflow, which can overload the sewer system during heavy rains, leading to sanitary sewer overflows and backups. The backups can lead to raw sewage in the waterway, contaminating the ecosystem, harming wildlife and violating environmental regulations. HK Solutions Group offers a trenchless, structural rehabilitation method using centrifugally cast concrete pipe technology, which minimizes surface disruption and provides long-lasting operation. This technique has been successfully used in similar municipalities and is recognized for its cost-effectiveness and durability.

Document No. 9956 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 Watt moved to approve the ordinance. Council Member Hagan seconded the motion.

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12119.

- E. Ordinance amending Ordinance No. 11947 approving Amendment No. 1 with HDR Engineering, Inc. by increasing the contract amount by \$16,750.00 from \$130,000.00 for total of \$146,750.00

A contract was executed by Ordinance No. 11947 on July 22, 2024, with HDR Engineering Inc. for the design of a 24" resilient water main that would address a critical single point of failure in the water distribution system. The project would design an additional discharge pipe from the high service pumps of the water treatment plant which would add another discharge line from the high service pumps to the distribution network. The additional discharge line will provide distribution system redundancy and the ability to perform maintenance activities on the current 24" distribution water main.

As the design of the additional main progressed, it was determined that an initial assumption to bore under the adjacent open channel storm sewer would not be the best solution. Therefore, additional design activities would be required. The additional design activities needed are:

- No-rise certificate floodplain development permit
- Section 404 Nationwide Permit application
- Section 106 State Historic Preservation Office Review and Compliance form submittal
- Open-cut stream crossing design
- Additional meter vault design due to discovered downstream sanitary sewer interface.

The consultant has requested a contract amendment to include the necessary design activities. The amendment will increase the total contract price by \$16,750.00 for a new total amount not to exceed \$146,750.00 and increase the time to complete the project by 100 days. The new end date for the time extension will be July 29, 2025.

Document No. 9957 was read.

Action: Council Member Hagan 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 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12120.

- F. Ordinance approving a contract with Corrective Asphalt Materials (CAM), LLC for 2025 Street Maintenance using Reclamite Rejuvenator in an amount of

\$12,800.00 with a requested 10% contingency authorization for up to a total of \$14,080.00

The City's Capital Improvement Plan includes a Street Restoration Program in order to project expenditures necessary for streets in need of restoration. In the spirit of exploring new and cost-effective pavement maintenance products and techniques as an alternative to traditional mill and 1.5' asphalt overlay, Corrective Asphalt Materials (CAM), LLC introduced City staff to a patented pavement preservation product called Reclamite Petroleum Maltene-Based Rejuvenating Agent. According to the National Center for Pavement Preservation, "a true asphalt rejuvenator is a maltene-based petroleum product which has the ability to absorb or penetrate into an asphaltic concrete pavement and restore those reactive components (maltenes) that have been lost from the asphalt cement binder due to the natural process of oxidation."

Reclamite has been used for more than 50 years and is proven to add 5–7 years of service life to pavements. It penetrates, rejuvenates and seals the surface by replenishing the lost maltene fraction in the asphalt binder. Maltene is necessary to make the surface durable and flexible. Reclamite fluxes with the asphalt binder, restoring the aggregate/asphalt bond.

The application is a spray of the oil-like rejuvenator material on the existing asphalt surface, and then a light sanding is applied to the surface. After 24 hours of the application, the City Street Sweeper sweeps the excess sand from the street. Since the material does not permanently adhere to pavement markings, the pavement does not typically require re-stripping. The number of applications in a pavement's lifecycle is 2-3 in 5-year intervals.

Reclamite is a "top-of-the-curve" application applied to newer pavement (less than six years old in northern climates, less than ten years old in southern climates) that shows minimal signs of surface deterioration. Advantages of its use include:

- Delays the application of surface course seals like chip seals and micro surfacing, as well as delays surface milling and repaving.
- Helps local government and public works departments manage costs and reduce the burden on taxpayers.
- Improves driver safety by preventing potholes.

City staff identified S. Leonard Street from Mill Street to M-291 Highway as a suitable street as a candidate for a trial section of the product to determine if it is a cost-effective tool to add to the City's pavement rehabilitation toolbox. S. Leonard Street was last paved in 2022.

The cost for the Reclamite Rejuvenator for that section of roadway is \$12,800.00, which equates to approximately \$1.28/SY per application. Traditional 1.5' mill and asphalt overlay are approximately \$10/SY. Reclamite treatments can extend pavement life by at least 5–7 years beyond the typical life of a traditional mill and overlay. Traditional 1.5' mill and overlay can extend pavement life by approximately 15–20 years.

The City has not used Reclamite Maltene-Based Rejuvenator in the past. As this product and the method of application are a patented technology, there was no public advertisement or bidding for this scope of work and its usage is being pursued as a

sole source contract. Attached to this action is documentation provided by Corrective Asphalt Materials identifying themselves as a sole source applicator for the product.

City staff seeks authorization for funding of a construction contract with Corrective Asphalt Materials in the amount of \$12,800.00 with additional funding authorization of \$1,280.00 for a total requested authorization amount of \$14,080.00. The amount requested for approval includes both the contract amount (\$12,800.00) and the addition of an approximate 10% contingency. Contingency is requested for the following reason:

- Final payments are based on the actual unit quantities used during the project and may be more or less than estimated, resulting in fluctuations in the total bid price.

The 2025 Street Restoration Project base budget was established at \$2,400,000.00 for 2025 during CIP development. This includes \$800,000.00 from Transportation Sales Tax and \$1,600,000.00 from Capital Sales Tax. This work will be funded under the 2025 Street Maintenance budget utilizing sales tax funds. The Citizen Sales Tax Oversight Committee ruled that the project meets voter intent.

Document No. 9958 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12121.

- G. Ordinance approving an STBG Funding Agreement between the City of Liberty, Missouri and the Missouri Highways and Transportation Commission to provide funding assistance for the construction of the Richfield Rd. Bridge over Rush Creek Federal Aid Project STBG-3392(411)

The Richfield Road Bridge crosses Rush Creek approximately 1.3 miles east of its intersection with Route H (East Mill Street).

The existing 58-foot-long bridge consists of two structure types, both of which consist of two spans. The westbound portion of the bridge is a 100-year-old two-span concrete arch bridge. The eastbound portion is a two-span steel stringer bridge.

According to the 2021 bridge inspection report, the Richfield Road bridge deck condition rating is 6 (good), while the structure condition rating is 2 (poor). The bridge

is currently posted to 5-ton load limits. Bridge ratings are on a scale of 0 to 9, with 0 being critical and requiring closure, and up to 9 being new.

In 2023, the City executed a contract with Veenstra & Kimm for the design of a bridge replacement. Since that time, the City has applied for funds through the Federal Surface Transportation Block Grant Program (STBG) for the following improvement:

- Construction funding the replacement of Richfield Rd. Bridge over Rush Creek.

The City has been awarded \$1,800,000 for the construction of the project. The grant funds, which have been awarded, will be available as reimbursement for construction costs and require coordination and an agreement with the Missouri Department of Transportation (MoDOT). The awarded grant provides up to \$1,800,000. MoDOT requires an ordinance from the Local Public Agency (LPA) authorizing the City to enter into a funding agreement. The Missouri Highways and Transportation Commission STBG Agreement is attached for review and signature.

Future Council actions will be required to obligate funding for the acquisition of ROW with a final dollar amount being determined after MoDOT ROW acquisition and negotiation authorization has been granted and to award a construction contract.

A future Citizen Sales Tax Oversight Committee (CSTOC) action will be required for local project costs.

Document No. 9959 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12122.

- H. Ordinance amending Ordinance No. 11861 approving Amendment No. 1 with Veenstra & Kimm, Inc by increasing the contract amount by \$52,940.00 from \$99,995.00 for a total of \$152,935.00

City of Liberty project 23-019 was approved by the City Council on December 18, 2023, through Ordinance No. 11861. The project included full design of a replacement for the Richfield Rd. bridge which crosses Rush Creek approximately 1.3 miles east of its intersection with Route H (East Mill Street).

Since that time, Veenstra & Kimm has developed ROW-level plans for the City and the City has applied for and been awarded Federal Surface Transportation Block Grant (STBG) funding in the amount of \$1,800,000 for the bridge's construction. This report requests the Council to amend the original design contract with Veenstra & Kimm by accepting Amendment No. 1, which increases the contract by \$52,940 from \$99,995 to \$152,935 and includes:

- Project Management;
- Surveying;
- Consideration for Response to Missouri Department of Transportation review;
- Environmental Tasks associated with STBG funding and
- Public Outreach Activities associated with STBG funding

All of which are outlined in the Amendment document and deemed necessary for the completion of the project in conformity with Federal guidelines.

Document No. 9960 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12123.

I. Resolution amending Task Order No. 7 with HDR Engineering, Inc.

The proposed Whitehorse residential development requires full street improvements to Birmingham Road, extending from Ruth Ewing Road to Lauren Street. In support of this effort, and to address the existing at-grade railroad crossing located approximately 400 feet south of Holt Drive, the City initiated a concept study and cost estimate with HDR, Inc. under on-call contract Task Order #7 for a concept study for a sweeping realignment of approximately 2,250 feet of Birmingham Road. The conceptual design facilitates the future construction of a railroad flyover bridge approximately 420 feet northeast of the current at-grade crossing. The scope also included grant planning efforts to identify potential grant funding opportunities for the project. Task Order #7 with HDR Engineering was originally approved on November 14, 2022, for the amount of \$90,210.00.

The first supplemental amendment by HDR increased the contract amount by \$19,920 to \$110,130, added Environmental Services and Utility Review, and was originally approved on January 23, 2023. On September 23, 2024, City Council approved a reimbursement agreement with Union Pacific Railroad (UPRR) for reimbursement to UPRR's consultant for their review of the proposed flyover concept.

However, due to factors such as topography, width of the existing railroad right of way, and railroad safety requirements, estimates for the long bridge spans required became cost-prohibitive. City staff then requested that an alternative be explored to make the removal of the railroad crossing more cost-effective.

HDR provided a Task Order #7 Supplement No. 2 price proposal to study an alternative flyover bridge option that follows the current alignment of Birmingham Road to determine if it may be more feasible. Also included in this supplement are grant writing services for upcoming federal grant opportunities, particularly the federal Railroad Crossing Elimination (RCE) Program.

Supplement No. 2 includes the following Scope of Work additions:

- Grant Writing Services: Pre-NEPA environmental readiness, public and stakeholder involvement, initial project review, data collection, benefit-cost analysis (BCA) report, RCE grant application content preparation, and public support advocacy (75% of scope and fees)
- Alternative In-Line Alignment Concept Plan and Estimate: Develop conceptual plans, preliminary construction limits, and estimated construction costs for an inline vertical grade separation alignment of Birmingham Road over the railroad. Identify issues that may impact the alternative. (25% of scope and fees)

This second supplement amends Task Order No. 7 by increasing the cost by \$125,090, bringing the total not-to-exceed amount to \$235,220. Funding will be through budgeted City Capital Sales Tax funds.

In the long term, project funding for the construction of this project is planned through a combination of sources, including:

- Developer contributions as defined in the approved development agreement,
- Support from Canadian Pacific Railroad,
- Budgeted City Capital and Transportation Sales Tax Funds, and
- Federal Grant Programs.

Action: Council Member Graham 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. 3470.

J. Resolution accepting the 2024 Pavement Markings Project with Heartland Traffic Services, Inc.

The 2024 Pavement Marking Project was awarded to Heartland Traffic Services, Inc. on October 14, 2024 by Ordinance No. 11986.

The project provided marking improvements to locations with faded street markings. The roadways that were treated as part of the project were as follows:

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

The products used consisted of water-based paint and MMA, depending on site location and usage. All contract work has been completed by Heartland Traffic Services, Inc. in accordance with City standards, specifications and contract requirements. This action accepts the 2024 Pavement Markings Project.

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

Vote: Motion passed 7-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3471.

X. OTHER BUSINESS

XI. CITIZENS' PARTICIPATION

Daniel Tajchman – 1028 Broadmore Lane. Mr. Tajchman told the City Council that he attended HDLI's 20-Year Birthday Block Party and how it was so enjoyable. Mr. Tajchman personally enjoyed the "bubble" guy. Mr. Tajchman said there are tons of great things happening in Liberty and he hopes it continues on for years to come.

Mary Howard – 719 Joseph Street. Ms. Howard stated she has a neighbor who enjoys setting off fireworks extensively and she and her family fear for their safety and the safety of their home. Ms. Howard asked the City Council to revisit the City ordinances in regards to fireworks.

Theresa Byrd – 431 E. Franklin Street. Ms. Byrd told the City Council she attended a meeting on June 12, 2025 at Garrison School to discuss street lights, sidewalks and signage. Ms. Byrd stated this was such a wonderful meeting to attend.

XII. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XIII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIV. ADJOURNMENT

The meeting adjourned at 8:02 p.m.

Attest:

Mayor

Deputy City Clerk