



City Council Meeting

Special Regular Session Minutes
May 19, 2025

I. CALL TO ORDER

A special regular meeting of the City Council of the City of Liberty, Missouri was held in the Council Chambers at City Hall on May 19, 2025 with Mayor Greg Canuteson presiding. Mayor Canuteson called the meeting to order at 7:00 p.m.

II. ROLL CALL

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

Council Members Absent: Harold Phillips, Ward I and Adam Travis, Ward II

Staff Present: Curt Wenson, City Administrator
Sara Cooke, Assistant City Administrator
Vicki McClure, Finance Director
Jimmy Gibbs, Parks and Recreation Assistant Director
Jim Martin, Police Chief
Chris Young, Fire Chief
Brandon Smith, Economic & Business Dev. Manager
Katherine Sharp, Planning and Development Director
Sherri McIntyre, Public Works Director
Sarah Ranes, Deputy City Clerk

Public Present: 9 members of the public

II. PROCLAMATIONS

A. Emergency Medical Services Week Proclamation - Mayor Canuteson proclaimed May 18 – 24, 2025 as Emergency Medical Services Week.

IV. APPROVE MINUTES AND SUMMARIES

A. Special Session Minutes of April 17, 2025

Council Member Hagan moved to approve the minutes as distributed. Council Member Graham seconded the motion, which carried 4-0-2. Council Member Travis and Council Member Watt abstained due to absence.

V. MEETING SCHEDULE

VII. CONSENT AGENDA

A. Regular Session Minutes of April 14, 2025

Council Member Watt moved to approve the minutes as distributed. Council Member Graham seconded the motion, which carried 6-0-0.

B. Boards and Commissions Reappointments

1. Citizens Sales Tax Oversight Committee
 - a. Reappoint Paul Jenness to a term expiring 5/15/2028.
 - b. Reappoint Carol Kingery to a term expiring 5/15/2028.
2. Liberty Arts Commission
 - a. Reappoint Greg Duncan to a term expiring 5/15/2028.
 - b. Reappoint Molly Hon to a term expiring 5/15/2028.
 - c. Reappoint Brian Kelley to a term expiring 5/15/2028.
3. Liberty Community Christmas Tree
 - a. Reappoint Amy Abbiatti to a term expiring 5/1/2028.
 - b. Reappoint Hank Pittman to a term expiring 5/1/2028.
4. Parks & Recreation Board
 - a. Reappoint James Gifford to a term expiring 6/1/2028.
 - b. Reappoint Rachel Hollinberger to a term expiring 6/1/2028.
 - c. Reappoint Anissa Wolfe to a term expiring 6/1/2028.
5. Planning & Zoning
 - a. Reappoint Dee Rosekrans to a term expiring 1/1/2028.

Council Member Watt moved to approve the reappointments. Council Member Graham seconded the motion, which carried 6-0-0.

VIII. PUBLIC HEARINGS

- A. Ordinance amending the official zoning map of the City of Liberty, MO by rezoning 11.49 acres from R-1A, "Suburban Residential District" to M-1, "Light Industrial District" for 102,600 square feet of industrial space, north of Heartland Dr., south of US 69 Hwy. (P&Z Case 25-19R&PDP)

This is an application to rezone 11.49 acres to M-1 "Light Industrial" from R-1A "Suburban Residential" to allow the use of the property for the construction of a 102,600 square foot industrial/warehouse building. The proposed zoning is M-1 "Light Industrial" which allows; non-retail business uses, light manufacturing facilities, distribution and warehousing facilities, restaurants and indoor recreational facilities. UDO Section 30-68.1.

The applicant is requesting a variance from the Unified Development Ordinance Section 30-36, the Adequate Public Facilities ordinance, to allow connection to a sanitary sewer line on Heartland Drive by a private easement across an adjacent property.

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. 9941 was read.

Action: Council Member Hagan 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 Hagan moved to approve the ordinance as amended with stipulations. Council Member Watt seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12104.

B. Resolution approving a special use permit to allow the temporary sale of fireworks from June 20, 2025 to July 4, 2025 on a 1.58-acre lot at 530 North Church Road (P&Z Case 21-SUP)

The applicant is requesting a Special Use Permit (SUP) to allow the temporary sale of fireworks between June 20th and July 4th, 2025 within a vacant building at 530 N. Church Rd., at the southwest corner of Plumbers Way and N. Church Rd. The proposed hours of operation are 9:00 a.m. to 9:00 p.m., Sunday through Saturday. The site has off-street parking available to the rear and north of the building. Security personnel will occupy the premises 24 hours per day throughout the duration of the Special Use period. Inventory storage will be in the building and sanitary facilities will be provided in the building. Power is available to the building.

The applicant proposes a 4' x 16' sign on the wall of the building. No other temporary signage will be allowed.

With each sale, the applicant must disperse approved information (Exhibit C) outlining types of fireworks allowed within the city limits as well as time periods in which fireworks can be discharged.

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 Watt moved to approve the resolution. Council Member Pozel seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Inscribed in Resolution No. 3461.

- C. Resolution approving a preliminary development plan for North Liberty Logistics Park at 3905 Edgar Petty Road, an approximately 4 million square foot, nine-building industrial development between Interstate 35 and U.S. Highway 69, including two variances (P&Z Case 25-17PDP)

This is a Preliminary Development Plan application for North Liberty Logistics Park, a 357 +/- acre industrial and warehouse development located north of U.S. Highway 69, east of Edgar Petty Road, and south of NE 116th Street. As indicated in the Previous Case section of this report, this development did receive the approval of Rezoning, Preliminary Development Plan, Final Development Plan, Preliminary Plat, and Final Plat applications between the years of 2021 and 2022; however, because the development did not move forward to construction, the plat and development plan approvals have expired. The applicant – NorthPoint Development – has submitted this Preliminary Development Plan application in hopes of moving forward with the development now.

Per the proposal, these 357 +/- acres would be split into nine lots (P&Z Case 25-18PP), and each lot would contain a building and its associated vehicular use areas. The preliminary building plans submitted with this application anticipate a combined building floor area of 4,260,000 square feet constructed over three phases (Exhibit B). The southern portion of the existing public right-of-way for Edgar Petty Road would be relocated further north along U.S. Highway 69, away from the I-35 interchange. The portion of Edgar Petty Road to be maintained along I-35 would be improved. In addition, Heartland Drive would be extended from its intersection with U.S. Highway 69 north and westward to Edgar Petty Road, bisecting the development. The applicant has requested two variances, detailed below.

1. To vary from Sec. 30-93, "Design standards, in general," to provide a single eight-foot wide sidewalk on the east side of Edgar Petty Road where Code would require five-foot sidewalks on both sides of the public street. Due to its adjacency to I-35 and an inconsistent width of Liberty public right-of-way along Edgar Petty Road, sidewalk along the west edge of this road would encroach within MoDOT right-of-way, which MoDOT would not permit.

2. To vary from Sec. 30-93, "Design standards, in general," to provide limited improvements to NE 116th Street where Code would require full improvements to the public right-of-way. Liberty City Limits generally aligns with the north edge of the pavement of NE 116th Street. In order to reduce this development's impact on the adjacent properties north of NE 116th Street and outside of City Limits, 30 feet of right-of-way will be dedicated on the subject property (to be used for future improvements) and Page 48 of 228 4 the south side of the street will be expanded to a minimum width of 24 feet. Additional changes to grades will be made at and near the intersection of Edgar Petty Road and NE 116th Street to provide safer conditions at this intersection.

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 Watt moved to approve the resolution. Council Member Pozel seconded the motion.

Vote: Motion passed 6-0-0
Yes: Council Members Ponder, Pozel, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None
Inscribed in Resolution No. 3462

VII. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. Ordinance acknowledging vendor payments for the period of May 2, 2025 to May 9, 2025

Document No. 9942 was read.

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

Roll Call

Vote: Motion passed 6-0-0
Yes: Council Members Ponder, Pozel, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 12105.

B. Resolution approving a preliminary plat for north Liberty Logistics Park, a nine-lot subdivision on 357 +/- acres at 3905 Edgar Petty Road (P&Z Case 25-18PP)

This is a preliminary plat application for North Liberty Logistics Park, a new industrial development to include nine buildable lots and various public improvements described below. The project area is situated to the east of Edgar Petty Road/Interstate 35 (I-35), south of NE 116th Street, and north of U.S. Highway 69. As part of this development, and as reflected in the preliminary plat proposed, the south leg of Edgar Petty Road would be relocated so as to intersect with U.S. Highway 69 further north from the existing interchange with I-35. In addition, the plat depicts an extension of N. Heartland Drive through the project area, connecting from its existing intersection with U.S. Highway 69 and connecting to Edgar Petty Road to the north and west.

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

Vote: Motion passed 6-0-0
Yes: Council Members Ponder, Pozel, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None
Inscribed in Resolution No. 3463.

- C. Resolution approving a preliminary plat for Heartland Meadows, 15th Plat, 1 Lot on 11.49 acres, located northwest of Heartland Dr., south of US 69 Hwy. (P&Z Case 25-20PP)

This Preliminary Plat is proposed as 1 lot on 11.49 acres. The lot already exists and the proposed development necessitates that the property is platted. A Final Plat will follow before development can occur.

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

Vote: Motion passed 6-0-0
Yes: Council Members Ponder, Pozel, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None
 Inscribed in Resolution No. 3464.

- D. Ordinance amending Ordinance No. 11951, approving a contract with the Mid-America Regional Council pertaining to senior services, by approving Amendment No. 2, increasing the set maximum reimbursement rates from a period of July 1, 2024 through June 30, 2025

Each year, the City of Liberty is awarded operating contracts by the Mid-America Regional Council (MARC) to support senior center administration, site person transportation, home-delivered meal delivery, home-delivered meals administration of a volunteer system and evidence-based DPHP programs. All contracts are for the state fiscal year July 1 through June 30.

All MARC funding is based on usage and capped at grant-funded amounts.

The table below outlines the maximum amounts to be paid described in the original contract and the first amendment and maximum amounts to be paid proposed in Amendment No. 2.

Service	Original Contract	Amendment #1	Amendment #2
Transportation services to and from the center, unit rate \$2.89/one-way trip	\$15,000	\$15,000	\$15,000
Delivery of home-delivered meals, unit rate \$2.00	\$22,000	\$22,000	\$22,000

Home-delivered meals administration of a volunteer system, unit rate \$5.75	\$63,250	\$63,250	\$63,250
Evidence-based DPHP programs	\$10,000	\$10,000	\$20,000
Home-delivered meals reassessments	\$0	\$0	\$0
Administration of senior center	\$33,000	\$66,473.53	\$66,473.53
Total value of contract	\$143,250	\$176,723.53	\$186,723.53

Document No. 9943 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 Graham seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12106.

- E. Ordinance approving an agreement for service with JCI Industries, Inc. for the rebuild of the carousel gear box for the Wastewater Treatment Plant in an amount not to exceed \$69,944.00

Aeration is how the carousel removes nutrients. The wastewater plant is permitted to remove nutrients as part of the National Pollutant Discharge Elimination System or NPDES, otherwise known as an operating permit. It is required for this system to operate as intended 24-7 to continually meet these goals.

Rebuilding the gearbox allows staff to temporarily take one of the carousel's aerators out of service, have the gearbox (which needs mechanical attention) removed, have the rebuilt gearbox installed, and then have the gearbox that requires attention rebuilt. This removal and replacement process can be completed in 4–8 hours; the gearbox rebuild takes months to complete.

The process of removing gearboxes out of service and installing rebuilt ones will be repeated until all gearboxes have been gone through. There are 4 aerators (two per carousel): one has been replaced with a new gearbox and motor, one has been rebuilt and put into service, and we will have two more gearboxes to evaluate for rebuild. Once completed, staff would have a rebuilt gearbox ready for service in the event of equipment failure. It is more affordable to rebuild than buying new gearboxes. Also, the turnaround time is much quicker.

The Carrousel Gearbox in this Council Action was taken out of service around March 6, 2025, when the rebuilt gearbox and motor were installed. Upon removal, it was taken to JCI's shop and evaluated for rebuilding. This rebuild is needed to add resiliency.

This Council action is only for the rebuild of the Santasalo Gearbox D3PVSF70MIX, and does not include the installation or other services. JCI was selected due to their past performance, knowledge of equipment and an existing cooperative contract that covers the service requested.

Document No. 9944 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 Watt moved to approve the ordinance. Council Member Hagan seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12107.

- F. Ordinance to enable Liberty, Missouri to join Show Me Pace, pursuant to sections §67.2800 TO §67.2835, RSMO, the "Property Assessment Clean Energy Act," and stating the terms under which the City will conduct activities as a member of such District **{to be further postponed to June 2, 2025}**

Document No. 9945 was read.

Action: Council Member Hagan moved to postpone consider of the ordinance to June 2, 2025. Council Member Pozel seconded the motion.

Vote: Motion passed unanimously.

- G. Ordinance approving an amended development agreement between the City and Northpoint Development, LLC; and authorizing and approving certain actions in connection therewith

The project consists of acquiring, constructing and improving an industrial development of approximately 4,258,000 square feet, consisting of nine industrial/warehousing buildings (The development will consist of approximately nine buildings ranging from 338,000 square feet up to 587,000 square feet). The project proposes a Chapter 100 Tax Abatement for a 20-year period with a phased abatement schedule starting at 90% in year one and ending at 18% in year 20. It is anticipated that the nine buildings will be built in multiple phases and then secure tenants who may or may not apply for tax abatement separate from Northpoint Development, LLC. Northpoint Development LLC., will make a PILOT (Payment In Lieu of Taxes) payment in an amount calculated based

on square footage of the constructed buildings multiplied by a per-square foot PILOT (outlined in Plan). NorthPoint Development, LLC., will make that payment to the County as real property tax revenue and distribute it to the taxing entities. The developer will also seek sales tax exemption on construction materials as part of the Chapter 100 approval. There is no personal property tax abatement included at this time. Staff anticipates that as proposals for tenants come to the City, they will be evaluated at that time.

Document No. 9946 was read.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12108.

- H. Ordinance approving a contracting services agreement with The Havens Construction Co., Inc. for the construction of the City of Liberty Project (25-011) N. Church Rd. & Camille St. Storm Sewer Repair Project in an amount not to exceed \$98,475.00

In early March 2025, City Public Works staff identified an area of failing 54" corrugated metal storm sewer pipe (CMP) at the intersection of N. Church Rd. and Camille St.

Since that time, a project scope was put together and advertised for bid. The project includes:

- Removal of the failing corrugated metal storm sewer pipe and replacement with reinforced concrete pipe;
- Removal and replacement of the road as necessary for construction to occur; and
- Associated traffic control and utility coordination.

The project was publicly advertised for bid and construction bids were opened on April 30, 2025. There were a total of three bidders as follows:

- Leavenworth Excavating & Equipment Co., Inc. - \$122,633.00
- The Havens Construction Co. Inc. - \$98,475.00
- Tunks Construction LLC. - \$138,210.00

City staff recommend approving an ordinance that will authorize a contracting services agreement with The Havens Construction Co. Inc. for the construction of the City of

Liberty Project (25-011) N. Church Rd. & Camille St. Storm Sewer Repair Project in an amount not to exceed \$98,475.00.

Document No. 9947 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 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12109.

- I. Ordinance approving a contractor services contract with OWN, Inc. for geotechnical investigation for the City Hall Police Building addition in an amount not to exceed \$25,950.00

On April 8, 2025, the Liberty City Council approved the architectural contract for the final design of the City Hall Police Building Addition.

In order to proceed with the design of the foundation for the addition, soil boring and laboratory testing investigations of the existing soils in the expansion area need to be investigated to verify that existing soil and bedrock will support the expansion. The scope involves boring 17 locations, laboratory testing soil samples, and preparing an engineering report with the findings of the exploration and recommendations for site development and foundation design.

City staff requested proposals from four geotechnical firms on the City of Liberty consultant pre-qualification list. Two firms opted out of submitting due to their current work backlog. Proposals were received from OWN, Inc. and Braun Intertech. The City selected to move forward with OWN, Inc. for a contract. The investigation and report will be completed by the end of June 2025.

City staff recommends approving an ordinance approving a contractor services contract with OWN, Inc. for the Geotechnical Investigation for the City Hall Police Building addition in an amount not to exceed \$25,950.00.

Document No. 9948 was read.

Action: Council Member Graham 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 Graham seconded the motion.

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 12110.

IX. OTHER BUSINESS

X. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XI. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XII. ADJOURNMENT

The meeting adjourned at 7:31 p.m.

Mayor

Attest:

Deputy City Clerk