



City Council Meeting

Regular Session Minutes
September 11, 2023

I. CALL TO ORDER

A regular meeting of the City Council of the City of Liberty, Missouri was held in the Council Chambers at City Hall on September 11, 2023 with Mayor Greg Canuteson presiding. Mayor Canuteson called the meeting to order at 7:11 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

Council Members Present: 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 and Shelton Ponder, Ward I

Staff Present: Curt Wenson, City Administrator
Sara Cooke, Assistant City Administrator
Vicki McClure, Finance Director
BJ Staab, Parks and Recreation Director
Jim Martin, Police Chief
Chris Young, Fire Division Chief, Support Services
John Findlay, Asst. Public Works Director
Jason Thomas, Asst. Utilities Director
Katherine Sharp, Planning and Development Director
Sarah Ranes, Deputy City Clerk

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

IV. APPROVE MINUTES AND SUMMARIES

A. STUDY SESSION SUMMARY OF JULY 17, 2023

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

V. CITIZENS' PARTICIPATION

Mayor Canuteson proclaimed September 17 through September 23, 2023 as Constitution Week in the City of Liberty.

Mary Hill – 1354 Wildbriar Drive stated “Stop the Chop”. The trees at Stocksdale Park are still being cut and they are going deeper into the woods. After doing some research, Ms. Hill stated there was a young boy who as a child was an Indian artifact collector and that would leave us to believe there was settlement in the cliffs located in Liberty, Missouri. Ms. Hill stated to staff that she would like to see the habitat not being destroyed.

Gieselle Fest – 1407 Lynette Street provided an update of the pending lawsuit on Block 174. Ms. Fest recommended to the audience that they should go visit the Veteran’s Memorial at Vivian and North Oak Trafficway where she saw blue and gray soldiers honored together.

David Langston – 1920 Carter Court stated he was here tonight to talk about Stocksdale Park. He visited the park a couple weeks ago and ran into eight-disc golfers who told him that Stocksdale Park is one of the nicest disc golf courses within five states. Mr. Langston congratulated BJ Staab, Director of Parks and Recreation, and his staff for the nice work done at Stocksdale Park. Mr. Langston stated that Stocksdale Park is a great facility but the conditions need to be revamped.

Dwayne Holtzclaw – 113 Kevin Street, Excelsior Springs, MO stated he has family buried in Block 174 and he requests the monument be left alone. He comes from a military family.

Richard Rudd – 901 Sunset Avenue stated that we all choose to believe what we want. Mr. Rudd said that many people don’t understand history and that it is very important that they do. He stated that he has a Master’s Degree in History from Northeast Missouri State. Mr. Rudd stated, let facts speak for themselves.

VI. MEETING SCHEDULE

VII. CONSENT AGENDA

A. AMUSEMENT LICENSE FOR FALL FESTIVAL (JONES & CO.)

Jones and Co. Carnival has applied for an amusement license to operate a carnival during Fall Festival September 22 – 24, 2023.

Council Member Hagan moved to approve the license. Council Member Travis seconded the motion, which carried unanimously.

B. SPECIAL SESSION MINUTES OF JULY 31, 2023

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

C. EXECUTIVE SESSION MINUTES OF JULY 31, 2023

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

VIII. PUBLIC HEARINGS

A. ORDINANCE APPROVING A PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT; AUTHORIZING THE ISSUANCE OF TAXABLE INDUSTRIAL

DEVELOPMENT REVENUE BONDS IN A MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$10,750,000.00 AND AUTHORIZING CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH

The Project consists of acquiring and installing equipment (the "Equipment") in an industrial space located at 1501 Shepherd Road in Liberty, Missouri (Opus spec building C). The total cost of the project is estimated to be \$10,708,000, consisting entirely of costs related to the personal property comprising the equipment. The project would receive a rolling 10-year tax abatement (13-year abatement) at a rate of 75% as outlined in the Cost Benefit Analysis. Project Tab is currently working with the developer on a lease agreement that is contingent upon the approval of these incentives.

Projected tax revenue without abatement - \$1,190,880.00
Projected PILOT - \$297,720.00
Projected Tax Abatement - \$893,160.00

Project Tab is looking at establishing their US Headquarters for industrial battery assembly, sales and distribution operations. The project will include 50 new employees with an average wage just shy of \$100,000.00 annually with the lowest starting wage being \$71,808.00. The City of Liberty was in competition with three other local sites and one site in Dallas, TX. The company is hoping to be operational in Q4 of this year.

The project is also seeking State of Missouri incentives through The Missouri Works Program, which incentivizes job creation.

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.

Document No. 9645 was read.

Action: Council Member Watt moved to waive the rules and consider the ordinance on first reading. Council Member Travis 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 Pozel, Travis, Graham, Watt, Gentrup and Hagan

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11811.

IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. ACKNOWLEDGEMENT OF VENDOR PAYMENTS FOR THE PERIOD OF AUGUST 18, 2023 TO SEPTEMBER 1, 2023

Document No. 9646 was read.

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

Roll Call

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11812.

B. ORDINANCE APPROVING AN AMENDMENT TO ORDINANCE NO. 11672 APPROVING A CONTRACT WITH TRANSYSTEMS CORPORATION FOR CITY OF LIBERTY PROJECT 22-003, MO 291 HWY./BLUE JAY TRAFFIC SIGNAL AND STEWART/MO 291 HWY. INTERSECTION IMPROVEMENTS (FEDERAL AID PROJECT STBG-3392(407) BY AUTHORIZING FUNDING FOR PHASE II AND ADDING SUPPLEMENT NO. 2 TO THE CONTRACT SCOPE OF WORK

The Missouri Highway 291 corridor is a major commercial corridor directly adjacent to the Liberty Triangle Commercial Center. The corridor provides major arterial traffic flow for motorists and freight through the City of Liberty.

On November 14, 2022, the City Council approved a Phased Contract with TranSystems Corporation for the design of the following improvements:

- Signalization of the intersection of MO 291 Hwy. & Blue Jay Dr.
- Elimination or improvement of the intersection of MO 291 Hwy. & Stewart Rd.
- Pedestrian connectivity east of MO 291 Hwy. from the intersection of MO 291 Hwy. & Blue Jay Dr. to North Havens Commercial Center Development.

Phase I was priced at \$225,000.00. At the end of Phase I, the City has the option to amend the contract and continue the cost-share process through the design phase. The previously authorized and funded Phase I has reached a point where commencement of Phase II is imminent. Funding for Phase II is required at this time to allow for a smooth delay-free transition from Phase I to Phase II.

Phase II priced at \$178,839.00:

- Project Management
- Coordination Meetings
- Final Design and Bid Documents

On July 21, 2023, the City submitted a Cost Share application to MoDOT for review. The Cost Share Application included approximately \$1,000,000.00 worth of construction work along the 291 corridor which would provide for sidewalk and associated, required, drainage improvements. While the Cost Share committee has not yet decided on the application, the staff believes it is in the best interest of the project and the City to authorize the additional scope of work to allow for the Cost Share project to continue. This early authorization will allow for Phase II and the Cost Share addition to be worked on in parallel, thereby optimizing both the City and its consultants' time/efforts.

Document No. 9647 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 6-0-0

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

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11813.

C. ORDINANCE APPROVING A CONTRACT WITH LIFE SCAN TO PROVIDE ANNUAL FIRE DEPARTMENT PHYSICALS

The Fire Department is continuously looking for opportunities to improve the health and wellness of its members; and this year the department, with labor management, are continuing the rotation of department physicals required by the standards set forth in the current Collective Bargaining Agreement.

“Section 2. Physical Examinations”

“A health and wellness committee comprised of members from both the Employer and Union shall be established to determine local standards for firefighter wellness, mandatory physicals and fitness standards accordance with NFPA 1582, 1583 and the IAFF/IAFC Joint Labor Management wellness/fitness initiative.”

The Fire Department continues to review multiple physicals each year from different vendors and after thorough review, the department still finds that Life Scan provides the most comprehensive physical, the most in-depth blood and cancer screenings as well as the required NFPA 1582 physical. Life Scan allows the department to meet the intent of the collective bargaining agreement and provide the members of the department with the most comprehensive look at their overall health and wellness along with providing recommendations for improvements to their health.

This year, according to the standards set forth in the CBA, the members that are 18-30 years old and 41 years and older will be scheduled for the physical.

Document No. 9648 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 Graham moved to approve the ordinance. Council Member Travis seconded the motion.

Vote: Motion passed 6-0-0

Yes: Council Members Pozel, Travis, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11814.

D. ORDINANCE AMENDING CHAPTER 20, "MOTOR VEHICLES & TRAFFIC," OF THE CODE OF THE CITY OF LIBERTY, CLAY COUNTY, MISSOURI

Amendments to traffic regulations are required to update the City Code for any new or modified traffic signage. The changes to traffic signs may be driven by a citizen's request, staff or temporary situations requiring traffic modifications. The codification of the traffic regulations and the addition of appropriate signage allow the enforcement of the regulations.

Traffic regulation changes are generally initiated by a 90-day evaluation period monitored by both the Public Works and the Police Departments. If the changes are determined by both departments to be warranted, they are then taken to the Council for approval of a permanent regulation change.

The traffic regulation amendments pertaining to this action are summarized as follows:

- Speed limit on Clay Brooke Drive, from its intersection with Ruth Ewing Road to its intersection with Bunting Lane shall be reduced from 35 to 25 miles per hour.

Document No. 9649 was read.

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

Vote: Motion passed unanimously.

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

Vote: Motion passed 6-0-0
Yes: Council Members Pozel, Travis, Graham, Watt, Gentrup and Hagan
No: None
Abstain: None
Approved by the Chair and inscribed in Ordinance No. 11815.

E. ORDINANCE ESTABLISHING THE 2023 AD VALOREM PROPERTY TAX LEVIES FOR CITY OPERATIONS FOR THE 2024 BUDGET YEAR (**FIRST READING**)

The County has provided the City with final August 2023 assessments for all categories of property exclusive of State assessed railroad and utilities. State assessed railroad and utility values are obtained from the State of Missouri. The additional revenue generated would help support General Services, including but not limited to Public Safety and Parks. \$95.2M or 13.7% higher when compared to the

2022 final assessed values. With the proposed Property Tax Levy, it would be the second lowest City of Liberty levy rate in 11 years.

Document No. 9650 was read.

Mayor Canuteson stated the ordinance will be considered on second reading at the September 25, 2023 Regular Session meeting

- X. OTHER BUSINESS
- XI. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR
- XII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL
- XIII. ADJOURNMENT

The meeting adjourned at 7:50 p.m.

Mayor

Attest:

Deputy City Clerk