



## City Council Meeting

Regular Session Minutes

June 10, 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 June 10, 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 Ponder, who then led the pledge of allegiance.

### III. ROLL CALL

Council Members Present: Harold Phillips and Shelton Ponder, Ward I  
Jeff Watt, Ward III  
Gene Gentrup and Michael Hagan, Ward IV

Council Members Absent: Kelley Wrenn Pozel and Adam Travis, Ward II  
Kevin Graham Ward III

Staff Present: Curt Wenson, City Administrator  
Sara Cooke, Assistant City Administrator  
Vicki McClure, Finance Director  
BJ Staab, Parks and Recreation Director  
Nathan Mulch, Police Captain  
John Mills, Fire Chief  
Chris Young, Assistant Fire Chief  
Katherine Sharp, Planning and Development Director  
John Findlay, Public Works Engineer  
Sarah Ranes, Deputy City Clerk

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

### IV. APPROVE MINUTES AND SUMMARIES

### V. MEETING SCHEDULE

### VI. CONSENT AGENDA

- A. RESOLUTION APPROVING A TEMPORARY EVENT LIQUOR LICENSE FOR THE SOROPTIMIST INTERNATIONAL TACO NIGHT FUNDRAISER EVENT AT ST. JAMES CHURCH, 309 SOUTH STEWART ROAD ON JUNE 18, 2024 FROM 5:30 P.M. TO 8:00 P.M.

Soroptimist International have applied for a temporary liquor license to serve alcohol for the Taco Night Fundraiser event on June 18, 2024, from 5:30 p.m. to 8:00 p.m. Because the public will have access to the event, State statute and City ordinance require a license. The organization contacted the owners/occupants of all properties within one hundred eighty-five (185) feet of the event locations, notifying them of the proposed events and the time and place of the Council meeting at which the applications will be considered.

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

**Vote:** Motion passed 5-0-0  
**Yes:** Council Members Phillips, Ponder, Watt, Gentrup and Hagan  
**No:** None  
**Abstain:** None  
Inscribed in Resolution No. 3388.

B. RESOLUTION APPROVING A TEMPORARY EVENT LIQUOR LICENSE FOR THE LIBERTY AREA CHAMBER OF COMMERCE LIBERTY FEST EVENT AT CAPITOL FEDERAL SPORTS COMPLEX, 2200 E. OLD STATE HIGHWAY 210 ON JULY 3, 2024

The Liberty Area Chamber of Commerce have applied for a temporary liquor license to serve alcohol at Liberty Fest to be held on July 3, 2024, at the Capitol Federal Sports Complex. Because the public will have access to the event, State statute and City ordinance require a license. The necessary certificate of liability insurance and authorization letter have been provided by the applicant. The application and necessary certificate of liability insurance has been reviewed by the appropriate staff and approval is recommended.

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

**Vote:** Motion passed 5-0-0  
**Yes:** Council Members Phillips, Ponder, Watt, Gentrup and Hagan  
**No:** None  
**Abstain:** None  
Inscribed in Resolution No. 3389.

VII. PUBLIC HEARINGS

VIII. ORDINANCES, CONTRACTS AND RESOLUTIONS

A. ORDINANCE ACKNOWLEDGING VENDOR PAYMENTS FOR THE PERIOD OF MAY 10, 2024 TO MAY 31, 2024

Document No. 9767 was read.

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

Roll Call

Vote: Motion passed 5-0-0

Yes: Council Members Phillips, Ponder, Watt, Gentrup and Hagan

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11932.

B. RESOLUTION APPROVING A SPECIAL USE PERMIT FOR A 2.91-ACRE RECREATIONAL VEHICLE STORAGE FACILITY AT 1300 H HIGHWAY, IN LIBERTY, CLAY COUNTY, MISSOURI (P&Z CASE 24-10SUP) (POSTPONED FROM MAY 20 TO BE FURTHER POSTPONED TO JUNE 24)

The applicant is requesting the approval of a Special Use Permit for an outdoor recreational vehicle (RV) and vehicular storage facility in the M-1, Light Industrial District (Section 30-68 of the Unified Development Ordinance. The proposed storage area, which will be set back from the south property line along H Highway by approximately 245 feet, will encompass 2.91 acres of land. The existing concrete access drive onto H Highway will be rehabilitated; though the storage area will not be paved, it will utilize gravel contained within a perimeter curb and gutter. All vehicles stored on-site will be parked beneath open-air canopy structures. The storage area will be enclosed within a six-foot perimeter privacy fence and the south edge of the facility, facing H Highway, will be landscaped to provide additional screening as viewed from public right-of-way.

**Action:** Council Member Hagan moved to postpone consideration of the Resolution to June 24, 2024. Council Member Ponder seconded the motion and it carried unanimously.

C. ORDINANCE ACCEPTING A ONE YEAR AGREEMENT WITH URBAN SDK, INC. TO PROVIDE GEOSPATIAL DATA ANALYTICS WITH THE OPTION TO RENEW ON AN ANNUAL BASIS IN AN AMOUNT NOT TO EXCEED \$24,500.00

Urban SDK, Inc. is a Geospatial Data Analytics service which will provide data to the City of Liberty. The data will allow City Staff to identify road safety issues, analyze congestion trends and create customized reports on speed, safety and congestion. Staff will utilize this service to perform analysis of reported issues such as congestion and speeding and subsequently determine appropriate responses to those issues. The service will also be used to quantify the impact of installed improvements as well as to correlate data provided in developer-supplied Traffic Improvement Studies. Urban SDK will be used by staff from Public Works and potentially the Police Department.

The Urban SDK platform will be obtained through an annual contract in the amount of \$24,500.00.

The contract can be renewed on an annual basis with no more than four renewals occurring, at which point the contract will terminate. Future renewals and any additions to the contract price will be approved by the City Council.

Document No. 9768 was read.

**Action:** Council Member Phillips 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 Phillips seconded the motion.

**Vote:** Motion passed 5-0-0

**Yes:** Council Members Phillips, Ponder, Watt, Gentrup and Hagan

**No:** None

**Abstain:** None

Approved by the Chair and inscribed in Ordinance No. 11933.

D. RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DIVISION OF HIGHWAY SAFETY FOR A HIGHWAY SAFETY LAW ENFORCEMENT GRANT (DWI ENFORCEMENT)

The purpose of this resolution is to enhance roadway safety by approving the receipt and disbursement of supplemental funds from the Missouri Highway Safety and Traffic Division, to support the Liberty Police Department in enforcement of impaired driving. During the past three years there were 1,767 traffic crashes in the city limits of Liberty. Of those crashes, 81 involved an impaired driver.

In 2023, the Liberty Police Department made 78 arrests for Driving While Intoxicated. Most of these arrests occurred between 1900 and 0300 hours. The funding received through this grant will be used to target impaired drivers and create safer roadways for all.

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

**Vote:** Motion passed 5-0-0

**Yes:** Council Members Phillips, Ponder, Watt, Gentrup and Hagan

**No:** None

**Abstain:** None

Inscribed in Resolution No. 3390.

E. RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DIVISION OF HIGHWAY SAFETY FOR A HIGHWAY SAFETY LAW ENFORCEMENT GRANT (HAZARDOUS MOVING VEHICLES)

The purpose of this resolution is to enhance roadway safety by approving the receipt and disbursement of supplemental funds from the Missouri Highway Safety and Traffic Division, to support the Liberty Police Department in enforcement of hazardous moving violations.

The City of Liberty, when compared with the rest of Clay County, is trending in the right direction in regard to all traffic crashes. The majority of crashes that occur in the city take place on W. Kansas Street from N. Clayview Drive westbound to the western city limits, and on Missouri 291

Highway. The crashes on W. Kansas Street are normally slower speed crashes due to the high volume of traffic. The crashes on MO 291 Highway, though less frequent, are generally at higher speeds with a greater risk for injury. Most traffic crashes occur between Monday and Saturday, from 0700 hours to 2100 hours. The high volume of traffic is due to the many shopping centers, businesses and schools in the area.

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

Vote: Motion passed 5-0-0

Yes: Council Members Phillips, Ponder, Watt, Gentrup and Hagan

No: None

Abstain: None

Inscribed in Resolution No. 3391.

F. ORDINANCE APPROVING A CONTRACT WITH LEAVENWORTH EXCAVATING & EQUIPMENT COMPANY, INC. (LEXECO) FOR CITY OF LIBERTY PROJECT 24-006 MOSS STREET AND OLD 210 HIGHWAY GUARDRAIL

Document No. 9769 was read.

City staff have determined that a guardrail is needed for public safety at two locations:

Location 1: Old State Hwy 210 running over Town Branch

The segment of Old State Hwy 210 as it runs over Town Branch Creek poses a significant hazard. The narrow shoulder does not provide adequate space for a vehicle to correct itself in the event of an emergency. In the event that a vehicle was to leave the roadway, there is a high likelihood of the driver becoming submerged underwater and of the vehicle rolling.

Location 2: Moss Ave. adjacent to City Park

The segment of Old State Hwy 210 as it runs over Town Branch Creek poses a significant hazard. The narrow shoulder does not provide adequate space for a vehicle to correct itself in the event of an emergency. In the event that a vehicle was to leave the roadway, there is a high likelihood of the driver becoming submerged underwater and of the vehicle rolling.

City staff advertised the project beginning on April 2, 2024. The advertisement, originally, only included the Moss Ave. location. The project did not garner interest from contractors. City staff contacted the Missouri Department of Transportation (MoDOT) and Engineering Consultants to help identify contractors. A total of (2) firms were identified as specializing in guardrail work. The project was noted as being too small to interest contractors. City staff amended the advertised scope of work to include the Old 210 location. The amended scope was advertised on April 16, 2024.

On May 8, 2024 a bid was received and opened from Lexeco in the amount of \$297,860.75. No other bids were received.

**Action:** Council Member Hagan moved to waive the rules and consider the ordinance on first reading Council Member Gentrup 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 5-0-0

Yes: Council Members Phillips, Ponder, Watt, Gentrup and Hagan

No: None

Abstain: None

Approved by the Chair and inscribed in Ordinance No. 11934.

G. RESOLUTION APPROVING AN UPDATED CITY PURCHASING POLICY OF THE CITY OF LIBERTY, MISSOURI

A Purchasing Policy establishes and standardizes the procedure for purchasing goods and services within an organization. It provides specific instructions for employees to successfully navigate common procurement scenarios and comply with Federal and State laws.

The City Council approved the last update to the current policy in 2004. With the expansion of utilities operations and navigating through a global pandemic, it became very apparent that a policy update was needed. In early 2024, the City began working with Cunningham, Vogel and Rost (CVR) on a complete review of our purchasing policy to ensure it provides clear and modern guidelines to allow City operations to run effectively and efficiently in modern times, and complies with all Federal and State laws and implement the changes that need to be completed.

The policy includes guidelines related to purchasing authority levels, the use of cooperative governmental purchasing contracts; bid processes, including when to use the different types of bid documents; purchase orders, sole-source procurement and more. It also sets forth authority for certain City officials to enter into contracts and make purchases within a certain dollar amount to ensure the efficient and effective operation of the City.

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

Vote: Motion passed 5-0-0

Yes: Council Members Phillips, Ponder, Watt, Gentrup and Hagan

No: None

Abstain: None

Inscribed in Resolution No. 3392.

IX. OTHER BUSINESS

X. CITIZENS PARTICIPATION

David Langston – 1920 Carter Court, Mr. Langston stated he wanted to talk about Memorial Day and the Pledge of Allegiance. Mr. Langston stated his grandfather fought in World War I and was a victim of mustard gas. Mr. Langston stated his dad, mother and brother also served in the military and there is a price to pay for freedom. Mr. Langston stated it bothers him when the City Council has a Special Session meeting and the Pledge of Allegiance isn't recited. Mr. Langston stated the Pledge of Allegiance should be recited at every meeting to show respect for the cost of freedom and don't use the Special Meeting as an opportunity not to recite it.

Dwayne Holtzclaw – 113 Kevin Street, Excelsior Springs, MO, Mr. Holtzclaw stated he has family buried in privately owned Block 174. Mr. Holtzclaw stated privately owned Block 174 was sold by an American Military Combat Veteran and Prisoner of War, John Will Hall. Mr. Holtzclaw stated John Will Hall was his uncle and during his time as Mayor of Liberty, he sold privately owned Block 174 on January 6, 1900. Mr. Holtzclaw stated he belongs to Liberty Missouri's first-born child and his family donated the land to Liberty for the Courthouse. Mr. Holtzclaw stated this is his 92<sup>nd</sup> City Council meeting where he requests the City Council to stop the revestment lawsuit.

Gieselle Fest – 1407 Lynette Street, Ms. Fest thanked the Mayor and City Council Members for the opportunity to speak this evening and she respectfully asks to withdraw the lawsuit for the dead tax payers in Block 174, the taxpayers of Clay County. Ms. Fest states that June will mark the fourth year that this matter is still being discussed. Ms. Fest stated she has learned a lot but she still continues to ask the question of "why". Ms. Fest states she believes cemeteries are holy sacred grounds.

David Sallee – 9531 N. Laurel Avenue, Kansas City, MO, Mr. Sallee stated Council Member Ponder and Council Member Gentrup reminded us recently that America has changed some by not allowing anymore colored restrooms, waiting rooms, schools or drinking fountains and no more public Klan rallies in Liberty. Mr. Sallee said we can't change everything about racism but we can change the monument.

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

The meeting adjourned at 7:42 p.m.

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Mayor

Attest:

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Deputy City Clerk