



## City Council Meeting

Regular Session Minutes

January 13, 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 January 13, 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 Pozel, 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  
Jim Martin, Police Chief  
Chris Young, Fire Chief  
Brandon Smith, Economic & Business Dev. Manager  
Katherine Sharp, Planning and Development Director  
John Findlay, City Engineer  
Sarah Ranes, Deputy City Clerk

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

### IV. PROCLAMATIONS

### V. APPROVE MINUTES AND SUMMARIES

### VI. MEETING SCHEDULE

### VII. CONSENT AGENDA

VIII. PUBLIC HEARINGS

A. Water Street Lofts Project

1. Ordinance Approving the Petition for the Establishment of the Water Street Community Improvement District, Establishing the District, Making Findings and Authorizing Actions Related to Establishment of the District

The District will encompass an 0.42 +/- acre plot of land located northeast of the intersection of Water Street and Kansas Street in Liberty, Missouri (the "Development"). The purpose of the District is to undertake certain improvements and services within the District, as discussed below, and to use or make available its revenue to pay the costs thereof. The purpose of the District is to provide funding for the demolition of the existing structures and, construction, and design of structured parking on the northwest portion of the District (the "Improvements"), and the provision of certain services within the District's boundaries, which is anticipated to include maintenance of public improvements (the "Services"). The costs of the Improvements to be financed by the District shall include all costs associated with design, architecture, engineering, financing costs incurred to finance such Improvements, and legal and administrative costs of the same. The District may also provide funding for the District's formation and its ongoing operation and administration costs on an annual basis. It is proposed that the District will impose a sales and use tax of up to one percent (1%) (the "District Sales Tax"), which is in addition to any other state, county or city sales and use tax. The District Sales Tax is payable on the same retail sales that are subject to taxation pursuant to Sections 144.010 to 144.525, RSMo, except sales of motor vehicles, trailers, boats or outboard motors, and sales to or by public utilities and providers of communications, cable, or video services. All costs of the District shall be financed in the manner and amount determined by the Board of Directors from the amounts on deposit with the CID. Amounts advanced to the District by the Petitioner, or its successors or assigns, to cover the costs contemplated hereunder will be reimbursed by the District upon the availability of funds. All financing costs, including interest costs, associated with any loan obtained by the District, or notes, bonds, or other obligations issued by the District to finance Improvements and/or Services may be paid from CID Sales Tax revenues.

Total project cost total \$5,880,500 and the CID Reimbursement total is \$701,347.00.

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. 9862 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 Hagan 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. 12027.

2. Ordinance Approving A Plan For An Industrial Development Project For The Water Street Lofts Project; Authorizing The City Of Liberty, Missouri To Issue A Series Of Taxable Industrial Development Revenue Bonds In A Principal Amount Not To Exceed \$7,580,000; And Authorizing And Approving Certain Documents And Actions In Connection Therewith

The Project is expected to cost approximately \$7,580,000.

The sources of funds to be expended for the Project will be the proceeds of the Bonds in a principal amount not to exceed \$7,580,000, to be issued by the City and purchased by the Company and, if needed, other available funds of the Company. The Bonds will be payable solely from the revenues derived by the City from the lease or other disposition of the Project. The Bonds will not be an indebtedness or general obligation, debt or liability of the City or the State of Missouri.

The Company will make payments in lieu of taxes ("PILOTS") for the Project as follows: (1) from issuance of the Bonds until 2040, a fixed amount in each year equal to \$8,629 (the 2023 tax amount applicable to the Project site), and (2) from 2041 through 2050, an amount equal to 50% of the taxes that would be due on the Project in each year were it not for ownership of the Project by the City. Qualified building materials purchased for the construction of the Project are expected to be exempt from sales and use tax.

The project is seeking a 25-year tax abatement. The first fifteen years will be a 100% abatement with a PILOT payment totaling \$8,629 (the 2023 tax applicable to the project site) that will end in 2040. Starting in 2041 through 2050, an amount equal to 50% of the taxes that would be due on the Project in each year were it not for ownership of the Project by the City.

Ben Bigham with the Polsinelli Law Firm located at 900 W. 48<sup>th</sup> Place, Kansas City, MO 64112 was present as legal representation for the Water Street Lofts. Mr. Bigham stated the City won't be backing the bonds for this project in the event the developer defaults on the bonds.

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. 9863 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 Watt 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. 12028.

## IX. ORDINANCES, CONTRACTS AND RESOLUTIONS

### A. Ordinance Acknowledging Vendor Payments for the Period of December 6, 2024 to January 3, 2025

Document No. 9864 was read.

**Action:** Council Member Hagan moved to approve the vendor payments. Council Member Travis 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. 12029.

### B. Ordinance Calling an Election in the City of Liberty, Missouri on the Question of Increasing the General Sales Tax In The Amount of One Percent (1.0%)

The City Council has established as one of its priorities increasing available funding for public safety. Over the last eight years, the City Council has taken several steps to further these priorities.

In 2017, voters approved a 0.5% public safety sales tax which provided dedicated funding for public safety recruitment and retention, four new officers and three new firefighter/EMS positions. The approval of the Public Safety Sales Tax has also provided a funding source for the City to remain competitive with compensation and to compete with area agencies in recruiting the best quality candidates.

Since the approval of the public safety sales tax, the City has added an additional five positions within the Police Department and 11 additional positions within the Fire Department to address increased call volumes and provide improved staffing for officer

and firefighter safety. To remain competitive in compensation for our Public Safety employees, the City dedicated additional funds from new revenues from the Liberty Triangle, and the voter approved 3% recreational marijuana tax in 2024 and the 2024 property tax reset.

Last year, a citizen committee was formed, with representation from each of the City's four wards and an at-large member, to review the space needs of the Liberty Police Department. Over several months, this committee studied the space utilized by the Police Department, spoke with Liberty stakeholders and police officers and worked with a third-party moderator and architecture firm to consider a modern facility.

The committee presented their findings, priorities and recommendations at the City Council Study Session on January 7. The group identified that the current 10,985 facility, built in 1982, is inadequate for the functionality of a growing and modern police department. They considered other facility locations, but determined a renovation and expansion at the current location was more cost effective. They also recommended that the expansion should accommodate the projected growth of both the community and the department through 2055. Other recommendations included improved security for police officers, a modular floor plan that supports training space, improved work-flows, and more and modern space for evidence handling and storage. The committee recommended that the City seek public approval for funding up to \$20 million for this purpose.

In an ever-competitive market for recruiting and retaining Public Safety employees and to provide the Liberty Police Department with a more modern facility, a 1% General Sales Tax could provide the necessary funding.

The City Council will be asking voters on April 8, 2025 for the approval of increasing the General Sales Tax by 1.0% to assist with funding for salaries and benefits for public safety and for the construction of the expansion of the police department. This additional 1.0% will be solely dedicated for current and future public safety needs. This additional tax will not sunset.

The City is required to submit documents to Clay County Board of Elections by January 28, 2025 to have the item placed on the April 8, 2025 election ballot.

Document No. 9865 was read.

**Action:** Council Member Phillips moved to postpone consideration of the ordinance to January 27, 2025. Council Member Pozel seconded the motion. Motion passed unanimously.

- C. Ordinance Approving a Six-Month Kansas City Area Transportation Authority (KCATA) Contract for IRIS (ZTRIP) Flex Transportation Service PILOT Program Within the City of Liberty, Effective January 1, 2025 through June 30, 2025 in an amount not to exceed \$84,000.00

The IRIS service is an on-demand transportation solution with a service from 6 a.m. to 10 p.m. seven days a week. The service includes para-transit services. The contract is for a six-month extension of the IRIS (zTrip) pilot program effective beginning January

1, 2025 through June 30, 2025, for \$14,000 monthly. During the six-month pilot program extension, trips within the boundaries of the City of Liberty will have a fare of \$3.00. Trips leaving or coming from borders outside of Liberty will follow the IRIS pricing structure within Kansas City, MO. The KCATA will retain all fare revenues.

WHC (zTrip) contracts with KCATA to provide IRIS transportation services in the Kansas City region. According to WHC (zTrip), the IRIS service has steadily seen increasing ridership with a 25% + increase since the program was implemented; the average ride rating is 4.73 stars out of 5 stars; and IRIS drivers have a 95% average on-time performance. WHC (zTrip) has been servicing the Kansas City region since 1987 with trained, professional and courteous drivers; branded, clean and safe vehicles; with ADA-Compliant operators and vehicles.

The goals of the IRIS (zTrip) service are to expand access to public transportation within KCMO and surrounding communities in areas currently underserved by transit; and to create, deploy and operate an innovative mobility system that maximizes transit accessibility by incorporating dynamic, on-demand flex service to complement traditional transit services. Data will continue to be gathered during the six-month contract and such data will be used to create an ongoing IRIS (zTrip) service for the City of Liberty, if approved by the City Council. The cost of an annual on-going contract for IRIS (zTrip) service with the KCATA will be dependent upon rider demand, service scope, ride fare structure, etc.

Riders can schedule trips through the "IRIS" App (RideCo, Inc.) which can be downloaded for free on Apple iOS and GooglePlay. The "IRIS" App enables riders to make on-demand and pre-scheduled ride reservations. Riders can pay electronically through the "IRIS" App. Riders not using smart phones can also call a traditional customer service center to schedule an IRIS (zTRip) ride, and arrange payment methods at that time.

The IRIS (zTrip) flex transportation solution could also be utilized by employers for workforce transportation needs, if they choose to participate individually with their businesses, or possibly as part of a larger partnership with the City.

Document No. 9866 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 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. 12030.

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 Public Works and the Police Department. If the changes are determined by both departments to be warranted, they are then taken to the City Council for approval of a permanent regulation change.

The traffic regulations amendment pertaining to this action are summarized as follows:

Prohibiting parking on the southwest side of Hillcrest Road between the Ridgeview Elementary School drive entrances across from Dixie Street.

Document No. 9867 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 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. 12031.

E. Resolution Granting a Certificate of Appropriateness for Exterior Improvements at 14 N. Prairie Street, Dougherty Historic District, a 353 Tax Abatement Project

The owner is planning to take advantage of the City's Chapter 353 tax abatement program for exterior improvements at 14 N. Prairie, Dougherty Historic District.

An application for a COA was approved by HDRC at their November 4, 2024 meeting and by LMRC on December 19, 2024.

Improvements to include building new steps to the back porch, like in kind repairs to wood rot on the back-porch windows, like in kind replacement of screens, like in kind repairs to the garage siding and add a new wood sliding door to the east elevation of the garage. Sidewalk repairs as needed.

**Action:** Council Member Hagan 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. 3436.

X. OTHER BUSINESS

XI. CITIZENS' PARTICIPATION

David Langston – 1920 Carter Court, Mr. Langston stated he was here to talk about Block 174 which is his family's burial ground. Mr. Langston stated the City has been engaged in a long effort to take his family's burial ground. Mr. Langston said he has done an evaluation of some remarks made by the Mayor and when this project started, Mr. Langston said the Mayor said it should have only cost \$1,000.00 and then on October 28<sup>th</sup>, the Mayor stated the City has spent over \$100,000.00. Mr. Langston stated these were the Mayors words not his and he wants to know when it's going to stop. Mr. Langston agreed with placing a covering over General Forrest's name located on the Block 174 if it means the lawsuit will be stopped. Mr. Langston asked the City Council at what point will this stop and when will they stop wasting the taxpayer's money?

Dwayne Holtzclaw – 113 Kevin Street, Excelsior Springs, MO. Mr. Holtzclaw stated he has been visiting his family members graves since before the Mayor was born and he knows exactly where everyone of his family members is buried because he has had ground penetrating radar done. Mr. Holtzclaw stated he has a cousin buried within 10" of that grave marker. Mr. Holtzclaw stated he isn't wasting tax payer dollars as he isn't the one who filed the lawsuit against Block 174. Mr. Holtzclaw stated his uncle sold Block 174 and the deed is located in Deed Book 120, Page 36 at the Clay County Recorder of Deeds Office.

Gieselle Fest – 1407 Lynette Street. Ms. Fest thanked the City Council for the privilege to speak in front of this group. Ms. Fest stated the City did file a lawsuit and she isn't a lawyer, she is just part of the poor working-class group. Ms. Fest states this was a family issue and that it shouldn't have ended being a City issue. Ms. Fest said they go to this grave marker to remember their family for who they were and not for what they did. Ms. Fest stated they aren't lawyers, they are just poor white working folks from Liberty that want their family members graves to be left alone.

Buzzy Maddox – 1330 Lake Road – Mr. Maddox informed the City Council that he works at the Corner Bar and he is present tonight to propose the idea of a private marijuana consumption lounge. Mr. Maddox would like to discuss with City staff the idea for creating a lounge and offering a membership to those 21 years of age and older.

XII. MISCELLANEOUS MATTERS FROM CITY ADMINISTRATOR

XIII. MISCELLANEOUS MATTERS FROM MAYOR AND CITY COUNCIL

XIV. ADJOURNMENT

The meeting adjourned at 7:56 p.m.

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Greg Canuteson, Mayor

Attest:

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Deputy City Clerk