



The City of Lee's Summit
Action Letter
City Council - Regular Session

Tuesday, January 5, 2021

6:00 PM

Via Video Conference

REGULAR SESSION NO. 19

Notice is hereby given that the City Council of the City of Lee's Summit will meet in regular session on Tuesday, January 5, 2021, at 6:00 pm, via video conference as provided by Section 610.015 of the Revised Statutes of the State of Missouri due to the ongoing COVID-19 pandemic.

The public is invited to attend by viewing the meeting on the City website at www.WatchLS.net, and various cable providers (Spectrum channel 2, Google TV channel 143, AT&T U-Verse channel 99 and Comcast channel 7) for those whose cable providers carry the City of Lee's Summit meetings. The public can attend via the Zoom software platform at www.Zoom.com; you may request the specific link to attend the City Council meeting.

Additionally, persons wishing to comment on any item of business on the agenda may do so in writing prior to 5:00 pm on Monday, January 4, 2021, either by e-mail to: clerk@cityofls.net, by leaving a voicemail at 816-969-1005 or by leaving written printed comments in the utility payments drop boxes located in the alley behind City Hall or inside the foyer at the north end of City Hall, both located at 220 SE Green Street, Lee's Summit, MO 64063. Written comments submitted by these methods will be presented at the City Council meeting.

Persons wishing to speak at a public hearing on this agenda may do so by contacting the City Clerk prior to 5:00 p.m. on Monday, January 4, 2021 by e-mail at clerk@cityofls.net, and they will be provided with instructions regarding how to provide their live testimony via video conference during the public hearing

Preliminaries:

- A. Invocation
- B. Pledge of Allegiance
- C. Call to Order

Mayor Baird called Regular Session No. 19 to order at 6:02 pm.

- D. Roll Call

City Council - Regular Session

Action Letter

January 5, 2021

Present: 9 - Mayor Bill Baird
Councilmember Trish Carlyle
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Andrew Felker
Councilmember Diane Forte
Councilmember Bob Johnson
Councilmember Beto Lopez
Councilmember Hillary Shields

1. Approval of Agenda

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, to approve the agenda as published. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

A. [2020-3874](#) Approval of City Council Action Letters from December 1, 8 and 15, 2020.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, to approve the Action Letters from December 1, 8 and 15, 2020. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

B. [BILL NO. 20-44](#) An Ordinance accepting final plat entitled The Manor at Stoney Creek, 4th Plat, Lots 109-136, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First reading by Council on March 3, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 20-44 be adopted and numbered Ord. No. 9038 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- C. [BILL NO. 20-247](#)** An Ordinance approving Amendment No. 7 to the Budget for the Fiscal Year ending June 30, 2021, as adopted by Ordinance No. 8905 and Ordinance No. 8906, by amending the authorized amount of full time equivalent positions in the Law Department for the City of Lee's Summit, Missouri, and establishing a new pay and classification plan.
(Note: First reading by Council on December 15, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 20-247 be adopted and numbered Ord. No. 9039 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- D. [AMENDED BILL NO. 20-250](#)** An Ordinance adding a new Section 26-10. Street name change - City Initiated; in Article I. General. of Chapter 26 - Streets, Sidewalks, and Other Public Places, dealing generally with the process for a street name change initiated by the City.
(Note: First reading by Council on December 15, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Amended Bill No. 20-250 be adopted and numbered Ord. No. 9040 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

3. Council Roundtable

Councilmember Shields advised she would be recusing herself on the items related to Chapel Ridge and Cedar Creek as her firm represents them.

Councilmember Johnson expressed his gratitude to the ladies that worked the front counter during tax season. He truly appreciated their patience and friendliness with all citizens.

Councilmember Felker advised he would be recusing himself on the items related to Chapel Ridge, Chamber of Commerce and Paragon Star due to a conflict in interest.

Councilmember Forte reflected on the holidays and how they were done differently this year due to the ongoing pandemic. She feels this had an effect on people and she hopes it is the last holiday that must be spent this way.

4. Public Hearings:

- A. [2020-3845](#) Public Hearing: Application #PL2020-280 - Preliminary Development Plan - Streets of West Pryor, Lots 1 and 2, 2051 and 2061 NW Lowenstein Dr; Street of West Pryor, LLC, applicant.

(NOTE: This item was continued from January 5, 2021 per staff's request.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that this Public Hearing be continued to January 12, 2021 per staff's request. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- B. [2020-3875](#) Public Hearing: Chapel Ridge Community Improvement District
Exhibit A. 1 - 8 was entered into the record.

Council Discussion:

* TDD Taxes with CID Taxes

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 20-251](#) An Ordinance Approving the Petition for Establishment of the Chapel Ridge Community Improvement District and Approving a Cooperative Agreement for Implementation of the District. (Note: First reading by City Council on January 19, 2021.)

This item was continued to January 12, 2021 per the request of Mr. David Bushek, due to some

discrepancies in the ordinance. These will be fixed and brought back for first reading on January 12, 2021.

- C. [2020-3850](#) Public Hearing: Application #PL2020-308 - Rezoning from AG and R-1 to R-1 and Preliminary Development Plan - Winterset Valley 14th Plat, Lots 1488-1521 & Tracts A-E; Engineering Solutions, LLC, applicant.

Exhibit A. 1 - 19 was entered into the record.

There was no Council Discussion.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 20-252](#) An Ordinance approving a rezoning from AG (Agricultural) and R-1 (Single-family Residential) to district R-1 and preliminary development plan for approximately 24.8 acres, proposed Winterset Valley, 14th Plat, Lots 1488-1521 & Tracts A-E, in accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
(Note: First reading by City Council on January 5, 2021.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 20-252 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Recused: 1 - Councilmember Felker

- D. [2020-3754](#) Public Hearing: Application #PL2020-240 - Rezoning from AG to RLL - Pine Tree Farm Estates, 1050 NE Todd George Rd; Keith Foster, applicant.

Exhibit A. 1 - 19 was entered into the record.

Council Discussion included:

- * Minimum Standards
- * House Plans / Standards
- * Covenants / Restrictions
- * Livestock
- * Pond
- * Site Info
- * Square Footage
- * Setbacks
- * UDO requirements

This Public Hearing - Sworn was presented.

- 1) [SUBSTITUTE BILL NO. 20-253](#) An Ordinance approving a rezoning from district AG to district RLL for approximately 10 acres located at 1050 NE Todd George Road, proposed Pine Tree Farm Estates in accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.

(Note: First reading by City Council on January 5, 2021. Bill was amended on January 19, 2021 and tabled for second reading.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Carlyle, that Bill No. 20-253 be advanced to second reading. The motion carried by the following vote:

Aye: 5 - Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Johnson
Councilmember Shields

Nay: 4 - Mayor Baird
Councilmember Felker
Councilmember Forte
Councilmember Lopez

5. Public Comments:

There were no Public Comments.

6. Presentations:

- A. [2020-3877](#) Discussion: Ballot language for Debt Levy Election for April 6, 2021
- After the presentation, Council reached a consensus to bring forward an ordinance containing the ballot language for this item.

7. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 20-254](#) An Ordinance approving a second amendment to the Community Development Block Grant (CDBG) 2020-21 Annual Action Plan (CEDC 12/9/2020)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 20-254 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 20-254 be adopted and numbered Ord. No. 9041. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

8. Proposed Ordinances - First Reading:

- A. [BILL NO. 20-255](#) An Ordinance authorizing and directing the issuance of \$5,000,000 principal amount of General Obligation Bonds, Series 2021A, and authorizing certain other documents and actions by the City.
(Note: First reading by City Council on January 5, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Forte, that Bill No. 20-255 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- B. [BILL NO. 20-256](#) An Ordinance vacating a portion of a certain easement located at 1728 NE Aberdeen Drive; in the City of Lee's Summit, Missouri.
(Note: First reading by City Council on January 5, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Edson, that Bill No. 20-256 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- C. [BILL NO. 20-257](#) An Ordinance Approving the Cooperative Agreement and the Lease Agreement Among the City of Lee's Summit, Missouri, the Cedar Creek Community Improvement District and Enterprises Cedar Creek, LLC., to Implement the Incentives for the Cedar Creek Shopping Center Redevelopment Project.
(Note: First reading by City Council on January 5, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 20-257 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

9. Proposed Ordinances - Second Reading:

- A. [BILL NO. 20-231](#) An Ordinance approving The Cedar Creek Land Clearance Redevelopment Act Redevelopment Plan.

(Note: First reading by Council on December 15, 2020.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 20-231 be adopted and numbered Ord. No. 9042. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Recused: 1 - Councilmember Shields

- B. [SUBSTITUTE BILL NO. 20-227](#) An Ordinance approving term extensions until June 30, 2021 and payment adjustments for certain Public Service Agreements by and between the City Of Lee's Summit, Missouri and Downtown Lee's Summit Main Street; Lee's Summit Economic Development Council; and, Velocity Lee's Summit, Inc., for the purposes stated in each agreement; and authorizing the City Manager to execute the same by and on behalf of the City.

(Note: First reading by Council on December 15, 2020.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that Substitute Bill No. 20-227 be adopted and numbered Ord. No. 9043. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember Carlyle
Councilmember Felker
Councilmember Forte
Councilmember Lopez
Councilmember Shields

Nay: 3 - Councilmember DeMoro
Councilmember Edson
Councilmember Johnson

- C. [BILL NO. 20-229](#) An Ordinance approving term extensions until June 30, 2021 and payment adjustments for certain Public Service Agreements by and between the City of Lee's Summit, Missouri and the Lee's Summit Chamber of Commerce, Inc. for the purposes stated in each agreement, and authorizing the City Manager to execute the same by and on behalf of the City.
(Note: First reading by Council on December 15, 2020.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 20-229 be adopted and numbered Ord. No. 9044. The motion carried by the following vote:

Aye: 5 - Mayor Baird
Councilmember Carlyle
Councilmember Forte
Councilmember Lopez
Councilmember Shields

Nay: 3 - Councilmember DeMoro
Councilmember Edson
Councilmember Johnson

Recused: 1 - Councilmember Felker

- D. [SUBSTITUTE BILL NO. 20-228](#) An Ordinance approving Amendment No. 4 to the budget for the Fiscal Year ending June 30, 2021, as adopted by Ordinance No. 8905 and Ordinance No. 8906, by amending the authorized expenditures in the Business & Industry Fund for the City of Lee's Summit, Missouri.
(Note: First reading by Council on December 15, 2020.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Substitute Bill No. 20-228 be adopted and numbered Ord. No. 9045. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember Carlyle
Councilmember Felker
Councilmember Forte
Councilmember Lopez
Councilmember Shields

Nay: 3 - Councilmember DeMoro
Councilmember Edson
Councilmember Johnson

- E. [BILL NO. 20-230](#) An Ordinance approving Amendment No. 4A to the budget for the Fiscal Year ending June 30, 2021, as adopted by Ordinance No. 8905 and Ordinance No. 8906, by amending the authorized expenditures in the Business & Industry Fund for the City of Lee's Summit, Missouri.
(Note: First reading by Council on December 15, 2020.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Carlyle, that Bill No. 20-230 be adopted and numbered Ord. No. 9046. The motion carried by the following vote:

Aye: 5 - Mayor Baird
Councilmember Carlyle
Councilmember Forte
Councilmember Lopez
Councilmember Shields

Nay: 3 - Councilmember DeMoro
Councilmember Edson
Councilmember Johnson

Recused: 1 - Councilmember Felker

- F. [BILL NO. 20-248](#)** An Ordinance Approving the Amended and Restated Development Agreement Between Paragon Star, LLC, and the City of Lee's Summit, Missouri, for the Paragon Star Project.
(Note: First reading by Council on December 15, 2020.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 20-248 be adopted and numbered Ord. No. 9047. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Recused: 1 - Councilmember Felker

10. Committee Reports

Councilmember Forte stated the Community and Economic Development Committee would meet on Wednesday, January 13, 2021 at 4pm via Zoom.

Councilmember Johnson advised the Finance and Budget Committee would meet on Monday, January 11, 2021 at 2pm via Zoom.

Councilmember Felker noted the Rules Committee meeting previously scheduled for this Thursday, January 7, 2021 had to be cancelled due to a scheduling conflict. The next meeting is scheduled for February.

Councilmember DeMoro stated the Public Works Committee met yesterday, Monday, January 4, 2021 and they had a lot of great discussions on stormwater, sidewalk gap plans and infrastructure.

Councilmember Carlyle noted the Legislative and Intergovernmental Relations Committee meeting that had been scheduled for yesterday, January 4, 2021 has to be rescheduled. They will now meet on Thursday, January 14, 2021 at 11:30 via Zoom.

11. Council Comments:

Councilmember Forte stated the Board of Education had voted to send grades K-6 back to school full time in person five days a week starting Monday, January 11, 2021. Councilmember DeMoro added they would be discussing grades 7 - 12 on Thursday, January 7, 2021.

Mayor Baird stated there are a couple of legislative bills that should help fix issues with costs to courts on failure to appear cases. He noted Mr. Head would provide an update at a later time.

12. Staff Roundtable

Mr. Steve Arbo, City Manager, noted Chief Snider will be present at the January 12, 2021 Council meeting to provide an update on the COVID 19 pandemic.

Mr. Arbo also advised Mr. Bob Hartnett, Deputy Director of Public Works, would be retiring this week on Thursday, January 7, 2021 after 40 years of service to the City. He expressed his appreciation to Mr. Hartnett and wished him the best in his retirement.

13. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 19 at 8:38 pm.

Unless determined otherwise by the Mayor and City Council, no new agenda items shall be considered after 11:00 p.m.

For your convenience, City Council agendas, as well as videos of City Council and Council Committee meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"