



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

Tuesday, October 19, 2021

6:00 PM

City Council Chambers
and Via Video Conference
220 SE Green Street
Lee's Summit, MO 64063
(816) 969-1000

*****AMENDED*** REGULAR SESSION NO. 47**

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, October 19, 2021 at 6:00 pm in person and via video conference as provided by Section 2-50 of the City of Lee's Summit Code of Ordinances, adopted by the City Council on June 15, 2021, Ordinance No. 9172.

Persons wishing to comment on any item of business on the agenda, including public testimony during a Public Hearing, via video conference may do so by sending a request prior to 5:00 p.m. on Monday, October 18, 2021, to the City Clerk at clerk@cityofls.net to attend the meeting on the video conferencing platform. The City Clerk will provide instructions regarding how to attend by this method.

The meeting may be viewed 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.

Preliminaries:

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

Mayor Baird called Regular Session No. 47 to order at 6:03pm.

- D. Roll Call

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 DeMoro, seconded by Councilmember Forte, to approve the amended agenda as published. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

2. Approval of Consent Agenda:

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

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

Absent: 1 - Councilmember Carlyle

A. [2021-4442](#) Approval of City Council Action Letters from October 5 and 12, 2021.

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that the City Council Action Letters from October 5 and 12, 2021 were approved as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

B. [2021-4443](#) Mayor's Appointments:

Board of Aeronautic Commissioners: Reappoint Darryl Nelson, term to expire 9-14-25.

Water Utilities Advisory Board: Reappoint Colleen Fullerton term to expire 3-1-24.

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that the Mayor's Appointments be approved as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

3. Council Roundtable

Councilmember Shields noted the city's "Can't Flush That" event is happening this Saturday, October 23, 2021 at three locations in Lee's Summit.

Councilmember Edson recognized some Boy Scouts who were in attendance.

4. Proclamations:

- A. [2021-4180](#) November 2021 - Feed Lee's Summit Month

This Proclamation was presented.

5. Public Hearings:

- A. [2021-4409](#) Public Hearing: Application #PL2021-283 - Preliminary Development Plan - Summit Park Church - building and parking lot expansion, 425 SW Oldham Parkway; Summit Park Church, applicant.

Mr. Josh Johnson, Assistant Director of Plan Services, entered exhibits 1-18 into the record.

Council discussion included:

Oldham - approval of MODOT

Approve / Deny MODOT widening of Oldham / 50 Hwy

Number of people when combined / seating capacity

Parking

Watershed / Floodplain Development Process

Underground Detention

No one was present to speak in favor of or opposed to this application.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 21-208](#) An Ordinance approving a preliminary development plan for the proposed Summit Park Church building and parking lot expansion, 425 SW Oldham Parkway, 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 read by Council on October 19, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, that Bill No. 21-208 be advanced to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

- B. [2021-4389](#) Public Hearing: Application #PL2021-279 - Preliminary Development Plan and PL2021-280 - Special Use Permit for major automotive repair - Caliber Collision, 710 SE Blue Parkway; Cross Development-CC Lee's Summit, LLC, applicant.

Mr. Josh Johnson, Assistant Director of Plan Services, entered exhibits 1-20 into the record.

Council discussion included:

Parking / Green space
Re-routing of Blue Parkway
Impervious Surface / Drainage aesthetics
Number of vehicles inside / outside of fenced area
Screened Parking / Employee parking
Blue Parkway Access
Fire Department Access
Fencing

No one was present to speak in favor of this application.

Mr. Kevin Broderick stated he was opposed to this application because there are too many out of state car repair locations and he does not feel the same opportunities have been given to the local businesses that do the same line of work.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 21-209](#) An Ordinance approving a Preliminary Development Plan located at 710 SE Blue Parkway, proposed major automotive repair in district CP-2, in accordance with the provisions of Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri
(Note: First read by Council on October 19, 2021.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Lopez, that Bill No. 21-209 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

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Nay: 2 - Councilmember Felker
Councilmember Forte

Absent: 1 - Councilmember Carlyle

- 2) [BILL NO. 21-210](#) An Ordinance approving a Special Use Permit for major automotive repair in District CP-2 (Planned Community Commercial District), located at 710 SE Blue Parkway for a period of thirty (30) years, all in accordance with the provisions of Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

(Note: First read by Council on October 19, 2021.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 21-210 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Nay: 2 - Councilmember Felker
Councilmember Forte

Absent: 1 - Councilmember Carlyle

- C. [2021-4372](#) Public Hearing: Application #PL2021-252 - Rezoning from CP-2 to RLL - 4871 SW Raintree Parkway; J.P. Roberts, applicant.

Mr. Josh Johnson, Assistant Director of Plan Services, entered exhibits 1-17 into the record.

Council discussion included:
Large lot / number of houses allowed
Subdivision allowed
Sewer
Driveway
Easements

No one was present to speak in favor of or opposed to this application.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 21-211](#) An Ordinance approving a rezoning from District CP-2 to District RLL for approximately 16.25 acres located at 4871 SW Raintree Parkway 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 read by Council on October 19, 2021.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, that Bill No. 21-211 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Nay: 1 - Councilmember Forte

Absent: 1 - Councilmember Carlyle

- D.** [2021-4377](#) Public Hearing: Application #PL2021-282 - Rezoning from AG to RP-1, RP-4 and CP-2; and Preliminary Development Plan - Blue Parkway mixed-density residential development, 2840 SE Blue Parkway; Griffin Riley Property Group, applicant.

(Note: This application was continued from October 19, 2021 per the applicants request.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember DeMoro, that this Public Hearing be continued to November 9, 2021 per the applicant's request. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

6. Public Comments:

There were no Public Comments.

7. Presentations:

- A.** [2021-4446](#) Presentation: Update on Downtown Market Plaza Project and Stakeholder Meetings

Council discussion included:
How are residents / businesses being notified
Engagement Platforms
Contracts / Architect
Target audiences
Ice House
Public Components to Construction
Dates of implementation
Collaboration
Summary of Results from meetings
Marketing

This Presentation was presented.

8. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 21-212](#) An Ordinance awarding the bid for Project No. 438-2 for the Water Main Replacement FY21 - Highway 350 Crossing from Pryor Road to Blue Pkwy Project to Wiedenmann, Inc. in the amount of \$398,706.00 and authorizing the City Manager to execute an agreement for the same. (PWC 10/11/21)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 21-212 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 21-212 be adopted and numbered Ord. No. 9260. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

- B. [BILL NO. 21-213](#) An Ordinance approving the award of RFQ No. 2021-076 for professional engineering services for a Stormwater Utility Rate and Implementation Study to Black & Veatch Management Consulting, LLC, for an amount not to exceed \$457,662.00, and authorizing the City Manager to execute an agreement for the same. (PWC 10/11/21)

ACTION: (Note: Councilmember Carlyle present at 8:05pm)

A motion was made by Councilmember Carlyle, seconded by Councilmember Shields, that Bill No. 21-213 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 Carlyle, seconded by Councilmember Edson, that Bill No. 21-213 be adopted and numbered Ord. No. 9261. 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. 21-214](#)

An Ordinance approving Modification No. 2 to an Agreement for Professional Engineering Services for the Pryor Road Improvements from Longview Road to Hook Road (RFQ No. 2020-046), between the City of Lee's Summit, Missouri, and TranSystems Corporation, for an increase of \$199,791 with an amended not to exceed amount of \$1,379,103, and authorizing the City Manager to execute an agreement for the same. (PWC 10/11/21)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 21-214 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 Lopez, seconded by Councilmember Forte, that Bill No. 21-214 be adopted and numbered Ord. No. 9262. 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. [BILL NO. 21-215](#) An Ordinance approving Addendum No. 12 to an On-Call Agreement for professional engineering services with HDR Engineering, Inc. (Original RFQ No. 2020-030-1) for the Facilities Asset Management Plan Phase 3, Part 2, for a not to exceed amount of \$68,225.00, and authorizing the City Manager to enter into an agreement for the same. (PWC 10/11/21)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Edson, that Bill No. 21-215 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 Johnson, seconded by Councilmember Edson, that Bill No. 21-215 be adopted and numbered Ord. No. 9263. 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

- E. [BILL NO. 21-216](#) An Ordinance approving Modification No. 4 to an Agreement for Professional Engineering Services for Chipman Road (from View High Drive to Bent Tree Drive) (RFQ No. 73-3221) between the City of Lee's Summit, Missouri, and Wilson & Company, Inc., for an increase of \$111,000 for the amended basic services, with an amended not to exceed amount of \$524,032.00, and authorizing the City Manager to execute an agreement for the same. (PWC 10/11/21)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that Bill No. 21-216 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 Edson, seconded by Councilmember Forte, that Bill No. 21-216 be adopted and numbered Ord. No. 9264. 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

- F. [BILL NO. 21-217](#) An Ordinance amending Chapter 29; Traffic and Motor Vehicles, of the Code of Ordinances of the City of Lee's Summit, Missouri, by amending Appendix B to Section 29-382; Schedule of Stopping, Standing and Parking Restrictions, for certain streets and segments of streets located in the City of Lee's Summit. (PWC 10/11/21)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 21-217 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 DeMoro, seconded by Councilmember Edson, that Bill No. 21-217 be adopted and numbered Ord. No. 9265. 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

- G. [BILL NO. 21-218](#) An Ordinance approving Change Order No. 2 to an agreement for the sanitary small main replacement project between the City of Lee's Summit, Missouri, and Wiedenmann, Inc., for an increase of \$38,132.40 with an amended agreement price of \$1,527,635.97 and authorizing the City Manager to execute an agreement for the same. (PWC 10/11/21)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 21-218 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 Felker, seconded by Councilmember Edson, that Bill No. 21-218 be adopted and numbered Ord. No. 9266. 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

- H. [BILL NO. 21-219](#)** An Ordinance approving Change Order No. 1 to the agreement with Infrastructure Solutions, LLC. for the Delta School Road Stormwater Improvements project, an increase of \$103,163.59 for a revised agreement price of \$1,196,443.59 and authorizing the City Manager to enter into an agreement for the same. (PWC 10/11/21)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Carlyle, that Bill No. 21-219 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 Felker, that Bill No. 21-219 be adopted and numbered Ord. No. 9267. 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 - First Reading:

- A. [BILL NO. 21-220](#) An Ordinance accepting final plat entitled Paragon Star, 4th Plat, Lots 5, 6, 7A-7C, and 8, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on October 19, 2021. Passed by unanimous vote with abstention.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 21-220 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

Abstain: 1 - Councilmember Felker

- B. [BILL NO. 21-221](#) An Ordinance vacating portions of a certain easement located at 605 NW Redbud Dr in the city of Lee's Summit, Missouri.
(Note: First reading by Council. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Edson, that Bill No. 21-221 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. 21-222](#) An Ordinance approving a license agreement between the City of Lee's Summit and the Lee's Summit R-7 School District for the installation and upsizing of a public sanitary sewer main on City property and easements for the Bailey Road Middle School and authorizing the Mayor to execute an agreement for the same.
(Note: First read by Council on October 19, 2021. Passed by unanimous vote with abstention.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Lopez, that Bill No. 21-222 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

Abstain: 1 - Councilmember Felker

10. Council Comments:

Councilmember Forte questioned why the Council was given an ordinance that had gone through the Planning Commission and they had suggested a different number of parking spaces than what was in the ordinance presented to Council. Mr. Ryan Elam, Director of Plan Services, advised the Commission made this as a recommendation and not a condition of approval. Staff will seek to clarify this point with the Planning Commission. Mayor Baird stated the Council will be meeting with the Planning Commission in a joint meeting again and this could be addressed further at that time.

Mayor Baird stated there is a list of items the Council needs to discuss and he will put together that list and tentative dates with Mr. Steve Arbo, City Manager. Once that list is compiled it will be sent to the full Council for review.

Councilmember Shields noted the Downtown Market Plaza Stakeholders community engagement meetings were not on the website calendar.

Mayor Baird stated the next Council meeting will be held on November 2, 2021.

11. Committee Reports

Councilmember Carlyle stated there will be a Legislative Intergovernmental Relations Committee meeting on Thursday, October 21st at 11:30am via Zoom.

Councilmember Johnson noted there will be a Finance and Budget Committee meeting on Monday, November 1st at 5pm.

Councilmember Felker advised the Rules Committee met yesterday (Monday, October 18th) and they discussed future items and encouraged Council to bring forward any concerns they may have for the Rules Committee to discuss.

12. Staff Roundtable

Mr. Michael Park state this years RecycleFest was another huge success with over 320 vehicles served and setting 6 records to include intake of the number of shoes, corks, license plates, bottles, keys, etc.

13. Adjournment

Mayor Baird shared a humorous story about attending DogToberfest in Jackson County with his German Shepherd in a Frisbee event and how it did not go as planned.

Hearing no further business, Mayor Baird adjourned Regular Session No. 47 at 8:34pm.

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

