



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

Tuesday, February 2, 2021

6:00 PM

Via Video Conference

REGULAR SESSION NO. 22 *AMENDED*****

Notice is hereby given that the City Council of the City of Lee's Summit will meet in regular session on Tuesday, February 2, 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, February 1, 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, February 1, 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. 22 to order at 6:03 pm.

- D. Roll Call

Present: 8 - Mayor Bill Baird
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Andrew Felker
Councilmember Diane Forte
Councilmember Bob Johnson
Councilmember Beto Lopez
Councilmember Hillary Shields

Absent: 1 - Councilmember Trish Carlyle

1. Approval of Agenda

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, to approve the agenda with the amendment of term dates for the Board of Aeronautic Commissioners: Appoint Steve Benson to replace Molly Waller Moran, term to expire 9-14-23. Reappoint Joseph Towns and Phil Mall, terms to expire 9-14-24. 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 Shields, seconded by Councilmember Edson, to approve the Consent Agenda as amended in the approval of the 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

- A. [2020-3925](#) Approval of City Council Action Letters from January 5, 12 and 19, 2021.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that the Action Letters for January 5, 12 and 19, 2021 be approved as part of the Consent Agenda. 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.** [2021-3936](#) Mayor's Appointments to Board of Zoning Adjustments, Board of Aeronautic Commissioners, Historic Preservation Commission, Planning Commission and Tax Increment Commission.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, to approve the Mayors appointments but amending the Board of Aeronautic Commissioners: Appoint Steve Benson to replace Molly Waller Moran, term to expire 9-14-23. Reappoint Joseph Towns and Phil Mall, terms to expire 9-14-24 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

- C.** [2020-3928](#) Approval of Liquor Licenses G3 and S for Pinsa Pizza, 1694 NW Chipman Road, Lee's Summit, MO 64081

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that this Liquor License 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

- D.** [2020-3929](#) Approval of the Change in Shareholders for Liquor Licenses G3 and S for Siki Japanese Restaurant, 601 NW Blue Parkway, Lee's Summit, MO 64063.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that this Liquor License 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

- E. [BILL NO. 21-18](#) An Ordinance vacating certain easements generally located at the NE corner of NW View High Dr and I-470 Hwy in the City of Lee's Summit, Missouri. (Note: First reading by City Council on January 19, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 21-18 be adopted and numbered Ord. No. 9070 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

Fire Chief Mike Snider provided an updated report on the COVID-19 Pandemic.

Councilmember Shields advised she would be recusing on the Chapel Ridge CID as her law firm represents this applicant.

Councilmember Forte stated she was looking forward to seeing the Chiefs play in the Super Bowl again this year. She noted Jackson County was not allowing a parade if they one, but Cass County said they would allow one.

Councilmember Felker advised he would also be recusing himself on both Chapel Ridge items due to a conflict with his law firm.

4. Public Hearings:

- A. [2020-3888](#) Public Hearing: Application #PL2020-243 - Preliminary Development Plan - PetSuites Of America, 250 NW McNary Court; Premier Design Group, applicant.
Exhibit A 1-22 were entered into the record.

Council discussion included:

- * Same types of businesses in the area
- * Decibel level measurement of dog play areas
- * Expansion of new business

* Closing other facilities

Ms. Linda Pulse stated the Lee's Summit Animal Hospital and NBA would not be renewing their lease.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 21-19](#) An Ordinance approving a commercial preliminary development plan located at 250 NW McNary Court in district CP-2, 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 Council on February 2, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lopez, that Bill No. 21-19 be advanced to second reading. 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. [2020-3916](#) Public Hearing: Application #PL2020-335 - Rezoning from R-1 to RP-1 and Preliminary Development Plan - Highland Meadows, 5th and 6th Plat, 1201 SW Longview Boulevard; Clayton Properties Group, Inc., applicant.

Exhibit A 1-21 were entered into the record.

Council discussion included:

* Trees

* Detention Basin

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 21-20](#) An Ordinance approving a rezoning from R-1 (Single-family Residential) to District RP-1 (Planned Single-family Residential) and preliminary development plan for Highland Meadows 5th and 6th Plat, located at 1201 SW Longview Blvd., 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 Council on February 2, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lopez, that Bill No. 21-20 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

- C. [2020-3892](#) Public Hearing: Application #PL2020-315-Rezoning from CP-2 to RP-4 and Preliminary Development Plan - Chapel Ridge Townhomes, Phase 5; Engineering Solutions, LLC, applicant.

Ex. A 1-20 were entered into the record.

Council discussion included:

* Protest petition

- Met the conditions of 30% but must be notarized as required by the state.

* Parking

* Spot Zoning

Mr. Mike Healy and Ms. Linda Drake stated their opposition to this project as they feel it will cause the property values to go down, cause additional noise, traffic and crime. They feel this is "Spot Zoning" which is not allowed and this should remain a business park.

Mr. Mike Atcheson, applicant, noted he has been developing this area for years. He would not do it if he felt it would decrease property values or did not fit with this area.

- 1) [BILL NO. 21-21](#) An Ordinance approving a rezoning from CP-2 (Planned Community Commercial) to District RP-4 (Planned Apartment Residential) and preliminary development plan for Chapel Ridge, Phase 5, located at 3701 NE Akin Dr., 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 Council on February 2, 2021.)

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

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

Nay: 1 - Councilmember Edson

Absent: 1 - Councilmember Carlyle

Recused: 1 - Councilmember Felker

5. Public Comments:

There were no Public Comments.

6. Resolutions:

- A. [RES. NO. 21-02](#) A Resolution authorizing the Mayor to appoint successor directors to the I-470 and View High Community Improvement District.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Resolution No. 21-02 be adopted. 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

7. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 21-22](#) An Ordinance Authorizing the execution of a memorandum of understanding by and between the City of Lee's Summit, Missouri and the Lee's Summit R7 School District for access by the Police Department to certain video systems in the event of an emergency. (CEDC 1/13/21)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 21-22 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 Edson, seconded by Councilmember Forte, that Bill No. 21-22 be adopted and numbered Ord. No. 9071. 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

8. Proposed Ordinances - First Reading:

- A. [BILL NO. 21-23](#) An Ordinance accepting final plat entitled Woodland Glen, Block 1, Lots 1 and 2 and Tract N, as a subdivision to the city of Lee's Summit, Missouri.
(Note: First reading by Council on February 2, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 21-23 be advanced to second reading. 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. 21-24](#) An Ordinance approving the 2021 Jackson County Board of Election Commissioners Poll Contracts and authorizing the Mayor to execute the same by and on behalf of the City.
(Note: First reading by Council on February 2, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Forte, that Bill No. 21-24 be advanced to second reading. 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

9. Proposed Ordinances - Second Reading:

- A. [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.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 20-251 be adopted and numbered Ord. No. 9069. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

Recused: 1 - Councilmember Shields

10. Committee Reports

Councilmember Forte advised the Community and Economic and Development Committee will meet via Zoom tomorrow at 4pm. She also noted the first meeting for the coalition for the homeless will be held on February 23, 2021 at 1:30pm.

Councilmember Johnson stated the Finance and Budget Committee will be meeting on Monday, February 8, 2021 via Zoom at 2pm and will include discussion on the suggested fund balances.

Councilmember Felker noted the Rules Committee will be meeting on Thursday, February 4, 2021 via Zoom at 5pm.

Councilmember Forte said she was excited to be the liaison to the Arts Council and advised Rachel will be leaving soon and Monica Meeks will become the interim director.

Councilmember DeMoro stated the Public Works Committee met yesterday and they will be sending a funding request to the Finance and Budget Committee for funding the stormwater study.

11. Council Comments:

Mr. Steve Arbo, City Manager, introduced Ms. Bette Wordelman, Finance Director, to provide information on the Sales and Use Tax numbers. Ms. Wordelman advised the city had collected 1.3M in sales taxes through 2020 compared to 1.15M in 2019. The Use Tax has already collected \$511,717.90 just December through February.

Councilmember Johnson advised the census will likely be about 6 months late so that will cause a delay in redistricting.

Councilmember Forte conveyed her thanks to the citizens for supporting local businesses during these trying times. Councilmember DeMoro agreed and stated he appreciated all they have done as well.

Councilmember Felker stated he was glad to hear the positive news on taxes.

12. Staff Roundtable

Mr. Steve Arbo, City Manager, noted the License Tax Review Committee Annual Report has been provided to Council as they are required to do so annually. He also expressed his condolences on the passing of Ms. Edna Wider who was a resident of Lee's Summit for many years and she was 102 years young.

- A. [2021-3947](#) License Tax Review Committee Annual Report for FY2020

This Report was presented.

13. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 22 at 8:39 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"