



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

Tuesday, March 23, 2021

6:00 PM

Via Video Conference and City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 28

Notice is hereby given that the Council of the City of Lee's Summit will meet in regular session on Tuesday, March 23, 2021 at 6:00 pm in person and by video conference as provided by Section 610.015 of the Revised Statutes of the State of Missouri. Due to the ongoing Covid-19 pandemic, public attendance in the City Council Chambers is extremely limited, and therefore the public is invited to attend the meeting by one of these methods:

- 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.
- By sending a request to the City Clerk at clerk@cityofls.net to attend the meeting on the Zoom platform. The City Clerk will provide instructions regarding how to attend by this method.

Persons wishing to comment on any item of business on the agenda may do so in writing prior to 5:00 p.m. on March 22, 2021, by one of the following methods:

- By sending an 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 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 March 22, 2021 by e-mail at clerk@cityofls.net, and they will be provided with instructions regarding how to provide their live testimony via videoconference during the public hearing. In the event that the meeting cannot be broadcast via www.WatchLS.net and the cable channels noted above, this agenda will be amended to include directions for the public to attend via the Zoom software platform at www.Zoom.com; such amendment will include a specific link to attend the Council meeting.

Preliminaries:

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

Mayor Baird called Regular Session No. 28 to order at 6:10pm.

- D. Roll Call

Present: 10 - Mayor Bill Baird
Councilmember Trish Carlyle
Councilmember Fred DeMoro
Councilmember Phyllis Edson
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 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 Shields, 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. [BILL NO. 21-54](#)

An Ordinance approving the execution of the funding/approval agreement by and between the City of Lee's Summit, Missouri and the U.S. Department of Housing and Urban Development to correct an error in HUD's initial formula allocation for fiscal year 2020.

(NOTE: First reading by Council on March 16, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Shields, that Bill No. 2-54 be adopted and numbered Ord. No. 9106 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

- B.** [BILL NO. 21-55](#) An Ordinance approving the execution of the funding/approval agreement by and between the City of Lee's Summit, Missouri and the U.S. Department of Housing and Urban Development to utilize a special allocation of Community Development Block Grant funds in response to the coronavirus pandemic.
(NOTE: First reading by Council on March 16, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Shields, that Bill No. 21-55 be adopted and numbered Ord. No. 9107 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. 21-56](#) An Ordinance Approving a Development Agreement Between Clayton Properties Group, Inc., and the City of Lee's Summit, Missouri, for the Osage Residential Project.
(NOTE: First reading by Council on March 16, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Shields, that Bill No. 21-56 be adopted and numbered Ord. No. 9108 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

There was no Council Roundtable.

4. Public Hearings:

- A. [2021-3989](#) Public Hearing: Application #PL2020-365 - Special Use Permit for truck rental - U-Haul, 809 SE Douglas St; Josh Prejean, applicant.

Mr. Josh Johnson, Assistant Director of Plan Services, entered Exhibits 1-19 into the record.

Council discussion included:

- * Parking
- * Sidewalks
- * Violations
- * Truck Size
- * Any Complaints?
- * Pedestrian safety
- * Expansion
- * Long term plan for street

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 21-57](#) An Ordinance approving a special use permit for a truck rental facility in district CP-2 (Planned Community Commercial) on land located at 809 SE Douglas St for a period of five (5) years, all in accordance with Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the city of Lee's Summit, Missouri.

(Note: First reading by City Council on March 23, 2021.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Carlyle, that Bill No. 21-57 be advanced to second reading. The motion carried by the following vote:

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

Nay: 1 - Councilmember Forte

- B. [2021-3983](#) Public Hearing: Application #PL2020-371 - Special Use Permit renewal for mini-warehouse storage facility - Summit Self Storage, 1920 NE Rice Road; Terrydale Investments IV, LLC, applicant.

Mr. Josh Johnson, Assistant Director of Plan Services, entered Exhibits 1-21 into the record.

Council Discussion included:

- * Extra landscaping
- * Fence maintenance
- * Repainted 30 years ago
- * Complaints

- * Power Lines
- * Length of SUP

This Public Hearing - Sworn was presented.

1) [AMENDED](#)
[BILL NO.](#)
[21-41](#)

An Ordinance approving a special use permit renewal for a mini-warehouse storage facility in district CP-2 on land located at 1920 NE Rice Rd, existing Summit Self Storage, all 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 March 23, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, that Bill No. 21-41 be advanced to second reading.

A motion was made by Councilmember Carlyle, seconded by Councilmember Edson, that Bill No. 21-41 be amended to be for a period of 20 years.

A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 21-41 be amended to be for a period of 10 years.

A motion was made by Councilmember Forte, seconded by Councilmember Johnson, that Bill No. 21-41 be amended to be for a period of 15 years. The motion failed with the following vote:

AYE:

Councilmember Johnson
Councilmember Forte
Mayor Baird

NAY:

Councilmember DeMoro
Councilmember Carlyle
Councilmember Edson
Councilmember Shields
Councilmember Felker
Mayor Pro Tem Lopez

The Council then reconsidered the motion made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 21-41 be amended to be for a period of 10 years. The motion failed with the following vote:

AYE:

Councilmember Johnson
Councilmember Forte

NAY:

Councilmember DeMoro
Councilmember Carlyle
Councilmember Edson
Councilmember Shields
Councilmember Felker
Mayor Pro Tem Lopez
Mayor Baird

The Council then reconsidered the motion made by Councilmember Carlyle, seconded by

Councilmember Edson, that Bill No. 21-41 be amended to be for a period of 20 years. The motion carried with the following vote:

AYE:

Councilmember Carlyle
Councilmember Shields
Councilmember Johnson
Councilmember Forte
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Mayor Pro Tem Lopez
Mayor Baird

The Council then reconsidered the original motion was made by Councilmember DeMoro, seconded by Councilmember Shields, that Bill No. 21-41 be advanced to second reading as amended by changing the length of the Special Use Permit to 20 years. The motion carried with the following vote:

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

- C. [2021-3993](#) Public Hearing: Application #PL2020-342 - Preliminary Development Plan - Westvale Addition, 612 NW Fieldcrest Drive; Engineering Solutions, LLC, applicant.

Mr. Josh Johnson, Assistant Director of Plan Services, entered Exhibits 1-21 into the record.

Council Discussion included:

- * Set backs
- * Parking
- * Owners
- * Location of drive
- * Illegal parking
- * Rent (\$1250/mo)

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 21-58](#) An Ordinance approving a preliminary development plan for Westvale Addition, located at 612 NW Fiedcrest 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 March 23, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Felker, that Bill No. 21-58 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

5. Public Comments:

The City Clerk advised there was only one Public Comment received via email from Mr. Dale Coy regarding the Commission on Diversity and Inclusion and a request to televise this meeting. This email will be made part of the official Action Letter.

6. Presentations:

- A. 2021-4025** Report on City Council Survey Results regarding Allocation of Business and Industry Fund Revenues

Council discussion included:

- * How will meetings with PSA's be handled
- * Process by PSA's
- * Framing of meetings
- * Who will be attending

This Presentation was presented.

- B. [2021-4030](#)** Report from the Eastern Jackson County Municipality Shared Services Coalition

This Presentation was presented.

7. Proposed Ordinances - First Reading:

- A. [BILL NO. 21-59](#)** An Ordinance accepting final plat entitled Napa Valley, 4th Plat, Lots 147-165 as a subdivision to the city of Lee's Summit, Missouri.
(Note: First reading by Council on March 23, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember DeMoro, that Bill No. 21-59 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. 21-60](#)** An Ordinance accepting Final Plat entitled Whispering Woods, Lots 29A, 30A, 31A, 32A, and 33A, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First reading by Council on March 23, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Felker, that Bill No. 21-60 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. 21-61](#) An Ordinance vacating a certain easement located at 1709, 1713, 1717, and 1725 SW 27th St in the City of Lee's Summit, Missouri.
(Note: First reading by Council on March 23, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that Bill No. 21-61 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

8. Committee Reports

Councilmember Johnson stated the Finance and Budget Committee meeting has been moved from March 29th to April 5th at 1pm.

Councilmember Forte mentioned the new art sculpture located at 3rd Street and Green Street. It is a large silica rose. She also noted the Beautification Commission did their annual spring cleaning of downtown last weekend.

9. Council Comments:

Councilmember Johnson requested the Commission on Diversity and Inclusion be televised for transparency. Mayor Baird stated he would work with Mr. Steve Arbo, City Manager, on the protocol and policy to remain consistent.

Councilmember Felker asked why the Action Letters were not provided in a more timely manner. It was determined they would be provided at the next meeting for approval when possible. He also asked if they could include more detail like the Planning Commission. Mayor Baird stated the meetings are recorded so there is no need for a lot of details. Mr. Arbo stated the reason they are not done more verbatim is it keeps staff from having to determine how a Councilmember intended their comment to sound. Also to keep Councilmembers from thinking staff was including more of what one member

said than the other. Councilmember Carlyle stated she did not feel the minutes needed to be more detailed.

Councilmember Forte thanked staff for including hard copies of the documents provided by Mr. Fristoe in each of their cubicles.

10. Staff Roundtable

Mr. Arbo just restated the reason for the brief Action Letters was to keep staff neutral and appearing to take one Councilmembers view over another.

11. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 28 at 10:17pm.

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"

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