



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

Tuesday, April 13, 2021

6:00 PM

City Council Chambers - City Hall
and

Via Video Conference
220 SE Green Street

Lee's Summit, MO 64063
(816) 969-1000

REGULAR SESSION NO. 29 *AMENDED*****

Notice is hereby given that the Council of the City of Lee's Summit will meet in regular session on Tuesday, April 13, 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 April 12, 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 April 12, 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. 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. 29 to order at 6:07 pm.

- D. Roll Call

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

Absent: 1 - Councilmember Hillary Shields

1. Approval of Agenda

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Lopez, to approve the agenda as published. 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

Absent: 1 - Councilmember Shields

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, to adopt the Consent Agenda. 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

Absent: 1 - Councilmember Shields

- A. [2021-4023](#) Approval of City Council Action Letters from March 9, 16 and 23, 2021.

A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, to approve the Action Letters as part of the Consent Agenda. The motion carried by the following vote:

City Council - Regular Session

Action Letter

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

Absent: 1 - Councilmember Shields

- B. [2021-4024](#) Approval of the change in managing officer for McKeever's Market and Eatery, 840 NW Pryor Road, Lee's Summit, MO 64081

A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, to approve the change in managing office for McKeever's Market and Eatery Liquor License as part of the Consent Agenda. 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

Absent: 1 - Councilmember Shields

- C. [AMENDED](#) An Ordinance approving a special use permit renewal for a mini-warehouse
[BILL NO.](#) storage facility in district CP-2 on land located at 1920 NE Rice Rd, existing
[21-41](#) 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.)

A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Amended Bill No. 21-41 be adopted and numbered Ordinance No. 9109 as part of the Consent Agenda. 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

Absent: 1 - Councilmember Shields

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

A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 21-59 be adopted and numbered Ordinance No. 9110 as part of the Consent Agenda. 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

Absent: 1 - Councilmember Shields

- E. [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.)

A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 21-60 be adopted and numbered Ordinance No. 9111 as part of the Consent Agenda. 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

Absent: 1 - Councilmember Shields

- F. [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.)

A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 21-61 be adopted and numbered Ordinance No. 9112 as part of the Consent Agenda. 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

Absent: 1 - Councilmember Shields

3. Council Roundtable

Councilmember Felker recused himself from agenda items 5A and 5A1 for conflict of interest.

Councilmember Edson reported the Summit Art Group and the Lee's Summit Symphony had an event over the weekend. She said it was nice to see events starting to happen again and to see people wanting to get out and support their

local arts.

Mayor Baird reminded everyone there is a big vaccination event Wednesday and Thursday, April 14-15, 2021 at Legacy soccer park.

4. Proclamations:

- A. [2021-4063](#) Week of the Young Child April 10-16, 2021

This Proclamation was presented.

5. Public Hearings:

- A. [2021-4013](#) Public Hearing: Application #PL2020-367 - Preliminary Development Plan - Wood Corner, 617 SE 6th Street; Dymon Wood, applicant.

Exhibit A, List of Exhibits 1-17 were entered into the record.

There were no discussions by City Council and there were no speakers in favor of, or opposed to, this application.

- 1) [BILL NO. 21-62](#) An Ordinance approving a preliminary development plan for Wood Corner, located at 617 SE 6th St, 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. (First read by Council on April 13, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that Bill No. 21-62 be advanced to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

Recused: 1 - Councilmember Felker

- B. [2021-4049](#) Public Hearing: Vanguard Villas LCRA Redevelopment Plan for the Streets of West Pryor Project.

Exhibit A, List of Exhibits 1-10 were entered into the record.

City Council discussions included:

- Incentive total for the Vanguard Villas project
- Incentive total for the Streets of West Pryor project overall.
- LCRA use for residential development
- Job creation
- LCRA use by neighboring communities
- LCRA use in the future
- Impact on other taxing districts

- Monitoring the remediation of the mine
- Alternative if the remediation of the mine doesn't work
- Long term safety of the site

There were no speakers in favor of, or opposed to, this application.

- 1) [BILL NO. 21-63](#) An Ordinance approving the Vanguard Villas at Streets of West Pryor Land Clearance for Redevelopment Authority Redevelopment Plan. (First read by Council on April 13, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 21-63 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 Forte
Councilmember Johnson
Councilmember Lopez

Absent: 1 - Councilmember Shields

6. Public Comments:

There was one written Public Comment submitted. Please find it attached to this Action Letter.

7. Presentations:

- A. [2021-4021](#) Status Report on the redistricting process / US Census
- **Update April 6, 2021; the Mayor has directed staff to place this item on the agenda for further discussion.**
- City Council discussions included:
- City Attorney's recommendation, to use the current map for an additional year
 - If boundary's change and a sitting councilmember ends up in a different district, do they lose their ability to serve
 - Meeting residency requirement if the district lines are redrawn and they are now in a new district, do they meet the residency requirement to run for office
 - Residency requirements could be challenged by another candidate
 - Voted for Councilmember and then the boundaries changed and they no longer represent the people that voted for them
 - Sitting Councilmembers would finish serving their district and then could not run for that district again
 - Census data delay is due to COVID-19, due September 30
 - Authority for an Emergency Ordinance to address issues with redistricting and election due to a State of Emergency

8. Resolutions:

- A. [RES. NO. 21-06](#) A Resolution authorizing the Mayor to appoint successor directors to the Summit Orchards Community Improvement District.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Resolution 21-06 be adopted. 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

Absent: 1 - Councilmember Shields

- B. [RES. NO. 21-07](#) A Resolution authorizing the Mayor to appoint successor directors to the Streets of West Pryor Community Improvement District.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Resolution 21-07 be adopted. 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

Absent: 1 - Councilmember Shields

- C. [RES. NO. 21-08](#) A Resolution adopting a Statement of Common Purpose to renew and expand the Eastern Jackson County Shared Service Collaborative Partnership.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Resolution 21-08 be adopted. 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

Absent: 1 - Councilmember Shields

- D. [RES. NO. 21-09](#) A Resolution adopting a policy related to the broadcast of certain public meetings.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, that Resolution 21-09 be adopted. 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

Absent: 1 - Councilmember Shields

9. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 21-64](#)** An Ordinance approving Change Order No. 3 to the contract with Radmacher Brothers Excavating Company, Inc. For the 3rd Street Improvements project, an increase of \$678,479.90 for a revised contract price of \$5,487,094.90 and the addition of 60 calendar days to complete this work. (PWC 4/12/21)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 21-64 be second read. 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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Lopez, that Bill No. 21-64 be adopted and numbered Ordinance No. 9113. 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

Absent: 1 - Councilmember Shields

- B. [BILL NO. 21-65](#)** An Ordinance approving the dual award of RFP No. 2021-051, to purchase Underground Locating Services on an as-needed basis for a one-year term with up to four, one-year renewals to USIC Locating Services, LLC and Integrity Locating Services, LLC, and authorizing the City Manager to execute the same for the City. (PWC 4/12/21)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Felker, that Bill No. 21-65 be second read. 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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 21-65 be adopted and Numbered Ordinance No. 9114. 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

Absent: 1 - Councilmember Shields

10. Proposed Ordinances - First Reading:

- A. [BILL NO. 21-66](#) An Ordinance accepting final plat entitled Highland Meadows, 6th plat, Lots 160-210 and Tract J as a subdivision to the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Edson, that Bill No. 21-66 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 Forte
Councilmember Johnson
Councilmember Lopez

Absent: 1 - Councilmember Shields

- B. [BILL NO. 21-67](#) An Ordinance vacating a certain easement located at 4205 SW Sapelo Drive in the City of Lee's Summit, Missouri. (First read by Council on April 13, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Edson, that Bill No. 21-67 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 Forte
Councilmember Johnson
Councilmember Lopez

Absent: 1 - Councilmember Shields

- C. [BILL NO. 21-68](#) An Ordinance approving the purchase agreement between the City of Lee's Summit and Raintree Investors, LLC, for the purchase of property by the City for Fire Station #5. (First read by Council on April 13, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 21-68 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 Forte
Councilmember Johnson
Councilmember Lopez

Absent: 1 - Councilmember Shields

11. Proposed Ordinances - Second Reading:

- A. [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 Edson, seconded by Councilmember Forte, that Bill No. 21-57 be adopted and numbered Ordinance No. 9115. 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

Absent: 1 - Councilmember Shields

- B. [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 DeMoro, seconded by Councilmember Edson, that Bill No. 21-58 be adopted and numbered Ordinance No. 9116. The motion carried by the following vote:

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

Nay: 2 - Councilmember Felker
Councilmember Forte

Absent: 1 - Councilmember Shields

12. Committee Reports

Councilmember Forte announced there will be a CEDC (Community and Economic Development Committee) tomorrow, April 14, 2021 at 4:00 pm.

Councilmember Carlyle reported at last night's BOAC (Board of Aeronautic Commissioners) meeting they discussed the new Airport Master plan and Business Plan. The vendor that is helping put it together wanted to give kudos to staff, especially Creative Services, for all of the work they did with continuing community engagement through out COVID-19. She went on to say the city has received kudos from the FAA (Federal Aviation Administration) and from MODOT (Missouri Department of Transportation) on the Airport. The Board is considering renaming the Airport.

13. Council Comments:

Mayor Baird reminded everyone there will be a Special City Council Session tomorrow, April 14, 2021 and Thursday, April 15, 2021 there is a Commission for Diversity and Inclusion meeting. Both meetings will be broadcast.

14. Staff Roundtable

Mr. Mark Dunning, Assistant City Manager, stated Glenda Masters, Cultural Arts Manager, has been working with the Arts Council, Downtown Lee's Summit and the Downtown CID to change out the sculptures in the Sculpture Walk. The rapture, that was sitting in front of the Fire Department, was chosen through a survey as the "Peoples Choice" to be purchased so it will be moved to the Civic Plaza in front of City Hall. The sculpture was purchased through a grant through the Downtown CID and the Lee's Summit Industrial Development Authority for everyone to enjoy.

15. Adjournment

There being no further business, Mayor Baird adjourned Regular Session No. 29 at 8:31 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"