



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

Tuesday, June 15, 2021

6:00 PM

Via Video Conference
and

City Council Chambers
220 SE Green Street

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

REGULAR SESSION NO. 35 *AMENDED*****

Notice is hereby given that the Council of the City of Lee's Summit will meet in regular session on Tuesday, June 15, 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 June 14, 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 June 14, 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. 35 to order at 6:04 p.m.

- 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

Mayor Baird moved Bill No. 21-117 from the Consent Agenda for discussion and a separate vote.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, to approve the published agenda as amended by Mayor Baird. 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 adopt the Consent Agenda as amended by Mayor Baird. 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. [2021-4199](#) Approval of the City Council Action Letter from June 8, 2021.

A motion was made by Councilmember Forte, seconded by Councilmember Edson, to approve the June 8, 2021 Action Letter as part of the Consent Agenda. The motion carried by the following vote:

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

- B.** [2021-4181](#) Consideration of City Council Committee and Liaison appointments.

A motion was made by Councilmember Forte, seconded by Councilmember Edson, to approve the Council Committee and Liaison appointments 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.** [2021-4198](#) Approval of the Change in Managing Officer for Bella's Italian Restaurant, 511 SE Melody lane, Lee's Summit, MO 64063

A motion was made by Councilmember Forte, seconded by Councilmember Edson, to approve the change in Managing Officer for Bella's Italian Restaurant's Liquor License 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.** [BILL NO. 21-111](#) An Ordinance Approving the Southside Plaza Land Clearance for Redevelopment Authority Redevelopment Plan.

(Note: First read by Council on June 8, 2021. Passed by unanimous vote.)

A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 21-111 be adopted and numbered Ordinance No. 9171 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

- E. [BILL NO. 21-117](#) An Ordinance Approving a New Section of the City Code Governing Procedural Rules for Public Meetings and Public Hearings Conducted by Video Conference. (Note: First read by Council on June 8, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 21-117 be adopted and numbered Ordinance No. 9172. The motion carried by the following vote:

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

Nay: 1 - Councilmember Johnson

3. Council Roundtable

Councilmember Forte congratulated the Lee's Summit Chamber of Commerce on the Gala they held Saturday night. She said it was a really nice event and she applauded their efforts.

Mayor Pro-Temp Lopez acknowledged Lee's Summit City Manager, Steve Arbo, was recognized with an award by the Mid-America Regional Council for his efforts during the COVID-19 pandemic in Lee's Summit and regionally. It is a very high honor.

Mayor Baird shared his family celebrated his daughter's wedding Saturday at the Stanley. They had a great time and used as many Lee's Summit vendors as possible.

Councilmember Johnson mentioned yesterday was Councilmember Forte's last Finance and Budget Committee meeting and she said her goodbyes. She is not eligible for re-election for two years. He sincerely thanked her for serving.

Councilmember Shields recognized the Lee's Summit schools are full for foreign exchange students for next year. There will be a great group of international kids coming this fall and she is very excited to welcome them to the community when that happens.

4. Public Comments:

There were no Public Comments.

5. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 21-118](#) An Ordinance approving Modification No. 5 to an Agreement for Professional Engineering Services for the Colbern Road Improvements from M350 to Douglas Street (RFQ No. 569-32272) with Garver, LLC, for an increase of \$556,278 for the amended Basic Services, with an amended not to exceed amount of \$2,111,998, and authorizing the City Manager to execute an agreement for the same. (PWC 6/7/21)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 21-118 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. 21-118 be adopted and numbered Ordinance No. 9173. 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. 21-119](#) An Ordinance authorizing the execution of a License Agreement by and between the City of Lee's Summit, Missouri, and Richard V. Baker & Joan M. Baker, to allow an encroachment within the City's right-of-way located at a property commonly known as 200 SE Brownfield Drive. (PWC 6/7/21)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Lopez, that Bill No. 21-119 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 Lopez, that Bill No. 21-119 be adopted and numbered Ordinance No. 9174. 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. 21-121](#) An Ordinance awarding the bid for Project No. 54-13 for the Arnold Hall Stormwater Improvements Project to Tasco, LLC, in the amount of \$1,238,528.00, and authorizing the City Manager to execute an agreement for the same. (PWC 6/7/21)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 21-121 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. 21-121 be adopted and numbered Ordinance No. 9176. 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. 21-122](#) An Ordinance approving the 2021 Combat Drug Commission DARE Agreement by and between the City of Lee's Summit, Missouri and Jackson County, Missouri, and authorizing the Mayor to execute the same by and on behalf of the City. (F&BC 6/14/21)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 21-122 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. 21-122 be adopted and numbered Ordinance No. 9177. 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. 21-123](#) An Ordinance approving the execution of a memorandum of understanding between the Kansas Bureau of Investigation and the City of Lee's Summit, Missouri for the use of Midwest High Intensity Drug Trafficking Area Award Funds, and authorizing the Mayor to execute the same on behalf of the City. (FBI Combined Task Force) (F&BC 6/14/21)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 21-123 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 Forte, seconded by Councilmember Carlyle, that Bill No. 21-123 be adopted and numbered Ordinance No. 9178. 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. 21-124](#) An Ordinance approving the execution of a memorandum of understanding between the Kansas Bureau of Investigation and the City of Lee's Summit, Missouri for the use of Midwest High Intensity Drug Trafficking Area Award Funds, and authorizing the Mayor to execute the same on behalf of the City. (DEA Task Force) (F&BC 6/14/21)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 21-124 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. 21-124 be adopted and numbered Ordinance No. 9179. 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. 21-125](#) An Ordinance approving the FY2022 Property And Liability Insurance Program, authorizing the City Manager to enter into Agreements with CNA Insurance, States Self-Insurers Risk Retention Group, Glatfelter Insurance Group, Chubb Limited, Physicians Professional Indemnity Association, and Traveler's Insurance for the procurement of property and liability insurance coverage and related services for FY2022, and authorizing the City Attorney to approve individual claim expenses and/or settlements in amounts not to exceed \$20,000.00 per claim. (F&BC 6/14/21)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 21-125 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. 21-125 be adopted and numbered Ordinance No. 9180. 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. 21-126](#) An Ordinance approving the use of a Cooperative Contract between Jackson County and Guier Fence Company, to purchase fencing materials, installation, and repair services as needed and authorizing the City Manager to execute the same for the City. (F&BC 6/14/21)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Edson, that Bill No. 21-126 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 Carlyle, that Bill No. 21-126 be adopted and numbered Ordinance No. 9181. 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

- I. [BILL NO. 21-127](#) An Ordinance amending the Schedule of Fees and Charges effective July 1, 2021, to establish fees for Temporary Traffic Control permits for the City of Lee's Summit, Missouri. (F&BC 6/14/21)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 21-127 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 Lopez
Councilmember Shields

Nay: 1 - Councilmember Johnson

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 21-127 be adopted and numbered Ordinance No. 9182. The motion carried by the following vote:

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

Nay: 1 - Councilmember Johnson

- J. [BILL NO. 21-128](#) An Ordinance approving an amendment to an agreement between the City of Lee's Summit and Advanced Utility Systems to upgrade the City's CIS Infinity software and authorizing the City Manager to execute the same by and on behalf of the City. (F&BC 6/14/21)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 21-128 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. 21-128 be adopted and numbered Ordinance No. 9183. 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

6. Proposed Ordinances - First Reading:

- A. [BILL NO. 21-120](#) An Ordinance approving an engineering contract by and between the City of Lee's Summit, Missouri and Burns and McDonnell Engineering Company, Inc. for a Water Master Plan in the amount of \$248,700 and authorizing the City Manager to enter into the same on behalf of the City.

(Note: First read by City Council on June 15, 2021. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Carlyle, that Bill No. 21-120 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

Recused: 1 - Councilmember Shields

7. Resolutions:

- A. [RES. NO. 21-14](#) A Resolution authorizing the filing of an application with the Missouri Department of Natural Resources, State Revolving Fund Program for grants under the Missouri Clean Water Law (Section 644, RSMo.). (PWC 6/7/21)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Resolution 21-14 be adopted. 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. [RES. NO. 21-15](#) A Resolution adopting the FY2022 - FY2026 Capital Improvement Plan (CIP) in accordance with the City of Lee's Summit Charter.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that Resolution 21-15 be adopted. 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

There were no Committee Reports.

9. Council Comments:

Councilmember Edson asked if the Public Service Agreements that expire at the end of the month are going through a committee or going straight to City Council. Mr. Mark Dunning, Assistant City Manager, stated they will be brought straight to City Council and are scheduled for the June 22, 2021 meeting.

Councilmember Forte asked how much the Business and Industry tax is. Councilmember Johnson responded it is 5% to which Councilmember Forte commented it must be much higher at KCI Airport. She then stated PRI was brought up repeatedly during the Strategic Plan process and she wondered if there will be a time something can be shared with the City Council as a whole.

Mayor Baird thanked the City Council, and City Staff, for doing tremendous work.

10. Staff Roundtable

Mark Dunning, Assistant City Manager, informed City Council there will be an item on next week's agenda for an emergency purchase for a service agreement to reconstruct the Scruggs Road Interceptor which is a very large sanitary sewer main. Also, Lee's Summit Parks and Recreation start their summer concert series this Saturday at the Legacy Park Amphitheater with Elton Dan and the Rocket Band. Tickets are sold right up to the day of the event but the box office at Legacy Park is closed so please purchase your tickets online.

Mayor Baird discussed upcoming City Council meeting dates.

Mr. Brian Head, City Attorney, informed the City Council they will be provided the new City Council Rules and Procedures Quick Reference Guide and asked them to return the old ones.

11. Adjournment

There being no further business, Mayor Baird adjourned Regular Session No. 35 at 7:10 p.m.

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"