



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

Tuesday, October 20, 2020

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. 12

Notice is hereby given that the City Council of the City of Lee's Summit will meet in regular session on Tuesday, October 20, 2020, at 6:00 pm, in person and 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. The meeting is also being held in the Council Chambers, a limited number of people will be allowed in the meeting room and it is therefore recommended that you attend by watching the meeting as described in this paragraph.

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, October 19, 2020, 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, October 19, 2020 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.

Any persons wishing to attend the Council Meeting in person should abide by the County's mask requirement at all times while within City Hall, including the Council Chambers.

Preliminaries:

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

Mayor Baird called Regular Session No. 12 to order at 6:01 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

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, 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 Edson, seconded by Councilmember Lopez, to adopt 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. [2020-3744](#) Approval of Liquor Licenses G3 and S for First Watch, 920 NW Pryor Road Suite A, Lee's Summit, MO 64081.

A motion was made by Councilmember Edson, seconded by Councilmember Lopez, to approve the Liquor License for First Watch 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.** [BILL NO. 20-160](#) An Ordinance accepting final plat entitled Woodside Ridge, 1st Plat, Lots 1-143 and Tracts A-H, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First reading done by Council on August 18, 2020. Passed by unanimous vote.)

A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 20-160 be adopted and numbered Ordinance No. 8988 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. 20-192](#) An Ordinance approving a special use permit for automotive repair services-major repair in district PI (Planned Industrial) on land located at 1500 and 1502 SW Market St for a period of twenty five (25) 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 read by Council on October 13, 2020. Passed by unanimous vote.)

A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 20-192 be adopted and numbered Ordinance No. 8989 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. 20-195](#) An Ordinance awarding the bid for Project No. 344-C for the South Terminal Discharge Main project to Beemer Construction Co., Inc. in the amount of \$1,516,590.50, and authorizing the City Manager to execute an agreement for the same.
(Note: First read by Council on October 13, 2020. Passed by unanimous vote.)

A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 20-195 be adopted and numbered Ordinance No. 8990 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. 20-196](#) An Ordinance Amending Chapter 2. Administration, Article II. Council, Division 3. Standing Committees, Section 2-60.1. Composition of Membership, if the Code of Ordinances of the City of Lee's Summit, Missouri for the purpose of expanding the role of the alternate of each City Council Committee. (Rules 10/1/20)
(Note: First read by Council on October 13, 2020. Passed by unanimous vote.)

A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 20-196 be adopted and numbered Ordinance No. 8991 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

Councilmember Edson announced Drug Take Back Day on Saturday, October 24, 2020 from 10:00 a.m. to 2:00 p.m.

Councilmember Shields stated she will be recusing herself from discussions on Star Acquisitions and Development.

Councilmember Felker reported the east bound lanes of Third Street will be closed through December 2020. He also said View High Drive, and some other Kansas City roads, were repaved by Kansas City but the Raytown portion has a problem with the striping.

4. Public Hearings:

- A. [2020-3672](#) Public Hearing: Application #PL2020-200 - Preliminary Development Plan - Oakview, Lots 2, 3 and 4, 1410, 1430 and 1440 NE Douglas St; Star Acquisitions & Development, LLC, applicant.
(Note: This item was continued from October 20, 2020 per the applicant's

request.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that this Public Hearing be continued until October 27, 2020 per the applicants request. 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

- B.** [2020-3498](#) Public Hearing: Application #PL2019-330 - Rezoning from AG to R-1 and Preliminary Development Plan - Woodland Oaks, Lots 1-42 & Tracts A-C, 2501 and 2601 NE Colbern Road; Engineering Solutions, LLC, applicant.

Exhibit A, list of exhibits 1-21 were entered into the record.

City Council discussions included:

- Access eligibility to Colbern Road, turn lane requirements
- Sewer connection, cost splitting counter offer
- Right in, right out entrance
- Speed limit on Blackwell

There were no speakers in favor of this application.

Dr. Misenheimer spoke in opposition to this application. He stated Woodland Shores Lane has a safety concern with a 90 degree turn, a steep downhill grade, and lots of children playing.

Dr. Coleman spoke in opposition to this application. He shared his concerns of increased traffic, traffic accidents and public safety response times.

- 1)** [BILL NO. 20-197](#) An Ordinance approving a rezoning from Agricultural (AG) to District R-1 and preliminary development plan for approximately 20 acres located at 2501 and 2601 NE Colbern Rd, proposed Woodland Oaks, Lots 1-42 and Tracts A-C, 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 October 20, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 20-197 be advanced to second reading. 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

- C. [2020-3690](#) Public Hearing: Application #PL2020-210 - Rezoning from AG to R-1 & RP-4 and Preliminary Development Plan - Stag's Field, 1215 NW Bowlin Road; Stag Commercial, applicant.

Exhibit A, list of exhibits 1-22 were entered into the record.

City Council discussions included:

- Proposed material for outer fence
- Proposed height of fence
- Only the four story buildings will have elevators
- ADA standards for the ground level units
- Clarification of the location on Lakewood Way discussed in the staff presentation
- Are any improvements planned for Lakewood Way in the city's five year Comprehensive Plan
- Is MoDOT planning any improvements to 470 Hwy and Lakewood Way
- Price points for units
- The amenities are intended for the entire development, and not just for apartments
- Did the traffic study take into account the traffic counts on 470 Hwy
- Did the traffic study take into account any accidents on 470 Hwy
- Traffic flow in and out of the development
- Were other ingress/egress access points explored to the west of the site
- The total number of parking spaces in the development is 947
- Current occupancy rates of other multifamily units in the city
- Local market demand and the developers site selection process
- Long term maintenance plan
- How would the increased call load effect the Fire Department
- Age requirement for the single family, age in place, units
- Date the area went under contract
- Topography of the area
- Price point for the single family homes
- Were single family homes considered instead of the multi-family units
- The developers market study area
- Comparables to the north of this development
- The developers opinion for the public's opposition to this project
- What does it take for the city to get shoulders and potholes repaired on

Lakewood Way, outside of the Comprehensive Plan

- The city's responsibility to the school district for overcrowding of schools
- Previous applications for this site and the year they were submitted
- What was the plan for this site when Monticello was built

There were no speakers in favor of this application.

Mr. Troy Bella spoke in opposition to this application. He was opposed to density in such park like surroundings. The lot sizes proposed for the single family dwellings on James Town Road would not be comparable to Monticello.

Mr. Scott Richards spoke in opposition to this application. He was opposed to the density in the area and voiced concerns about the number of uncovered parking spaces.

Ms. Chris Ray spoke in opposition to this application. She shared her concerns with how the added density will affect public safety response times.

Mr. Norman Greer spoke in opposition to this application. He was concerned about this project giving a mixed message of development to visitors entering through the northern gateway and the lack of walk ability in the area.

Mr. Rob Server spoke in opposition to this application. His concerns centered around the preservation of green space and the stress it would put on wildlife in the area.

Mr. Brian Conaty spoke in opposition to this application. His focus was the lack of infrastructure and lack of funding for maintenance in the city's budget.

Ms. Jamie Ledgerwood spoke in opposition to this application. Her concerns were public safety response times, traffic accidents and the lack of infrastructure.

Ms. Jami Grant spoke in opposition to this application. She commented on the economic benefits from this development which she thought would mostly go to Independence businesses.

Mr. Brad Twigg spoke in opposition to this application. He thought it was a great plan but for an urban area, not the suburbs. Multi family homes would require walk ability which is missing from this site.

Ms. Joan Bergstrom spoke in opposition to this application. She didn't think the single family homes would qualify for age in place living due to the steps.

Mr. James Reeselman spoke in opposition to this application. He was opposed

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to rezoning the property from agriculture to multifamily. He would prefer rezoning to R1. He also stated public safety response times and infrastructure need to be built out before multifamily development in the area.

- 1) [BILL NO. 20-198](#) An Ordinance approving a rezoning from AG to districts R-1 and RP-4 and preliminary development plan for approximately 35 acres located at 1215 NE Bowlin Rd, proposed Stag's Field, 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 October 20, 2020.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Shields, that Bill No. 20-198 be advanced to second reading. The motion carried by the following vote:

Aye: 5 - Mayor Baird
Councilmember Carlyle
Councilmember Forte
Councilmember Johnson
Councilmember Shields

Nay: 4 - Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez

5. Public Comments:

There were no public comments.

6. Proposed Ordinances - First Reading:

- A. [BILL NO. 20-199](#) An Ordinance vacating a certain easement located at 3320 NE Ralph Powell Road in the City of Lee's Summit, Missouri.
(Note: First reading by Council on October 20, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, that Bill No. 20-199 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. 20-200](#) An Ordinance approving the execution of two grant agreements by and between the State of Missouri, Department of Transportation Traffic and Highway Safety Division and the City of Lee's Summit, Missouri for the Missouri Highway Safety Program.
(Note: First reading by Council on October 20, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Felker, that Bill No. 20-200 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

7. Council Comments:

Councilmember Edson shared her concern about the lack of affordable single family housing in Lee's Summit.

Councilmember DeMoro expressed a desire to start City Council level conversations about what projects will be in the five year CIP (Capital Improvement) Plan.

Councilmember Forte clarified comments she made at the previous City Council meeting regarding a COVID-19 update presentation.

Councilmember Johnson stated he would like to have the five year Capital Improvement Plan go through the Finance and Budget Committee for in-depth discussions of appropriations.

Councilmember Felker shared his thoughts on the role of City Council has in setting policy.

Mayor Baird expressed frustration with a split vote earlier in the meeting.

8. Committee Reports

Councilmember Forte reported Lee's Summit Cares has had a large increase in people seeking parenting information. They will be holding their Character Breakfast on April 29, 2021. She also stated she has heard many times how City Council did a tremendous job appropriating COVID 19 funds.

9. Staff Roundtable

There was no Staff Roundtable.

10. Adjournment

There being no further business, Mayor Baird adjourned Regular Session No. 12 at 9:52 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"