



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

Tuesday, April 14, 2020

6:00 PM

Via Videoconference

REGULAR SESSION NO. 54

Notice is hereby given that the Council of the City of Lee's Summit will meet in regular session on Tuesday, April 14, 2020 at 6:00 pm via videoconference as provided by Section 610.015 of the Revised Statutes of the State of Missouri. Due to the ongoing Covid-19 pandemic, City Hall will be physically closed and therefore, 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. Additionally, 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 13, 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 Council meeting.

Preliminaries:

A. Invocation

B. Pledge of Allegiance

C. Call to Order

Mayor Baird called Regular Session No. 54 to order at 6:10pm (via videoconference).

D. Roll Call

Mayor and Council all present via videoconference.

Present: 9 - Mayor Bill Baird
Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Bob Johnson
Councilmember Beto Lopez

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 Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

A. [2020-3390](#) Approval of City Council Action Letters from March 3rd and 17th, 2020.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, to approve the City Council Action Letters for March 3 and 17, 2020 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

B. [2020-3411](#) Approval of Liquor License H for Dollar General #21865, 301 NE Todd George Rd, Lee's Summit, MO 64086.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that this Liquor License be approved as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- C. [2020-3412](#) Approval of Liquor Licenses H, S, and Tasting for Price Chopper #157, 937 SE M Woods Chapel Road, Lee's Summit, MO 64064

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that this Liquor License be approved as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- D. [2020-3413](#) Approval of Liquor Licenses H, S, and Tasting for Price Chopper #171, 251 SW Greenwich Drive, Lee's Summit, MO 64082

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that this Liquor License be approved as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- E. [2020-3415](#) Approval of Liquor Licenses G1 and S for Clayboys, 318 SE Douglas Street, Lee's Summit, MO 64063

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that this Liquor License be approved as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- F. [2020-3432](#) Approval of Liquor Licenses B2, B4, and Tasting for Veritasi, 2 SW 4th Street, Lee's Summit, MO 64063

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that this Liquor License be approved as part of the Consent Agenda. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- G.** [BILL NO. 20-63](#) An Ordinance amending Chapter 26, Streets, Sidewalks and Other Public Places, of the City Code of the City of Lee's Summit, Missouri, to provide consistent management of the Rights-of-Way with respect to standards of work, bonding, and permitting. (PWC 3/2/20)
(Note: First reading by City Council on March 17, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that this Bill No. 20-63 be adopted and numbered Ord. No. 8855 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

3. Presentations:

- A.** [2020-3426](#) COVID-19 Update

Mr. Mike Snider, Fire Chief, provided a review and update of the current situation regarding the COVID-19 pandemic. He advised he has been working very closely with the Jackson County as they are the local authority having jurisdiction during this public health emergency. He advised there is a lot of required protocol for first responders to keep them safe. But there are many ways the public can help, mostly by staying at home during the Shelter In Place orders.

Mr. Snider stated currently there are 235 cases in Jackson County with 9 deaths; 346 cases in Kansas City with 11 deaths; 1402 in this region with 62 deaths. The City continues to learn and take the best possible precautions to prevent further spread of this disease.

Mr. Steve Arbo, City Manager, stated he continues to work closely with MARC (Mid America Regional Council) which represents 119 municipalities in 9 counties and has over 2 million people. They work together to help plan future measures to mitigate the losses of this pandemic both in health and well being

of citizens and financial hardships.

4. Council Roundtable

Councilmember Forte gave a shout out to the local businesses and restaurants in Lee's Summit. She is thank for everyone that is continuing to support them and she hopes more people will help or continue to do so.

Councilmember Binney applauded the IT staff for helping everyone be able to attend this meeting virtually. He stated public transportation has also been impacted and there is a reduced amount of busses available for commuting. He too is proud of the community as a whole.

Mayor Baird expressed his appreciation to the community for coming together in this time of need. He has seen several donations of masks and shields provided to 1st responders and hospitals. Everyone is helping each other as much as we can. Through this we can actually begin to speculate a time when we will reach the peak and start working our way to the other side of this pandemic.

Councilmember Faith reflected on the recent death of Bill Birmingham. Mr. Birmingham was a 1st responder with the Kansas City Fire Department, but he resided in Lee's Summit. He was once employed by John Knox Village and will be remembered as a great man.

5. Public Comments:

There were no Public Comments.

6. Resolutions:

- A. [RES. NO. 20-08](#) A Resolution to adopt the 2020 Regional Multi Hazard Mitigation Plan.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Edson, that Resolution No. 20-08 be adopted. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- B. [RES. NO. 20-09](#) A Resolution adopting the Amended City Council Schedule of Meetings for 2020.

ACTION: A motion was made by Councilmember DeMoro, seconded by Mayor Pro Tem Lopez, to adopt Resolution No. 20-09.

After discussion, a motion was made by Councilmember Forte, seconded by Councilmember

Edson, to further amend the Schedule of Meetings by removing April 21, 2020 from the schedule attached to this resolution. The motion passed unanimously.

Returning to the previous motion by Councilmember DeMoro, seconded by Mayor Pro Tem Lopz, to adopt Resolution No. 20-09 as amended. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

7. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 19-173](#) An Ordinance authorizing the execution of the first amendment to Cooperative Agreement for payment of funds from Jackson County, Missouri to City of Lee's Summit, Missouri for the design of a new pedestrian bridge to accommodate the shared use pathway over Chipman Road. (PWC 7/30/19)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 19-173 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Faith, that Bill No. 19-173 be adopted and numbered Ord. No. 8856. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- B. [BILL NO. 19-174](#) An Ordinance authorizing the execution of Modification No. 2 to the agreement dated July 3, 2018 (RFQ No. 73-3221) for professional engineering services for the Chipman Road Improvements from View High Drive to Bent Tree Drive with Wilson & Company, Inc., for an increase of \$15,000.00 with an amended not to exceed amount of \$406,340.00, and authorizing the City Manager to enter into an agreement for the same. (PWC 7/30/19)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Forte,

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that Bill No. 19-174 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Edson, that Bill No. 19-174 be adopted and numbered Ord. No. 8857. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- C. [BILL NO. 20-66](#) An Ordinance approving the award of RFP No. 2020-026 for financial auditing services for a one-year term with up to four, one-year renewals, to RSM US LLP, and authorizing the City Manager to execute the same and by and on behalf of the City of Lee's Summit, Missouri. (F&BC 4-13-20)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember DeMoro, that Bill No. 20-66 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 20-66 be adopted and numbered Ord. No. 8858 The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- D. [BILL NO. 20-67](#) An Ordinance approving Amendment No. 10 to the Budget for the Fiscal Year ending June 30, 2020, as adopted by Ordinance No. 8643 and Ordinance No. 8652, by amending the authorized expenditures in the Fire Department for the City of Lee's Summit, Missouri. (F&BC 4-13-20)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 20-67 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Binney, that Bill No. 20-67 be adopted and numbered Ord. No. 8859. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

8. Emergency Ordinances:

- A. [BILL NO. 20-68](#) An Ordinance approving the award of bid for Project No. 422-C for the SW 3rd Street Improvements from Pryor Road to Murray Road to Radmacher Brothers Excavating Company, Inc. in the amount of \$4,638,738.10, and authorizing the City Manager to execute an agreement of the same and containing an emergency clause.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Binney, that Bill No. 20-68 be second read. . The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 20-68 be adopted and numbered Ord. No. 8860. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- B.** [BILL NO. 20-69](#) An Ordinance approving the award of bid for Project No. 713 for the Bailey and Hamblen Signal Project to Capital Electric Line Builders, Inc. in the amount of \$345,824.50, and authorizing the City Manager to execute an agreement of the same, and containing an emergency clause.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Binney, that Bill No. 20-69 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 20-69 be adopted and numbered Ord. No. 8861. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

9. Proposed Ordinances - First Reading:

- A.** [BILL NO. 20-70](#) An Ordinance amending Chapter 13 of the Code of Ordinances of the City of Lee's Summit, Missouri, Article III. Fire Code, to modify the approved dates and times to discharge approved consumer fireworks.

(NOTE: First reading by City Council on April 14, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember DeMoro, that Bill No. 20-70 be advanced to second reading. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- B.** [BILL NO. 20-71](#) An Ordinance awarding the bid for Project No. 548 for the Streambank Stabilization Projects: SE 2nd Street; SW 3rd Street and Cedar Creek to Tasco, LLC, in the amount of \$672,387.00, and authorizing the City Manager to execute an agreement of the same.
(NOTE: First reading by City Council on April 14, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 20-71 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- C.** [BILL NO. 20-72](#) An Ordinance approving an agreement for Professional Engineering Services between the City of Lee's Summit, Missouri, and Transystems Corporation for the Pryor Road Improvements from Longview Road to Hook Road (RFQ No. 2020-046) for an amount not to exceed \$1,114,598.00 and authorizing the City Manager to execute an agreement of the same.
(NOTE: First reading by City Council on April 14, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 20-72 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- D.** [BILL NO. 20-73](#) An Ordinance approving a Development Agreement between DTLs Apartments, LLC, and the City of Lee's Summit, Missouri for the Downtown Cityscape project.

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(NOTE: First reading by City Council on April 14, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Edson, that Bill No. 20-73 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- E.** [BILL NO. 20-74](#) An Ordinance approving the First Amendment to the Development Agreement between United Methodist Church of Lee's Summit and the City of Lee's Summit, Missouri, for the Summit Church Development.

(NOTE: First reading by City Council on April 14, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Faith, that Bill No. 20-74 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- F.** [BILL NO. 20-75](#) An Ordinance authorizing the Mayor to enter into an Intergovernmental Agreement by and between the City of Lee's Summit and the Jackson County Public Water Supply District No. 13, the provision of and the termination of water service and sewer service and exchange of information.

(NOTE: First reading by City Council on April 14, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Edson, that Bill No. 20-75 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- G. [BILL NO. 20-76](#) An Ordinance approving Change Order #4 to the contract with Second Sight Systems, L.L.C. for the SCADA System improvements project, an increase of \$5,997.17 for a revised contract price of \$448,507.30.
(NOTE: First reading by City Council on April 14, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Faith, that Bill No. 20-76 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

10. Proposed Ordinances - Second Reading:

- A. [BILL NO. 20-45](#) An Ordinance accepting final plat entitled Main Orchard, Lots 1-6, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First reading by City Council on March 3, 2020.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Faith, that Bill No. 20-45 be adopted and numbered Ord. No. 8862. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

11. Presentations:

- A. [2020-3429](#) Presentation of the FY21 General Fund Revenue Forecast (City Council 4-14-20)

Mr. Chris Clubine, Financial Analyst, provided up to date information on the FY21 General Fund Revenue Forecast advising there will be much less going in to this fund during this COVID-19 pandemic the future is uncertain as to how long this will last.

Council Discussion Included:

- What are the thresholds or measures to determine when we can get back to "normal"
- Active Cases
- Testing
- Aeroclave purchase / received
- Working together

12. Committee Reports

Councilmember Binney stated that as a liaison to the Parks and Recs Board, he wanted to remind everyone even though the parks are closed, the trails and

park open spaces are still open.

Councilmember Johnson noted the next Finance and Budget Committee meeting will be held on May 4, 2020 and will include the City Manager's full budget and projections.

13. Council Comments:

Mayor Baird and Mayor Pro Tem Lopez thanked staff, Mayor and Council for all their hard work during these trying times and expressed their appreciation to all.

14. Staff Roundtable

A. [2020-3418](#) 291 & 50 Highway TIF Update

Mr. Steve Arbo, City Manager, advised the 291 & 50 Highway TIF was scheduled to be heard by the TIF Commission this week. However, due to the delay of the municipal election to June 2, 2020, the TIF Commission hearing will be delayed until after the election.

B. [2020-3387](#) License Tax Review Committee Annual Report for FY2019

This Presentation was received and filed.

C. [2020-3425](#) Fiscal Analysis Update for COVID-19

Ms. Bette Wordelman, Finance Director, provided a brief analysis of the current financial outlook during this COVID-19 pandemic.

15. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 54 at 8:39pm.

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"