



## The City of Lee's Summit

### Action Letter

### City Council - Regular Session

Tuesday, August 11, 2020

6:00 PM

City Council Chambers and via Video Conference

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

**REGULAR SESSION NO. 5**

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Notice is hereby given that the City Council of the City of Lee's Summit will meet in regular session on Tuesday, August 11, 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](http://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 to can attend via the Zoom software platform at [www.Zoom.com](http://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, August 10, 2020, either by e-mail to: [clerk@cityofls.net](mailto: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, August 10, 2020 by e-mail at [clerk@cityofls.net](mailto: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 Pro Tem Lopez called Regular Session No. 5 to order at 6:01 p.m.

- D. Roll Call

**Present:** 7 - Councilmember Trish Carlyle  
Councilmember Fred DeMoro  
Councilmember Andrew Felker  
Councilmember Diane Forte  
Councilmember Bob Johnson  
Councilmember Beto Lopez  
Councilmember Hillary Shields

**Absent:** 2 - Mayor Bill Baird  
Councilmember Phyllis Edson

**1. Approval of Agenda**

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Felker, to approve the agenda as published. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

**2. Approval of Consent Agenda:**

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

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

**A. [2020-3596](#) Mayor's Appointments**

Arts Council: Reappoint John Hardesty and Brenda Harris, terms to expire 7-22-23.

Land Clearance Redevelopment Authority: Appoint Andrew Elliott to replace Donna Gordon, term to expire 9-1-23.

**A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, to approve Mayor's Appointments as part of the Consent Agenda. The motion carried by the**

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**following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

- B.** [BILL NO. 20-128](#) An Ordinance vacating a certain easement located at 1000 NE Colbern Road in the City of Lee's Summit, Missouri.  
(Note: First reading by City Council on August 4, 2020. Passed by unanimous vote.)

**A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 20-128 be adopted and numbered Ordinance No. 8918 as part of the Consent Agenda. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

- C.** [BILL NO. 20-129](#) An Ordinance vacating a certain easement located at 500 NW Pryor Road in the City of Lee's Summit, Missouri.  
(Note: First reading by City Council on August 4, 2020. Passed by unanimous vote.)

**A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 20-129 be adopted and numbered Ordinance No. 8919 as part of the Consent Agenda. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

- D.** [BILL NO. 20-130](#) An Ordinance vacating a certain easement located at 500 NW Pryor Road in the City of Lee's Summit, Missouri.  
(Note: First reading by City Council on August 4, 2020. Passed by unanimous vote.)

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**A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 20-130 be adopted and numbered Ordinance No. 8920 as part of the Consent Agenda. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

- E. [BILL NO. 20-131](#) An Ordinance vacating a certain easement located at 2924 NW Audubon Lane in the City of Lee's Summit, Missouri.

(Note: First reading by City Council on August 4, 2020. Passed by unanimous vote.)

**A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 20-131 be adopted and numbered Ordinance No. 8921 as part of the Consent Agenda. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

- F. [BILL NO. 20-132](#) An Ordinance vacating a certain easement located at 3000 NW Audubon Lane in the City of Lee's Summit, Missouri.

(Note: First reading by City Council on August 4, 2020. Passed by unanimous vote.)

**A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 20-132 be adopted and numbered Ordinance No. 8922 as part of the Consent Agenda. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

- G. [BILL NO. 20-134](#) An Ordinance renewing the City of Lee's Summit's procedure for disclosure of potential conflicts of interest and substantial interests for certain municipal officials, pursuant to Sec. 2-75 of the Code of Ordinances for the City of Lee's

Summit, Missouri.

(Note: First reading by City Council on August 4, 2020. Passed by unanimous vote.)

**A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 20-134 be adopted and numbered Ordinance No. 8923 as part of the Consent Agenda. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

### 3. Council Roundtable

Councilmember Forte shared the August issue of Lee's Summit Lifestyle magazine had an article on her cousin's dog Moose and the adventures he has. The article highlights dog friendly places in Lee's Summit and the greater Kansas City area.

Mayor Pro Tem Lopez talked about local athletes doing well on the national level and the Lee's Summit Farmers Market.

### 4. Public Hearings:

- A. [2020-3538](#) Public Hearing: Application #PL2020-144 - Vacation of Right-Of-Way - segment of NW Audubon Lane located west of NW Carson Drive (adjacent to 212 NW Carson Drive); Gale Communities, Inc, applicant.  
(Note: This item was continued from August 4, 2020 per staff's request.)

Exhibit A, list of exhibits 1-16 were entered into the record.

City Council discussions included:

- Are the impacted residents happy with the change
- Walking trails for homes and the detention pond

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

- 1) [BILL NO. 20-135](#) An Ordinance vacating dedicated right-of-way for a portion of NW Audubon Ln located west of NW Carson Dr and adjacent to 212 NW Carson Dr, in the City of Lee's Summit, Missouri.  
(NOTE: First reading by Council on August 11, 2020. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 20-135 be advanced to second reading. The motion carried by the following vote:**

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**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

- B.** [2020-3549](#) Public Hearing: Application #PL2020-171 - Preliminary Development Plan - Napa Valley subdivision - revised residential elevations; Engineering Solutions, LLC, applicant.

(Note: This item was continued from August 4, 2020 per staff's request.)

Exhibit A, list of exhibits 1-18 were entered into the record.

City Council discussions included:

- Was a neighborhood meeting held
- Is the HOA (Home Owners Association) in support
- Are the slides in the presentation pictures of existing homes in the subdivision
- What are the current elevations in the existing subdivision
- Have several homes built in the area recently not had stone or stucco

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

- 1)** [BILL NO. 20-136](#) An Ordinance approving a preliminary development plan requesting the revision of a certain Condition #3 from approval Ordinance No. 7775 for the Napa Valley subdivision architectural elevations in district PMIX, all in accordance with the provisions of Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

(NOTE: First reading by Council on August 11, 2020. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Carlyle, that Bill No. 20-136 be advanced to second reading. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

**5. Public Comments:**

There were no Public Comments.

**6. Proposed Ordinances Forwarded from Committee:**

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- A. [BILL NO. 20-137](#) An Ordinance authorizing the execution of an agreement for Professional Engineering Services between the City of Lee's Summit, Missouri, and WSP USA for 3rd Street Improvements from Jefferson Street to Blue Parkway (RFQ No. 2020-066) for an amount not to exceed \$647,300.00 and authorizing the City Manager to execute an agreement for the same. (PWC 8/3/20)

**ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Carlyle, that Bill No. 20-137 be second read. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

**ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Carlyle, that Bill No. 20-137 be adopted and numbered Ordinance No. 8924. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

- B. [BILL NO. 20-138](#) An Ordinance awarding the bid for Project No. 543-32272C for the Stormwater Projects SW 34th Street and SW Pinnell Drive to Blue Nile Contractors, Inc., in the amount of \$435,214.03, and authorizing the City Manager to execute an agreement for the same. (PWC 8/3/20)

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Carlyle, that Bill No. 20-138 be second read. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 20-138 be adopted and numbered Ordinance No. 8925. The motion carried by the following vote:**

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**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

- C. [BILL NO. 20-139](#) An Ordinance authorizing execution of Modification No. 2 to the agreement dated July 16, 2019 (RFQ No. 543-32272) for professional engineering services for stormwater for 4 projects with Lamp Rynearson, for an increase of \$30,000.00 with an amended not to exceed amount of \$201,700.00 and authorizing the City Manager to execute an agreement for the same. (PWC 8/3/20)

**A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 20-139 be second read. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 20-139 be adopted and numbered Ordinance No. 8926. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

- D. [BILL NO. 20-140](#) An Ordinance authorizing the execution of a lease agreement by and between the City of Lee's Summit and Sallee Real Estate Investments, LLC for a period of 20 years with options for four additional five-year terms for the development of Hangar V at the Lee's Summit Municipal Airport. (PWC 8/3/20)

**ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, that Bill No. 20-140 be second read. The motion carried by the following vote:**



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**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

**ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, that Bill No. 20-140 be adopted and numbered Ordinance No. 8927. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

- E. [BILL NO. 20-141](#) An Ordinance approving Change Order No. 4 to the contract with B. Dean Construction, LLC, for the Fire Station Number 3 project, an increase of \$3,933.24 for a revised contract price of \$5,542,241.43 and an increase of 37 calendar days to reach substantial and final completion. (PWC 8/3/20)

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 20-141 be second read. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 20-141 be adopted and numbered Ordinance No. 8928. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

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- F. [BILL NO. 20-142](#) An Ordinance authorizing execution of an on-call agreement for Professional Planning & Engineering Services for the Lee's Summit Municipal Airport (RFQ NO. 2020-067) with Crawford, Murphy and Tilly, Inc. for one year with four possible one year renewal options, and authorizing the City Manager to execute an agreement for the same for the City of Lee's Summit, Missouri. (PWC 8/3/20)

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Felker, that Bill No. 20-142 be second read. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 20-142 be adopted and numbered Ordinance No. 8929. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

- G. [BILL NO. 20-143](#) An Ordinance approving term extension until December 31, 2020 for a Public Service Agreement by and between the Downtown Lee's Summit Community Improvement District and the City of Lee's Summit, Missouri for the purposes stated in such agreement, and authorizing the City Manager to execute the same by and on behalf of the City. (PWC 8/3/20)

**ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Carlyle, that Bill No. 20-143 be second read. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

**ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Forte, that Bill No. 20-143 be adopted and numbered Ordinance No. 8930. The motion carried by the**

**following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

**7. Proposed Ordinances - First Reading:**

- A. [BILL NO. 20-144](#) 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 for the 2020-2021 Community Development Block Grant program year.

(NOTE: First reading by Council on August 11, 2020. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Carlyle, that Bill No. 20-144 be advanced to second reading. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

- B. [BILL NO. 20-145](#) 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 August 11, 2020. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 20-145 be advanced to second reading. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Absent:** 2 - Mayor Baird  
Councilmember Edson

**8. Committee Reports**

Councilmember Forte reported the Community and Economic Development Committee will have a meeting tomorrow, Wednesday, August 12, 2020 at 4:00 p.m. via zoom.

Councilmember Johnson announced the Finance and Budget Committee met yesterday and the key item reported was sales tax. He encouraged everyone to keep buying local.

Councilmember DeMoro stated Public Works Committee will meet the 2nd week of September.

#### **9. Council Comments:**

Councilmember Forte asked if there is a schedule for the search for a new Public Works Director. She also asked for clarity regarding the multiple interim Directors.

Councilmember Johnson asked when city employees will be getting back to City Hall. He has received a few inquiries.

Councilmember Forte asked who makes the decision when employees will return to City Hall. She has also received inquiries.

Councilmember Felker asked for clarity of the process to look for a new Public Works Director.

Councilmember Shields thanked city staff for the work they have done on COVID policies to keep city employees and the public safe during this pandemic.

#### **10. Staff Roundtable**

Mr. Ryan Elam, Director of Development Services, provided information on how to participate in the City's Strategic Plan via the website at [igniteourfuture.net](http://igniteourfuture.net)

#### **11. Adjournment**

There being no further business, Mayor Pro Tem Lopez adjourned Regular Session No. 5 at 7:16 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](http://lsmo.legistar.com)"