



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

Tuesday, July 13, 2021

6:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 37 *AMENDED*****

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, July 13, 2021 at 6:00 pm in person and via video conference as provided by Section 2-50 of the City of Lee's Summit Code of Ordinances, adopted by the City Council on June 15, 2021, Ordinance No. 9172.

Persons wishing to comment on any item of business on the agenda, including public testimony during a Public Hearing, via video conference may do so by sending a request prior to 5:00 p.m. on Monday, July 12, 2021, to the City Clerk at clerk@cityofls.net to attend the meeting on the video conferencing platform. The City Clerk will provide instructions regarding how to attend by this method.

The meeting may be viewed 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.

Preliminaries:

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

Mayor Baird called Regular Session No. 37 to order at 6:05pm.

- D. Roll Call

****Note:** Councilmember Carlyle was absent at the time of Roll Call, but arrived at 6:18 pm during the presentation of the Cedar Creek Development LCRA Redevelopment amendment.

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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 DeMoro, seconded by Councilmember Edson, to approve the published amended agenda. The motion carried by the following vote:

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

Absent: 2 - Councilmember Carlyle
Councilmember Shields

2. Council Roundtable

Mr. Brian Head, City Attorney, let Mr. Scott Ison, Chief Counsel of Infrastructure and Recreation, introduce himself to Council as the newest member of the Law Department.

Mayor Pro Tem Lopez stated today was his 25th wedding anniversary. The Council congratulated him.

Councilmember Johnson noted the softball season officially ended last night.

Councilmember Felker advised the Rock Island Trail, Phase 2 which is the north side of the trail is now open.

3. Public Comments:

There were no Public Comments.

4. Presentations:

- A. [2021-4233](#) Presentation: Amendment to Cedar Creek Redevelopment Agreement and LCRA Redevelopment Plan for redevelopment at 1103 SW Oldham Parkway

Council discussion included:

- 1.1M to 1.65M to facade of main building not new restaurant
- Costs - 1.8M reimbursed as originally agreed
- Not reimbursing for new construction on qualified costs
- Closing date differences
- Biggest reason for cost increase
- Add square footage to CID table for future reference

- Council finds out business names by the public before staff has advised them
- Definition of blight with LCRA
- Incentive remains the same

- 1) [BILL NO. 21-138](#) An Ordinance approving the first amendment to the Redevelopment Agreement among the City of Lee's Summit, Missouri, the Cedar Creek Community Improvement District and Enterprises Cedar Creek, LLC, and approving the First Amendment to the Cedar Creek Land Clearance for Redevelopment Authority Redevelopment Plan, to implement the incentives for the Cedar Creek Shopping Center Redevelopment Project.

(Note: First read by Council on July 13, 2021.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Carlyle, that this Bill No. 21-138 be advanced to second reading. The motion carried by the following vote:

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

Nay: 1 - Councilmember Johnson

Absent: 1 - Councilmember Shields

5. Proposed Ordinances - First Reading:

- A. [SUBSTITUTE BILL NO. 21-139](#) An Ordinance determining and declaring the necessity of acquiring for public use certain right of way, permanent easements and temporary construction easements for road, water, stormwater and sewer improvements associated with the proposed Chipman Road Improvements from View High Drive to Bent Tree Drive Project; authorizing the City Manager and his designee(s) to negotiate for the purpose of acquiring the necessary interests in land; and authorizing the City Attorney and his designee(s) to institute condemnation proceedings if such interests in land cannot be acquired by purchase through good faith negotiations.

(Note: First read by Council on July 13, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Carlyle, that Substitute Bill No. 21-139 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

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- B. [BILL NO. 21-140](#) 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 read by Council on July 13, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Edson, that Bill No. 21-140 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. 21-141](#) An Ordinance terminating Project 4 of the East U.S. 50 Corridor Improvement Tax Increment Financing Plan and terminating the collection of Tax Increment Financing Revenues within the Project 4 Area.

(Note: First read by Council on July 13, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Carlyle, that Bill No. 21-141 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

- D. [BILL NO. 21-142](#) An Ordinance terminating and dissolving the I-470 Business and Technology Tax Increment Financing Plan, Special Allocation Fund, Redevelopment Area and terminating the collection of Tax Increment Financing Revenues for such plan.

(Note: First read by Council on July 13, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Edson, that Bill No. 21-142 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. Proposed Ordinances - Second Reading:

- A. [BILL NO. 21-134](#)** An Ordinance approving a Preliminary Development Plan located at 510 NE Chipman Road in district RP-4, in accordance with the provisions of Chapter 33, of the Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 21-134 be approved and numbered Ord. No. 9189. 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. 21-135](#)** An Ordinance approving a rezoning from AG (Agricultural) to district R-1 (Single-Family Residential), RP-1 (Planned Single-family Residential District) and RP-2 (Planned Two-family Residential District) and preliminary development plan for approximately 88.78 acres, proposed Bailey Farm, Lots 1-251 and Tracts A-F, 1300 SE Ranson Rd, 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.

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 21-135 be adopted.

After discussion, a motion was made by Councilmember Felker, seconded by Councilmember Forte, to amend Bill no. 21-135 to require sidewalks on both sides of the streets. Motion failed by the following vote:

Aye:
Councilmember Felker
Councilmember Forte

Nay:
Councilmember Carlyle
Councilmember Johnson
Councilmember DeMoro
Councilmember Edson
Councilmember Lopez
Mayor Baird

Absent:
Councilmember Shields

On the original motion by Councilmember Lopez, seconded by Councilmember Edson that Bill No. 21-135 be adopted and numbered Ord. No. 9190. The motion carried by the following

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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

- C. [BILL NO. 21-137](#) An Ordinance vacating certain easements located at 510 NE Chipman Road in the City Of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 21-137 be adopted and numbered Ord. No. 9191. 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

7. Committee Reports

Councilmember Forte noted there will be a Community and Economic Development Committee meeting tomorrow, July 14, 2021 at 4pm.

8. Council Comments:

Councilmember Forte as when Council can get a heads up on businesses locating in Lee's Summit prior to public notice.

Mr. David Bushek, Chief Counsel of Economic Development and Planning, stated they are working on providing the information confidentially.

9. Staff Roundtable

Mr. Mark Dunning, Action City Manager, noted the Parks and Recreation would be holding their 2nd outdoor concert event this Saturday at 7pm at the Legacy Amphitheater. It will be "Peace, Love an Music" which is a tribute to Woodstock. The tickets are \$12 online until the day of the concert when they increase to \$17. There are no ticket sales at the location. Food and beverage vendors will be present.

10. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 37 at 7:33pm.

Unless determined otherwise by the Mayor and City Council, no new agenda items shall be considered after 11:00 p.m.

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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"