

The City of Lee's Summit
Action Letter
Board of Aeronautic Commissioners

Monday, December 4, 2023

7:00 PM

Howard A Conf. Room

City Hall

220 SE Green Street

Lee's Summit, MO 64063

Notice is hereby given that the Board of Aeronautic Commissioners for the City of Lee's Summit will meet in person and via video conference on Monday, December 4, 2023, at 7:00 pm 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 attend the meeting via video conference or to comment on any item of business on the agenda may do so by sending a request prior to 12:00 p.m. on Monday, December 4, 2023, to the City Clerk at clerk@cityofls.net. The City Clerk will provide instructions regarding how to attend by this method.

1. Call to Order

Chairman Townsend called the Dec. 4, 2023, Board of Aeronautic Commissioners meeting to order at 7:02 p.m.

2. Roll Call

Staff present were Mike Anderson, Deputy Director of Public Works; Joel Arrington, Airport Manager; Jeff Penfield, Assistant Airport Manager; and Cynthia DeShazo, Administrative Assistant. Guests in attendance were Matt Bell, a fellow pilot; Matthew McGinnis, a member of the local ultralight community; Robert Taggart, a paramotor pilot and prior Army service member; and Cyril and Dylan Welter, both ultralight pilots.

Present: 8 - Chairperson Tom Townsend
Vice Chair James Brady
Commissioner Kirk Fletcher
Commissioner John T. Hightower Jr.
Commissioner Phil Mall
Commissioner Darryl Nelson
Commissioner Steve Rich
Commissioner Joseph Towns

Absent: 2 - City Council Liaison John Lovell
Commissioner Bill Haley

3. Approval of Agenda

A motion was made by Commissioner Towns, seconded by Commissioner Nelson, that the agenda for Dec. 4, 2023, be approved. The motion carried unanimously 8-0 (Commissioner Haley and Councilmember Lovell absent).

4. Public Comments

Public comments were received on Dec. 1 and 3, 2023, via email and also read during public comments all from the following citizens. Dylan Welter read his submitted concern regarding the new proposed rules for ultralight and powered paramotors at the Airport. Matt McGinnis also read his submitted concern regarding ultralight operations at the Airport. Matt Bell introduced himself and stated he was in attendance to observe and support the other pilots. Robert Taggart introduced himself and that he was in attendance to observe and support paramotor pilots. Cyril Welter, citizen, read the submitted written statement which was emailed in from Bryan Shelton, who could not attend, regarding paragliding and powered paragliding at the Airport. A copy of the written comments can be obtained by contacting the City Clerk at clerk@cityofls.net.

5. Business

- A. [2023-5997](#) Approval of the Oct. 2, 2023, BOAC Action Letter.
- A motion was made by Commissioner Towns, seconded by Commissioner Mall, to approve the Oct. 2, 2023, BOAC Action Letter. The motion carried unanimously 8-0 (Commissioner Haley and Councilmember Lovell absent).**
- B. [BILL NO. 23-251](#) An Ordinance authorizing the execution of a Cooperative Agreement for Hangar #2 at the Lee's Summit Municipal Airport between the City of Lee's Summit, Missouri and the Reorganized School District No. 7 of Jackson County, Missouri, and authorizing the Mayor to execute an agreement for the same. (PWC 12/11/23)
- The Commissioners reached a consensus to forward this Ordinance to the Public Works Committee with a recommendation for approval (Commissioner Haley and Councilmember Lovell absent).**
- C. [2023-5988](#) Updated Airport Hangar Lease Discussion
- Mr. Joel Arrington, Airport Manager, noted this is an opportunity for members of the BOAC to give feedback on the updated hangar leases. Staff had identified areas in the hangar lease that could be better spelled out such as what can be stored in the hangar and updated paragraph 14. Also aeronautical paragraph 3 was rephrased to "aircraft being stored within the hangar." Paragraph 4 is aircraft hangar insurance and more has been added since the Airport was the only field that did not have insurance requirements but is now up to speed in relation to other municipal airports.
- Commissioner Brady asked to clarify several paragraphs, such as paragraph 9, and on number 14G to compare "flammables and storage" with the Airport's rules and regulations as they differ. In Section 5-3, storage is mentioned and those are in conflict, thus Commissioner Brady was making that known. Mr. Arrington noted all and said staff would look into those sections further. Commissioner Nelson asked what progress staff is making in regards to the

evolution of the lease agreements and hangar cleanouts. Mr. Arrington answered staff has seen a positive response, and has sent out gentle second and third reminders. Mike Anderson, Deputy Director, noted there are a handful of hangar tenants which staff continues to struggle with. Chair Townsend asked when these are expected to roll out. Mr. Arrington answered that new tenants would get this new lease. For existing customers, staff would like to see them sign the new lease agreements, as each lease is on a month-to-month basis. The board thanked staff for this information.

D. [2023-5984](#) A Resolution authorizing the Municipal Airport Ultralight Rules.

Mr. Arrington gave background that in July 2022, when he began as the Airport Manager, he received a call from one of the employees about powered paragliding (PPG) pilots. The PPG pilots were out by a runway performing take off and landings just east of the terminal building in the grass. In addition, there was a windsock stuck in the ground which stands pretty high up. Mr. Arrington had a conversation with the pilots about this, just as a jet took off not less than 75 feet in front of the area. This was not an ideal location, and Mr. Arrington found the PPG pilots a spot on the west side of the field which is a flatter area. Mr. Arrington noted that Airport staff is not here to ban PPG or paragliders, just to make it be a safer environment. PPG operations have taken place, and staff started mowing the grass a bit more in order to be good neighbors, as staff has seen those pilots over the top of the Airport and in extended runway lines, on the approach to Runway 36. Staff does have video, such as during August 20-23, when the FAA gave notice of a complaint regarding ultralight flights. The FAA reached out to Mr. Arrington, as well as the Missouri Department of Transportation (MoDOT). Both the FAA and MoDOT asked about any rules the Airport had in place for ultralights, and Mr. Arrington answered there were not any. Both the FAA and MoDOT were adamant that staff needs to get something in place soon to help de-conflict these operations.

Mr. Arrington noted it was recommended to work with the City's Parks Department, and other locations, to see if those would work for the ultralight pilots. Staff did reach out to Parks and had a good conversation. At LXT there is no tower, the field is uncontrolled, and per Mr. Arrington, staff is relied upon to keep the airspace safe. Rules are meant to de-conflict operations in order to keep non-compatible aircraft operating in one space. Mr. Arrington described the varying levels, or layers, of airspace at uncontrolled airports such as Harrisonville but that LXT is different. LXT is one of the fastest growing, busiest airports in the metro with a new flight school, lots going on, and on some calm wind days the Airport sees aircraft going in every direction. This poses a safety risk, especially runway center safety lines, and there is a need for safety and rules.

Mr. Arrington noted that rule making was not initiated by himself, it was initiated by the FAA. Mr. Arrington mentioned the AC90-60-C, 5190-6B airport

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compliance manual as well as meetings with KC and safety rules such as part 103 and part 91 which govern ultralights. Section 103.6 was mentioned, and over on the west side of the Airport ultralight flights can be done safely. Chapter 14-7 of the Airport compliance manual references and provides examples, discussing accommodating measures such as other airport use:

- * In lie of a total ban, establish designated areas
- * Alternate traffic patterns and touch down areas
- * Special Notams
- * Special hand-held radio requirements
- * Special training
- * Seasonal operation
- * Flight standards
- * Special use permits
- * Restricted times of operation and prior notifications
- * Nighttime operations

Mr. Arrington noted the FAA compliance manual restricting aeronautical activities which states "while the airport sponsor must allow the use of its airport by all types, kinds and class of aeronautical activity, as well as by the general public, it also provides for limited exception. The airport sponsor may prohibit or limit any given type, kind or class of aeronautical use if such reason is necessary for the safe operation of the airport." Mr. Arrington explained that a prohibition or limit may be used on safety - those usually are a conflict between fixed wing operations and other classes of operation that result in the loss of airport capacity for fixed wing. In all cases, the FAA is the final arbiter regarding aviation safety and will make the determination. These rules and regulations were sent to the FAA, and Mr. Arrington brought a printed copy for anyone to read. Commissioner Brady did note a conflict stating the manual covers any and all ultralights, yet several classes of ultralight are different category or class, thus killing a prime time for those ultralights to fly. Commissioner Brady noted he cannot support this manual as written today. Commissioner Mall was previously an ultralight pilot and has issues with the agreement, and listed his aircraft. Commissioner Mall stated this needs to be universal and does agree the Airport needs rules, and suggested a sit-down meeting with these ultralight pilots in order to allow them to operate. Radio calls were again mentioned, such as listing requirements announcing patterns at the Airport and how to get a special permit. Commissioner Mall is concerned with safety, he understands and agrees with traffic patterns, but these rules and regulation seems to outlaw any ultralight operations. Mr. Anderson said staff will look further into the classes and types of aircraft from this discussion.

Commissioner Hightower, Jr. noted plans/procedures might need to be evaluated in a different light by Airport staff, and suggested staff look at other airports in the area with uncontrolled fields that also have ultralights. Harrisonville, Gardner, and Warrensburg were mentioned. Mr. Arrington found

several fields out west that he researched, but none local. Commissioner Hightower offered to use his contacts in order to help outline and work with the ultralight pilots groups. Mr. Arrington noted this resolution will be going to City Council. After further discussion, Mr. Arrington noted that this can be an effort in progress and can be discussed again at the February meeting, in order to have a more detailed rules and regulations presentation for City Council in March.

The Commissioners reached a consensus to table this Resolution until the February meeting of the Board of Aeronautic Commissioners. (Commissioner Haley and Councilmember Lovell absent).

- E. [2023-5986](#) A Resolution authorizing revisions to the Municipal Airport Rules and Regulations previously revised in 2016.

Mr. Arrington gave an update on Airport rules and regulations, noting that historically these try to get updated every two years. Over the last five to six years, staff has been busy and these were not updated. Some significant changes in Section 2-6 on restricted areas and security were noted, including some of the new security in place coming up with the discussions of a Hangar 2. Updates include hangar renters must now use a key fob to access the field, and moving to a more secure key fob system. These would be a great improvement. Section 2-10 regarding model aircraft drones, parajumping, ultralights, etc. and those types of operations states prior permission is required from Airport staff.

Commissioner Brady asked how staff would deal with a transient ultralight. Mr. Arrington answered this would be difficult, as it might be hard to monitor those activities, and that the FAA pointed out that with the development of ultralight rules staff may see an uptick in those types of flights. Discussion took place noting mostly that those PPG pilots should be checking in. Mr. Welter asked if PPG pilots are asked to get prior permission to perform flights. Mr. Arrington noted staff wants to know who is operating those types of aircraft and get contact phone numbers, just as staff would require of base customers. Commissioner Hightower, Jr. asked for clarification and if fees are in place per year for this. Mr. Arrington responded noting several sections in the Airport manual that states "no person shall operate without prior approval of the Airport Manager." Commissioner Brady noted he has several editing concerns, including recycling for oil, batteries, tires, etc. Mr. Arrington stated that section does need to be updated and appreciated the editing notations.

The Commissioners reached a consensus to table this Resolution until the February meeting of the Board of Aeronautic Commissioners. (Commissioner Haley and Councilmember Lovell absent).

- F. [2023-5993](#) Staff Report: Fuel Sales & Fuel History

Mr. Penfield noted the trend on fuel continues. Staff way under-projected sales as the Airport exceeded fuel sales again in November. 100LL was over 40

gallons so far this year. Charts were brought up. For Jet A, 29,689 gallons were sold for the month of October. Day to day progress was noted in the charts. For 100LL, total pumped was 10,800 gallons which exceeds their goal for October. Noting how busy staff is, this proves it. Of all the operations, the flight school dominates fuel sales. MoGas pumped 13,053 gallons in October. November sales were even better, ran above the line, and new records were set. During the Monday night football game in November, staff pumped 5,100 gallons of Jet A that night. 12,427 gallons of 100LL was a record. For the year thus far, Mr. Penfield showed the goal for JetA has already exceeded over 150,000 gallons sold through the past five months. The same trend shows for 100LL being 50,000 gallons over the goal, and same for the MoGas. The biggest revenue comes from the hangars, next is tie downs. Staff revised the schedule of fees for FY24, and staff will watch over the winter months the trending sales and revenues.

Chair Townsend inquired on staff's capacity to manage fuel. Mr. Penfield answered staff is talking about they may need to get help in mornings. When looking at staff hours, more labor has been needed this year than last year. There are two line attendants on staff at times now.

Mr. Penfield brought up the chart which was presented during the October meeting, which depicts the five year Airport Development Plan. All of the listed items came out of the business plan from 2020 and customer surveys, town halls and Capital Improvement projects. Mr. Penfield noted astericks were added to depict the World Cup intentions, or look aheads, for 2026. Mr. Penfield noted Advanced Air Mobility (AAM), or unmanned vehicles, is a topic staff is looking at for as soon as 2025. Another topic is Title VI compliance, from the Civil Rights Act of 1964 which the FAA and DOT have communicated strongly these are the expectations for airports receiving federal grants. Airports must comply on projects thus staff will be focusing on those, as well.

Commissioner Hightower, Jr. asked where we are as far as the FAA getting back with the City on a control tower. Mr. Anderson answered this is now just up to numbers. Staff resubmitted on Nov. 3. Numbers still came out the same, and the FAA will look into and get back with staff hopefully by the next meeting. Mr. Arrington noted an email received the other day from the FAA, who sent him the FAA control tower new start and process documents. That FAA email was just to make sure Airport staff had that document in place. We are getting close to the five year deal, for a grant for the tower, and staff should hear something soon.

6. Roundtable

Chairman Townsend noted that Council Liason Lovell has had prior commitments on the nights that the BOAC meets, and maybe they could shift the meeting dates. Mr. Anderson mentioned possibly the first Wednesday of every other month, and most commissioners in attendance agreed. Ford Motor

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Company reached out to Mr. Arrington again about possibly using the east side of the Airport to store vehicles. Mr. Arrington noted that staff will be traveling to Jefferson City this week to meet with FAA officials. Topics may include Advanced Air Mobility plus the City's five year plan. Staff mentioned talks with the FAA in order to update the FAA's 2012 economic impact study, which would include viability of the City's Airport.

Commissioner Hightower, Jr. noted he would like to offer internships to students, in areas such as airport management, as students need work experience. Mr. Arrington mentioned that staff has done this in the past, and is a great exposure for those students. In fact the current Lead Airport Attendant did this type of internship. In addition, hospitality students in the Blue Springs district has sat with an Airport Concierge in order to learn those types of positions. Commissioner Hightower, Jr. asked for this to be published someplace. Commissioner Towns agreed that the City is pretty good to the community's children. Mr. Penfield built on that note, that the City is looking to hire another line attendant. Commissioner Mall noted that when LSR7 comes out to the airport, students will be seeing and observing more.

Commissioner Rich got a call from a teacher in aviation technology, inquiring about using some of his land in order for students to build rockets. He noted he was concerned, from a liability standpoint, and asked if the Airport might consider some agreement for those students. Mr. Arrington answered that staff would have to further look into the subject. Commissioner Brady noted that there is a rocket launch site at Shawnee Mission Park, and Commissioner Rich thanked the group.

7. Adjournment

Chairman Townsend adjourned the December 4, 2023, meeting of the Board of Aeronautic Commissioners at 9:02 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"