



The City of Lee's Summit

Action Letter

City Council - Regular Session

Tuesday, August 18, 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

*****AMENDED*** REGULAR SESSION NO. 6**

Notice is hereby given that the City Council of the City of Lee's Summit will meet in regular session on Tuesday, August 18, 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 to 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, August 17, 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, August 17, 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.

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Preliminaries:

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

Mayor Baird called Regular Session No. 6 to order at 6:02pm.

- 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 Forte, to approve the published amended 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

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Shields, seconded by Mayor Pro Tem Lopez, to approve 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. [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 Shields, seconded by Mayor Pro Tem Lopez, that Bill No. 20-135 be adopted and numbered Ord. No. 8931 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. 20-136](#) 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 Shields, seconded by Mayor Pro Tem Lopez, that Bill No. 20-136 be adopted and numbered Ord. No. 8932 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. 20-144](#) 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 Shields, seconded by Mayor Pro Tem Lopez, that Bill No. 20-144 be adopted and numbered Ord. No. 8933 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. 20-145](#) 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 Shields, seconded by Mayor Pro Tem Lopez, that Bill No. 20-145 be adopted and numbered Ord. No. 8934 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. [2020-3627](#) Mayor's Appointments: Arts Council - Appoint Jazz Rucker and Kemp Strickler, terms to expire 7-22-23.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lopez, that this Appointment be approved. 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 Shields noted that she has a conflict of interest on Item 6.B. regarding the Cedar Creek CID as her company represents this group.

Councilmember Edson stated that the renovations of Chipman Place look wonderful and has enjoyed the progress made in this area.

Councilmember Johnson asked to discuss "Conflict of Interest" with Mr. Brian Head, City Attorney, as he feels they have a different opinion on the definition in the Charter.

4. Public Hearings:

- A. [2020-3548](#) Public Hearing: Application #PL2020-180 - Preliminary Development Plan - The Goat Brewing Co., 817 NE Rice Road; Jeremy Kneeland, applicant. (Note: This item was continued from August 4, 2020 per staff's request.)

Mr. Josh Johnson, Assistant Director of Plan Services, entered Exhibit A, list of exhibits 1-15 into the record.

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Council discussion included:

- * How is distance measured
- * Previous restaurant with alcohol - no food
- * UDO Amendment - Modification
- * Buffers
- * Bullseye
- * Residential area behind location
- * Trash
- * Outdoor seating
- * Parking
- * Hours of operation

- 1) [BILL NO. 20-146](#) An Ordinance approving a preliminary development plan for the modification of a use condition for a bar/tavern located at 817 NE Rice Rd in district CP-2, for the proposed The Goat Brewing Co., 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 Carlyle, seconded by Councilmember Forte, that Bill No. 20-146 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Nay: 1 - Councilmember Felker

- B. [2020-3568](#) Public Hearing: Application #PL2020-165 - Rezoning from AG to RLL (Residential Large Lot) - 296 NW Anderson Drive; Kevin T. & Denise A. Burke, applicant.

Mr. Josh Johnson, Assistant Director of Plan Services, entered Exhibit A, list of exhibits 1-12 into the record.

Council discussion included:

- * Approval for septic from Jackson County / Alternative plan
- * Water / Sewer options

- 1) [BILL NO. 20-147](#) An Ordinance approving a rezoning from district AG to district RLL for approximately 3.51 acres located at 296 NW Anderson Dr, proposed Burke Acres 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 Edson, seconded by Councilmember Felker, that Bill No. 20-147 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

5. Public Comments:

There were no Public Comments.

6. Presentations:

- A. [2020-3612](#) Presentation of the Missouri Innovation Campus Aerospace Academy Collaboration between Summit Tech Academy, the University of Central Missouri and the City of Lee's Summit

This Presentation was presented.

- B. [2020-3610](#) Presentation - Conceptual Economic Development Incentive Request - Proposed Cedar Creek Shopping Center Community Improvement District; Cadence Commercial Real Estate, applicant.

This Presentation was presented.

- 1) [BILL NO. 20-148](#) An Ordinance Approving a Funding Agreement Between the City of Lee's Summit and Cadence Commercial Real Estate, LLC, and authorizing the City Manager to execute said Agreement on behalf of the City

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember DeMoro, that Bill No. 20-148 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

Recused: 1 - Councilmember Shields

- C. [2020-3614](#) Presentation - The 291 North and Highway 50 Tax Increment Financing Plan and Redevelopment Projects

This Presentation was presented.

- 1) [BILL NO. 20-149](#) An Ordinance approving the 291 North and Highway 50 Tax Increment Financing Plan and establishing a Redevelopment Area for the Plan

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 20-149 be advanced to second reading. The motion carried by the following vote:

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Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Lopez
Councilmember Shields

Nay: 1 - Councilmember Johnson

- 2) [BILL NO. 20-150](#) An Ordinance approving Redevelopment Project 1 for the 291 North and Highway 50 Tax Increment Financing Plan and activating the collection of tax increment financing revenues therein.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 20-150 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 Lopez
Councilmember Shields

Nay: 1 - Councilmember Johnson

- 3) [BILL NO. 20-151](#) An Ordinance approving Redevelopment Project 2 for the 291 North and Highway 50 Tax Increment Financing Plan and activating the collection of tax increment financing revenues therein.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 20-151 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 Lopez
Councilmember Shields

Nay: 1 - Councilmember Johnson

- 4) [BILL NO. 20-152](#) An Ordinance approving Redevelopment Project 3 for the 291 North and Highway 50 Tax Increment Financing Plan and activating the collection of tax increment financing revenues therein.

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 20-152 be advanced to second reading. The motion carried by the following vote

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Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Lopez
Councilmember Shields

Nay: 1 - Councilmember Johnson

- 5) [BILL NO. 20-153](#) An Ordinance approving Redevelopment Project 4 for the 291 North and Highway 50 Tax Increment Financing Plan and activating the collection of tax increment financing revenues therein.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 20-153 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 Lopez
Councilmember Shields

Nay: 1 - Councilmember Johnson

7. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 20-154](#) An Ordinance approving the award of RFP No. 2020-002, for the annual medical physicals of all sworn firefighters to SiteMed North America, LLC for an initial term of one-year with up to four, one-year renewals, and authorizing the City Manager to execute an Agreement for the same by and on behalf of the City of Lee's Summit, Missouri. (F&BC 8/10/20)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Edson, that Bill No. 20-154 be second read. 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

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Edson, that Bill No. 20-154 be adopted and numbered Ord. No. 8935. 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. 20-155](#) An Ordinance amending Chapter 4, Alcoholic Beverages, Sec. 4-1 Definitions and Sec. 4.15 Regulations pertaining to retail and C.O.L licensees - Generally of the Code of Ordinances of the City of Lee's Summit, Missouri. (F&BC 8/10/20)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 20-155 be second read. 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

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 20-155 be approved and numbered Ord. No. 8936. 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. 20-156](#) An Ordinance approving Amendment No. 1 to the Budget for the Fiscal Year ending June 30, 2021, as adopted by Ordinance No. 8905 and Ordinance No. 8906, by amending the authorized expenditures in the Public Safety Equipment Replacement Program Fund for the City of Lee's Summit, Missouri. (F&BC 8/10/20)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Lopez, that Bill No. 20-156 be for 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

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 20-156 be adopted and numbered Ord. No. 8937. 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. 20-157](#)

An Ordinance approving the Calendar Year 2021 Employee Benefit Programs; approving agreements for services by and between the City of Lee's Summit, Missouri and Cigna Health and Life Insurance Company, Metropolitan Life Insurance Company, Hartford Life and Accident Insurance Company, New Directions Behavioral Health, LLC, Navia Benefit Solutions, Inc., and Trustmark Insurance Company, and authorizing the City Manager to execute agreements and other documents as necessary to administer employee benefits for Calendar Year 2021 by and on behalf of the City. (F&BC 8/10/20)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Forte, that Bill No. 20-157 second read. 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

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 20-157 be approved and numbered Ord. No. 8938. 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

8. Proposed Ordinances - First Reading:

- A.** [BILL NO. 20-158](#) An Ordinance Approving the CARES Act Budget for the City of Lee's Summit and Approving and Authorizing the Mayor to Execute an Intergovernmental Agreement with Jackson County, Missouri to Accept CARES Act Funds

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember DeMoro, that Bill No. 20-158 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. 20-159](#) An Ordinance approving Amendment No. 2 to the Budget for fiscal year ending June 30, 2021, as adopted by Ordinance No. 8905 and Ordinance No. 8906, by amending the authorized expenditures in various categories to provide for the spending of CARES Act funds allocated to the City.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, that Bill No. 20-159 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

- C.** [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.

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember DeMoro, that Bill No. 20-160 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

- D. [BILL NO. 20-161](#) An Ordinance accepting final plat entitled Sequoia Residential, Tract 1, as a subdivision to the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 20-161 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

9. Committee Reports

There were no Committee Reports.

10. Council Comments:

Mayor Baird noted the Diversity and Inclusion Commission resolution will be on the agenda next week for further discussion. Some residency matters have been reviewed and two different appointments will be made. He also stated this has been a long year but there has been a lot of good work and collaboration among the city and community partners.

Councilmember Felker asked staff to look at what it would take for the City to get their own Health Department.

11. Staff Roundtable

Mr. Stephen Arbo, City Manager, advised he may have been incorrect on the approval by the county regarding the CARES Act funding. He will get the correct information and advise.

12. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 6 at 10:37pm.

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"