

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

Tuesday, July 9, 2019

6:30 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 32

Preliminaries:

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

Mayor Baird called Regular Sessin No. 32 to order at 7:18 p.m.

- D. Roll Call

Present: 7 - Mayor Bill Baird
Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Fred DeMoro
Councilmember Diane Forte
Councilmember Bob Johnson
Councilmember Beto Lopez

Absent: 2 - Councilmember Phyllis Edson
Councilmember Craig Faith

1. Approval of Agenda

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

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

2. Approval of Consent Agenda:

- A. [2019-2866](#) Approval of Action Letters from June 4th, 11th, and 18th, 2019.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, to approve the Action Letters from June 4, 11 and 18, 2019 as part of the Consent Agenda. The motion carried by the following vote:

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Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- B.** [BILL NO. 19-134](#) An Ordinance approving a Special Use Permit for a major automotive repair services facility in District PI on land located at 1510 SE Kingsport Drive, proposed The Restmod Store, all 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.

(NOTE: First reading by Council on June 18, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 19-134 be adopted and numbered Ord. No. 8656 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- C.** [BILL NO. 19-138](#) An Ordinance authorizing the City's use of the Cooperative Purchasing Contracts, set forth in Exhibit A and on file with the City Clerk, for the acquisition of supplies and materials that have an estimated annual spend at or exceeding \$50,000.00, and authorizing the City Manager to execute the same by and on behalf of the City.

(NOTE: First reading by Council on June 18, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 19-138 be adopted and numbered Ord. No. 8657 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

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- D. [BILL NO. 19-139](#) An Ordinance authorizing the City's use of the Cooperative Purchasing Contracts, set forth in Exhibit A and on file with the City Clerk, for the acquisition of services that have an estimated annual spend at or exceeding \$50,000.00, and authorizing the City Manager to execute the same by and on behalf of the City.

(NOTE: First reading by Council on June 18, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 19-139 be adopted and numbered Ord. No. 8658 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- E. [BILL NO. 19-140](#) An Ordinance authorizing the City's use of the Cooperative Purchasing Contracts, set forth in Exhibit A and on file with the City Clerk, for the acquisition of equipment that have an estimated annual spend at or exceeding \$50,000.00, and authorizing the City Manager to execute the same by and on behalf of the City.

(NOTE: First reading by Council on June 18, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 19-140 be adopted and numbered Ord. No. 8659 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- F. [BILL NO. 19-141](#) An Ordinance approving Amendment No. 2 to the Budget for the Fiscal Year Ending June 30, 2020, by revising the Authorized Expenditures for the City of Lee's Summit to Fund Water Utilities Expansion Requests, revising the authorized amount of Full Time Equivalents for the City of Lee's Summit Water Utilities Department, and establishing a New Pay and Classification Plan.

(NOTE: First reading by Council on June 18, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 19-141 be adopted and numbered Ord. No. 8660 as part of the Consent Agenda. The motion carried by the following vote:

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Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- G.** [BILL NO. 19-142](#) An Ordinance approving the first amendments to the Software and Service contracts with Questica Ltd. and authorizing the City Manager to execute the same by and on behalf of the City.
(NOTE: First reading by Council on June 18, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 19-142 be adopted and numbered Ord. No. 8661 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- H.** [2019-2882](#) Approval of the change in Managing Officer for New Axiom Brewing Co., 949 NE Columbus Street.

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

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- I.** [2019-2887](#) Approval of the change in Managing Officer of for the Wal-Mart stores located in Lee's Summit.

ACTION: A motion was made by Councilmember Carlyle, 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: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- J. [2019-2889](#) Approval of the change in Managing Officer for Longhorn Steakhouse, 1696 NW Chipman Road.

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

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- K. [2019-2898](#) Mayor Pro Tempore Lopez appointment of Councilmember DeMoro as the liaison to the Public Safety Advisory Board to replace Councilmember Faith.

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

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- L. [2019-2909](#) Mayor's Appointments:
Jackson County Board of Equalization: Appoint Paula Hutcheson as the alternate for a one-year term.

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

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Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

3. Council Roundtable

There was no Council Roundtable.

4. Public Hearings:

- A. [2019-2850](#) Public Hearing - Application #PL2019-126 - Vacation of Right-Of-Way - a segment of SW Blackstone Place located between 4028 SW Benziger Drive and 4032 SW Benziger Drive; Engineering Solutions, LLC, applicant.

Exhibit A, list of exhibits 1-9 were entered into the record.

Council discussion included:

- Access point into subdivision
- Fire Department assessment
- Square footage of the two lots
- Ingress / Egress (yellow stars on map are street stubs)
- Access / Connectivity
- Two large lots available
- Lot Sizes

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

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 19-143](#) An Ordinance vacating a segment of SW Blackstone Place located between 4028 SW Benziger Dr and 4032 SW Benziger Dr, in the City of Lee's Summit, Missouri.

(Note: First reading by Council on July 9, 2019.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Carlyle, that Bill No. 19-143 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Johnson
Councilmember Lopez

Nay: 1 - Councilmember Forte

Absent: 2 - Councilmember Edson
Councilmember Faith

- B. [2019-2716](#) Continued Public Hearing - Application #PL2019-075 - Rezoning from AG to CP-2 and RP-4, Conceptual Development Plan and Preliminary Development Plan- Summit Village North and Aria, approximately 62 acres generally located at the northwest corner of NE Douglas St and NW Colbern Rd; Aria LS, LLC, applicant. (Note: This Public Hearing was continued from June 18, 2019 per staff's request.)

Exhibit A, list of exhibits 1-23 were entered into the record.

City Council discussions included:

- Ownership of the area - political subdivision - annexation
- Plan for open space between proposed developments - Greenspace
- Size of landscape easement around the property
- Stormwater retention
- Garages - attached or detached
- Elevators
- Curbs on both sides of the road for the length of the development
- Additional requirements due to proximity of the airport
- Three stories verses four stories
- Colbern Road improvements in the near future
- Density
- Exterior material - grey brick
- School age children
- Phasing of apartments and commercial
- Traffic study / Traffic Signal needs
- Rent per square foot
- Other Zoning options
- North Recycling Center and additional traffic

There were no speakers in favor of this application.

Ms. Erica Esteina spoke in opposition to the application. She shared that she believes there is more than enough multifamily in the area and this land is one of the only pristine greenspaces left in Lee's Summit. She would like to have it turned into a conservation area. She disagrees with the direction development is taking the city.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 19-144](#) An Ordinance approving a rezoning from District AG to District RP-4 and CP-2, Preliminary Development Plan and Conceptual Plan generally located at the northwest corner of NE Douglas St and NW Colbern Rd, proposed Aria and Summit Village North development in accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the for the City of Lee's Summit, Missouri.

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(Note: This ordinance was first read on July 9, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, that Bill No. 19-144 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- C. [2019-2877](#) Public Hearing - Redevelopment Plan for the Princeton Redevelopment Area pursuant to the Land Clearance for Redevelopment Authority Act.

Exhibit A, list of exhibits 1-10 were entered into the record.

City Council discussions included:

-No discussion

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

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 19-145](#) An Ordinance approving the Redevelopment Plan for the Princeton Redevelopment Area Pursuant to the Land Clearance for Redevelopment Authority Act.

(Note: This ordinance was first read on July 9, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 19-145 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- D. [2019-2881](#) Public Hearing - Application #PL2019-194 - Unified Development Ordinance (UDO) Amendment #8 - Medical Marijuana affecting the following ordinance sections - Article 6 Use Standards - Division I General Provisions and Division II Uses Permitted with Conditions, Article 8 Site Standards - Division I Design Standards- Subdivision 6 Crime Prevention Through Environmental Design,

Article 15 Rules of Interpretation and Definitions- Division II Definitions ; City of Lee's Summit, applicant.

Exhibit A, List of exhibits 1-9 were entered into the record.

City Council discussions included:

- Number of dispensaries allowed per district
- How many applications have been received for the fifth congressional district.
- How many applications have been received for the sixth congressional district.
- State definition of daycares - include non licensed - No
- Buffers
- Constitution / Prohibitions
- Conflict Analysis
- Interstate Commerce
- State regulations / Legislature
- Business Hours
- Straight Line / Walking Path

Ms. Monica Meeks spoke on behalf of the Health Education Advisory Board (HEAB)/ She stated they are in favor of this application and agreed with the buffers, and limiting the hours of operation.

Mr. Michael Deeker, Pharmacist and Lee's Summit resident, spoke in favor of this application. He agreed with the buffers from schools, daycares and churches. He also agreed with limiting the hours of operation stating that pharmacies that hold life-saving medicines have limited hours of operation also.

Mr. Rob Sullivan, Attorney and resident of Lee's Summit spoke in opposition of this application. He stated that in Lee's Summit 28,000 voted in favor of legalized marijuana and he feels the Council should listen to the voters. He listed hours of operation of dispensaries in surrounding cities and hopes this does not cause Lee's Summit to miss the market because of the limited hours.

Mr. Chris McHugh spoke in opposition to this application. He stated dispensaries are medical and only those with medical cards could enter the facility so they are much more regulated than a pharmacy. He also noted there are no restrictions of hours of operation for pharmacies and our regulations on the dispensaries should be more lenient to allow the businesses to be successful in Lee's Summit.

Ms. MaryAnn Westhues spoke in opposition of this application. She stated she is a patient advocate and has seen the damage that opioid addiction has caused many patients. She has also witnessed how cannabis can help the terminally ill and children with seizure disorders. She noted there is a lot of

medical research showing the positive uses of medical marijuana as opposed to the negative impact of opioid addiction.

Ms. Bianca Sullivan spoke in opposition of this application. She noted there are not nearly enough regulations on places that alcohol and nicotine are sold including hours of operation. She feels that alcohol and nicotine are a greater threat to our youth and more available. She stated again that only persons holding a medical card can enter the dispensaries.

Mr. Richard Long spoke in opposition of this application. He stated his younger brother was diagnosed with a life-ending disease and cannabis is the only thing that has helped his quality of life. He noted that many people can't always get to the pharmacy during their regular business hours and though not being able to get the prescribed medical marijuana that day may not kill a person, it will affect their quality of life.

This Public Hearing - Sworn was presented.

1) [BILL NO. 19-146](#)

An Ordinance approving Appl. #PL2019-194 - Unified Development Ordinance (UDO) Amendment #8 - Medical Marijuana affecting the following ordinance sections - Article 6 Use Standards - Division I General Provisions and Division II Uses Permitted with Conditions, Article 8 Site Standards - Division I Design Standards- Subdivision 6 Crime Prevention Through Environmental Design, Article 15 Rules of Interpretation and Definitions- Division II Definitions ; City of Lee's Summit, applicant.

(Note: First reading by Council on July 9, 2019.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Lopez, that Bill No. 19-146 be advanced to second reading.

A motion was made by Councilmember DeMoro, seconded by Councilmember Lopez to extend the business hours for dispensaries from 9 a.m. to 9 p.m. Monday through Friday. The motion carried by the following vote:

**Aye: 6 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Johnson
Councilmember Lopez**

Nay: 1 - Councilmember Forte

**Absent: 2 - Councilmember Edson
Councilmember Faith**

A motion was made by Councilmember Johnson, seconded by Councilmember Lopez, that Bill No. 19-146 be advanced to second reading as amended. The motion carried by the following vote:

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Aye: 6 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Nay: 1 - Councilmember Binney

Absent: 2 - Councilmember Edson
Councilmember Faith

5. Public Comments:

Mr. George D. Owen II addressed the Council regarding the Woodland Glen development (Amended Bill No. 19-133). He stated the developer had a lack of explanation on the elevations and he did not feel this development met the integrity and quality of the surrounding established neighborhoods in Woodland Glen. He also requested a barrier be placed so all construction equipment would enter on 14th Street only. .

Mr. Galen Boyer also spoke to the Council regarding Woodland Glen (Amended Bill No. 19-133) and asked for clarification regarding the elevations and if the estate homes would become members of the existing HOA. He also would like to know if the exterior of the new homes would be the current regulations of the existing homes in the area.

Mr. Gary Sears also spoke about Woodland Glen (Amended Bill No. 19-133) and stated he felt it would not maintain the integrity and quality of the neighborhood. He does not feel the developer would do anything to maintain or enhance the existing Woodland Glen properties.

6. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 19-147](#) An Ordinance awarding Bid No. 28631683B-C, for the Water Main Replacement FY19 - Pryor Road, to Pyramid Excavation & Construction, Inc., in the amount of \$279,271.50 and authorizing the City Manager to execute an agreement for the same. (PWC 6/25/19)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 19-147 be second read. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember Binney
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Faith

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Binney, that Bill No. 19-147 be adopted and numbered Ord. No. 8662. The motion carried by the

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following vote:

Aye: 6 - Mayor Baird
Councilmember Binney
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Faith

- B.** [BILL NO. 19-148](#) An Ordinance approving the award of bid no. 50432472-C1 for the Lake Ridge Meadows Traffic Calming project to Mega Industries Corporation, and authorizing the City manager to enter into an agreement for the same, in the amount of \$78,560.00. (PWC 6/25/19)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 19-148 be second read. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 19-148 be adopted and numbered Ord. No. 8663. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- C.** [BILL NO. 19-149](#) An Ordinance authorizing execution of an agreement for facility relocation by and between the City of Lee's Summit, Missouri, and CenturyLink Communications in the amount of \$224,063.48 pursuant to the Chipman Road Improvements from View High Drive to Bent Tree Drive, and authorizing the City Manager to enter into an agreement for the same. (PWC 6/25/19)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 19-149 be second read. The motion carried by the following vote:

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Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 19-149 be adopted and numbered Ord. No. 8664. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- D. [BILL NO. 19-150](#)** An Ordinance authorizing the execution of an agreement by and between the City of Lee's Summit, Missouri, and Olsson and Associates, in an amount not to exceed \$208,456.00 for Professional Engineering Services for Stormwater-SW Lea Drive (RFQ NO. 543-32272A). (PWC 6/25/19)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 19-150 be second read. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 19-150 be adopted and numbered Ord. No. 8665. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

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- E. [BILL NO. 19-151](#) An Ordinance authorizing the execution of an agreement by and between the City of Lee's Summit, Missouri, and Intuition & Logic Inc., in an amount not to exceed \$79,777.20 for professional engineering services for stormwater - SE Hackamore Drive & SE Secretariat Drive (RFQ NO. 543-32272B). (PWC 6/25/19)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 19-151 be second read. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 19-151 be adopted and numbered Ord. No. 8666. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- F. [BILL NO. 19-152](#) An Ordinance authorizing execution of an agreement by and between the City of Lee's Summit, Missouri, and Lamp Rynearson, Inc. in an amount not to exceed \$159,800.00 for Professional Engineering Services for Stormwater - 4 Projects (RFQ No. 543-32272C). (PWC 6/25/19)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Binney, that Bill No. 19-152 be second read. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 19-152 be adopted and numbered Ord. No. 8667. The motion carried by the following vote:

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Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- G.** [BILL NO. 19-153](#) An Ordinance authorizing the execution of an agreement and consent to joint use of track by and between the City of Lee's Summit, Missouri, IPL USA, Inc. and the Union Pacific Railroad Company. (PWC 6/25/19)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Binney, that Bill No. 19-153 be second read. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 19-153 be adopted and numbered Ord. No. 8668. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- H.** [BILL NO. 19-154](#) An Ordinance authorizing the execution of a Missouri Highways and Transportation Commission Amendment No. 1 to State Block Grant Agreement by and between the City of Lee's Summit, Missouri and the Missouri Highways and Transportation Commission, Granting additional federal funds in the amount of \$64,222 to relocate and extend Taxiway A; Taxiway Lighting and Signage at the Lee's Summit Municipal Airport. (PWC 6/25/19)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 19-154 be second read. The motion carried by the following vote:

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Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Binney, that Bill No. 19-154 be adopted and numbered Ord. No. 8669. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- I. [BILL NO. 19-155](#) An Ordinance authorizing the execution of a Missouri Highways and Transportation Commission First Supplemental Agreement to Airport Aid Agreement by and between the City of Lee's Summit, Missouri, and the Missouri Highways and Transportation Commission, granting additional funds in the amount of \$3,568 which is equal to fifty percent (50%) of the additional match for the sponsor's State Block Grant for project 16-109A-1 Relocate and Extend Taxiway A; Taxiway Lighting and Signage at the Lee's Summit Municipal Airport. (PWC 6/25/19)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 19-155 be second read. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 19-155 be adopted numbered Ord. No. 8670. The motion carried by the following vote:

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Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- J. [BILL NO. 19-156](#) An Ordinance authorizing the execution of Amendment No. 2 to permit the extension of the project time period from June 30, 2018 to December 31, 2019 of the Airport Aid Agreement by and between the City of Lee's Summit, Missouri, and the Missouri Highways and Transportation Commission, granting State funds in the amount of \$9,372,772 to assist with Rehabilitate and Strengthen Runway 18-36, Extend Runway 18-36, Extend Runway 11-29; and Runway 18-36 and 11-29 Lighting Improvements. (PWC 6/25/19)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Lopez, that Bill No. 19-156 be second read. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 19-156 be adopted and numbered Ord. No. 8671. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- K. [BILL NO. 19-157](#) An Ordinance authorizing a Second Supplemental Agreement to Airport Aid Agreement to permit the extension of the project time period from December 31, 2018 to December 31, 2019 of the Airport Aid Agreement by and between the City of Lee's Summit, Missouri, and the Missouri Highways and Transportation Commission, granting funds in the amount of \$520,710 to assist with Rehabilitate and Strengthen Runway 18-36, Extend runway 18-36, Extend Runway 11-29; and Runway 18-36 and 11-29 Lighting Improvements. (PWC 6/25/19)

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ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Binney, that Bill No. 19-157 be second read. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Binney, that Bill No. 19-157 be adopted and numbered Ord. No. 8672. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

7. Proposed Ordinances - First Reading:

- A. [BILL NO. 19-158](#)** An Ordinance vacating a certain utility easement located at 4032 SW Benziger Drive in the City of Lee's Summit, Missouri.

(Note: This ordinance was first read on July 9, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 19-158 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- B. [BILL NO. 19-159](#)** An Ordinance approving the First Amendment to the Development Agreement between Whispering Woods Land, LLC, and the City of Lee's Summit, Missouri for the Whispering Woods Development.

(Note: This ordinance was first read on July 9, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Binney, that Bill No. 19-159 be advanced to second reading. The motion carried by the following vote:

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Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- C. [BILL NO. 19-160](#) An Ordinance accepting final plat entitled Pergola Park, 4th Plat, Lots 81 thru 117 and Tracts N thru P, 8-4, 9-4 and 10-4, as a subdivision to the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 19-160 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

- D. [BILL NO. 19-161](#) An Ordinance accepting final plat entitled Goppert Acres, Lots 1A-1F & Tract A, as a subdivision to the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Lopez, that Bill No. 19-161 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Nay: 1 - Councilmember Binney

Absent: 2 - Councilmember Edson
Councilmember Faith

- E. [BILL NO. 19-162](#) An Ordinance accepting final plat entitled "Raintree Pointe, Lots 1 thru 7 and Tracts A thru D", as a subdivision to the City of Lee's Summit, Missouri.
(Note: First reading by Council on July 16, 2019.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Lopez, that Bill No. 19-162 be advanced to second reading. The motion carried by the following vote:

Aye: 5 - Mayor Baird
Councilmember Binney
Councilmember DeMoro
Councilmember Johnson
Councilmember Lopez

Nay: 2 - Councilmember Carlyle
Councilmember Forte

Absent: 2 - Councilmember Edson
Councilmember Faith

8. Proposed Ordinances - Second Reading:

ACTION: A motion was made by Councilmember DeMoro, second by Councilmember Lopez to continue the Council meeting past the 11:00 p.m. rule in order to consider continuation of Amended Bill No. 19-133.

Mayor Baird stated he would like staff to look at what protections the city has for this project with the developer and builder. He would also like staff to look for answers to the questions presented by the citizens during Public Comments.

The motion carried the following vote:

Aye: 5 - Mayor Baird
Councilmember DeMoro
Councilmember Lopez
Councilmember Binney
Councilmember Johnson

Nay: 2 - Councilmember Forte
Councilmember Carlyle

Absent: 2 - Councilmember Edson
Councilmember Faith

- A. [AMENDED BILL NO. 19-133](#)** An Ordinance approving a rezoning from Districts PI and PMIX to District PMIX and preliminary development plan for approximately 24 acres located at the northeast corner of SW Ward Rd and SW Scherer Rd, proposed Woodland Glen 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.

(NOTE: First reading by Council on June 18, 2019.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, to continue the second reading of Amended Bill No. 19-133 to a date certain of July 23, 2019. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Edson
Councilmember Faith

9. Committee Reports

Due to the extension of the 11:00 p.m. rule for the purpose of continuing Amended Bill No. 19-133 no Committee Reports were made.

10. Council Comments:

Due to the extension of the 11:00 p.m. rule for the purpose of continuing Amended Bill No. 19-133 no Council Comments were made.

11. Staff Roundtable

Mr. Steve Arbo, City Manager, stated due to time constraints, he would like to enter into the record the submission of the 2019 Analysis of Impediments to Fair Housing Choice report to the Council. Mayor Baird acknowledged the receipt of this report.

- A. [2019-2880](#) Submission of 2019 Analysis of Impediments to Fair Housing Choice Report.

This Report was received and filed.

12. Adjournment

With no further business to be considered after 11:00 p.m., Mayor Baird adjourned Regular Session No. 32 at 11:12 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"