



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

Tuesday, August 3, 2021

6:00 PM

City Council Chambers

and

Via Video Conference

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 39 *AMENDED*****

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, August 3, 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, August 2, 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. 39 to order at 6:03pm.

- D. Roll Call

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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 Shields, seconded by Councilmember Edson, 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 DeMoro, seconded by Councilmember Edson, to approve the Consent Agenda. The motion carried by the following vote:

- A. [2021-4258](#) Approval of City Council Action Letters from July 6, 13 and 20, 2021.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, to approve the City Council Action Letters from July 6, 13 and 20, 2021 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

- B. [2021-4256](#) Approval of Liquor Licenses G1 and S for The Pink Elephant, 318 SE Douglas Street, Lee's Summit, MO 64063

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that this Liquor License be approved 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

- C. [2021-4257](#) Approval of Liquor Licenses H, S and Tasting for Prime 9, 519 SE Melody Lane, Lee's Summit, MO 64063

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that this Liquor License be approved 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. [AMENDED BILL NO. 21-143](#) An Ordinance approving a rezoning from AG (Agricultural) to district RP-3 (Planned Residential Mixed Use) and preliminary development plan for Osage 3rd plat, located at 2151 SW M-150 Hwy, 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 July 20, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Amended Bill No. 21-143 be adopted and numbered Ord. No. 9201 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. [BILL NO. 21-144](#) An Ordinance approving a preliminary development plan for the proposed Chapel Ridge Business Park outbuilding, 3680 NE Akin Dr, 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 July 20, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 21-144 be adopted and numbered Ord. No. 9202 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

- F.** [BILL NO. 21-150](#) An Ordinance Authorizing the City of Lee's Summit, Missouri to Issue Taxable Industrial Development Revenue Bonds in a Principal Amount not to Exceed \$36,500,000 in Connection with the Streets of West Pryor Apartment Development; and Authorizing Certain Documents and Actions in Connection Therewith.

(Note: First reading by Council on July 20, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 21-150 be adopted and numbered Ord. No. 9203 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

- G.** [BILL NO. 21-151](#) An Ordinance Approving a Transferee Agreement Among Red Summit Fair, LLC, Sahara Pavilion South SC, LLC, Win, LLC, and the City of Lee's Summit, Missouri, for the Transfer of Property in the Lee's Summit East (Summit Fair) Tax Increment Financing Redevelopment Area.

(Note: First read by Council on July 20, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 21-151 be adopted and numbered Ord. No. 9204 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

3. Council Roundtable

Councilmember Forte recognized Lee's Summit Resident, KC Lightfoot, placed 4th in the Olympics in Pole Vaulting. She congratulated him on this success.

4. Public Hearings:

- A. [2021-4242](#) Public Hearing: Amendments to the Southside Plaza Community Improvement District Petition

Mr. David Bushek entered Exhibits 1 -3 (to include Exhibits 1-6 provided at the CID hearing) into the record.

There was no Council discussion.

- 1) [BILL NO. 21-153](#) An Ordinance Approving the Amended Petition for the Southside Plaza Community Improvement District and the Amended and Restated Cooperative Agreement for the Southside Plaza Redevelopment Project.
(Note: First reading by Council on August 3, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Edson, that Bill No. 21-153 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. [2021-4269](#) Public Hearing: Application #PL2021-199 - Special Use Permit for a tow lot - Crash Champions, 451 SE Oldham Parkway; Crash Champions, LLC, applicant

Mr. Josh Johnson entered Exhibit A, list of Exhibits 1-19 into the record.

There was no Council discussion other than recognizing this location used to be called "Dave's Roe Body Shop".

- 1) [BILL NO. 21-154](#) An Ordinance approving a special use permit renewal for a tow lot in district PI on land located at 451 SE Oldham Pkwy, 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 August 3, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember DeMoro, that Bill No. 21-154 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. [2021-4267](#) Public Hearing: Application #PL2021-182 - Rezoning from CP-2 to PMIX and Conceptual Development Plan - Ranson Landing, 1401 SE Oldham Parkway; Engineering Solutions, LLC, applicant.
(Note: this item was continued from August 3, 2021 per Council's request.)

ACTION: Since the applicant was not present, Mayor Baird felt it may be best continue this Public Hearing to the next Council meeting.

A motion was made by Councilmember Carlyle, seconded by Councilmember Felker, that this Public Hearing for Application #PL2021-182 - Rezoning from CP-2 to PMIX and Conceptual Development Plan - Ranson Landing, 1401 SE Oldham Parkway; Engineering Solutions, LLC, applicant, be continued the next Council meeting date. 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

- 1) [BILL NO. 21-155](#) An Ordinance approving a rezoning from CP-2 to district PMIX and conceptual development plan for approximately 25.7 acres, proposed Ranson Landing, 1401 SE Oldham Pkwy, 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 read by Council on August 17, 2021.)

Due to the continuation of the Public Hearing, Bill No. 21-155 was also continued to August 17, 2021.

This Ordinance - Public Hearing was continued to the City Council - Regular Session due back on 8/17/2021

5. Public Comments:

Mr. Roy Mussett noted this frustration with the trash companies in Lee's Summit and their lack of responsibility. He stated he has been working with a trash company for 5 weeks without resolution and he would like the City to consider stricter enforcement and larger fines for the trash companies negligence. Mr. Mussett also voiced his frustration with damage caused to his property by the Water Department while repairing water and sewer lines. He watered his grass and feels he is owed \$60 for his water bill due to this.

6. Resolutions:

- A. [RES. NO. 21-18](#) A Resolution authorizing and updating the establishment of City bank accounts with U.S. Bank N.A. and designating authorized signatories.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Shields, that Res. No. 21-18 be adopted. 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

7. Proposed Ordinances Forwarded from Committee:

- A.** [BILL NO. 21-156](#) An Ordinance authorizing the execution of an Intergovernmental Agreement between the City of Lee's Summit and the Junior College District of Metropolitan Kansas City, Missouri a/k/a Metropolitan Community College for use of its Precision Driving Center.

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Shields, that Bill No. 21-156 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 Felker, seconded by Councilmember Forte, that Bill No. 21-156 be adopted and numbered Ord. No. 9205. 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. 21-157](#) An Ordinance approving the software support agreement for the Lawson Enterprise Resource Planning System between the City of Lee's Summit and Infor (US), LLC in the amount of \$575,106.35 and authorizing the City Manager to execute the same by and on behalf of the City.

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that that Bill No. 21-157 be second read. 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 Edson, that Bill No. 21-157 be adopted and numbered Ord. No. 9206. 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. 21-158](#) An Ordinance approving the use of a Cooperative Contract between Mid-America Regional Council and Bound Tree Medical, LLC, to purchase medical supplies and equipment as needed and authorizing the City Manager to execute the same for the City.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 21-158 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 Shields, that Bill No. 21-158 be adopted and numbered Ord. No. 9207. 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. 21-159](#) An Ordinance approving the use of a Cooperative Contract between Mid-America Regional Council and Life-Assist, Inc., to purchase medical

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supplies and equipment as needed and authorizing the City Manager to execute the same for the City.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, that Bill No. 21-159 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 DeMoro, seconded by Councilmember Edson, that Bill No. 21-159 be adopted and numbered Ord. No. 9208. 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. [BILL NO. 21-160](#) An Ordinance approving the use of a Cooperative Contract between Mid-America Regional Council and Medline Industries, Inc., to purchase medical supplies and equipment as needed and authorizing the City Manager to execute the same for the City.

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 21-160 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 Lopez, seconded by Councilmember Forte, that Bill No. 21-160 be adopted and numbered Ord. No. 9209, 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

8. Proposed Ordinances - Second Reading:

- A. [BILL NO. 21-94](#)** An Ordinance accepting Final Plat entitled the Retreat at Hook Farms, lots 50-99 and tracts D, E, F, G & H as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on May 4, 2021. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Edson, that Bill No. 21-94 be adopted and numbered Ord. No. 9210. 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

- B. [BILL NO. 21-145](#)** An Ordinance Approving a Plan For an Industrial Development Project for Stag's Field Apartments.
(Note: First reading by Council on July 20, 2021.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 21-145 be adopted and numbered Ord. No. 9211. The motion carried by the following vote:

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

Nay: 2 - Councilmember Edson
Councilmember Shields

- C. [BILL NO. 21-149](#)** An Ordinance awarding the bid for Project No. 324-21/22 (Curb) for the Curb Repair 21/22 Program to Phoenix Concrete & Underground, LLC in the amount of \$1,811,323.88, and authorizing the City Manager to execute an agreement for the same. (PWC 7/12/21 - 2 to 1 vote.)
(Note: First reading by Council on July 20, 2021.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, that Bill No. 21-149 be adopted and numbered Ord. No. 9212. 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

9. Committee Reports

Councilmember DeMoro noted there will be a Public Works Committee meeting on Monday, August 9, 2021 at 5pm.

10. Council Comments:

Mayor Baird also recognized KC Lightfoot for this great accomplishment and apologized for not recognizing him during Council Roundtable. He also stated Mr. Lightfoot was fun to watch at he placed 4th at the Olympics.

Mayor Baird also noted Jackson County is not currently moving forward with the mask mandate. Mr. Frank White has stated he would reinstate the mandate, but the legislature does not appear to stand behind the mask mandate due to some potential law suits and other litigation. The schools would like to have the students wear masks when they return to school. Mayor Baird went on to recognize that none of this was official at this time and he hopes to hear something more official soon.

Councilmember Forte asked that Mayor Pro Tem Lopez assign the trash company issues to the Community and Economic Development Committee for review and to see if there is a possible solution to the current issues.

Councilmember Shields stated that some bars and restaurants have pushed back timelines due to the Council needing to approve their liquor licenses. She asked Mayor Pro Tem to assign this to a committee to see if this could be done administratively in the future.

Mayor Baird stated he would be out of town next week, so Mayor Pro Tem Lopez will be filling in for him while he is gone.

11. Staff Roundtable

Mr. Steve Arbo, City Manager, noted the Missouri Bicentennial celebration is next Tuesday, August 10th. Governor Parsons will be visiting Lee's Summit for the celebration and the Ice Cream Social from 5pm - 8pm at the Lee's Summit History Museum.

Mr. Arbo also noted there will be a Closed Session on Thursday, August 5, 2021 at noon via Zoom and the next Council Regular Session will be on Tuesday, August 17th.

12. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 39 at 7:02pm.

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"