The City of Lee's Summit

Action Letter

City Council - Regular Session

Tuesday, April 13, 2021 6:00 PM City Council Chambers - City Hall and Via Video Conference 220 SE Green Street Lee's Summit, MO 64063 (816) 969-1000 REGULAR SESSION NO. 29 ***AMENDED***

Notice is hereby given that the Council of the City of Lee's Summit will meet in regular session on Tuesday, April 13, 2021 at 6:00 pm in person and by video conference as provided by Section 610.015 of the Revised Statutes of the State of Missouri. Due to the ongoing Covid-19 pandemic, public attendance in the City Council Chambers is extremely limited, and therefore the public is invited to attend the meeting by one of these methods:

• 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.

• By sending a request to the City Clerk at clerk@cityofls.net to attend the meeting on the Zoom platform. The City Clerk will provide instructions regarding how to attend by this method.

Persons wishing to comment on any item of business on the agenda may do so in writing prior to 5:00 p.m. on April 12, 2021, by one of the following methods:

- By sending an 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 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 April 12, 2021 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. In the event that the meeting cannot be broadcast via www.WatchLS.net and the cable channels noted above, this agenda will be amended to include directions for the public to attend via the Zoom software platform at www.Zoom.com; such amendment will include a specific link to attend the Council meeting.

Preliminaries:

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

Mayor Baird called Regular Session No. 29 to order at 6:07 pm.

- D. Roll Call
 - Present: 8 Mayor Bill Baird Councilmember Trish Carlyle Councilmember Fred DeMoro Councilmember Phyllis Edson Councilmember Andrew Felker Councilmember Diane Forte Councilmember Bob Johnson Councilmember Beto Lopez
 - Absent: 1 Councilmember Hillary Shields

1. Approval of Agenda

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

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

Absent: 1 - Councilmember Shields

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, to adopt the Consent Agenda. The motion carried by the following vote:

 Aye:
 8 - Mayor Baird

 Councilmember Carlyle
 Councilmember DeMoro

 Councilmember Edson
 Councilmember Felker

 Councilmember Felker
 Councilmember Forte

 Councilmember Johnson
 Councilmember Lopez

Absent: 1 - Councilmember Shields

A. <u>2021-4023</u> Approval of City Council Action Letters from March 9, 16 and 23, 2021.

A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, to approve the Action Letters as part of the Consent Agenda. The motion carried by the following vote:

- Aye: 8 Mayor Baird Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez
- Absent: 1 Councilmember Shields
- **B.** <u>2021-4024</u> Approval of the change in managing officer for McKeever's Market and Eatery, 840 NW Pryor Road, Lee's Summit, MO 64081

A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, to approve the change in managing office for McKeever's Market and Eatery Liquor License as part of the Consent Agenda. The motion carried by the following vote:

- Aye: 8 Mayor Baird
 - Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez
- Absent: 1 Councilmember Shields
- C. AMENDED An Ordinance approving a special use permit renewal for a mini-warehouse storage facility in district CP-2 on land located at 1920 NE Rice Rd, existing Summit Self Storage, 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 read by Council on March 23, 2021. Passed by unanimous vote.)

A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Amended Bill No. 21-41 be adopted and numbered Ordinance No. 9109 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez

Absent: 1 - Councilmember Shields

 D.
 BILL NO.
 An Ordinance accepting final plat entitled Napa Valley, 4th Plat, Lots 147-165

 21-59
 as a subdivision to the city of Lee's Summit, Missouri.

 (Note: First reading by Council on March 23, 2021. Passed by unanimous vote.)

A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 21-59 be adopted and numbered Ordinance No. 9110 as part of the Consent Agenda. The

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motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

E.BILL NO.An Ordinance accepting Final Plat entitled Whispering Woods, Lots 29A, 30A,
21-6021-6031A, 32A, and 33A, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First reading by Council on March 23, 2021. Passed by unanimous vote.)

A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 21-60 be adopted and numbered Ordinance No. 9111 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez

- Absent: 1 Councilmember Shields
- F.BILL NO.An Ordinance vacating a certain easement located at 1709, 1713, 1717, and21-611725 SW 27th St in the City of Lee's Summit, Missouri.

(Note: First reading by Council on March 23, 2021. Passed by unanimous vote.)

A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 21-61 be adopted and numbered Ordinance No. 9112 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez

Absent: 1 - Councilmember Shields

3. Council Roundtable

Councilmember Felker recused himself from agenda items 5A and 5A1 for conflict of interest.

Councilmember Edson reported the Summit Art Group and the Lee's Summit Symphony had an event over the weekend. She said it was nice to see events starting to happen again and to see people wanting to get out and support their local arts.

Mayor Baird reminded everyone there is a big vaccination event Wednesday and Thursday, April 14-15, 2021 at Legacy soccer park.

4. Proclamations:

A. <u>2021-4063</u> Week of the Young Child April 10-16, 2021

This Proclamation was presented.

5. Public Hearings:

A. <u>2021-4013</u> Public Hearing: Application #PL2020-367 - Preliminary Development Plan -Wood Corner, 617 SE 6th Street; Dymon Wood, applicant.

Exhibit A, List of Exhibits 1-17 were entered into the record.

There were no discussions by City Council and there were no speakers in favor of, or opposed to, this application.

 BILL NO. An Ordinance approving a preliminary development plan for Wood Corner,
 21-62 located at 617 SE 6th St, 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. (First read by Council on April 13, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that Bill No. 21-62 be advanced to second reading. The motion carried by the following vote:

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

- Absent: 1 Councilmember Shields
- Recused: 1 Councilmember Felker
- B. <u>2021-4049</u> Public Hearing: Vanguard Villas LCRA Redevelopment Plan for the Streets of West Pryor Project.

Exhibit A, List of Exhibits 1-10 were entered into the record.

City Council discussions included:

- -Incentive total for the Vanguard Villas project
- -Incentive total for the Streets of West Pryor project overall.
- -LCRA use for residential development
- -Job creation
- -LCRA use by neighboring communities
- -LCRA use in the future

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-Monitoring the remediation of the mine -Alternative if the remediation of the mine doesn't work -Long term safety of the site

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

1) <u>BILL NO.</u> An Ordinance approving the Vanguard Villas at Streets of West Pryor Land 21-63 Clearance for Redevelopment Authority Redevelopment Plan. (First read by Council on April 13, 2021. Passed by unanimous vote.)

> ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 21-63 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker **Councilmember Forte** Councilmember Johnson Councilmember Lopez

Absent: 1 - Councilmember Shields

6. Public Comments:

There was one written Public Comment submitted. Please find it attached to this Action Letter.

7. Presentations:

A. 2021-4021

Status Report on the redistricting process / US Census

**Update April 6, 2021; the Mayor has directed staff to place this item on the agenda for further discussion.

City Council discussions included:

-City Attorney's recommendation, to use the current map for an additional year -If boundary's change and a sitting councilmember ends up in a different district, do they lose their ability to serve -Meeting residency requirement if the district lines are redrawn and they are now in a new district, do they meet the residency requirement to run for office -Residency requirements could be challenged by another candidate -Voted for Councilmember and then the boundaries changed and they no longer represent the people that voted for them -Sitting Councilmembers would finish serving their district and then could not run for that district again -Census data delay is due to COVID-19, due September 30

-Authority for an Emergency Ordinance to address issues with redistricting and election due to a State of Emergency

8. Resolutions:

A.RES. NO.A Resolution authorizing the Mayor to appoint successor directors to the21-06Summit Orchards Community Improvement District.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Resolution 21-06 be adopted. The motion carried by the following vote:

- Aye: 8 Mayor Baird
 - Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez
- Absent: 1 Councilmember Shields
- B.
 RES. NO.
 A Resolution authorizing the Mayor to appoint successor directors to the Streets

 21-07
 of West Pryor Community Improvement District.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Resolution 21-07 be adopted. The motion carried by the following vote:

- Aye: 8 Mayor Baird Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez
- Absent: 1 Councilmember Shields
- C.RES. NO.A Resolution adopting a Statement of Common Purpose to renew and expand21-08the Eastern Jackson County Shared Service Collaborative Partnership.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Resolution 21-08 be adopted. The motion carried by the following vote:

- Aye:
 8 Mayor Baird

 Councilmember Carlyle
 Councilmember DeMoro

 Councilmember DeMoro
 Councilmember Edson

 Councilmember Felker
 Councilmember Felker

 Councilmember Forte
 Councilmember Johnson

 Councilmember Lopez
 Councilmember Lopez
- Absent: 1 Councilmember Shields
- **D.** <u>RES. NO.</u> A Resolution adopting a policy related to the broadcast of certain public
 21-09 meetings.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, that Resolution 21-09 be adopted. The motion carried by the following vote:

- Aye: 8 Mayor Baird Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez
- Absent: 1 Councilmember Shields

9. Proposed Ordinances Forwarded from Committee:

A. <u>BILL NO.</u> An Ordinance approving Change Order No. 3 to the contract with Radmacher
 <u>21-64</u> Brothers Excavating Company, Inc. For the 3rd Street Improvements project, an increase of \$678,479.90 for a revised contract price of \$5,487,094.90 and the addition of 60 calendar days to complete this work. (PWC 4/12/21)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 21-64 be second read. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Lopez, that Bill No. 21-64 be adopted and numbered Ordinance No. 9113. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez

- Absent: 1 Councilmember Shields
- B. <u>BILL NO.</u> An Ordinance approving the dual award of RFP No. 2021-051, to purchase
 <u>21-65</u> Underground Locating Services on an as-needed basis for a one-year term with up to four, one-year renewals to USIC Locating Services, LLC and Integrity Locating Services, LLC, and authorizing the City Manager to execute the same for the City. (PWC 4/12/21)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Felker, that Bill No. 21-65 be second read. The motion carried by the following vote:

Aye: 8 - Mayor Baird Councilmember Carlyle

Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 21-65 be adopted and Numbered Ordinance No. 9114. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez

Absent: 1 - Councilmember Shields

10. Proposed Ordinances - First Reading:

A. <u>BILL NO.</u> An Ordinance accepting final plat entitled Highland Meadows, 6th plat, Lots
 21-66 160-210 and Tract J as a subdivision to the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Edson, that Bill No. 21-66 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez

- Absent: 1 Councilmember Shields
- BILL NO. An Ordinance vacating a certain easement located at 4205 SW Sapelo Drive in <u>21-67</u> the City of Lee's Summit, Missouri. (First read by Council on April 13, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Edson, that Bill No. 21-67 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez Absent: 1 - Councilmember Shields

C. <u>BILL NO.</u> An Ordinance approving the purchase agreement between the City of Lee's
 <u>21-68</u> Summit and Raintree Investors, LLC, for the purchase of property by the City for Fire Station #5. (First read by Council on April 13, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 21-68 be advanced to second reading. The motion carried by the following vote:

- Aye: 8 Mayor Baird Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez
- Absent: 1 Councilmember Shields

11. Proposed Ordinances - Second Reading:

 A. <u>BILL NO.</u> An Ordinance approving a special use permit for a truck rental facility in district <u>21-57</u> CP-2 (Planned Community Commercial) on land located at 809 SE Douglas St for a period of five (5) years, all in accordance with Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the city of Lee's Summit, Missouri.

(Note: First reading by City Council on March 23, 2021.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that Bill No. 21-57 be adopted and numbered Ordinance No. 9115. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember Carlyle Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Forte Councilmember Johnson Councilmember Lopez

- Absent: 1 Councilmember Shields
- B. <u>BILL NO.</u> An Ordinance approving a preliminary development plan for Westvale Addition, <u>21-58</u> located at 612 NW Fiedcrest 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 March 23, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 21-58 be adopted and numbered Ordinance No. 9116. The motion carried by the following vote:

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

Nay: 2 - Councilmember Felker Councilmember Forte

Absent: 1 - Councilmember Shields

12. Committee Reports

Councilmember Forte announced there will be a CEDC (Community and Economic Development Committee) tomorrow, April 14, 2021 at 4:00 pm.

Councilmember Carlyle reported at last night's BOAC (Board of Aeronautic Commissioners) meeting they discussed the new Airport Master plan and Business Plan. The vendor that is helping put it together wanted to give kudos to staff, especially Creative Services, for all of the work they did with continuing community engagement through out COVID-19. She went on to say the city has received kudos from the FAA (Federal Aviation Administration) and from MODOT (Missouri Department of Transportation) on the Airport. The Board is considering renaming the Airport.

13. Council Comments:

Mayor Baird reminded everyone there will be a Special City Council Session tomorrow, April 14, 2021 and Thursday, April 15, 2021 there is a Commission for Diversity and Inclusion meeting. Both meetings will be broadcast.

14. Staff Roundtable

Mr. Mark Dunning, Assistant City Manager, stated Glenda Masters, Cultural Arts Manager, has been working with the Arts Council, Downtown Lee's Summit and the Downtown CID to change out the sculptures in the Sculpture Walk. The rapture, that was sitting in front of the Fire Department, was chosen through a survey as the "Peoples Choice" to be purchased so it will be moved to the Civic Plaza in front of City Hall. The sculpture was purchased through a grant through the Downtown CID and the Lee's Summit Industrial Development Authority for everyone to enjoy.

15. Adjournment

There being no further business, Mayor Baird adjourned Regular Session No. 29 at 8:31 pm.

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 "Ismo.legistar.com"

From: Summit Art <<u>summitartorganization@gmail.com</u>>
Sent: Tuesday, April 6, 2021 3:41 PM
To: Bill Baird <<u>wbaird@cityofls.net</u>>; Stephen Arbo <<u>Stephen.Arbo@cityofls.net</u>>;
Cc: <u>daren@thefristoegroup.com</u>
Subject: Support for City's Community Marketing Program

*** This email is from an external source, use caution before clicking on links or opening attachments. ***

Dear Mayor Baird and Mr. Arbo,

I am writing this email to you on behalf of Summit Art, to offer our support and encouragement for the continuation of the city's community marketing program.

Summit Art has been a beneficiary of the community's co-op marketing for its annual signature event, the Summit Art Festival. As the director for the festival, I relied on James McKenna's connections, expertise, insight and management of advertising logistics, including the creative services for advertising collateral.

For the last festival held in 2019, Summit Art contracted with Lee's Summit Chamber's community marketing and tourism division, for \$7,000. Among the services provided were:

1. Geo-fencing at metro area venues/events with targeted digital ads. (Nelson-Atkins, KC Art Institute, Kemper Museum, Crossroads, KC Artists Coalition, Kauffman Center, West Bottoms, and various other art fairs)

- 2. KC Studio Magazine print ads
- 3. "The Bridge" radio spots, onsite spots, pre-recorded and live

4. Entercom - scheduled remotes and 15-second spots on The Wolf and The Point

- 5. Billboards digital and vinyl ads
- 6. Missouri Life Magazine print ad and digital event listing
- 7. VisitKC digital event listings and mentions

As the co-op program shares expenses across multiple entities, and is therefore able to negotiate reduced costs, Summit Art was able to reap the benefit of actual advertising value of over \$14,000.

Using the co-op program meant that Summit Art also benefited from the extremely creative team at the chamber in the design of ads and the writing of scripts for the radio spots. And, therefore, all ads complied with the community branding standards. The design-style of the community branding helped our ads be more recognized as part of something associated with the city of Lee's Summit.

Summit Art, a small local nonprofit arts organization, simply does not have the connections, skill sets, finances or staff to pull off this high level of advertising for its event, without the services of the community's co-op marketing program. Our attendance throughout the three-day weekend totalled over 20,000! We firmly believe that this many people visited our downtown and the festival specifically due to the efforts of James McKenna, the chamber staff and its community co-op marketing program. Area businesses benefited from greater patron traffic.

Summit Art hopes that the city of Lee's Summit will continue to support, and provide the community with, this invaluable co-op marketing program.

Thank you,

Jody Fristoe | Director

Summit Art

210 SW Market Street #154 | Lee's Summit, MO 64063

SummitArt.org | 816.805.0114 | summitartorganization@gmail.com

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