



## The City of Lee's Summit

### Action Letter

### City Council - Regular Session

Tuesday, March 9, 2021

6:00 PM

Via Video Conference and City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

**REGULAR SESSION NO. 26 \*\*\*AMENDED\*\*\***

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Notice is hereby given that the Council of the City of Lee's Summit will meet in regular session on Tuesday, March 9, 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](http://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](mailto: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 March 8, 2021, by one of the following methods:

- By sending an e-mail to [clerk@cityofls.net](mailto: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 March 8, 2021 by e-mail at [clerk@cityofls.net](mailto:clerk@cityofls.net), and they will be provided with instructions regarding how to provide their live testimony via videoconference during the public hearing.

In the event that the meeting cannot be broadcast via [www.WatchLS.net](http://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](http://www.Zoom.com); such amendment will include a specific link to attend the Council meeting.

#### **Preliminaries:**

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

Mayor Baird called Regular Session No. 26 to order at 6:03pm.

- D. Roll Call

**Present:** 10 - Mayor Bill Baird  
Councilmember Trish Carlyle  
Councilmember Fred DeMoro  
Councilmember Phyllis Edson  
Councilmember Phyllis Edson  
Councilmember Andrew Felker  
Councilmember Diane Forte  
Councilmember Bob Johnson  
Councilmember Beto Lopez  
Councilmember Hillary Shields

## 1. Approval of Agenda

**ACTION:** Prior to the approval of the agenda, Mayor Baird removed Item 5.E., Bill No. 21-46, as it did not come out of committee with an recommendation for approval. This item will be reconsidered by the Rules Committee at a later date and brought back to the full City Council.

A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that this be approve the posted amended agenda with the additional amendment. 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 Forte, seconded by Councilmember Carlyle, 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. [2021-3977](#) Approval of City Council Action Letters from February 2, 9, 16 and 23, 2021.

**ACTION:** A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, to approve the City Council Action Letters from February 2, 9, 16 and 23, 2021 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. 21-36](#) An Ordinance approving a rezoning from R-1(Single-Family Residential) to PMIX (Planned Mixed Use District), PMIX (Planned Mixed Use District) to RP-4 (Planned Apartment Residential) and R-1 (Single-Family Residential) to RP-4 (Planned Apartment Residential) and Preliminary Development Plan for approximately 20 acres, proposed Streets of West Pryor Lot 7 and Tract C, 900 NW Black Twig Ln, 2100 NW Lowenstein Dr, and 2200 NW Lowenstein 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 February 23, 2021. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 21-36 be adopted and numbered Ord. No. 9090 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. 21-37](#) An Ordinance vacating dedicated right-of-way for a portion of NW Black Twig Lane located at the intersection of NW Black Twig Lane and NW Lowenstein Drive, in the City of Lee's Summit, Missouri.  
(Note: First reading by Council on February 23, 2021. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 21-37 be adopted and numbered Ord. No. 9091 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

- D.** [BILL NO. 21-38](#) An Ordinance Approving the Memorandum of Understanding for Water Services to the Woodlawn Estates Development Between the City of Lee's Summit, Lake Lotawana and the Lake Lotawana Community Improvement District.  
(Note: First reading by Council on February 23, 2021. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 21-38 be adopted and numbered Ord. No. 9092 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. 21-39](#) An Ordinance approving the 2021 Jackson County Board of Election Commissioners Poll Contract for the Harris Park Community Center and authorizing the Mayor to execute the same by and on behalf of the City.  
(Note: First reading by Council on February 23, 2021. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 21-39 be adopted and numbered Ord. No. 9093 a 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

Mayor Baird relayed a story about his uncle signing up for the vaccination through Jackson County. But due to additional medical conditions, Mayor Baird urged him to look into other options to receive the vaccine sooner. His uncle did call his doctor and received his first vaccination already. He stated this is a

reminder to look out for each other and help when and where we can.

**4. Public Comments:**

There were no Public Comments.

**5. Proposed Ordinances Forwarded from Committee:**

- A. [BILL NO. 21-42](#) An Ordinance approving the award of RFQ No. 2021-031 for Design Services for Two (2) New Fire Stations; Fire Station No. 4 and Fire Station No. 5, to GLMV Architecture, Inc. for an amount not to exceed \$665,980.00 and authorizing the City Manager to execute an agreement for the same. (PWC 3/1/21)

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 21-42 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. 21-42 be adopted and numbered Ord. No. 9094. 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. 21-43](#) An Ordinance authorizing the execution of Modification No. 1 to the agreement dated February 26, 2020 for professional engineering services for the NW Main Street from Chipman Road to Commerce Drive improvement project with Walter P. Moore, for an increase of \$62,500 with an amended not to exceed amount of \$233,500.00, and authorizing the City Manager to enter into an agreement for the same. (PWC 3/1/21)

**ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Edson, that Bill No. 21-43 be second read.**

Councilmember Felker noted the ordinance and contract had different names listed and asked that it be corrected prior to passage. The ordinance stated "Walter P. Moore" and the agreement stated "Walter P. Moore and Associates, Inc.". Staff asked to move this item to the end of the agenda so this could be reviewed for the proper amendment. Councilmember Johnson withdrew his motion and Councilmember Edson withdrew her second.

After consideration of other agenda items staff advised it did have the proper motion to amend this ordinance. However, first it must be read as it is posted on the agenda.

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A motion was made by Councilmember Johnson, seconded by Councilmember Edson, that Bill No. 21-43 be second read.

A motion was made by Councilmember Felker, seconded by Councilmember Shields, that Bill No. 21-43 be amended to state that "anywhere in the ordinance or the attachments the refers to 'Walter P. Moore' be changed to 'Walter P. Moore and Associates, Inc.'" The motion carried by the following vote:

9 Aye:

Councilmember Felker  
Councilmember Shields  
Councilmember Johnson  
Councilmember Edson  
Councilmember DeMoro  
Councilmember Forte  
Councilmember Carlyle  
Mayor Pro Tem Lopez  
Mayor Baird

A motion was made by Councilmember Johnson, seconded by Mayor Pro Tem Lopez, that Bill No. 21-43 be second read as amended. The motion carried by the following vote:

9 Aye:

Councilmember Felker  
Councilmember Shields  
Councilmember Johnson  
Councilmember Edson  
Councilmember DeMoro  
Councilmember Forte  
Councilmember Carlyle  
Mayor Pro Tem Lopez  
Mayor Baird

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 Lopez, that Bill No. 21-43 be adopted (as amended) and numbered Ord. No. 9095. 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

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- C. [BILL NO. 21-44](#) An Ordinance approving Change Order No. 1 to the contract with MegaKC Corporation for the Jefferson Street Improvements project, an increase of 128 calendar days to reach substantial completion for a revised substantial completion date of May 25, 2021. (PWC 3/1/21)

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Edson, that Bill No. 21-44 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. 21-44 be adopted and numbered Ord. No. 9096. 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. 21-45](#) An Ordinance approving a Fixed Base Operator agreement between Meisinger Aviation LLC (Hereinafter "Operator") and the City of Lee's Summit, Missouri (Hereinafter "City") to rent office space to perform aircraft sales and aircraft brokering at the Lee's Summit Municipal Airport and authorizing the City Manager to execute the same by and on behalf of the City. (PWC 3/1/21)

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 21-45 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 Forte, seconded by Councilmember Edson, that Bill No. 21-45 be adopted and numbered Ord. No. 9097. 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

- E.** [BILL NO. 21-46](#) An Ordinance amending Sections 2-60.3 Duties of the regular Standing Committees and 2-60.6 Other Duties; as found in Division 2. Article II. Chapter 2 of the Code of Ordinances of the City of Lee's Summit, Missouri to update the duties and authorities of each City Council Committee to better reflect current practice and specifically to further clarify the duties of each City Council Committee related to the recommendation for approval of contracts for goods and services. (Rules 3/4/21)

**Bill No. 21-46 was removed from the agenda by Mayor Baird prior to the approval of the agenda. It will come back before Council in April 2021.**

- F.** [BILL NO. 21-47](#) An Ordinance amending Sec. 2-60.4. - Duties of Committee Chair; Committee organization as found in Division 2. Article II. Chapter 2 of the Code of Ordinances of the City of Lee's Summit, Missouri to clarify the committee majority require to forward ordinances to the City Council with a recommendation of approval and to further otherwise clarify the disposition of ordinances considered by the City Council Committees. (Rules 3/4/21)

**ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Felker, that Bill No. 21-47 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 Shields, seconded by Councilmember Felker, that Bill No. 21-47 be adopted and numbered Ord. No. 9099. 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

**6. Proposed Ordinances - First Reading:**

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- A. [BILL NO. 21-48](#) An Ordinance accepting final plat entitled Cobey Creek, 1st Plat, Lots 1-30, 140-159 and Tracts D, E, G, H & J, as a subdivision to the City of Lee 's Summit, Missouri.

(Note: First reading by Council on March 9, 2021. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 21-48 be advanced for 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. 21-49](#) An Ordinance vacating a certain easement located at 400 SW Waterfall Court in the city of Lee's Summit, Missouri.

(Note: First reading by Council on March 9, 2021. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 21-49 be advanced for 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

## 7. Committee Reports

Councilmember Forte noted the Community and Economic Development Committee will meet via Zoom on Wednesday, March 10, 2021 at 4pm.

Councilmember Felker stated Bill No. 21-46 was from the Rules Committee and deals with the description and duties of the Council committees. He and Mr. Brian Head, City Attorney, will be working with the Chairs of the different committees to reach an understanding and agreement on each of them. This item will then go back to the Rules Committee for final review before being present to the full Council again.

## 8. Council Comments:

Councilmember Johnson stated there have been several meetings regarding the Comp Study and he would like someone to consider discussing housing stock and roof tops, change R1 Zoning language to include smaller lots, etc.

Mr. Ryan Elam, Director of Development Services, advised this would be an

UDO amendment and would have to go through Community and Economic Development and Planning Commission before returning to Council for consideration.

Mayor Baird noted there would be a joint meeting with the Planning Commission this Thursday and he believed that some of these concerns may be addressed and discussed at that time. Then Council can consider these steps further after discussion.

#### **9. Staff Roundtable**

Mr. Steve Arbo, City Manager, stated that he as asked Mr. Brian Head, City Attorney, and Mr. Ryan Elam, Director of Development Services, to provide a status update on the 2020 Census and the redistricting process. This will be presented to Council at the next City Council meeting.

Mr. Mike Snider, Fire Chief, provided an update on Covid and how it is not trending downward and reopening plans are allowing some businesses to return to normal. He also provided an update on the vaccine and how to obtain one.

#### **10. Adjournment**

Hearing no further business, Mayor Baird adjourned Regular Session No. 26 at 6:58pm.

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"