



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

Tuesday, April 12, 2022

6:00 PM

City Council Chambers
and Via Video Conference
220 SE Green Street
Lee's Summit, MO 64063

REGULAR SESSION NO. 63

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, April 12, 2022 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, April 11, 2022, 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. 63 to order at 6:01 p.m.

- D. Roll Call

Present: 9 - Mayor Bill Baird
Councilmember Trish Carlyle
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Andrew Felker
Councilmember Diane Forte
Councilmember Bob Johnson
Councilmember Beto Lopez
Councilmember Hillary Shields

1. Approval of Agenda

ACTION: Mayor Baird removed Item 2.B. (Mayor's Appointments) from the Consent Agenda to be considered immediately after the Consent Agenda. A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, to approved the published agenda as amended. 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 Edson, seconded by Councilmember Shields, to approve the Consent Agenda (except Item 2.B. - Mayor's Appointments). 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. [2022-4810](#) Approval of City Council Action Letter from March 22, 2022.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, to approve the City Council Action Letter from March 22, 2022 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. [2022-4831](#) Mayor's Appointments - Livable Streets Advisory Board:

Reappoint the following:

- Eric Vaughan, Ed Kraemer, Jan Nelson, Eric Kratz, terms to expire 2-17-23
- Yvonne Ventimiglia, term to expire 2-17-24
- Jeffrey Brandhorst, Molly Wichman, Gary Denny, terms to expire 2-17-25

After Council discussion regarding the interest forms, Council reached a consensus to move this item to April 19, 2022 after new interest forms were completed by each of the appointee's.

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- C. [BILL NO. 22-39](#) An Ordinance accepting Final Plat entitled "Park Ridge, 7th Plat, Lots 329-361 and Tracts F6-F7", as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on March 8, 2022. Passed by unanimous vote.)
- ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 22-39 be adopted and numbered Ord. No. 9377 as part of the Consent Agenda. The motion carried by the following vote:**
- Aye:** 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields
- D. [BILL NO. 22-40](#) An Ordinance accepting Final Plat entitled "Park Ridge, 8th Plat, Lots 362-391", as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on March 8, 2022. Passed by unanimous vote.)
- ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 22-40 be adopted and numbered Ord. No. 9378 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. 22-52](#) An Ordinance granting a Special Use Permit renewal for an assisted living facility in District RP-2 on land located at 600 NE Meadowview Drive, Wilshire at Lakewood, for a period of twenty-five (25) years from the current permit expiration date, to expire on February 18, 2042, all in accordance with Article 6 within the Unified Development Ordinance, for the City of Lee's Summit, Missouri.
(Note: First read by Council on March 15, 2022. Passed by unanimous vote.)
- ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 22-52 be adopted and numbered Ord. No. 9379 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 Edson stated the Fire Departments annual awards ceremony was held this past Saturday and it was a very nice event. She also stated that right after this event, there was a large fire in the Lakewood area and the citizens expressed their gratitude for the quick response from first responders to protect their homes and property.

Councilmember Forte congratulated Mayor Baird and Mayor Pro Tem Lopez on their re-election. She also congratulated the newly elected officials; Faith Hodges, Mia Prier and John Lovell.

4. Public Hearings:

- A. [2022-4812](#) Public Hearing: Chapter 100 Plan for the Blackwell Residential Rental Project; Griffin Riley, applicant

Mr. David Bushek, Chief Counsel for Planning and Economic Development, entered Exhibits 1-4 into the record.

Council Discussion:

Density
Abatement
Methodology
Income
Design / Materials
PILOTS
Evaluation
Prices
Sizes
Basements

Mr. Joseph Adams spoke in favor of this project and provide a letter and list of names of others that are in favor of this project. (That letter and list have now been added and made part of the packet for this project.)

This Public Hearing - Sworn was presented.

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- 1) [BILL NO. 22-63](#) An Ordinance Approving a Plan for a Chapter 100 Project for the Blackwell Residential Rental Project.

(Note: First read by City Council on April 12, 2022.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 22-64 be advanced to second reading. The motion carried by the following vote:

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

Nay: 3 - Councilmember Felker
Councilmember Forte
Councilmember Shields

- B. [2022-4752](#) Public Hearing: Application #PL2021-485 - Preliminary Development Plan - Furniture Mall of Missouri, 900 NW Blue Parkway; Hive Design Collaborative, applicant.

Mr. Josh Johnson, Assistant Director of Plan Services, entered Exhibits 1-19 into the record.

Council Discussion:
Flags
Banner Signs
Elevations
Entrance
Planning Commission

- 1) [AMENDED BILL NO. 22-64](#) An Ordinance approving a Preliminary Development Plan for Furniture Mall of Missouri on land located at 900 NW Blue Parkway all in accordance with the provisions of Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

(Note: First read by City Council on April 12, 2022.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Shields, that Bill No. 22-65 be advanced to second reading.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lopez, that Bill No. 22-64 be amended as follows "Amend Condition 1 of Section 2 of the Ordinance to state 1) A modification shall be granted to allow 23 (twenty three) signs shown on building exterior elevations as dated January 14, 2022". The motion failed by the following vote:

Aye: 3 - Councilmember Felker
Councilmember Johnson
Councilmember Shields

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Nay: 6 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Lopez

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Lopez, that Bill No. 22-64 be amended as follows "Amend Condition 1 of Section 2 of the Ordinance to state 1) A modification shall be granted to allow 16 signs shown on the building exterior" . The motion failed by the following vote:

Aye: 4 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Lopez

Nay: 5 - Councilmember Carlyle
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Shields

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Shields, that Bill No. 22-64 be advanced to second reading. The motion carried by the following vote:

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

Nay: 1 - Councilmember Felker

- C. [2022-4687](#) Public Hearing: Application #PL2021-450 - Rezoning from AG to RP-3 and Preliminary Development Plan - Anderson Pointe, 5601 NE Anderson Road; Engineering Solutions, LLC, applicant.
(Note: This item will be continued to May 10, 2022 per the applicant's request.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that the Public Hearing for Application #PL2021-450 - Rezoning from AG to RP-3 and Preliminary Development Plan - Anderson Pointe, 5601 NE Anderson Road; Engineering Solutions, LLC, applicant.

The motion carried by the following vote:

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

Nay: 1 - Councilmember Forte

5. Public Comments:

Mr. Justin Vanwyck and Anthony Riesinger stated they were opposed to the Anderson Pointe development that just continued to May 10th and provided reasons for their opposition.

6. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 22-65](#) An Ordinance approving Amendment No. 9 to the Budget for the Fiscal Year ending June 30, 2022, as adopted by Ordinance No. 9184 and Ordinance No. 9187, by amending the full time equivalent positions for the ITS Services Fund for the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Felker, that Bill No. 22-65 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 Johnson, seconded by Councilmember Carlyle, that Bill No. 22-65 be adopted and numbered Ord. No. 9380. 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. 22-66](#) An Ordinance authorizing an Intergovernmental User Agency Agreement between the City of Lee's Summit and the Southern Jackson County Fire Protection District for access to the Metropolitan Area Regional Radio System through the City's prime site link, and authorizing the Mayor to execute the same.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 22-66 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 Shields, seconded by Councilmember Carlyle, that Bill No. 22-66 be adopted and numbered Ord. No. 9381. 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. 22-67](#) An Ordinance approving a contract between the City and Jackson County Electrical Services, Inc., to purchase electrical services and supplies as needed and ratifying the City Manager's execution of the same for the city.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Carlyle, that Bill No. 22-67 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 Edson, that Bill No. 22-67 be adopted and numbered Ord. No. 9382. 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. 22-68](#) An Ordinance authorizing the City to pay maintenance and support costs pursuant to the terms of the Master Services Agreement between the City and OPG-3 Inc. and authorizing the City Manager to execute all documents necessary to effectuate the same on behalf of the City.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 22-68 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 DeMoro, that Bill No. 22-68 be adopted and numbered Ord. No. 9383. 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. Proposed Ordinances - First Reading:

- A. [BILL NO. 22-69](#) An Ordinance accepting Final Plat entitled, "Town Centre, Lots 1A-1C and Tract A", as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by City Council on April 12, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 22-69 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

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- C. [BILL NO. 22-70](#) An Ordinance Approving the First Amendment to the Development Agreement for the Bailey Road Middle School Between the Lee's Summit R-7 School District and the City of Lee's Summit, Missouri.
(Note: First read by City Council on April 12, 2022.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 22-70 be advanced to second reading. The motion carried by the following vote:

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

Abstain: 1 - Councilmember Felker

- D. [BILL NO. 22-71](#) An Ordinance Approving the Relocation Funding Agreement between the City of Lee's Summit, the Missouri Office of Administration, and the Missouri State Highway Patrol.
(Note: First read by City Council on April 12, 2022.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 22-71 be advanced to second reading. The motion carried by the following vote:

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

Abstain: 1 - Councilmember Felker

8. Proposed Ordinances - Second Reading:

- A. [BILL NO. 22-53](#) An Ordinance amending Chapter 33 of the Lee's Summit Code of Ordinances, Article 6, Division IV, Subdivision 2, Section 6.1350 Residential Districts - Permitted Accessory Uses and Structures to restrict the number of materials allowed on residential fences within the City of Lee's Summit, Missouri.
(Note: First read by Council on March 15, 2022.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 22-53 be adopted and numbered Ord. No. 9384. The motion carried by the following vote:

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

Nay: 1 - Councilmember Shields

- B.** [BILL NO. 22-61](#) An Ordinance approving the lease agreement between the City of Lee's Summit, Missouri, and Summit Transfer, LLC, for the Lee's Summit solid waste Processing facility.

(Note: First read by Council on March 15, 2022.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Edson, that Bill No. 22-61 be adopted and numbered Ord. No. 9385. The motion carried by the following vote:

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

Nay: 1 - Councilmember Carlyle

Abstain: 1 - Councilmember Felker

- C.** [BILL NO. 22-62](#) An Ordinance approving an operations agreement between the City of Lee's Summit, Missouri, and Summit Transfer, LLC, for the Lee's Summit Solid Waste Processing Facility and authorizing the City Manager to execute the same.

(Note: First read by Council on March 15, 2022.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 22-62 be adopted and numbered Ord. No. 9386. The motion carried by the following vote:

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

Nay: 1 - Councilmember Carlyle

Abstain: 1 - Councilmember Felker

9. Committee Reports

Councilmember Carlyle stated there will be a Legislative and Intergovernmental Relations Committee meeting this Thursday, April 14, 2022 at 11:30 am via Zoom.

Councilmember Forte stated there will be a Community and Economic Development Committee meeting this Wednesday, April 13, 2022 at 5:00 pm in person and via Zoom

Councilmember DeMoro stated the Public Works Committee met Monday, April 12, 2022 and they discussed the FY23 CIP Plan. He stated this will be brought to Council next week as a report.

10. Council Comments:

There were no Council Comments.

11. Staff Roundtable

Mr. Steve Arbo, City Manager, stated staff will be working on getting the new interest forms from the members of Livable Streets Advisory Board that were on the Mayor's Appointments on Consent Agenda tonight and continued to April 19, 2022 for consideration. However, those will likely not be completed until Monday afternoon.

12. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 63 at 8:29 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 "lsmo.legistar.com"