



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

Tuesday, March 22, 2022

6:00 PM

Council Chambers  
and Via Video Conference  
220 SE Green Street  
Lee's Summit, MO 64063  
(816) 969-1000

**\*\*AMENDED\*\* REGULAR SESSION NO. 62**

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Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, March 22, 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, March 21, 2022, to the City Clerk at [clerk@cityofls.net](mailto: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](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.

**Preliminaries:**

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

Mayor Baird called Regular Session No. 62 to order at 6:04 pm.

- 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: A motion was made by Councilmember Edson, seconded by Mayor Pro Tem Lopez, 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 Shields, to approve the Consent Agenda Items 2.A.-2.D. 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. [2022-4792](#) Approval of City Council Action Letter from March 15, 2022.

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, that the Council Action Letter from March 15, 2022 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

### B. [2022-4795](#) Mayor's Appointments:

Jackson County Board of Equalization: Reappoint Iana Johnson as the regular member and Gary Moore as the alternate for one-year terms.

Planning Commission: Reappoint Tanya Jana-Ford and Chip Touzinsky, terms to expire 4-15-26.

Water Utilities Advisory Board: Reappoint Anthony Columbatto, Kyle Gorrell and Mark Leetch, terms to expire 3-1-25

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, that the Mayor's Appointments 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

- C. [BILL NO. 22-50](#) An Ordinance approving the award of RFQ No. 2022-037 for professional engineering services for the M291 North Interchange with Highway US 50 Project, Commission Project No. J4P3196, to Olsson, Inc., for an amount not to exceed \$2,136,927.46, and authorizing the City Manager to execute an agreement for the same. (PWC 3/14/22)  
(Note: First read by Council on March 15, 2022. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, that Bill No. 22-50 be adopted and numbered Ord. No. 9366 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. [SUB. BILL NO. 22-51](#) An Ordinance authorizing the issuance of the City of Lee's Summit, Missouri, General Obligation refunding bonds, Series 2022A and certain other documents and actions by the City.  
(Note: First read by Council on March 15, 2022. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, that Bill No. 22-51 be adopted and numbered Ord. No. 9368 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 stated the Emerald Isle parade took place on Saturday and it was very well attended due to the great weather. She thanked Downtown Lee's Summit Main Street for again making this a successful event.

**4. Proclamations:**

- A. [2022-4776](#) March for Meals Month 2022

This Proclamation was presented.

**5. Public Hearings:**

- A. [2022-4757](#) Public Hearing: Application #PL2022-005 - Special Use Permit renewal for assisted living care facility - Wilshire at Lakewood, 600 NE Meadowview Drive; Wilshire Properties, LLC, applicant.

Mr. Hector Soto, Jr., Planning Manager, entered Exhibit A 1-20 into the record.

There was no Council discussion.

This Public Hearing - Sworn was presented.

- 1) [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 Felker, seconded by Councilmember Forte, that Bill No. 22-52 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. [2022-4791](#) Public Hearing: Application #PL2022-028 - Unified Development Ordinance (UDO) Amendment - 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; City of Lee's Summit, applicant.

Mr. Hector Soto, Jr., Planning Manager, entered Exhibit A 1-11 into the record.

Council discussion included:

Community Complaints

Issues

This Public Hearing - Sworn was presented.

- 1) [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 Forte, seconded by Councilmember Felker, that Bill No. 22-53 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

**Nay:** 1 - Councilmember Shields

#### 6. Public Comments:

Ms. Leslie Brown asked for information on how the COVID money the city received was spent. She also asked for a "scorecard" on councilmembers stating their priorities and initiatives.

Councilmember Felker stated for a faster response she should reach out to her councilmembers directly for this information and to express her concerns.

#### 7. Presentations:

- A. [2022-4722](#) Presentation of the Wastewater Master Plan

Council discussion included:

Good Action  
50 year vs. 10 year events  
2016 Event - less than 10 year event  
Maintenance Repair / Replacement Projects  
Tudor Road Station  
Prairie Lee  
Renewal Budget  
Future Needs and Costs  
Planning  
Water Flow

This Presentation was presented.

#### 8. Resolutions:

- A. [RES. NO. 22-08](#) A Resolution in support of the Lee's Summit Police Department's application for grant funding from the Missouri Highway Safety Program for Traffic Enforcement.

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Resolution No. 22-08 be adopted. 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

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

- A.** [BILL NO. 22-54](#) An Ordinance awarding the bid for Project No. 57831683-22 for the Cathodic Protection Program FY22 to DUST Pipeline Services Inc. in the amount of \$448,069.00 and authorizing the City Manager to execute an agreement for the same. (PWC 3/14/21)

**ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember DeMoro, that Bill No. 22-54 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 Edson, that Bill No. 22-54 be adopted and numbered Ord. No. 9369. 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. 22-55](#) An Ordinance approving Modification No. 2 to the agreement dated August 23, 2018 (RFQ No. 2018-064) between the City of Lee's Summit, Missouri and HDR, Inc. for professional engineering services for Sanitary Sewer Modeling, Hydraulic Capacity and Design Services, for an increase of \$15,330.00 with an amended not to exceed amount of \$507,535.00, and authorizing the City Manager to enter into an agreement for the same. (PWC 3/14/21)

**ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, that Bill No. 22-55 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 Edson, that Bill No. 22-55 be adopted and numbered Ord. No. 9370. 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. 22-56](#) An Ordinance ratifying an emergency purchase for water line construction with Wiedenmann Construction for \$59,511.00 and authorizing the City Manager to execute the same. (PWC 3/14/21)

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Edson, that Bill No. 22-56 be second read. 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

**Away FT:** 1 - Councilmember Felker

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 22-56 be adopted and numbered Ord. No. 9371. 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

**Away FT:** 1 - Councilmember Felker

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- D. [BILL NO. 22-57](#) An Ordinance Approving a Fixed Base Operator Agreement between the City of Lee's Summit, Missouri and Bye UAS, Inc. DBA Silent Falcon to operate an Unmanned Aircraft System business from the Airport and authorizing the Mayor to execute the same. (BOAC 3/7/22 and PWC 3/14/22)

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 22-54 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 that Bill No. 22-57 be adopted and numbered Ord. No. 9372. 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. 22-58](#) An Ordinance approving a Fixed Base Operator Agreement between the City of Lee's Summit, Missouri and Midwest Avionics, LLC to rent space located in Hangar 1 to perform aircraft airframe/powerplant, avionics repair, maintenance, and inspection services at the Airport and authorizing the Mayor to execute the same. (BOAC 3/7/22 and PWC 3/14/22)

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that Bill No. 22-58 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 that Bill No. 22-58 be adopted and numbered Ord. No. 9373. 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

- F.** [BILL NO. 22-59](#) An Ordinance amending the Code of Ordinances of the City of Lee's Summit, Missouri by enacting a new Section 2-253. Members to be qualified voters - exceptions, providing generally for the qualifications for members of City boards, committees, and commissions. (Rules 3/14/22)

**ACTION:** A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 22-59 be second read.

**Council Discussion included:**  
**Residency Requirements**  
**Qualified Voters**  
**Restrictions**  
**Current Members**

**ACTION:** A motion was made by Councilmember Felker, seconded by Councilmember Carlyle, that Bill No. 22-59 be amended as follows:

Remove "...the Mayor has determined after due diligence that no qualified voters of the City exist within the City to fill the position or that no qualified voters of the City have applied for such board or commission." from the last line of paragraph one under Sec. 2-253. And to remove, "Any proposed appointee to a City board, committee, or commission seat that requires that the seat be filled by a qualified voter, but who is not a qualified voter at the time of nomination, shall not be appointed unless..." from the first line of paragraph two under Sec. 2-253.

**The motion carried by the following vote:**

**Aye:** 7 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Shields

**Nay:** 2 - Mayor Baird  
Councilmember Lopez

**ACTION:** A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 22-59 be further amended as follows:

Changing "deemed to resign" to "reappointed to" and change "...qualified voter of the City, and the position shall be promptly filled..." to "...qualified voter of the City, or the position shall be promptly filled..." in paragraph three under Sec. 2-253.

**The motion carried by the following vote:**

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**Aye:** 6 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson  
Councilmember Shields

**Nay:** 3 - Mayor Baird  
Councilmember Edson  
Councilmember Lopez

**ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 22-59 be second read as amended. The motion carried by the following vote:**

**Aye:** 5 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson

**Nay:** 4 - Mayor Baird  
Councilmember Edson  
Councilmember Lopez  
Councilmember Shields

**ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 22-59 be adopted as amended and numbered Ord. No. 9374. The motion carried by the following vote:**

**Aye:** 5 - Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Felker  
Councilmember Forte  
Councilmember Johnson

**Nay:** 4 - Mayor Baird  
Councilmember Edson  
Councilmember Lopez  
Councilmember Shields

- G. [BILL NO. 22-60](#)** An Ordinance amending the Code of Ordinances of the City of Lee's Summit, Missouri by enacting a new Section 2-254. Application for Appointment to Boards, Committees and Commission-content. providing generally for the content of the application for appointment to City boards, committees and commissions. (Rules 3/14/22)

**ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Carlyle, that Bill No. 22-60 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. 22-60 be adopted and numbered Ord. No. 9375. 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

#### 10. Proposed Ordinances - First Reading:

- A. [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 Forte, seconded by Councilmember DeMoro, that Bill No. 22-61 be advanced to second reading. 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

- B. [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 Johnson, seconded by Councilmember DeMoro, that Bill No. 22-62 be advanced to second reading. 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

#### 11. Proposed Ordinances - Second Reading:

- A. [BILL NO. 20-153](#) An Ordinance approving Redevelopment Project 4 for the 291 North and Highway 50 Tax Increment Financing Plan and activating the collection of tax increment financing revenues therein.

(Note: First reading done by Council on August 18, 2020.)

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Edson, that Bill No. 20-153 be adopted and numbered Ord. No. 9376. 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

## 12. Committee Reports

Councilmember Carlyle noted there will be a Legislative Intergovernmental Relations Committee meeting this Thursday at 11:30am via Zoom.

## 13. Council Comments:

Councilmember Edson stated the person that spoke in Public Comments earlier asked to withhold her address from public record due to domestic reasons. She advised she has always been uncomfortable with certain people being required to publicly provide their address. She would like to see if this is something that can be changed.

Councilmembers Carlyle, Felker, Johnson and DeMoro all agreed with this request.

Mr. Brian Head, City Attorney, advised the Law Department will review the requirement and provide that information and a resolution to Council.

Councilmember Felker asked for an update on the PRI properties and discussions with them.

Mr. Steve Arbo, City Manager, stated the City is currently working with PRI with several different agreements including infrastructure, but it is not information that can be provided publicly at this time.

**14. Staff Roundtable**

Mr. Mark Dunning, Assistant City Manager, noted the Chipman Road Closure was delayed by MoDOT due to weather. They will begin closing ramps on March 24th to prepare them for the highway traffic. The Chipman Road will be closed on April 11th and will not open until the beginning of 2023.

**15. Adjournment**

Hearing no further business, Mayor Baird adjourned Regular Session No. 62 at 8:07 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](https://lsmo.legistar.com)"