

**CITY OF BLUE SPRINGS, MISSOURI
MINUTES OF COUNCIL MEETING
OCTOBER 4, 2021**

A meeting of the City Council of the City of Blue Springs, Missouri, was held on Monday, October 4, 2021, 6:00 p.m. in the Council Chambers of the Howard L. Brown Public Safety Building, 1100 SW Smith Street., Blue Springs, Missouri with Mayor Carson Ross presiding.

Face coverings were required pursuant to Order of the Jackson County Executive dated August 6, 2021 and extended by Jackson County Resolution No. 20749 dated August 30, 2021. Members of the City Council may be participating via video-conference and/or telephone as provided in Section 610.020(1) RSMo.

**COUNCILMEMBERS IN
ATTENDANCE**

Jerry Kaylor
Chris Lievsay
Ron Fowler

Galen Ericson
Kent Edmondson
Susan Culpepper

Also present were Acting City Administrator Christine Cates, City Attorney Jacqueline Sommer, and City Clerk Sheryl Morgan.

**CALL MEETING TO
ORDER**

Mayor Ross called the meeting to order at 6:00 p.m. and led in the pledge of allegiance. The City Clerk confirmed a quorum of the Council was present.

CONSENT AGENDA

Councilmember Kaylor requested Items 3j and 3k be pulled from the Consent Agenda for separate consideration. Councilmember Culpepper moved to approve the following Consent Agenda items and the motion was seconded by Councilmember Edmondson.

- **Minutes of the September 20, 2021** City Council Meeting
- **Resolution No. 80-2021** approving a contract for renovations in the amount of \$321,106.00 with McConnell & Associates Corp. for the Ward Park tennis court conversion to pickleball courts and the renovations to the James Walker Park basketball court
- **Resolution No. 81-2021** entering into a contract in the amount of \$3,098,091 with Tandem Paving Co, Inc., for projects included in the FY2021-22 Capital Improvement Program, specifically paving of Duncan Road Trail PR-07-22, Pink Hill Park PR-16-22, Keystone Park PR-13-22, Keystone Trail PR-12-18, Hidden Valley Park PR-18-22, Baumgardner Park PR-14-22, and Grounds Park PR-77-22
- **Resolution No. 82-2021** approving the disposition of Information Technology department records which have met the required retention period as prescribed by the Blue Springs Records Retention, Management, and Destruction Policy dated November 28, 2016 and in accordance with the Missouri Secretary of State's records retention guidelines
- **Resolution No. 83-2021** approving a contract in the amount of \$1,340,275.00 with Athco, LLC., for the purchase and installation of playground equipment and surface at Woods Chapel Park and Rotary Park; and shelter houses at Pink Hill Park; and Gazebo replacement at Rotary Park
- **Liquor License for Casey's Marketing Company dba Casey's**

General Store #3946 located at 1914 NW Woods Chapel Rd., Blue Springs, MO 64015, to sell intoxicating liquors in the original package, for consumption off premises, to include retail selling on Sunday intoxicating liquor on the premises where sold, in original package at retail not to be opened or consumed on the premises where sold, or in retailer-packaged container for off-premises consumption

- **Resolution No. 84-2021** approving a purchase in the amount of \$62,137.65 from Broadcast Microwave Services, LLC, for the purchase of 15 computer tablets and associated equipment for patrol vehicles
- **Liquor License for First Watch Restaurants Inc dba First Watch** located at 1077 SW 7 Highway, Blue Springs MO 64015, to sell retail Intoxicating Liquors for consumption on premises/original package/retailer-packaged to include selling on Sunday intoxicating liquor on the premises where sold, in original package at retail not to be opened or consumed on the premises where sold, or in retailer -packaged container for off-premises consumption
- **Resolution No. 85-2021** ratifying a contract in the amount of \$625,391.60 with Martin Underground Construction, Inc., for installation of conduit and fiber line for City owned connectivity. Payment for this project is from CARES Act Funds

The above Consent Agenda items were approved with the following vote:

| | |
|---------------|------------------|
| Kaylor – Aye | Ericson – Aye |
| Lievsay – Aye | Edmondson – Aye |
| Fowler – Aye | Culpepper – Aye |
| | Mayor Ross – Aye |

DISCUSSION - ITEMS 3j and 3k

Councilmember Kaylor expressed his concern about parks mowing and grounds maintenance. Parks Director Dennis Dovel shared information regarding the removal of the previous mowing contractor and conflicting commitments of the new mowing contractor and additional funds dedicated to mowing and grounds maintenance.

ITEM 3j - RESOLUTION NO. 86-2021 – SFS ARCHITECTURE

After Council discussion, Councilmember Fowler moved to adopt **Resolution No. 86-2021** approving a contract in the amount of \$2,161,040.00 with SFS Architecture, Inc., for architectural services for the new Blue Springs Aquatic Center. Motion seconded by Councilmember Ericson and carried with a vote of 6-1 (Councilmember Lievsay voting No).

ITEM 3k - RESOLUTION NO. 87-2021 – McCOWN GORDON CONSTRUCTION

After Council discussion, Councilmember Culpepper moved to adopt **Resolution No. 87-2021** approving a contract in the amount of \$48,800.00 with McCown Gordon Construction, L.L.C., as the Construction Manager at Risk for preconstruction services for the new Blue Springs Aquatic Center. Motion seconded by Councilmember Ericson and carried with a vote of 6-1 (Councilmember Lievsay voting No).

**PUBLIC HEARING –
ANNEXATION OF
PROPERTY LOCATED
EAST OF SOUTHEAST
CORNER OF NE COLBERN
ROAD AND SW 7
HIGHWAY
(ANNX-09-21-7949)**

Mayor Ross opened the Public Hearing to consider approval of an Annexation of property (approximately 1.205 +/- acres) located approximately 700 feet east of the southeast corner of the intersection of NE Colbern Rd and SW Highway 7 into the City limits (ANNX-09-21-7949) at 6:18 p.m. The minutes of the public hearing were recorded by a certified court reporter. City Clerk Sheryl Morgan entered one exhibit into the record.

STAFF REPORT

Community Development Director Mike Mallon reviewed the details of the proposed annexation.

APPLICANT

Applicant, Patricia Chapman, addressed the Council and was available for questions.

The Mayor hearing no further comments for or against, closed the public hearing at 6:18 p.m.

**INTRODUCTION AND 1ST
READING – BILL NO. 4910
– ANNEXATION OF
PROPERTY LOCATED
EAST OF SOUTHEAST
CORNER OF NE COLBERN
ROAD AND SW 7
HIGHWAY
(ANNX-09-21-7949)**

Councilmember Culpepper introduced Bill No. 4910 approving an Annexation of property (approximately 1.205 +/- acres) located approximately 700 feet east of the southeast corner of the intersection of NE Colbern Rd and SW Highway 7 into the City limits (ANNX-09-21-7949). City Clerk Sheryl Morgan made the first reading of Bill No. 4910 by title; copies of the proposed Bill having previously been made available to the public.

Councilmember Fowler moved to approve Bill No. 4910 upon its first reading and proceed with the second reading on October 18, 2021. Motion seconded by Councilmember Ericson and carried unanimously.

**PUBLIC HEARING –
REZONE PROPERTY EAST
OF NW 7 HIGHWAY AND
SOUTH OF ARGO ROAD
(RZ-09-21-7940)**

Mayor Ross opened the Public Hearing to consider rezoning property from City of Independence zoning to "HI" (Heavy Industrial) zoning for property located east of NW 7 Highway and south of Argo Road (RZ-09-21-7940) at 6:20 p.m. The minutes of the public hearing were recorded by a certified court reporter. City Clerk Sheryl Morgan entered one exhibit into the record.

STAFF REPORT

Assistant Director of Community Development Matt Wright reviewed the details of the proposed rezoning and addressed questions from the Council.

APPLICANT

Stuart Foster addressed the Council on behalf of the applicant and was available for questions.

IN OPPOSITION TO

Travis Graham, David Kackley, Jeffrey Hoffman, Alan Kastler, Terry Porter, John Sheehy, and Doug Steger spoke in opposition to the rezoning.

The Mayor hearing no further comments for or against, closed the public hearing at 6:51 p.m.

**INTRODUCTION AND 1ST
READING – BILL NO. 4911**

Councilmember Culpepper introduced Bill No. 4911 rezoning property from City of Independence zoning to Heavy Industrial zoning for

- REZONE PROPERTY EAST OF NW 7 HIGHWAY AND SOUTH OF ARGO ROAD (RZ-09-21-7940)

property located east of NW 7 Highway and south of Argo Road (RZ-09-21-7940). City Clerk Sheryl Morgan made the first reading of Bill No. 4911 by title; copies of the proposed Bill having previously been made available to the public.

Councilmember Fowler moved to approve Bill No. 4911 upon its first reading and proceed with the second reading. Motion seconded by Councilmember Ericson and carried unanimously.

2ND READING – BILL NO. 4911

Ms. Morgan made the second reading of Bill No. 4911 by title. Councilmember Fowler moved to adopt Bill No. 4911 upon its second reading and give it **ORDINANCE NO. 5049**, with a copy attached hereto and made a part of the minutes. Motion seconded by Councilmember Ericson and carried with the following vote:

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|---------------|------------------|
| Lievsay – Aye | Edmondson – Aye |
| Fowler – Aye | Culpepper – Aye |
| Ericson – Aye | Kaylor – Aye |
| | Mayor Ross – Aye |

DISCUSSION – BILL NO. 4902 REZONING EAGLES RIDGE ESTATES 5TH PLAT (RZ-08-21-7919)

Councilmember Kaylor stated that although the developer of the Eagles Ridge Estates 5th Plat did not appear for the public hearing on the matter on September 20, 2021, he felt he may have been hasty in his vote. Councilmember Kaylor stated he believed it would be beneficial for the Council to reconsider Bill No. 4902 and set the matter for a new public hearing to allow the developer to address questions from Council.

MOTION TO RECONSIDER – BILL NO. 4902 REZONING FOR EAGLES RIDGE ESTATES 5TH PLAT (RZ-08-21-7919)

Councilmember Kaylor moved to reconsider Bill No. 4902 rezoning Eagles Ridge Estates 5th Plat, which approval previously failed by Council vote on September 20, 2021, for the purpose of allowing the applicant to testify and answer questions from the Council at a public hearing on a date to be determined by staff. Motion seconded by Councilmember Ericson and, after Council discussion, carried with the following votes:

- | | |
|-----------------|------------------|
| Fowler – Aye | Culpepper – Aye |
| Ericson – Aye | Kaylor – Aye |
| Edmondson – Aye | Lievsay – No |
| | Mayor Ross – Aye |

INTRODUCTION AND 1ST READING – BILL NO. 4912 – AMEND SECTION 115.160 OF CODE OF ORDINANCES RELATING TO ADMINISTRATIVE CONTRACTS

Councilmember Culpepper introduced Bill No. 4912 amending Section 115.160 City Administrator Authorized to Enter Into Contracts and Take Certain Actions on Behalf of the City, of the Code of Ordinances, City of Blue Springs, Missouri to clarify procedures for administrative approval of contracts. City Clerk Sheryl Morgan made the first reading of Bill No. 4912 by title; copies of the proposed Bill having previously been made available to the public.

Councilmember Fowler moved to approve Bill No. 4912 upon its first reading and proceed with the second reading. Motion seconded by Councilmember Culpepper and carried unanimously.

2ND READING – BILL NO. 4912

Ms. Morgan made the second reading of Bill No. 4912 by title. Councilmember Fowler moved to adopt Bill No. 4912 upon its second reading and give it **ORDINANCE NO. 5050**, with a copy attached hereto and made a part of the minutes. Motion seconded by Councilmember Ericson and carried with the following vote:

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| Ericson – Aye | Kaylor – Aye |
| Edmondson – Aye | Lievsay – Aye |
| Culpepper – Aye | Fowler – Aye |
| | Mayor Ross – Aye |

PRESENTATION AND DISCUSSION – 2020 CENSUS POPULATION AND ESTABLISHING NEW DISTRICT BOUNDARIES

Director of Community Development Mike Mallon presented the 2020 Census population data for the City and Council presented three options to establish new City Council District boundaries per Section 3.2 of the Charter of the City of Blue Springs.

After Council discussion, it was determined that Option 3 with populations in each District as follows was the preferred option:

- District 1 – 19,563
- District 2 – 20,236
- District 3 – 18,694

This will allow for anticipated growth in District 3 in the next 10 years.

The Public Hearing to consider the City Council District Boundaries will be held at the October 18, 2021 City Council meeting.

INTRODUCTION AND 1ST READING – BILL NO. 4913 – PERMANENT DRAINAGE EASEMENT FROM DAK REALTY DEVCO, LLC

Councilmember Culpepper introduced Bill No. 4913 approving the conveyance of a permanent drainage easement, from DAK Realty Devco, LLC for the Estates at Chapman Farms trail improvements. City Clerk Sheryl Morgan made the first reading of Bill No. 4913 by title; copies of the proposed Bill having previously been made available to the public.

Councilmember Fowler moved to approve Bill No. 4913 upon its first reading and proceed with the second reading. Motion seconded by Councilmember Kaylor and carried unanimously.

2ND READING – BILL NO. 4913

Ms. Morgan made the second reading of Bill No. 4913 by title. Councilmember Fowler moved to adopt Bill No. 4913 upon its second reading and give it **ORDINANCE NO. 5051**, with a copy attached hereto and made a part of the minutes. Motion seconded by Councilmember Ericson and carried with the following vote:

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| Edmondson – Aye | Lievsay – Aye |
| Culpepper – Aye | Fowler – Aye |
| Kaylor – Aye | Ericson – Aye |
| | Mayor Ross – Aye |

MAYORAL ANNOUNCEMENTS

Thoughts to Ponder:
“Be yourself; everyone else is already taken.”
(Oscar Wilde)

CLOSED SESSION

An Executive Session was noticed with less than 24 hours' notice as required by Section 610.020(2) RSMo. to discuss legal issues brought to the City's attention relating to annexation after the Agenda was posted.

At 7:20 p.m., Councilmember Kaylor moved for the Council go into closed session pursuant to Section 610.021(1) and (2) Revised Statutes of Missouri, for the purpose of privileged communications between a governmental body or its representative and legal counsel relating to litigation and real estate, and that any minutes, documents and other records discussed or taken during the closed session remain closed, and that the special meeting of this body stand adjourned at the completion of such session. Motion seconded by Councilmember Ericson and carried with the following votes:

Culpepper – Aye
Kaylor – Aye
Lievsay – Aye

Fowler – Aye
Ericson – Aye
Edmondson – Aye
Mayor Ross – Aye

CITY OF BLUE SPRINGS

ATTEST



Sheryl Morgan, City Clerk



Carson Ross, Mayor