

**CITY OF BLUE SPRINGS, MISSOURI
MINUTES OF COUNCIL MEETING
AUGUST 15, 2022**

A meeting of the City Council of the City of Blue Springs, Missouri, was held on Monday, August 15, 2022, 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.

**COUNCILMEMBERS IN
ATTENDANCE**

Jerry Kaylor
Chris Lievsay
Ron Fowler

Galen Ericson
Kent Edmondson
Susan Culpepper

Also present were City Administrator Mike Ekey, Assistant City Administrator Christine Cates, City Attorney Jacqueline Sommer, City Clerk Sheryl Morgan, and Assistant City Clerk Erin Ford.

**CALL MEETING TO
ORDER AND
CONFIRMATION OF
QUORUM**

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 Culpepper moved to approve the following Consent Agenda items and the motion was seconded by Councilmember Kaylor.

- **Minutes of the August 1, 2022** City Council Meeting and **Minutes of the August 9, 2022** City Council Budget Work Session
- **Liquor license for Bar Concepts LLC dba Pints and Play** located at 1008 W Main Street Blue Springs, MO 64015, to sell Intoxicating Liquors – Consumption On Premises/Original Package/Retailer-Packaged, 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
- **Approve and declare election results from the August 2, 2022, Special Election** for a Local Use Tax for the purpose of funding maintenance and improvement of City streets

• **Board and Commission Appointments**

Board of Adjustment

New Appointment: Chris Henning (term expiring 5/2027)

Historic Preservation Commission

Reappointment: Pam Albarelli (term expiring 5/2025)
Pam Albarelli, Vice Chair (term expiring 5/2023)

Park Commission

New Appointment: Debbie Canfield (term expiring 5/2023)

Public Safety Citizens' Advisory Board

New Appointment: Allan Greene (term expiring 5/2023)

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

Kaylor – Aye
Lievsey – Aye
Fowler – Aye

Ericson – Aye
Edmondson - Aye
Culpepper – Aye
Mayor Ross – Aye

**PUBLIC HEARING –
ANNEXATION OF
CARRIAGE OAKS AND
HIGHLANDS RANCH
SUBDIVISIONS
(ANNX-01-22-8127 &
ANNX-06-22-8349)**

Mayor Ross opened the Public Hearing to consider approving an annexation of approximately 100+/- acres of property generally located east of SW Highway 7 and south of NE Colbern Road into the City limits at 6:02 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 and addressed questions from the Council.

APPLICANT

Tom Metz and Randy Castle, representing Highlands Ranch Homeowners Association spoke on behalf of the applicants.

The Mayor hearing no further comments for or against, closed the public hearing at 6:14 p.m.

**INTRODUCTION AND 1ST
READING – BILL NO. 5009
– ANNEXATION OF
CARRIAGE OAKS AND
HIGHLAND RANCH
SUBDIVISIONS
(ANNX-01-22-8127 &
ANNX-06-22-8349)**

Councilmember Culpepper introduced Bill No. 5009 approving an annexation of approximately 100+/- acres of property generally located east of SW Highway 7 and south of NE Colbern Road into the City limits. City Clerk Sheryl Morgan made the first reading of Bill No. 5009 by title; copies of the proposed Bill having previously been made available to the public.

Councilmember Fowler moved to approve Bill No. 5009 upon its first reading and proceed with the second reading at the Council meeting on September 6, 2022. Motion seconded by Councilmember Kaylor and carried unanimously.

**PUBLIC HEARING –
REZONING (RZ-06-22-
8359) AND PLANNED
DEVELOPMENT CONCEPT
PLAN (PDC-06-22-8361)
FOR PROVERBS VILLAS &
TOWNHOMES**

Mayor Ross opened the Public Hearing to consider rezoning from Agriculture to Planned Development – Residential for the 76.11 +/- acre low density multi-family development and single-family detached housing located at 28901 SE Wyatt Road (RZ-06-22-8359) and approving a Planned Development Concept Plan for a 221 owner-occupied townhome residences development to allow a low-density multi-family housing and single-family detached housing development (PDC-06-22-8361) at 6:15 p.m. The public hearings were continued from August 1, 2022, without testimony. The minutes of the public hearing were recorded by a certified court reporter. City Clerk Sheryl Morgan entered three exhibits into the record.

STAFF REPORT

Associate Planner Jamarcus Magee reviewed the details of the proposed rezoning and planned development concept plan and addressed questions from the Council.

APPLICANT

Steven Hooks, Dominique Davison, Melissa Phillips, and Andrew Robertson spoke on behalf of the applicant and answered questions from Council. Kalon Breckenridge was available to address questions on behalf of the applicant.

IN SUPPORT OF

David Mann spoke in support of the project.

IN OPPOSITION TO

Mary Anne Wiley, Jeffrey Lisec, Jay Ryan, Christy Yager, James Mullen, Jean Harris, Brian Bentrop, Christopher Nichols, William Wiley, Crystal Nichols, Timothy Mings, Martin Underwood, Jane Mings, Calex Gonzalez, Ajaz Ali, Kathryn Gonzalez, Adam Kriz, Steve Lanier, David Smith, Debbie Robbins, Bob Burns, and Lyle Alderson spoke in opposition to the project.

The applicant representatives responded to some of the citizen statements in opposition to the project.

COUNCIL DISCUSSION

Staff and the applicant addressed questions from the City Council.

The Mayor hearing no further comments for or against, closed the public hearing at 8:41 p.m.

**INTRODUCTION AND 1ST
READING – BILL NO. 5010
– REZONING FOR
PROVERBS VILLAS &
TOWNHOMES
(RZ-06-22-8359)**

Councilmember Fowler introduced Bill No. 5010 approving a rezone from Agriculture to Planned Development – Residential for the 76.11 +/- acre low density multi-family development and single-family detached housing located at 28901 SE Wyatt Road (RZ-06-22-8359). City Clerk Sheryl Morgan made the first reading of Bill No. 5010 by title; copies of the proposed Bill having previously been made available to the public. The City has received enough legally valid protest petitions from the owners of 30% or more within the area determined by lines drawn parallel to and 185 feet distant from the boundaries of the district proposed to be changed. Therefore, any an amendment to the official Zoning Map (rezoning) shall not become effective except by the favorable vote of two-thirds of all of the members of the City Council.

Councilmember Fowler moved to approve Bill No. 5010 upon its first reading and proceed with the second reading. Motion seconded by Councilmember Kaylor and **failed** on first reading as follows:

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

**BILL NO. 5011 –
PLANNED DEVELOPMENT
CONCEPT PLAN FOR
PROVERBS VILLAS &
TOWNHOMES (PDC-06-22-
8361)**

Mayor Ross announced that Bill No 5011 would not be read as the corresponding Bill rezoning the property failed.

**PUBLIC HEARING –
REZONING (RZ-07-22-
8390) AND PLANNED
DEVELOPMENT CONCEPT
PLAN (PDC-07-22-8391)
FOR WILLOW CREEK
ESTATE**

Mayor Ross opened the Public Hearing to consider rezoning from Large Lot Single Family/Planned Residential Overlay to Planned Development (RZ-07-22-8390) and approval of a Planned Development Concept Plan for 31.13 +/- acres for property located at 1200 SE Woodbine Drive to develop one single-family home on 3.00 +/- acres of land and leave the remaining 28 +/- acres vacant for future development (PDC-07-22-8391) at 8:41 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 rezoning and planned development concept plan and addressed questions from the Council.

APPLICANT

Applicant Dan McClanahan presented details on the proposed project and answered questions from Council.

IN OPPOSITION TO

Martin Aholt spoke in opposition to the request. Chris Hicks was present but did not add additional comments.

COUNCIL DISCUSSION

Community Development Director clarified specifics relating to Planned Development and zoning requirements.

**APPLICANT COMMENTS
IN RESPONSE TO
COUNCIL QUESTIONS**

The applicant stated he would agree to tying the Rezoning ordinance to the Planned Development Concept Plan.

Councilmember Ericson moved to continue the public hearing and consideration of Bill No. 5012 Rezoning and Bill No. 5013 approving the Planned Development Concept Plan to the September 6, 2022 City Council meeting to allow time to work with the applicant to determine how to combine the two ordinances to tie the Planned Development Concept Plan and Rezoning together. Motion seconded by Councilmember Fowler and carried with the following votes:

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

**WILLOW CREEK ESTATE
BILL NO. 5012 –
REZONING (RZ-07-22-
8390) AND BILL NO. 5013
PLANNED DEVELOPMENT
CONCEPT PLAN
(PDC-07-22-8391)**

Continued to September 6, 2022 during public hearing.

**PUBLIC HEARING –
CONDITIONAL USE
PERMIT FOR VALLEY
OAKS MEATS (CUP-07-22-
8379)**

Mayor Ross opened the Public Hearing to consider a Conditional Use Permit to allow the “General Industry” primary use and “Stockyards/Holding Pens” accessory use in the Light Industrial zoning district, to continue the meat processing business on property located at 110 NW 12th Street (CUP-07-22-8379) at 9:15 p.m. The

minutes of the public hearing were recorded by a certified court reporter. City Clerk Sheryl Morgan entered two exhibits into the record.

STAFF REPORT

Associate Planner Adair Bright reviewed the details of the proposed conditional use permit and addressed questions from the Council.

APPLICANT

Bryan Rahn of Valley Oaks reviewed the request, presented a presentation with details and answered questions from Council.

After further Council comments, the Mayor hearing no comments for or against, closed the public hearing at 9:44 p.m.

INTRODUCTION AND 1ST READING – BILL NO. 5014 – CONDITIONAL USE PERMIT FOR VALLEY OAKS MEATS (CUP-07-22-8379)

Councilmember Culpepper introduced Bill No. 5014 approving a Conditional Use Permit to allow the “General Industry” primary use and “Stockyards/Holding Pens” accessory use in the Light Industrial zoning district, to continue the meat processing business on property located at 110 NW 12th Street (CUP-07-22-8379). City Clerk Sheryl Morgan made the first reading of Bill No. 5014 by title; copies of the proposed Bill having previously been made available to the public.

Councilmember Fowler moved to approve Bill No. 5014 upon its first reading and proceed with the second reading. Motion seconded by Councilmember Kaylor and carried with a vote of 5-2 with Councilmembers Fowler and Ericson voting No.

2ND READING – BILL NO. 5014

Ms. Morgan made the second reading of Bill No. 5014 by title. Councilmember Fowler moved to adopt Bill No. 5014 upon its second reading and give it **ORDINANCE NO. 5142**, with a copy attached hereto and made a part of the minutes. Motion seconded by Councilmember Kaylor and carried with the following vote:

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

PUBLIC HEARING – CONDITIONAL USE PERMIT FOR AM CUSTOMS (CUP-07-22-8392)

Mayor Ross opened the Public Hearing to consider approving a Conditional Use Permit allowing the operation of a window tinting business located at 2620 SW 7 Highway (CUP-07-22-8392) at 9:45 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

Associate Planner Jamarcus Magee reviewed the details of the proposed conditional use permit and addressed questions from the Council.

APPLICANT

Anthony Vick of AM Customs Window Tinting responded to questions from the Council.

The Mayor hearing no further comments for or against, closed the public hearing at 9:51 p.m.

INTRODUCTION AND 1ST READING – BILL NO. 5015 – CONDITIONAL USE PERMIT FOR AM CUSTOMS (CUP-07-22-8392)

Councilmember Culpepper introduced Bill No. 5015 approving a Conditional Use Permit allowing the operation of a window tinting business located at 2620 SW 7 Highway (CUP-07-22-8392). City Clerk Sheryl Morgan made the first reading of Bill No. 5015 by title; copies of the proposed Bill having previously been made available to the public.

Councilmember Fowler moved to approve Bill No. 5015 upon its first reading and proceed with the second reading. Motion seconded by Councilmember Kaylor and carried unanimously.

2ND READING – BILL NO. 5015

Ms. Morgan made the second reading of Bill No. 5015 by title. Councilmember Fowler moved to adopt Bill No. 5015 upon its second reading and give it **ORDINANCE NO. 5143**, with a copy attached hereto and made a part of the minutes. Motion seconded by Councilmember Kaylor and carried with the following vote:

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

PUBLIC HEARING – GENERAL DEVELOPMENT PLAN FOR FLEX SPACES (GDP-07-22-8338) – MOTION TO CONTINUE

Mayor Ross advised the Council the applicant, Matt Hendrickson on behalf of the property owner, Don D. White Living Trust Dated 6/21/2010, has requested a continuance of the public hearing to the September 6, 2022 Council Meeting. Councilmember Culpepper moved to continue the public hearing for consideration of a General Development plan to offer a light industrial/ flex garage space intended for small business tenants located at 3420 NW Duncan Road and 3301 NW Jefferson Street (GDP -07-22-8338) to the September 6, 2022, City Council meeting. Motion seconded by Councilmember Ericson and carried unanimously.

PUBLIC HEARING – SITE PLAN DESIGN REVIEW APPEAL FOR JB MOORE INVESTMENTS/EAST 40 BREWING PARK (SPDR-06-22-8338) – MOTION TO CONTINUE

Mayor Ross advised the Council the applicant, JB Moore Investments LLC on behalf of the property owner, Jeff Moore, has requested a continuance of the public hearing to the September 6, 2022 Council Meeting. Councilmember Culpepper moved to continue the public hearing for consideration of an appeal of the Planning Commission's denial of a Site Plan Design Review with Alternative Development Standards per Sec. 403.010.A.3.f. of the Code of Ordinances (SPDR-06-22-8338) be continued to the September 6, 2022 City Council meeting. Motion seconded by Councilmember Kaylor and carried unanimously.

INTRODUCTION AND 1ST READING – BILL NO. 5016 – WATER PURCHASE CONTRACT WITH TRI-COUNTY WATER AUTHORITY

Councilmember Culpepper introduced Bill No. 5016 authorizing a 20-year agreement with Tri-County Water Authority for the purchase of water. City Clerk Sheryl Morgan made the first reading of Bill No. 5016 by title; copies of the proposed Bill having previously been made available to the public.

Councilmember Fowler moved to approve Bill No. 5016 upon its first reading and proceed with the second reading. Motion seconded by Councilmember Fowler and carried unanimously.

2ND READING – BILL NO. 5016

Ms. Morgan made the second reading of Bill No. 5016 by title. Councilmember Fowler moved to adopt Bill No. 5016 upon its second reading and give it **ORDINANCE NO. 5144**, with a copy attached hereto and made a part of the minutes. Motion seconded by Councilmember Kaylor and carried with the following vote:

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

INTRODUCTION AND 1ST READING – BILL NO. 5017 – FY 2021-22 BUDGET AMENDMENT

Councilmember Culpepper introduced Bill No. 5017 amending the 2021-22 annual budget increasing the previously adopted and amended budget of \$90,144,933 by \$3,533,576 to \$93,678,509. City Clerk Sheryl Morgan made the first reading of Bill No. 5017 by title; copies of the proposed Bill having previously been made available to the public.

Councilmember Fowler moved to approve Bill No. 5017 upon its first reading and proceed with the second reading. Motion seconded by Councilmember Kaylor and carried unanimously.

2ND READING – BILL NO. 5017

Ms. Morgan made the second reading of Bill No. 5017 by title. Councilmember Fowler moved to adopt Bill No. 5017 upon its second reading and give it **ORDINANCE NO. 5145**, with a copy attached hereto and made a part of the minutes. Motion seconded by Councilmember Kaylor and carried with the following vote:

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

MAYORAL ANNOUNCEMENTS

Thoughts to Ponder:
“Success is not final, failure is not fatal; it is the courage to continue that counts.”

(Winston Churchill)

CLOSED SESSION

At 9:57 p.m., Councilmember Kaylor moved for the Council go into closed session pursuant to Section 610.021(3) Revised Statutes of Missouri, for the purpose of privileged communications between a governmental body or its representative and legal counsel relating to personnel matters, 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 Edmondson and carried with the following votes:

Lievsay – Aye
Fowler – Aye
Ericson – Aye

Edmondson – Aye
Culpepper – Aye
Kaylor – Aye
Mayor Ross – Aye

ATTEST



Sheryl Morgan, City Clerk

CITY OF BLUE SPRINGS



Carson Ross, Mayor