Kansas City

414 E. 12th Street Kansas City, MO 64106



Meeting Minutes - Final

Thursday, March 3, 2022 3:00 PM

https://us02web.zoom.us/s/89195928794

Council Chambers

<u>Council</u>

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Meeting Minutes - Final

March 3, 2022

CHAPLAIN OF THE MONTH:

PLEDGE OF ALLEGIANCE:

This matter was

Present: Heather Hall, Kevin O'Neill, Teresa Loar, Dan Fowler, Brandon Ellington, Melissa Robinson, Katheryn Shields, Eric Bunch, Lee Barnes, Ryana Parks-Shaw, Andrea Bough, Kevin McManus, and Quinton Lucas

ROLL CALL:

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PUBLIC OBSERVANCE OF MEETINGS:

Members of the City Council may attend this meeting via videoconference.

The public can observe this meeting at the links provided below.

Closed Sessions may be held by teleconference.

SPECIAL ACTIONS:

220171 Honoring the Southside Pre-School for its 46 years of service to the Kansas City youth.

Sponsors: Parks-Shaw, Barnes Jr., McManus, Loar, Lucas, Shields, Bunch, Bough, Fowler, Hall, Robinson and Ellington

A motion was made that this Special Action be Adopted. The motion carried by the following vote:

- Aye: Hall, O'Neill, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus
- Out: Loar, and Lucas
- **220194** Declaring February 28, 2022, as "Walk Like Ajamu Day" and recognizing the contributions and service of Ajamu Webster to the Kansas City community.

Sponsors: Robinson, McManus, Barnes Jr., Loar, Parks-Shaw, Bunch, O'Neill, Lucas, Shields, Fowler, Hall and Ellington

A motion was made that this Resolution be Adopted. The motion carried by the following vote:

- Aye: Hall, O'Neill, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus
- **Out:** Loar, and Lucas

<u>220203</u>	Americans	ig the speakers who participated in the 1st annual ASSET (African Support Success and Encouragement Team) Black History Program ry 13, 2022 until March 1, 2022.
	Sponsors: Barnes Jr., McManus, Loar, Parks-Shaw, Shields, Lucas, Hall, Fowler, Bunch, Bough, Robinson, Ellington and O'Neill A motion was made that this Special Action be Adopted. The motion carried by the following vote:	
	Aye:	Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus
	Out:	Lucas
FINAL READINGS:		

CONSENT DOCKET

DEBATE DOCKET

FINANCE, GOVERNANCE AND PUBLIC SAFETY COMMITTEE

220166 Amending Chapter 2 of the Code of Ordinances of the Kansas City, Missouri, Classification and Compensation Plan, by repealing Sections 2-1075, 2-1076, 2-1077, 2-1078, 2-1079 and 2-1080 and enacting in lieu thereof sections of like numbers and subject matter to complete a salary structure adjustment for all non-exempt and exempt job classifications and pay ranges not covered by a bargaining unit, to remove several job classifications, and to create several job classifications and rename several job classifications; relieving compression by providing a salary increase based on years of City service; exempting salary increases under this ordinance from the requirement to change anniversary dates, and establishing an effective date.

Sponsors: Lucas, O'Neill and Bough

A motion was made by Councilmember Parks-Shaw, seconded by Councilmember Bunch, that this Ordinance be Move to Amend. The motion carried by the following vote:

Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, McManus, and Lucas

A motion was made by Councilmember Parks-Shaw, seconded by Councilmember Bunch, that this Ordinance be Move to Advance. The motion carried by the following vote:

A motion was made that this Ordinance be Passed as Amended. The motion carried by the following vote:

Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, McManus, and Lucas

NEIGHBORHOOD PLANNING AND DEVELOPMENT COMMITTEE

220190 RESOLUTION - Approving an amendment to the Gashland Nashua Area Plan on about 0.5 acres generally located at 8708 N. Oak Trafficway from residential low density to mixed-use neighborhood. (CD-CPC-2022-00001)

A motion was made that this Resolution be Adopted. The motion carried by the following vote:

- Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, McManus, and Lucas
- **220191 RESOLUTION -** Approving an amendment to the Midtown/Plaza Area Plan on about 2.3 acres generally located on the west side of Bell Street in between W. 39th Street to the north and W. 40th Street to the south by changing the recommended land use from mixed-use neighborhood, medium density residential and high density residential to residential urban for the development of a multi-unit apartment building. (CD-CPC-2021-00183)

A motion was made that this Resolution be Adopted. The motion carried by the following vote:

Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, McManus, and Lucas

TRANSPORTATION, INFRASTRUCTURE AND OPERATIONS COMMITTEE

220110 Authorizing a \$21,045,305.53 construction Change Order No. 3 with Ideker, Inc., for Schedule 2 and continued work on the construction project Reconstruct Runway 1L-19R at KCI Airport; and authorizing a maximum expenditure of \$23,100,055.10 for Schedule 2 construction, for a total contract amount of \$44,785,108.11.

This Ordinance wasHeld on Docket

Aye: Hall, O'Neill, Loar, Fowler, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus

Abstain: Ellington

Out: Lucas

COMMITTEE ADVANCES:

This matter was Moved to Waive Charter Requirement

Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus

Out: Lucas

CONSENT DOCKET

DEBATE DOCKET

FINANCE, GOVERNANCE AND PUBLIC SAFETY COMMITTEE

220128 Declaring certain real property generally located at 2524 Prospect Avenue, 2526 Prospect Avenue, 2528 Prospect Avenue, 2530 Prospect Avenue, 2534 Prospect Avenue, and 2536 Prospect Avenue, Kansas City, Missouri 64127 surplus to the City's needs; and authorizing the Director of General Services to offer the sale of the City's interest in this real property in accordance with City regulations, and execute related documents to complete the transfer of the real property while reserving easements, as necessary, for any existing City owned sewer, storm water, and water line infrastructure on the said property.

A motion was made that this Ordinance be Passed. The motion carried by the following vote:

- Aye: Hall, O'Neill, Fowler, Shields, Bunch, Barnes, Parks-Shaw, McManus, and Lucas
- Nay: Ellington, and Robinson
- **Out:** Loar, and Bough
- **220164** Amending Chapter 68, Article VI, Code of Ordinances, by repealing Section 68-393 entitled "Refunds" and enacting in lieu thereof a new section of like number and subject matter to amend the City's tax refund policy to align with state statute.

Sponsors: Lucas

A motion was made that this Ordinance be Passed. The motion carried by the following vote:

220186 Authorizing the Director of Finance to accept a proposal of Banc of America Public Capital Corp ("BAPCC") to finance the acquisition of solid waste bulky item pickup vehicles ("Project"); estimating revenue and appropriating \$1,565,000.00 in the 3230 Fund; authorizing the execution of any and all documents and agreements necessary for the financing; designating requisitioning authorities; authorizing the Director of Finance to close project accounts upon completion; approving lease counsel in connection with the transaction; and declaring the intent of the City to reimburse itself from the lease purchase proceeds for certain expenditures.

A motion was made that this Ordinance be approved. The motion carried by the following vote:

Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus

Out: Lucas

NEIGHBORHOOD PLANNING AND DEVELOPMENT COMMITTEE

220188 Vacating a portion of an alley in District UR (Urban Redevelopment) generally located north of E. 31st Street in between Gillham Road to the west and Cherry Street to the east, to allow for construction of 163 apartment units; and directing the City Clerk to record certain documents. (CD-ROW-2021-00031)

A motion was made that this Ordinance be Passed. The motion carried by the following vote:

- Aye: Hall, Loar, Fowler, Ellington, Robinson, Shields, Barnes, Parks-Shaw, Bough, and McManus
- Nay: O'Neill, and Bunch

Out: Lucas

220189 Rezoning an area of approximately 0.5 acres generally located at 8708 N. Oak Trafficway from District R-1.5 to District B1-1 to allow for a coffee shop. (CD-CPC-2021-00248)

A motion was made that this Ordinance be Passed. The motion carried by the following vote:

Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus

Out: Lucas

220192 Rezoning an area of about 2.3 acres generally located on the west side of Bell St in between W 39th St to the north and W 40th St to the south from District B3-2, R-2.5, and R-5 to District R-0.3 and approving a development plan that will also serve as a preliminary plat to allow for a multi-unit apartment building. (CD-CPC-2021-00181 & CD-CPC-2021-00184)

A motion was made that this Ordinance be Passed. The motion carried by the following vote:

- Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Bough, and McManus
- Out: Parks-Shaw, and Lucas

TRANSPORTATION, INFRASTRUCTURE AND OPERATIONS COMMITTEE

220187 Authorizing the Manager of Procurement Services to execute a \$1,096,511.00 Art Purchase Contract with Leo Villareal Studio, Inc., for the acquisition of the sculptural work tentatively titled "Fountain (KCI)" through the One Percent for Art Program at the KCI New Single Terminal project.

Sponsors: Shields

A motion was made that this Ordinance be Passed. The motion carried by the following vote:

- Aye: Hall, O'Neill, Loar, Fowler, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus
- Nay: Ellington
- Out: Lucas
- **220193** Appropriating \$16,266,800.00 from the Unappropriated Fund Balance of the Sewer Fund; authorizing a \$14,788,000.00 construction contract with MegaKC Corporation, for the Birmingham Headworks and Electrical Improvements project; authorizing a maximum expenditure of \$16,266,800.00; authorizing a \$2,263,344.81 Amendment No. 2 to a design professional services contract with CDM Smith, Inc., for the Birmingham Headworks and Electrical Improvements project for a total contract amount of \$4,426,344.81; and authorizing an extension of the term of the design professional services contract with CDM Smith, Inc., for a additional 2 years 9 months for a total term of 8 years 9 months.

A motion was made that this Ordinance be Passed. The motion carried by the following vote:

- Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus
- Out: Lucas

SECOND READINGS:

TRANSPORTATION, INFRASTRUCTURE AND OPERATIONS COMMITTEE

220178 Authorizing the Manager of Procurement Services to execute three Citywide Energy Performance Contracts (ESCO) with Honeywell International Inc., Schneider Electric S.E., and Willdan Group Inc. for Energy Service Companies (ESCO) services; and authorizing six successive one-year renewal options.

FIRST READINGS:

This wasMoved to Waive Charter Requirement

- Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus
- Out: Lucas

FINANCE, GOVERNANCE AND OPERATIONS COMMITTEE

220206 Authorizing the acceptance of a \$80,000.00 grant from the Jackson County COMBAT program to fund the Kansas City Municipal Court Truancy Court Program; estimating and appropriating \$80,000.00 from the Jackson County COMBAT grant to fund the Kansas City Municipal Court Truancy Court Program; designating requisitioning authority; authorizing the Court Administrator to execute a Limited Term Contract for a part-time Case Manager for the Truancy Intervention Program with funds from Account No. 22-2580-275802; and recognizing an accelerated effective date.

This Ordinance was referred to the Finance, Governance and Public Safety Committee, due back on 3/9/2022

- **Aye:** Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, McManus, and Lucas
- **220211** Authorizing the Director of Finance to accept a proposal of Banc of America Public Capital Corp ("BAPCC") to finance the acquisition of Municipal Golf Course Equipment ("Equipment); authorizing the execution of any and all documents and agreements necessary for the financing; estimating revenue and appropriating \$404,000.00 in the 3230 Fund; designating requisitioning authorities; authorizing the Director of Finance to close project accounts; approving Lease Counsel in connection with the transaction; declaring the intent of the City to reimburse itself from the lease purchase proceeds for certain expenditures.

A motion was made that this Ordinance be referred to the Finance, Governance and Public Safety Committee, due back on 3/9/2022. The motion carried by the following vote:

- Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, McManus, and Lucas
- **220216** Establishing the City of Kansas City, Missouri's expectation regarding the utilization of funds appropriated to the Board of Police Commissioners of Kansas City, Missouri from the Community Policing and Prevention Fund; directing the City Auditor to provide certain reporting; requesting the Board present on its use of funds from the Community Policing and Prevention Fund; and directing the Clerk to send a certified copy of this ordinance to the Board.

Sponsors: Lucas

referred to the Finance, Governance and Public Safety Committee

NEIGHBORHOOD PLANNING AND DEVELOPMENT COMMITTEE

220209 Consenting to the rate of front foot special assessment to be levied by the Westport Special Business District; consenting to the proposed uses of the revenues produced therefrom; estimating and appropriating revenue in the amount of \$42,000.00 in the Westport Special Business District Fund; re-estimating and re-appropriating the remaining uncollected revenues and unexpended and unencumbered appropriations to the 2022-23 Fiscal Year; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

This Ordinance was referred to the Neighborhood Planning and Development Committee, due back on 3/9/2022

- Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, McManus, and Lucas
- **220210** Consenting to the rate of front foot special assessment to be levied by the Union Hill Special Business District; consenting to the proposed uses of the revenues produced therefrom; estimating and appropriating revenue in the amount of \$64,000.00 in the Union Hill Special Business District Fund; re-estimating and re-appropriating the remaining uncollected revenues and unexpended and unencumbered appropriations to the 2022-23 Fiscal Year; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

This Ordinance was referred to the Neighborhood Planning and Development Committee, due back on 3/9/2022

220212 Approving a Kansas City Brownfields Regional Coalition Revolving Loan Fund Program loan application submitted by Zhou B Art Center LLC for remediation of the former Crispus Attucks Elementary School in the amount of \$200,000.00; authorizing the Director of City Planning and Development to execute the necessary loan documents; and recognizing this ordinance as having an accelerated effective date.

This Ordinance was referred to the Neighborhood Planning and Development Committee, due back on 3/9/2022

- Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, McManus, and Lucas
- **220213** Rezoning an approximately 3.3 acre tract of land generally located at the southwest corner of N.E. 96th Street and Interstate 435 from R-80 to AG-R and approving a development plan for a second building to be constructed for the use of horticultural services/lawn care and landscaping services. (CD-CPC-2021-00190 and CD-CPC-2021-00191)

Sponsors: O'Neill

This Ordinance was referred to the Neighborhood Planning and Development Committee, due back on 3/9/2022

Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, McManus, and Lucas

SPECIAL COMMITTEE FOR LEGAL REVIEW

220214 Authorizing the City Attorney to execute a memorandum of understanding with the State of Missouri to govern the allocation of opioid settlement funds between the state and local governments resulting from certain national opioid litigation settlements.

Sponsors: Lucas

This Resolution was referred to the Special Committee for Legal Review, due back on 3/8/2022

220217 RESOLUTION - Establishing the City's priorities regarding the use of proceeds received from certain national opioid litigation settlements; and directing the City Manager to develop a plan of program implementation and fund utilization that is consistent with the national settlement's approved uses and the Council's established priorities.

Sponsors: Lucas

This Resolution was referred to the Special Committee for Legal Review, due back on 3/8/2022

Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, McManus, and Lucas

TRANSPORTATION, INFRASTRUCTURE AND OPERATIONS COMMITTEE

220205 Authorizing a \$540,575.00 Design Professional Services Amendment No. 4 to Contract No. 1174, with Black and Veatch Corporation, for the In-Line Storage: OK Creek Gates project; authorizing an extension of the term of the contract for an additional two years for a total term not to exceed eight years without further City Council approval; and authorizing a total contract amount of \$1,980,000.00.

This Ordinance was referred to the Transportation, Infrastructure and Operations Committee, due back on 3/9/2022

- Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, McManus, and Lucas
- **220208** Authorizing the Manager of Procurement Services to execute a contract amendment with LAZ Parking Midwest, LLC for Multi-Garage Operations Management Services by adding \$522,898.00 for a total contract amount of \$2,306,183.00.

This Ordinance was referred to the Transportation, Infrastructure and Operations Committee, due back on 3/9/2022

- Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, McManus, and Lucas
- **220215** Authorizing the City Manager to enter into a Cooperative Agreement with the Kansas City Area Transportation Authority (KCATA) for the funding, design, construction and implementation of certain transportation infrastructure improvements.

Sponsors: Lucas

This Ordinance was referred to the Transportation, Infrastructure and Operations Committee, due back on 3/9/2022

FLOOR INTRODUCTIONS

220207 Honoring Women's History Month and celebrating Kansas City-based Willoughby Design's AIGA (the professional association for design) recognition as the longest, continuously running Women-Owned Graphic Design Firm in the United States.

Sponsors: Bough, McManus, Barnes Jr., Loar, Parks-Shaw, Fowler, Lucas, Bunch, O'Neill and Robinson

A motion was made by Councilmember Bough, seconded by Councilmember Parks-Shaw, that this Special Action be Move to Suspend Rules. The motion carried by the following vote:

- Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus
- Out: Lucas

A motion was made that this Special Action be Adopted. The motion carried by the following vote:

Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus

Out: Lucas

220218 Approving the plat of Sara's Meadow - First Plat, an addition in Clay County, Missouri, on approximately 66.35 acres generally located on the east side of N. Reinking Road, the west side of N. Eastern Avenue, at the midpoint south of N.E. 108th Street and north of N.E. Shoal Creek Parkway, creating 103 lots for the purpose of constructing single family homes and 7 tracts for the purpose of private open space and storm water detention; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk record ordinance and attached documents. to this (CLD-FnPlat-2022-00005)

Sponsors: Hall

This Ordinance was Move To Introduce

Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, McManus, and Lucas

A motion was made that this Ordinance be referred to the Neighborhood Planning and Development Committee, due back on 3/9/2022. The motion carried by the following vote:

220219 Approving and authorizing settlement of actions entitled *Craig Adams, et al. v. City of Kansas City*, Case No. 4:19-cv-00093, and IAFF Local 42 Grievance 36-17 for the total amount of \$4,000,000.00; and reducing the contingent appropriation and re-appropriating \$4,000,000.00 within the General Fund.

Sponsors: O'Neill

This Ordinance wasMove To Introduce

- Aye: Hall, O'Neill, Fowler, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus
- Nay: Ellington
- **Out:** Loar, Robinson, and Lucas

A motion was made by Councilmember O'Neill, seconded by Councilmember Fowler, that this Ordinance be Move to Advance. The motion carried by the following vote:

- Aye: Hall, O'Neill, Fowler, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus
- Nay: Ellington
- **Out:** Loar, Robinson, and Lucas

This Ordinance wasPassed

- Aye: Hall, O'Neill, Fowler, Shields, Bunch, Barnes, Parks-Shaw, Bough, and McManus
- **Out:** Loar, Ellington, Robinson, and Lucas

COMMUNICATIONS:

220204 Notice to the City Clerk from Edgewood Farms Community Improvement District regarding the District's period ending April, 2021 Annual Report.

A motion was made that this Communication be received and filed. The motion carried by the following vote:

Aye: Hall, O'Neill, Loar, Fowler, Ellington, Robinson, Shields, Bunch, Barnes, Parks-Shaw, Bough, McManus, and Lucas

MISCELLANEOUS BUSINESS:

1. Closed Session

• Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys; or

• Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate; or

• Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters; or

• Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations; or

• Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding; or

• Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or

• Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors; or

• Pursuant to Section 610.021 subsections 20 and 21 of the Revised Statutes of Missouri to discuss security systems for operation of a computer system or computer network.

2. Members of the City Council may attend this meeting via videoconference. The public can observe this meeting at the links provided below.

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• Livestream on the city's website at www.kcmo.gov/clerk: Quick Links, Video on Demand, Click on "View" for desired meeting

• Livestream on the city's YouTube channel at https://www.youtube.com/watch? v=3hOuBlg4fok

• Watch Channel 2 on your cable system.

The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.

The City Clerk's Office now has equipment for the hearing impaired for use with every meeting. To check out the equipment please see the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary and she will give you the equipment. Upon returning the equipment your license will be returned.