CITY OF BLUE SPRINGS, MISSOURI
MINUTES OF COUNCIL MEETING
MARCH 4, 2024

A meeting of the City Council of the City of Blue Springs, Missouri, was held on Monday, March 4, 2024, 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 Christine Cates, Interim City Attorney John Mullane, and 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 Classy Clovers 4-H Club led in the pledge of allegiance. The City Clerk confirmed a quorum of the Council was present.

CONSENT AGENDA

Councilmember Edmondson moved to approve the following Consent Agenda items and the motion was seconded by Councilmember Ericson.

- **Minutes of the February 21, 2024** City Council Meeting
- **Resolution 14-2024** approving a purchase in the amount of $82,386.77 from Chefs Depot dba Culinary Depot for concession equipment for Blue Surf Bay Waterpark, CIP project PR-40.
- **Resolution 15-2024** approving Amendment #3 in the amount of $24,657.50 with Shawnee Mission Tree Services, Inc. dba Arbor Masters for Tree Services Contract No. 2021-078. This Amendment exceeds the administrative authority to approve contracts in Section 115.160 of the Blue Springs Code of Ordinances.
- **Resolution 16-2024** approving Amendment #5 to Contract No. 2015-138 in the amount of $45,000 with Central Power Systems and Services, Inc. now known as Central Power Systems and Services, LLC for Generator Maintenance and Repair. This Amendment #5 exceeds the administrative authority to approve contracts in Section 115.160 of the Blue Springs Code of Ordinances.
- **Resolution 17-2024** approving the disposition of Information Technology and Police 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.

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

Kaylor – Aye
Ericson– Aye

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

PUBLIC HEARING – HOOT OWL MEADOWS REZONING AND GENERAL DEVELOPMENT PLAN (RZ-10-23-8939) AND (GDP-10-23-8940)

Mayor Ross opened the Public Hearing to consider a rezone of the property located at the southwest corner of E Wyatt Road and S Litchford Road from Agriculture - County to Single-Family Large Lot (RZ-10-23-8939) at 6:04 p.m. The applicant is also requesting a General Development Plan with Alternative Development Standards for 133.43 +/- acres to allow for 231 single-family lots and twelve open space tracts (GDP-10-23-8940) for Hoot Owl Meadows. The public hearing was continued from the December 18, 2023, January 16, 2024, and February 5, 2024 City Council meetings without testimony. The minutes of the public hearing were recorded by a certified court reporter. City Clerk Erin Ford entered one exhibit into the record.

STAFF REPORT

Senior Planner Adair Bright reviewed the details of the proposed Rezoning and General Development Plan and addressed questions from the Council.

APPLICANT

Applicant Justin Larkin was present and addressed questions from Council.

IN OPPOSITION TO

Becky Dowell Aholt, Karin Evans, David Knust, Adam Kriz, Tonya Parker, Jay Ryan, AJ Ali, Steve Lanier, Shirley Houghton, Steve Smith and Martin Underwood spoke in opposition.

The Mayor hearing no further comments for or against, closed the public hearing at 7:24 p.m.

INTRODUCTION AND 1ST READING – BILL NO. 5194 – HOOT OWL MEADOWS REZONING (RZ-10-23-8939)

Councilmember Culpepper introduced Bill No. 5194 approving a rezoning of the property located at the southwest corner of E Wyatt Road and S Litchford Road from Agriculture - County to Single-Family Large Lot for Hoot Owl Meadows (RZ-10-23-8939). City Clerk Erin Ford made the first reading of Bill No. 5194 by title; copies of the proposed Bill having previously been made available to the public.

Councilmember Fowler moved to approve Bill No. 5194 upon its first reading and proceed with the second reading. Motion seconded by Councilmember Kaylor.

MOTION TO CONTINUE

After Council discussion, Councilmember Lievsay moved to continue the Hoot Owl Meadows Rezoning (RZ-10-23-8939) and General Development Plan (GDP-10-23-8940) to the March 18, 2024 City Council meeting. Motion seconded by Councilmember Culpepper and carried with the following vote:

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

PRESENTATION - CODE AMENDMENT REGARDING BACKYARD CHICKENS

Senior Director of City Development Mike Mallon presented a proposed Ordinance related to backyard chickens and addressed questions from Council.

INTRODUCTION AND 1ST READING – BILL NO. 5196 – CODE AMENDMENT REGARDING BACKYARD CHICKENS

Councilmember Culpepper introduced Bill No. 5196 approving a Bill Amending Chapter 215: Dogs, Cats, and Dangerous Animals, of the Code of Ordinances, adding Section 215.127: Regulation of Backyard Chickens and amending Section 215.125 Livestock and Farm Animals and Section 215.030 Number of Animals - Residential Restriction. City Clerk Erin Ford made the first reading of Bill No. 5196 by title; copies of the proposed Bill having previously been made available to the public.

Councilmember Fowler moved to approve Bill No. 5196 upon its first reading and proceed with the second reading. Motion seconded by Councilmember Kaylor.

MOTION TO AMEND - CARRIED

Councilmember Culpepper moved to amend the table in Section 215.127 – F.4b to change the maximum height of chicken structures from ten feet to seven feet. Motion seconded by Councilmember Ericson and carried, with Councilmember Lievsay voting no.

SECOND MOTION TO AMEND – FAILED

Councilmember Lievsay moved to amend the table in Section 215.127 – F.2a lot size requirement from 0.20-0.49 acres to 0.20-0.99 acres. Motion seconded by Councilmember Edmondson and **failed** with the following vote:

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

THIRD MOTION TO AMEND - FAILED

Councilmember Lievsay moved to amend Section 215.127 – F.4d to remove the requirement of a six-foot fence. Motion seconded by Councilmember Edmondson and **failed** with the following vote:

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

FOURTH MOTION TO AMEND - CARRIED

Councilmember Lievsay moved to amend Section 215.127 - C. Definitions to expand the definition of backyard chickens to include ducks. Motion seconded by Councilmember Edmondson and carried with the following vote:

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

FIFTH MOTION TO AMEND - FAILED

Councilmember Fowler moved to amend Bill No. 5196 to remove the requirement for a permit and inspection. Motion seconded by Councilmember Lievsay and **failed** with the following vote:

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

SIXTH MOTION TO AMEND - CARRIED

Councilmember Fowler moved amend Section 215.127 – C. Definitions to include Supervision as, "Under supervision shall mean that an owner, keeper, harborer or maintainer of an animal is in a position which allows him to maintain visual contact with the animal and allow him to readily respond to the event that a threat is posed to the animal or the animal poses a threat to another human being or animal." Motion seconded by Councilmember Culpepper and carried unanimously.

SEVENTH MOTION TO AMEND - CARRIED

Councilmember Ericson moved to amend the table in Section 215.127 – F.2a for lots with three or more acres to have any chickens or enclosure 400 feet from the nearest property. Motion seconded by Councilmember Edmondson and carried with the following vote:

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

VOTE ON FIRST READING OF BILL 5196, AS AMENDED FOUR TIMES

Bill 5196, as amended four times, **failed** on the first reading with the following vote:

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

VISITORS

Jennifer Irey spoke on behalf of the Citizens for Backyard Hens.

MAYORAL ANNOUNCEMENTS

Thoughts to Ponder:

> "Did you know that the human voice is the only pure instrument? That it has notes no other instrument has? It's like being between the keys of a piano. The notes are there, you can sing them, but they can't be found on any instrument."
>
> (Nina Simone)

ADJOURNMENT

At 8:42 p.m., there was no further business to come before the Council, Councilmember Lievsay moved the meeting be adjourned. Motion seconded by Councilmember Ericson and carried unanimously.

CITY OF BLUE SPRINGS

ATTEST

Erin M. Ford

Erin Ford, City Clerk

Carson Ross, Mayor