

The City of Lee's Summit Action Letter

City Council - Regular Session

Tuesday, April 9, 2024
6:00 PM
City Council Chambers
and Via Video Conference
220 SE Green Street
Lee's Summit, MO 64063
REGULAR SESSION NO. 69

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, April 9, 2024 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, April 8, 2024, to the City Clerk at 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's website at WatchLS.net, and on various cable providers (Spectrum Channel 2, AT&T U-Verse Channel 99 and Comcast Channel 7).

Preliminaries:

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

Mayor Baird called Regular Session No. 69 to order at 6:05 pm.

D. Roll Call

Councilmember Hodges was absent at the time of the Roll Call but was present just before the Public Hearing at 6:10pm.

Present: 9 - Mayor Bill Baird

Councilmember Fred DeMoro Councilmember Phyllis Edson Councilmember Andrew Felker Councilmember Faith Hodges Councilmember Beto Lopez Councilmember John Lovell Councilmember Mia Prier Councilmember Hillary Shields

1. Approval of Agenda

ACTION:

Mayor Baird moved Public Comments to immediately follow the Public Hearing.

A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, to approve the agenda as amended. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

Absent: 1 - Councilmember Hodges

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, to approve the Consent Agenda, Items 2.A. & 2.I. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Hodges

A. 2024-6163 Approval of City Council Action Letter for March 26, 2024.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, to approve the City Council Action Letter from March 26, 2024 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

Absent: 1 - Councilmember Hodges

B. 2024-6197 Mayor's Appointments (Simple Majority Vote):

Housing Authority: Appoint John Hightower to replace Emmet Pierson, Jr. (resigned), term to expire 05-04-26 and appoint LaTonya Samuels to replace Barbara Henson (resigned), term to expire 05-04-25.

Water Utilities Advisory Board: Reappoint Bryon Livingston and appoint Rick Poeschl, terms to expire 3-1-27 and appoint Alli Kisner and Phil Evans, terms to expire 3-1-26.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, to approve the Mayor's Appointments (Simple Majority Vote) as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

Absent: 1 - Councilmember Hodges

C. 2024-6217 Mayor's Appointment (Two-thirds Majority Vote):

Water Utilities Advisory Board: Reappoint Glen Jones, term to expire 3-1-27.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, to approve the Mayor's Appointments (Two-Thirds Majority Vote) as part of the Consent Agenda. The motion carried by the following vote:

Ave: 8 - Mayor Baird

Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

Absent: 1 - Councilmember Hodges

D. BILL NO. 24-057

An Ordinance approving a Preliminary Development Plan (Phase 1) and Conceptual Development Plan (Phase 2) for land located at 1151 NW Ward Road, 1201 NW Ward Road and 1231 NW Ward Road for Summit Orchards North, all in accordance with the provisions of Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the city of Lee's Summit, Missouri.

(Note: First read by Council on March 26, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 24-057 be adopted and numbered Ord. No. 9883 as part of the Consent Agenda. The motion carried by the following vote:

Ave: 8 - Mayor Baird

Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Hodges

E. <u>BILL NO.</u> 24-058

An Ordinance granting a Special Use Permit for outdoor automobile storage in districts PI (Planned Industrial) and PMIX (Planned Mixed Use) on land located at 101 SW Oldham Parkway, 1051 SW Jefferson Street, 1204 SW Jefferson Street, 1206 SW Market Street and 1210 SW Market Street, for a period of five (5) years, all in accordance with Article 6 of the Unified Development Ordinance, for the City of Lee's Summit, Missouri.

(Note: First read by Council on March 26, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 24-058 be adopted and numbered Ord. No. 9884 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

Absent: 1 - Councilmember Hodges

F. BILL NO. 24-059

An Ordinance Approving the Removal of Property from the Colbern Ridge

Community Improvement District

(Note: First read by Council on March 26, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 24-059 be adopted and numbered Ord. No. 9885 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

Absent: 1 - Councilmember Hodges

G. BILL NO. 24-060

An Ordinance approving the Petition for Establishment of the Bayberry Crossing Community Improvement District.

(Note: First read by Council on March 26, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 24-060 be adopted and numbered Ord. No. 9886 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

Absent: 1 - Councilmember Hodges

H. BILL NO. 24-061

An Ordinance approving the Bayberry Crossing Land Clearance for

Redevelopment Authority (LCRA) Redevelopment Plan

(Note: First read by Council on March 26, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 24-061 be adopted and numbered Ord. No. 9887 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

Absent: 1 - Councilmember Hodges

BILL NO. 24-062 An Ordinance approving the Memorandum of Understanding between Suburban Land Reserve, Inc., and the City of Lee's Summit, Missouri, for Development of land owned by Property Reserve, Inc.

(Note: First read by Council on March 26, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 24-062 be adopted and numbered Ord. No. 9888 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

Absent: 1 - Councilmember Hodges

3. Council Roundtable

Councilmember Shields thanked Boy Scout Troop #2195 for hosting her and Councilmember DeMoro last night stating they were very informed and engaged. She also noted the first Farmer's Market of the year would begin this Saturday.

Councilmember Edson noted the opening of Fire Station No. 4 last week that had several members of the City Council as well as staff and citizens in attendance. She further stated the crew moved in to the new facility this week.

4. Public Hearings:

A. 2024-6165

Public Hearing: Application #PL2023-223 - Vacation of Right-of-Way - A portion of NE Hardage Circle right-of-way located north of NE Todd George Road (abutting 1502 NE Hardage Circle); Diana Gronberg, applicant.

Councilmember Felker noted he will recuse himself due to a conflict of interest with his employer.

Mr. Hector Soto, Jr., AICP, Senior Planner, Senior Planner, entered Exhibits 1-17 into the record.

Council Discussion Included:

• There was no discussion.

No one was present to speak in support of or in opposition to this Public Hearing.

This Public Hearing - Sworn was presented.

1) BILL NO. 24-063

An Ordinance vacating a portion of dedicated right-of-way located at the northwest corner of NE Hardage Circle and NE Todd George Road (abutting 1502 NE Hardage Circle) and retaining an easement over a portion of the vacated right-of-way in the City of Lee's Summit, Missouri.

(Note: First read on April 9, 2024. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 24-063 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember DeMoro Councilmember Edson Councilmember Hodges Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

Recused: 1 - Councilmember Felker

5. Presentations:

A. 2024-6205 Presentation: Workforce Investment Initiatives - Attraction, Satisfaction and Retention (ASR) Championship Teams

Council Discussion Included:

- Comparisons with other cities
- Costs involved
- LAGERS moving from 5 year to 3 year 10-day notice to LAGERS
- Timeline on pay and growth plan how long?
 - Best practices and scope
 - How many job descriptions? Approximately 250
 - Career Ladder / Progression
- Additional holidays
- Encouraged to move forward

This Presentation was presented.

B. 2024-6206 Presentation / Discussion: Letter Agreement with Lee's Summit Economic Development Council

Council Discussion Included:

- Redline changes Councilmember Felker made to proposed letter
- Redline changes Councilmember Shield made to the proposed changes
 Councilmember Felker previously made
- Agreed to proposed changes.

This Presentation was presented.

6. Public Comments:

Mr. Jim Huser, Vice President of the Park Board, spoke about the benefits of the Park Impact Fee and how this would not only benefit the parks, but the City as a whole.

Mr. David Gayle, spoke on the loss of Missouri native plants due to development and bush honeysuckle. He hopes to see more to be done to save the native plants and increase their usage in future developments. Mr. Gayle also spoke in favor of the Park Impact Fee and how this would benefit the City.

Ms. Teresa Vollenweider continued to provide information from previous meetings as to the discrepancies on her property lines.

7. Proposed Ordinances Forwarded from Committee:

A. BILL NO. 24-064

An Ordinance approving Amendment No. 12 to the budget for the Fiscal Year ending June 30, 2024, as adopted by Ordinance No. 9704, Ordinance No. 9705, Ordinance No. 9706, Ordinance No. 9707, and Ordinance No. 9708, by amending the authorized expenditures for the City. (F&BC 4/1/24)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 24-064 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird

Councilmember DeMoro

Councilmember Edson

Councilmember Felker

Councilmember Hodges

Councilmember Lopez

Councilmember Lovell

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Councilmember Prier Councilmember Shields

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 24-064 be adopted and numbered Ord. No. 9889. The motion carried by the following vote:

Aye: 9 - Mayor Baird

Councilmember DeMoro

Councilmember Edson

Councilmember Felker

Councilmember Hodges

Councilmember Lopez

Councilmember Lovell

Councilmember Prier

Councilmember Shields

B. BILL NO. 24-065

An Ordinance approving the 2024 Combat Drug Commission LESBI Agreement by and between the City of Lee's Summit, Missouri and Jackson County, Missouri, and authorizing the Mayor to execute the same by and on behalf of the City. (F&BC 4/1/24)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 24-065 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird

Councilmember DeMoro

Councilmember Edson

Councilmember Felker

Councilmember Hodges

Councilmember Lopez

Councilmember Lovell

Councilmember Prier

Councilmember Shields

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 24-065 be adopted and numbered Ord. No. 9890. The motion carried by the following vote:

Ave: 9 - Mayor Baird

Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

C. BILL NO. 24-066

An Ordinance authorizing award of Bid No. 2023-059 for the purchase of a fire station alerting system for use by the fire department to Westnet, LLC in the amount of \$940,321.14 and authorizing the City Manager to enter into an Agreement for the same by and on behalf of the City. (F&BC 4/1/24)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Hodges, that Bill No. 24-066 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird

Councilmember DeMoro Councilmember Edson

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Councilmember Felker

Councilmember Hodges

Councilmember Lopez

Councilmember Lovell

Councilmember Prier

Councilmember Shields

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Hodges, that Bill No. 24-066 be adopted and numbered Ord. No. 9891. The motion carried by the following vote:

Aye: 9 - Mayor Baird

Councilmember DeMoro

Councilmember Edson

Councilmember Felker

Councilmember Hodges

Councilmember Lopez

Councilmember Lovell

Councilmember Prier

Councilmember Shields

D. <u>BILL NO.</u> <u>24-067</u>

An Ordinance approving the award of Contract No. 2024-005-2, to facilitate the implementation of the Workday Enterprise Resource program and Human Capital Management solution to AVAAP U.S.A. LLC., and authorizing the City Manager to execute the same for the City. (F&BC 4/1/24)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Prier, that Bill No. 24-067 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird

Councilmember DeMoro

Councilmember Edson

Councilmember Felker

Councilmember Hodges

Councilmember Lopez

Councilmember Lovell

Councilmember Prier

Councilmember Shields

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Edson, that Bill No. 24-067 be adopted and numbered Ord. No. 9892. The motion carried by the following vote:

Ave: 9 - Mayor Baird

Councilmember DeMoro

Councilmember Edson

Councilmember Felker

Councilmember Hodges

Councilmember Lopez

Councilmember Lovell

Councilmember Prier

Councilmember Shields

E. <u>BILL NO.</u> 24-068

An Ordinance approving the award of Contract No. 2024-005-3, to provide the installation, training, and integration of the cashiering functions with the Workday Enterprise Resource program to Can/Am technologies, Inc., and authorizing the City Manager to execute the same for the City. (F&BC 4/1/24)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Hodges, that Bill No. 24-068 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird

Councilmember DeMoro

Councilmember Edson

Councilmember Felker

Councilmember Hodges

Councilmember Lopez

Councilmember Lovell

Councilmember Prier

Councilmember Shields

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Edson, that Bill No. 24-068 be adopted and numbered Ord. No. 9893. The motion carried by the following vote:

Aye: 9 - Mayor Baird

Councilmember DeMoro

Councilmember Edson

Councilmember Felker

Councilmember Hodges

Councilmember Lopez

Councilmember Lovell

Councilmember Lovel
Councilmember Prier

Councilmember Shields

F. BILL NO. 24-069

An Ordinance approving the award of Contract No. 2024-005-1, to provide a complete Enterprise Resource Program and Human Capital Management solution to Workday, Inc., and authorizing the City Manager to execute the same for the City. (F&BC 4/1/24)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Hodges, that Bill No. 24-069 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird

Councilmember DeMoro

Councilmember Edson

Councilmember Felker

Councilmember Hodges

Councilmember Lopez

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Councilmember Prier

Councilmember Shields

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 24-069 be adopted and numbered Ord. No. 9894. The motion carried by the following vote:

Ave: 9 - Mayor Baird

Councilmember DeMoro

Councilmember Edson

Councilmember Felker

Councilmember Hodges

Councilmember Lopez

Councilmember Lovell

Councilmember Prier

Councilmember Shields

8. Proposed Ordinances - Second Reading:

A. BILL NO. 24-025

An Ordinance approving a Preliminary Development Plan for land located at 3100 NE Carnegie Drive, all in accordance with the provisions of Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

(Note: First read by Council on February 27, 2024. The applicant is requesting the second reading to be postponed to a date certain of May 21, 2024.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 24-025 be adopted.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 24-025 be postponed to a date certain of May 21, 2024. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember DeMoro

Councilmember Edson

Councilmember Hodges

Councilmember Lopez

Councilmember Lovell

Councilmember Prier

Councilmember Shields

Recused: 1 - Councilmember Felker

B. BILL NO. 24-056

An Ordinance granting a Special Use Permit for motorcycle sales, rental or service with outdoor display in District CP-2 on land located at 3100 NE Carnegie Drive, for a period of twenty (20) years, all in accordance with Article 6 of the Unified Development Ordinance for the City of Lee's Summit, Missouri. (Note: First read on March 26, 2024. The applicant is requesting the second reading to be postponed to a date certain of May 21, 2024.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 24-056 be adopted.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 24-056 be postponed to a date certain of May 21, 2024. The motion carried by the following vote:

Aye: 8 - Mayor Baird

Councilmember DeMoro Councilmember Edson Councilmember Hodges Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

Recused: 1 - Councilmember Felker

C. BILL NO. 24-041

An Ordinance adding Article 3, Parks and Recreation Impact Fees, to Chapter 19, Parks and Recreation, of the Lee's Summit Code of Ordinances.

(Note: First read by Council on March 5, 2024.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 24-041 be adopted.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Hodges, that Bill No. 24-041 be tabled. The motion failed by the following vote:

Aye: 2 - Councilmember DeMoro Councilmember Hodges

Nay: 7 - Mayor Baird

Councilmember Edson Councilmember Felker Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Felker, that Bill No. 24-041 be amended to move the effective date to July 1, 2025. The motion carried by the following vote:

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Ave: 9 - Mayor Baird

Councilmember DeMoro Councilmember Edson Councilmember Felker Councilmember Hodges Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Lopez, that Bill No. 24-041 be adopted as amended and numbered Ord. No. 9895. The motion carried by the following vote:

Aye: 7 - Mayor Baird

Councilmember Edson Councilmember Felker Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

Nay: 2 - Councilmember DeMoro Councilmember Hodges

9. Proposed Ordinances - First Reading:

A. BILL NO. 24-070

An Ordinance authorizing the issuance of not to exceed \$15,000,000 principal amount of Special Obligation Bonds (Downtown Market Plaza Project), Series 2024A of The City of Lee's Summit, Missouri, and authorizing certain other documents and actions by the City.

(Note: First read on April 9, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Edson, that Bill No. 24-070 be advance to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird

Councilmember DeMoro Councilmember Edson Councilmember Felker **Councilmember Hodges** Councilmember Lopez Councilmember Lovell Councilmember Prier Councilmember Shields

10. Committee Reports

Councilmember DeMoro stated the Public Works Committee met yesterday their agendas items included the cost sharing contract MODOT for the 291 interchange, the first look at the FY25 Capital Improvement Plan (next step is the public comment period beginning April 15), and a discussion on project delivery methods.

Councilmember Shields noted the Finance and Budget Committee recently met and their agenda included the ERP solutions contract for \$10M which ws adopted by Council tonight and a written report on fund reserve balance by City Manager. She stated suggestions on priority projects should be sent to Mr. Dunning, City Manager, to be included for consideration. She also advised the next Finance and Budget Committee meeting will be held on May 6, 2024 at 4:00pm.

11. Council Comments:

Councilmember Shields thanked Councilmembers Edson and Felker for their service. She appreciates the time they have worked together and for the good discussions they have had during their time together.

Councilmember Prier also thanked Councilmembers Edson and Felker for the help they have provided her over the past two years.

12. Staff Roundtable

Mr. Mark Dunning, City Manager, advised April 15th is the beginning of the Public Comment period for the Capital Improvement Plan project list; April 18th will be the groundbreaking for Hangar 18 at the airport; April 20th the Stream Team will meet at Baxter's at 10am to clean up Langsford Park until noon; and, April 27th the City will host the annual Recyclefest at the Maintenance Facility from 9am - noon.

Mr. Dunning also noted that with the completion of Fire Station No. 4, all 2019 No-Tax Increase Bond Initiatives have been completed.

Lastly, Mr. Dunning also asked the Mayor and all Councilmembers to leave their computers at the dais at the end of this meeting so they can be collected and updated over then next week.

13. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 69 at 8:43 pm.