

The City of Lee's Summit
Action Letter
City Council - Regular Session

Tuesday, July 11, 2023

6:00 PM

City Council Chambers
and Via Video Conference
220 SE Green Street
Lee's Summit, MO 64063

REGULAR SESSION NO. 43

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, July 11, 2023 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, July 10, 2023, 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. 43 to order at 6:03 pm.

D. Roll Call

Present: 8 - Mayor Bill Baird
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Faith Hodges
Councilmember Beto Lopez
Councilmember John Lovell
Councilmember Mia Prier
Councilmember Hillary Shields

Absent: 1 - Councilmember Andrew Felker

1. Approval of Agenda

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

City Council - Regular Session

Action Letter

July 11, 2023

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Felker

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, to approve the Consent Agenda, Items 2.A. - & 2.C. 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

Absent: 1 - Councilmember Felker

A. [2023-5586](#) Approval of City Council Action Letter from June 20, 2023.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, to approve the City Council Action Letter from June 20, 2023 as part of the Consent Agenda. 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

Absent: 1 - Councilmember Felker

B. [BILL NO. 23-129](#) An Ordinance approving the Reinhart Foodservice, LLC Land Clearance for Redevelopment Authority Redevelopment Plan.

(Note: First read by Council on June 20, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 23-129 be adopted and numbered Ord. No. 9709 as part of the Consent Agenda. 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

Absent: 1 - Councilmember Felker

- C. [BILL NO. 23-130](#) An Ordinance approving a Preliminary Development Plan for Dental Depot on land located at 1501 NE Rice Road, 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 June 20, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 23-130 be adopted and numbered Ord. No. 9710 as part of the Consent Agenda. 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

Absent: 1 - Councilmember Felker

3. Council Roundtable

Councilmember Prier thanked the Parks Department for Legacy Blast and noted it had a record-breaking year for attendance. She also noted the Lee's Summit Fire Department recently sent members to St. Joe to cover another Fire Department so they could attend the funeral of Dr. Hall, Medical Director.

Councilmember Shields stated the downtown Lee's Summit Side Walk Sale would be held this weekend with a several opportunities to buy from great local businesses.

4. Public Hearings:

- A. [2023-5703](#) Public Hearing: Application #PL2023-079 - Special Use Permit renewal for automotive sales and major automotive repair - Instant Auto, 2151 NE Independence Avenue; Instant Auto, applicant.

Mr. Hector Soto Jr., Sr. Planner, entered Exhibits 1-18 into the record.

Council discussion included:

- Length of SUP

No one was present to speak in favor of or in opposition to this application.

This Public Hearing - Sworn was presented.

City Council - Regular Session

Action Letter

July 11, 2023

- 1) [BILL NO. 23-141](#) An Ordinance granting a Special Use Permit for an automotive sales and major automotive repair facility in District CP-2 on land located at 2151 NE Independence Avenue, for a period of ten (10) years, all in accordance with Article 33, Unified Development Ordinance, of the Code of Ordinances for the City Of Lee's Summit, Missouri.

(Note: First read by Council on July 11, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Hodges, that Bill No. 23-141 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

Absent: 1 - Councilmember Felker

- B. [2023-5698](#) Public Hearing: Application #PL2023-011 - Rezoning from CP-2 to PMIX and Preliminary Development Plan - Discovery Park - Zone 1, approximately 39.42 acres located at the northwest corner of NE Colbern Road and NE Douglas Street; Intrinsic Development, LLC, applicant.

Mr. Hector Soto Jr., Sr. Planner, entered Exhibits 1-24 into the record.

Council discussion included:

- Amount of multi-family / Commercial
- Timeline for each
- Stream buffer
- Metered parking? - No
- Complete by the World Cup
- Flashing Yellow Light / Colbern & Douglas - Changes to lights?
- Similar to other locations in the City
- Access points
- Hotels - Rooms / suites
- Fire lanes - decor
- Roundabouts

No one was present to speak in favor of or in opposition to this application.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 23-142](#) An Ordinance approving rezoning from District CP-2 (Planned Community Commercial District) to District PMIX (Planned Mixed Use District) and Preliminary Development Plan for Discovery Park - Zone 1 on approximately 39.42 acres of land located at the northwest corner of NE Colbern Road and NE Douglas Street, all in accordance with the provisions of Chapter 33, Unified Development Ordinance, of the Code Of Ordinances for the city of Lee's Summit, Missouri.
(Note. First read by Council on July 11, 2023.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lovell, that Bill No. 23-142 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Nay: 1 - Councilmember Hodges

Absent: 1 - Councilmember Felker

5. Public Comments:

There were no Public Comments

6. Presentations:

- A. [2023-5691](#) Presentation: Conceptual Economic Development Incentive Request - Chapter 100 incentives for the Lakewood Business Park Industrial Project; Ward Development, applicant.

Council discussion included:

- Cost Sharing
- Building within project
- Options

This Presentation was presented.

7. Resolutions:

- A. [RES. NO. 23-18](#) A Resolution authorizing the Mayor to appoint successor directors to the Pine Tree Community Improvement District.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Resolution No. 23-18 be adopted. The motion carried by the following vote:

City Council - Regular Session

Action Letter

July 11, 2023

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Felker

8. Proposed Ordinances - First Reading:

- A. [BILL NO. 23-143](#) An Ordinance approving the Tax Increment Financing Contract and Amended and Restated Community Improvement District Cooperative Agreement for the Discovery Park Project.

(Note: First read by Council on July 11, 2023. Passed by unanimous vote)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lovell, that Bill No. 23-143 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Nay: 1 - Councilmember Hodges

Absent: 1 - Councilmember Felker

- B. [BILL NO. 23-144](#) An Ordinance approving an LCRA Redevelopment Agreement between Kevin Higdon Construction, LLC and the City of Lee's Summit, MO, and authorizing the City Manager to execute the same.

(Note: First read by Council on July 11, 2023. Passed by unanimous vote)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 23-144 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

Absent: 1 - Councilmember Felker

- C. [BILL NO. 23-145](#) An Ordinance approving the Third Amendment to the Real Estate Sale Agreement between the City of Lee's Summit, Missouri, and Archview Properties, LLC, for the sale of City property at 15 and 25 NW Tudor Road. (Note: First read by Council on July 11, 2023. Passed by unanimous vote)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Edson, that Bill No. 23-145 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

Absent: 1 - Councilmember Felker

9. Proposed Ordinances - Second Reading:

- A. [BILL NO. 23-140](#) An Ordinance approving the Redevelopment Contract and the Lease Agreement between the City of Lee's Summit and Ellis Glen, LLC, to implement the Ellis Glen Land Clearance for Redevelopment Authority Redevelopment Plan. (Note: First read by Council on June 20, 2023.)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Shields, that Bill No. 23-140 be adopted and numbered Ord. No. 9711. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Lopez
Councilmember Prier
Councilmember Shields

Nay: 2 - Councilmember Hodges
Councilmember Lovell

Absent: 1 - Councilmember Felker

10. Committee Reports

Councilmember Edson stated the Community and Economic Development Committee will be held tomorrow, Wednesday, July 12, 2023 at 5:00pm.

11. Council Comments:

Mayor Baird stated he received fewer emails that previous years about fireworks, but he would like an update from police and fire on this year's calls for service.

Councilmember Prier said she loves the 4th of July holiday and hearing all the fireworks. Councilmember Lovell stated there is a good balance to be met between too many and how loud and how late they go.

Council agreed there is an issue with how to enforce any fireworks restrictions, but would like to look at possibly remedies with the help of police and fire.

12. Staff Roundtable

Mr. Mark Dunning, City Manager, gave kudos to the Parks for the success of Legacy Blast and to all public safety employees who worked through this, and all, holidays.

13. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 43 at 7:31 pm.

Unless determined otherwise by the Mayor and City Council, no new agenda items shall be considered after 11:00 p.m.

For your convenience, City Council agendas, as well as videos of City Council and Council Committee meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"