



## The City of Lee's Summit

### Final Agenda

### City Council - Regular Session

Tuesday, December 6, 2022

6:00 PM

City Council Chambers  
and Via Video Conference

220 SE Green Street

Lee's Summit, MO 64063

**REGULAR SESSION NO. 22**

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Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, December 6, 2022 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, December 5, 2022, to the City Clerk at [clerk@cityofls.net](mailto: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](http://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
- D. Roll Call

#### **1. Approval of Agenda**

#### **2. Approval of Consent Agenda:**

*Items on the Consent Agenda are routine business matters or proposed ordinances approved unanimously by the Council on First Reading. Consent agenda items may be removed by any Councilmember for discussion as part of the regular agenda.*

- A. [2022-5227](#) Approval of City Council Action Letter from November 15, 2022.
- B. [2022-5289](#) Mayor's Appointment: TIF Commission - Appoint Keith Asel, term to expire 12-15-26.

- C. [BILL NO. 22-235](#) An Ordinance approving a Preliminary Development Plan for Summit Orchards West on land located at 700 NW Ward Road in District PMIX, 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 City Council on November 15, 2022. Passed by unanimous vote.)  
**Presenter:** Brian Benjamin, Applicant Representative  
Joshua Johnson, AICP, Assistant Director of Plan Services
- D. [BILL NO. 22-239](#) An Ordinance ratifying an emergency purchase services agreement between Insituform Technologies USA, LLC and the City of Lee's Summit, Missouri in the amount of \$1,246,064.95 to repair the Scruggs Road Pump Station force mains through the installation of a liner and authorizing the City Manager to execute the same.  
(Note: First read by City Council on November 15, 2022. Passed by unanimous vote.)  
**Presenter:** Jeff Thorn, P.E., Deputy Director of Water Utilities
- E. [BILL NO. 22-240](#) An Ordinance ratifying an emergency purchase between Wiedenmann, Inc. and the City of Lee's Summit, Missouri to repair the Scruggs Road Pump Station force mains in the amount of \$258,200.00 and authorizing the City Manager to execute the same.  
(Note: First read by City Council on November 15, 2022. Passed by unanimous vote.)  
**Presenter:** Jeff Thorn, P.E., Deputy Director of Water Utilities

### 3. Council Roundtable

*Council Roundtable is reserved for items of general interest, community announcements and other such information. Council may ask for clarification or give direction about agenda items or discuss items of an emerging nature.*

### 4. Public Hearings:

*Proposed ordinances considered after a public hearing will be read for the first time and forwarded to a future City Council meeting for second reading, unless deemed to be an emergency as defined in Sec. 3.13(f) of the Lee's Summit Charter. Five affirmative votes are required for approval of second reading.*

- A. [2022-5266](#) Public Hearing: Application #PL2022-349 - Preliminary Development Plan - Nightingale Meadow, 601 SE Douglas Street; Adam Garrett, applicant.  
(Note: This public hearing is to be continued to December 20, 2022 per applicant's request.)  
**Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services  
Adam & Tina Garrett, Owners/Applicants
- B. [2022-5286](#) Public Hearing: Chapter 100 Plan for the Town Centre Industrial Project; Independence Safety Storage North II, LLC, applicant (affiliate of Ward Development)  
**Presenter:** Curt Petersen, Polsinelli Law Firm  
David Bushek, Chief Counsel of Economic Development and Planning

- 1) [BILL NO. 22-241](#) An Ordinance Approving a Plan for a Chapter 100 Project for the Town Centre Industrial Project  
**Presenter:** Curt Petersen, Polsinelli Law Firm  
David Bushek, Chief Counsel of Economic Development and Planning
- C. [2022-5314](#) Public Hearing: Application #PL2022-362 - UDO Amendment - An amendment to Chapter 14, Administration, to provide that the Cultural Commission shall serve as the Historic Preservation Commission of the City of Lee's Summit; City of Lee's Summit, applicant.  
**Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services, Development Services  
Glenda Masters, Cultural Arts Manager, Administration Department
- 1) [BILL NO. 22-242](#) An Ordinance amending the Unified Development Ordinance by amending Section 14.170 and repealing Section 14.180, 14.190 and 14.200 thereof, to provide that the Cultural Commission shall serve as the Historic Preservation Commission of the City of Lee's Summit, Missouri.  
**Presenter:** Glenda Masters, Cultural Arts Manager, Administration Department
- D. [2022-5315](#) Public Hearing: Application #PL2022-364 - UDO Amendment - An amendment to Chapter 8, Site Standards, to clarify and move standards for storage and parking of RVs, boats and utility trailers from the UDO to the Property Maintenance Code of the Code of Ordinances; City of Lee's Summit, applicant..  
**Presenter:** Joshua Johnson, AICP, Assistant Director of Plan Services  
Dan Harper, PE, Assistant Director of Field Services
- 1) [BILL NO. 22-243](#) An Ordinance amending the Lee's Summit Code of Ordinances by Clarifying and moving Article 8, Division II Parking, The Standards for storage and parking of RVs, Boats and Utility Trailers from Chapter 33, the Unified Development Ordinance, to Chapter 16, the Property Maintenance Code of the Code of Ordinances for the City of Lee's Summit, Missouri.  
**Presenter:** Joshua Johnson, AICP, Assistant Director of Plan Services  
Dan Harper, PE, Assistant Director of Field Services
- 2) [BILL NO. 22-244](#) An Ordinance amending Chapter 16, Lee's Summit Property Maintenance Code, by adopting regulations pertaining to vehicle parking and storage regulations for private property of the Code of Ordinances for the City of Lee's Summit, Missouri.  
**Presenter:** Dan Harper, P.E.  
Assistant Director of Development Services

## 5. Public Comments:

*Anyone wishing to address the Mayor and Council during Public Comments will be limited to 3 minutes. Each speaker must fill out a Public Comment Card. The Public Comment Cards are located at the entrance of Council Chambers. After completion, the card is to be given to the City Clerk. Please be concise with comments and respect the 3 minute time limit.*

**6. Presentations:**

- A. [2022-5313](#) Presentation: Sister City Partnership with Ibague, Colombia, Global Prep Squad and the City of Lee's Summit, Missouri.

**Presenter:** Global Prep Squad, Summit Technology Academy

- 1) [RES. NO. 22-21](#) A Resolution approving a Sister City Partnership with Ibague, Colombia, Global Prep Squad, and the City of Lee's Summit, Missouri.

**Presenter:** Global Prep Squad, Summit Technology Academy

- B. [2022-5217](#) Presentation: Update on the Downtown Market Plaza Project

**Presenter:** David Bushek, Chief Counsel of Economic Development and Planning  
Ryan Elam, Assistant City Manager

- C. [2022-5229](#) Presentation: 2023 No Tax Increase Bond Initiatives

**Presenter:** Bette Wordelman, Finance Director

**7. Resolutions:**

- A. [RES. NO. 22-22](#) A Resolution adopting the 2023 Legislative Intergovernmental Program for the City of Lee's Summit, Missouri.

**Presenter:** Brian W. Head, City Attorney

**8. Proposed Ordinances Forwarded from Committee:**

*The following proposed ordinances were considered by a Council Committee and are presented to the Council for two readings and adoption.*

- A. [BILL NO. 22-245](#) An Ordinance approving Change Order No. 3 to the Agreement for the construction of the Water Main Replacement FY22 - First Phase Project, Project No. 496-1, between the City of Lee's Summit, Missouri, and Wiedenmann, Inc., for an increase in the contract price of \$51,418.35 for a revised agreement amount of \$4,073,834.10 and to increase the project timeline by 45 calendar days, and authorizing the City Manager to execute the same. (PWC 11/14/22)

**Presenter:** Perry Allen, Construction Manager

- B. [BILL NO. 22-246](#) An Ordinance approving Change Order No. 5 to the Agreement for the construction of the Arnold Hall Stormwater Improvements Project, Project No. 54-13, between the City of Lee's Summit, Missouri, and Tasco, LLC, to increase the project timeline by 21 calendar days, and authorizing the City Manager to execute the same. (PWC 11/14/22)

**Presenter:** Perry Allen, Construction Manager

- C. [BILL NO. 22-247](#) An Ordinance awarding the bid for Project No. 425 for the McClendon Ditch Sewer Improvements Project to Infrastructure Solutions, LLC. in the amount of \$ 6,113,400.00, and authorizing the City Manager to execute an agreement for the same. (PWC 11/14/22)

**Presenter:** Jeff Thorn, Deputy Director of Water Utilities

- D. [BILL NO. 22-248](#) An Ordinance awarding the bid for Project No. 496-2 for the Water Main Replacement FY22 - Second Phase Project to Legacy Underground Construction, Inc. in the amount of \$1,990,178.50 and authorizing the City Manager to execute an agreement for the same. (PWC 11/14/22)
- Presenter:** Jeff Thorn, Deputy Director of Water Utilities
- E. [BILL NO. 22-249](#) An Ordinance approving Addendum No. 16 to an On-Call Agreement for professional engineering services with HDR Engineering, Inc. (Original RFQ No. 2020-030-1) for the Strategic Plan Update, for a not to exceed amount of \$177,931.00, and authorizing the City Manager to enter into an agreement for the same. (PWC 11/14/22)
- Presenter:** Jeff Thorn, Deputy Director of Water Utilities  
Mark Schaufler, Director of Water Utilities
- F. [BILL NO. 22-250](#) An Ordinance approving the assignment of Agreement No. 2019-032 from KC Dumpster Company, LLC to Summit Transfer, LLC for the operation of the Public Disposal Area for the City and authorizing the City Manager to execute the same. (PWC 11/14/22)
- Presenter:** Scott Ison, Chief Counsel of Infrastructure & Recreation

## 9. Proposed Ordinances - First Reading:

*The proposed ordinances presented for first reading may include items with a previous hearing; an item brought directly to the City Council without a recommendation from a Council Committee; or, items forwarded from citizen Boards or Commissions. Five affirmative votes are required for approval of second reading.*

- A. [BILL NO. 22-251](#) An Ordinance vacating a certain easement located at 5031 and 5051 NE Lakewood Way in the City of Lee's Summit, Missouri.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
- B. [BILL NO. 22-252](#) An Ordinance vacating a certain easement located at 900 NW Black Twig Circle in the City of Lee's Summit, Missouri.
- Presenter:** Hector Soto, Jr., Senior Planner  
David Olson, Applicant Representative
- C. [BILL NO. 22-253](#) An Ordinance Approving the Cooperative Agreement Among the City of Lee's Summit, Missouri, The Valle Vista Community Improvement District and LS Valle Vista 2018, LLC.
- Presenter:** David Bushek, Chief Counsel of Economic Development & Planning  
Christine Bushyhead, Bushyhead Law firm

## 10. Committee Reports

*Committee chairs report on matters held in Committee.*

## 11. Council Comments:

*(NOTE: Total time for Council Comments will be limited to 5 minutes.)*

## 12. Staff Roundtable

*Staff Roundtable is reserved for items of general interest, community announcements and other such information; however, staff may ask for clarification or direction from the council related to items on the agenda or for items of an emergency nature for which insufficient time exists for adding to the agenda.*

A. [2022-5268](#) Fire Department's Annual Accreditation Report

***Presenter:*** Mike Snider, Fire Chief  
Caroline Wiggins, Administration Manager

**13. Adjournment**

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"