



The City of Lee's Summit

Final Agenda

City Council - Regular Session

Tuesday, January 17, 2023

6:00 PM

City Council Chambers
and Via Video Conference

220 SE Green Street

Lee's Summit, MO 64063

REGULAR SESSION NO. 26

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, January 17, 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, January 16, 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
- 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. [2023-5377](#) Approval of City Council Action Letter from January 10, 2023.
- B. [BILL NO. 22-97](#) An Ordinance accepting Final Plat entitled, "Pergola Park, 5th Plat, Lots 119 thru 133 and Tracts Q thru S and 11-5", as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on May 10, 2002. Passed by unanimous vote.)

Presenter: Josh Johnson, AICP, Director of Development Services

- C. [BILL NO. 23-002](#) An Ordinance approving a Special Use Permit for a period of 25 years for a golf driving range and outdoor miniature golf facility on land located at 1501 NE US 40 Highway, all in accordance with the provisions of the Unified Development Ordinance, Chapter 33 of the City of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
Note: First read by City Council on January 10, 2023. Passed by unanimous vote
Presenter: Tanner Micheli, Applicant Representative
Joshua Johnson, AICP, Director of Development Services
- D. [BILL NO. 23-003](#) An Ordinance approving a Preliminary Development Plan for Blue Jeans Golf on land located at 1501 NE US 40 Highway in District AG, CP-2 and PI, 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 City Council on January 10, 2023. Passed by unanimous vote
Presenter: Tanner Micheli, Applicant Representative
Joshua Johnson, AICP, Director of Development Services
- E. [BILL NO. 23-004](#) An Ordinance approving the First Amendment to the agreement for professional architectural services for the Downtown Market Plaza Project between GLMV Architecture, Inc., and the City of Lee's Summit.
(Note: First read by City Council on January 10, 2023. Passed by unanimous vote.)
Presenter: Ryan Elam, Assistant City Manager
David Bushek, Chief Counsel of Economic Development and Planning
- F. [BILL NO. 23-008](#) An Ordinance approving an agreement between the City of Lee's Summit and Public Consulting Group (PCG) to provide financial services allowing the City's continued participation in the Ground Emergency Medical Transport (GEMT) program, and authorizing the City Manager to execute such documents as necessary herein.
(Note: First read by City Council on January 10, 2023. Passed by unanimous vote.)
Presenter: Dave York, Assistant Chief Fire Department
Bette Wordelman, Finance Director

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. [2023-5391](#) Public Hearing: Application #PL2022-431 - Unified Development Ordinance (UDO) Amendment - Amendment of Chapter 33, Articles 6 (Use Standards), 8 (Site Standards) and 15 (Rules of Interpretation and Definitions), of the Lee's Summit Code of Ordinances; City of Lee's Summit, applicant.

Presenter: Josh Johnson, AICP, Director of Development Services

- 1) [BILL NO. 23-013](#) An Ordinance amending Chapter 33, Unified Development Ordinance, Articles 6, 8, and 15 of the Code of Ordinances of the City of Lee's Summit, Missouri to accommodate recent changes to the Missouri Constitution regarding medical marijuana and marijuana. (CEDC 1/11/23)

Presenter: Brian W. Head, City Attorney
Joshua Johnson, AICP, 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. 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. 23-014](#) An Ordinance awarding the bid for Project No. 718 for the Sidewalk Gap Program FY22 to Sands Construction, LLC in the amount of \$1,764,026.40, and authorizing the City Manager to execute an agreement for the same. (PWC 1/9/23)

Presenter: Erin Ralovo, Senior Staff Engineer

- B. [BILL NO. 23-015](#) An Ordinance approving Modification No. 2 to an Agreement for Professional Engineering Services for the East Fork of Little Blue Watershed River Stormwater Improvement Project (Sole Source) between the City of Lee's Summit, Missouri, and Allgeier, Martin & Associates, Inc., for an increase of \$29,000.00 for the amended basic and optional services, with an amended not to exceed amount of \$653,000.00, and authorizing the City Manager to execute the same. (PWC 1/9/23)

Presenter: Karen Quackenbush, Senior Staff Engineer

- C. [BILL NO. 23-016](#) An Ordinance approving the award of RFQ 2023-030 to HDR Engineering, Inc., Burns and McDonnell Inc., and to Olsson Associates Inc. for on-call yearly engineering services for water and wastewater for a one-year with two possible one-year renewal options and authorizing the City Manager to execute an agreement for the same. (PWC 1/9/23)

Presenter: Jeff Thorn PE, Deputy Director of Water Utilities

- D. [BILL NO. 23-017](#) An Ordinance approving Change Order No. 1 to the Agreement for Project No. 43331883-C for the Water Tower Re-Coatings: Scherer and Woods Chapel Project between the City of Lee's Summit and Worldwide Industries Corp for an increase of \$1,071,733.00 for a revised agreement amount of \$1,960,115.00 and authorizing the City Manager to execute the same. (PWC 1/9/23)
- Presenter:* Jeff Thorn, PE Deputy Director Water Utilities
- E. [BILL NO. 23-018](#) An Ordinance approving the award of RFQ No. 2023-020 for professional engineering services for the Tudor Road Pump Station Facility Plan project to HDR Engineering, Inc., for an amount not to exceed \$150,000.00, and authorizing the City Manager to execute the same. (PWC 1/9/23)
- Presenter:* Jeff Thorn PE, Deputy Director of Water Utilities
- F. [BILL NO. 23-019](#) An Ordinance amending Article X. Clean Indoor Air and Article XI. Vapor Products both of Chapter 17. Offenses. of the Code of Ordinances of the City of Lee's Summit, Missouri dealing generally with modifying the Code of Ordinances to provide for adult use marijuana regulation. (CEDC 1/11/23)
- Presenter:* Brian W. Head, City Attorney
- G. [BILL NO. 23-020](#) An Ordinance amending Division 8. Medical Marijuana Facilities of Article II Business License Taxes of Chapter 28 Taxation of the Code Of Ordinances of the City of Lee's Summit, Missouri, dealing generally with adult use marijuana businesses. (CEDC 1/11/23)
- Presenter:* Brian W. Head, City Attorney
- H. [BILL NO. 23-021](#) An Ordinance amending the Code of Ordinances by repealing Section 1-13. Penalties for Code, Ordinance Violations. and enacting in lieu thereof a new Section 1-13. Penalties for Code, Ordinance Violations dealing generally with making certain amendments to provide for adult use marijuana and to enhance the clarity of the provision. (CEDC 1/11/23)
- Presenter:* Brian W. Head, City Attorney
- I. [BILL NO. 23-022](#) An Ordinance amending the Code of Ordinances of the City of Lee's Summit, Missouri by repealing, Article VIII, Controlled Substances of Chapter 17, Offenses, and enacting in lieu thereof a new Article VIII, Controlled Substances of Chapter 17. Offenses and further amending Section 11-1 Jurisdiction of Article I, in general of Chapter 11, Court, Dealing generally with adult use marijuana. (CEDC 1/11/23)
- Presenter:* Brian W. Head, City Attorney
- J. [BILL NO. 23-023](#) An Ordinance approving the use of a cooperative contract between the City of Kansas City, Missouri and J & D Equipment, Inc., DBA American Equipment Company, to purchase truck equipment, fabrication, and installation services as needed and authorizing the City Manager to execute the same for the City. (F&BC 1/4/23)
- Presenter:* Mark Stinson, Fleet Manager

7. Proposed Ordinances - Second Reading:

The proposed Ordinances were advanced from First Reading without a unanimous vote of the City Council.

- A. [BILL NO. 23-001](#) An Ordinance approving the petition to add property and amend the original petition for the Blue Parkway and Colbern Road Community Improvement District.
(Note: First read by City Council on January 10, 2023.)
Presenter: Wesley Fields, Bryan Cave Leighton Paisner Law Firm
David Bushek, Chief Counsel of Economic Development & Planning
Ryan Elam, Assistant City Manager
- B. [BILL NO. 23-010](#) An Ordinance calling an election to authorize the issuance of general obligation bonds for the City of Lee's Summit, Missouri, related to public safety and emergency preparedness.
(Note: First read by City Council on January 10, 2023. Passed by unanimous vote.)
Presenter: Mark Dunning, City Manager
Bette Wordelman, Finance Director
Sid Douglas, Gilmore & Bell, City's Bond Counsel
- C. [BILL NO. 23-011](#) An Ordinance calling an election to authorize the issuance of general obligation bonds for the City of Lee's Summit, Missouri, related to transportation purposes.
(Note: First read by City Council on January 10, 2023. Passed by unanimous vote.)
Presenter: Mark Dunning, City Manager
Bette Wordelman, Finance Director
Sid Douglas, Gilmore & Bell, City's Bond Counsel
- D. [BILL NO. 23-012](#) An Ordinance calling an election to authorize the issuance of general obligation bonds for the City of Lee's Summit, Missouri, related to general municipal buildings and services.
(Note: First read by City Council on January 10, 2023. Passed by unanimous vote.)
Presenter: Mark Dunning, City Manager
Bette Wordelman, Finance Director
Sid Douglas, Gilmore & Bell, City's Bond Counsel
- E. [BILL NO. 23-009](#) An Ordinance submitting to the electors of the City of Lee's Summit, Missouri, at the general municipal election on April 4, 2023, the question of whether the City of Lee's Summit shall impose a Sales Tax in the amount of three percent (3%) on the sale at retail of all non-medical adult use marijuana, for general purposes, as authorized by Article XIV, Section 2.6(5) of the Missouri Constitution.
(Note: First read by City Council on January 10, 2023. Passed by unanimous vote.)
Presenter: Brian W. Head, City Attorney

8. Committee Reports

Committee chairs report on matters held in Committee.

9. Council Comments:

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

10. 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.

11. 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"