



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

Tuesday, March 26, 2024

6:00 PM

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

REGULAR SESSION NO. 68

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, March 26, 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, March 25, 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. 68 to order at 6:06 pm.

- D. Roll Call

Note: Mayor Pro Tem Lopez was absent at the time of Roll Call but arrived at 6:45pm.

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

Absent: 1 - Councilmember Phyllis Edson

1. Approval of Agenda

ACTION:

Mayor Baird pulled the Mayor's appointments from the Consent Agenda for discussion.

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

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 2 - Councilmember Edson
Councilmember Lopez

2. Approval of Consent Agenda:

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

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 2 - Councilmember Edson
Councilmember Lopez

A. [2024-6162](#) Approval of City Council Action Letter for March 19, 2024.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, to approve the City Council Action Letter from March 19, 2024 as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

- 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:

Councilmember Felker wanted more information on the formation of this board and what oversight the City has and the appointments made. Mayor Baird advised the Consent Agenda erroneously indicated Kathryn Kelsey resigned when it was actually Barbra Henson. The term remains the same.

Council expressed an interest to see all interest forms for applicants for each position and the authority the City has over each board / commission. Ms. Christal Weber stated the positions are publicized. Applicants then fill out the interest form. Staff can provide the interest forms for each position when appointments are upcoming.

A motion was made by Councilmember DeMoro, seconded by Councilmember Hodges, to continue these Mayor's Appointments to April 9, 2024. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier

Nay: 1 - Councilmember Shields

Absent: 2 - Councilmember Edson
Councilmember Lopez

- C. [BILL NO. 24-055](#) An Ordinance approving Amendment No. 11 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.
(Note: First read by Council on March 19, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 24-055 be adopted and numbered Ord. No. 9882 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 2 - Councilmember Edson
Councilmember Lopez

3. Council Roundtable

Councilmember Shields stated the downtown Bunny Hop will be held this Saturday, March 30, 2024 from 10:00am - 11:30am. This event will include a short parade followed by photo opportunities with the Easter Bunny.

Councilmember Prier stated her husband would be driving the fire truck in the parade and believes Councilmember DeMoro may be the Easter Bunny this year.

4. Public Hearings:

- A. [2024-6136](#) Public Hearing: Application #PL2024-024 - Special Use Permit for outdoor sale or lease of motor vehicles - Outlaw Harley Davidson, 3100 NE Carnegie Drive; Engineering Solutions, LLC, applicant.

Councilmember Felker advised he would recuse himself from this vote due to a conflict with his employer.

Mr. Shannon McGuire, Senior Planner, entered Exhibits 1-18 into the record.

Council Discussion Included:

- PDP was approved - this is only for motorcycle displays outside
- Zoning already allows for sales
- Noise violations / satisfactory

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. 24-056](#) 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 DeMoro, seconded by Councilmember Shields, that Bill No. 24-056 be advance to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

Recused: 1 - Councilmember Felker

- B. [2024-6138](#) Public Hearing: Application #PL2023-339 - Preliminary Development Plan - Summit Orchards North, 1151 NW Ward Road, 1201 NW Ward Road and 1231 NW Ward Road; Townsend Summit, LLC, applicant.

Mr. Hector Soto Jr., Senior Planner, entered Exhibits 1-20 into the record.

Council Discussion Included:

- Sign request included approval conditions
- Types of dealerships

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. 24-057](#) 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 Lovell, seconded by Councilmember Hodges, that Bill No. 24-057 be advance to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

- C. [2024-6140](#) Public Hearing: Application #PL2023-346 - Special Use Permit for outdoor automobile storage - 101 SW Oldham Parkway, 1051 SW Jefferson Street, 1204 SW Jefferson Street, 1206 SW Market Street and 1210 SW Market Street; Oldham Investors, LLC, applicant.

Mr. Hector Soto Jr., Senior Planner, entered Exhibits 1-19 into the record.

Council Discussion Included:

- Offers from others to store additional items

No one was present to speak in support of or in opposition to this public hearing.

This Public Hearing - Sworn was presented.

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- 1) [BILL NO. 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 Hodges, that Bill No. 24-058 be advance to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

- D. [2024-6091](#) Public Hearing: Petition to Remove Property from the Colbern Ridge Community Improvement District; Nelson Development 1, LLC, applicant

Council Discussion Included:

- Contiguous property line
- Commitment on the part of the developer
- No change to the City / incentive / reimbursement

No one was present to speak in support of or in opposition to this public hearing.

This Public Hearing - Legislative was presented.

- 1) [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 Hodges, seconded by Councilmember DeMoro, that Bill No. 24-059 be advance to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

- E. [2024-6167](#) Public Hearing: Petition for Establishment of the Bayberry Crossing Community Improvement District; Bayberry Crossing Baceline, LLC, applicant

Mr. David Bushek, Chief Counsel of Economic Development and Planning, advised this Public Hearing is a companion hearing the Public Hearing immediately following it. All exhibits and testimony will be included with both Public Hearings.

Mr. David Bushek, Chief Counsel of Economic Development and Planning, entered Exhibits 1-11 into the record.

Council Discussion Included:

- Benefit
- Time could be shortened if shopping center does well
- Percentage of project costs / acquisition cost
- Spill over - sales tax stays in place
- Cooperative agreement

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. 24-060](#) 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 Felker, seconded by Councilmember Shields, that Bill No. 24-060 be advance to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

F. [2024-6153](#) Public Hearing - Bayberry Crossing Land Clearing for Redevelopment Authority (LCRA) Redevelopment Plan

Mr. David Bushek, Chief Counsel of Economic Development and Planning, entered Exhibits 1- 6 into the record, along with of previous public hearing records into this public hearing.

Council Discussion Included:

- None

No one was present to speak in support of or in opposition to this public hearing.

This Public Hearing - Legislative was presented.

1) [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 Prier, seconded by Councilmember Hodges, that Bill No. 24-061 be advance to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

5. Public Comments:

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

6. Presentations:

- A. [2024-6170](#) Presentation: Memorandum of Understanding between Suburban Land Reserve, Inc., and the City of Lee's Summit for Development of Land Owned by Property Reserve, Inc.

Council Discussion Included:

- Land ownership
- Developments
- Uses
- Other communities
- Infrastructure
- Schools
- Land dedications
- Community involvement
- Larger projects
- Great project

This Presentation was presented.

- 1) [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 DeMoro, seconded by Councilmember Felker, that Bill No. 24-062 be advance to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

7. Committee Reports

Councilmember Shields advised there would be a Finance and Budget Committee meeting on Monday, April 1, 2024 at 4:00pm.

8. Council Comments:

There were no Council comments.

9. Staff Roundtable

Mr. Mark Dunning, City Manager, stated the City already had several partnerships in place with PR & SLR and looks forward to continuing to move forward with them.

Mr. Dunning noted the City is hosting a Career Fair tomorrow, Wednesday, March 27, 2024 from 2pm -6pm at the Gamber Center. He advised there are several positions open throughout the City of Lee's Summit.

Mr. Dunning also advised there would not be a Council meeting on April 2, 2024 due to the election. However, on April 4, 2024 there would be an open house / hose uncoupling at Fire Station No. 4 at 11:00am.

10. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 68 into Closed Session at 9:11pm.

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"