



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

Tuesday, June 21, 2022

6:00 PM

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

REGULAR SESSION NO. 6 *AMENDED*****

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, June 21, 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, June 20, 2022, 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. 6 to order at 6:05pm.

- 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 Shields, seconded by Councilmember Edson, to approve the published amended 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

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Shields, seconded by Mayor Pro Tem Lopez, to approve the Consent Agenda, Items 2.A. - 2.F. 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. [2022-4943](#) Approval of City Council Action Letter from June 14, 2022.

ACTION: A motion was made by Councilmember Shields, seconded by Mayor Pro Tem Lopez, to approve the City Council Action Letter for June 14, 2022 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. 22-119](#) An Ordinance approving, adopting and appropriating the Budget for the Fiscal Year ending June 30, 2023, for the City of Lee's Summit, Missouri.

(Note: First read by Council on June 14, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Mayor Pro Tem Lopez, that Bill No. 22-119 be adopted and numbered Ord. No. 9441 as part of the Consent Agenda. The motion carried by the following vote:

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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. 22-122](#) An Ordinance establishing a Pay and Classification Plan for employees of the City of Lee's Summit, Missouri who are not represented by a labor organization for the Fiscal Year ending June 30, 2023.

(Note: First read by Council on June 14, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Mayor Pro Tem Lopez, that Bill No. 22-122 be adopted and numbered Ord. No. 9442 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

- D. [AMENDED BILL NO. 22-128](#) An Ordinance approving the City of Lee's Summit's Community Development Block Grant (CDBG) 2022 Annual Action Plan. (CEDC 3/9/2022)

(First read by Council on June 14, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Mayor Pro Tem Lopez, that Amended Bill No. 22-128 be adopted and numbered Ord. No. 9443 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

- E. [BILL NO. 22-129](#) An Ordinance authorizing the City of Lee's Summit, Missouri to issue taxable Industrial Development Revenue Bonds in a principal amount not to exceed \$13,000,000 in connection with the Logistics Park Project (Phase II); and authorizing certain documents and actions in connection therewith.
(Note: First read by Council on June 14, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Mayor Pro Tem Lopez, that Bill No. 22-129 be adopted and numbered Ord. No. 9444 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

- F. [BILL NO. 22-130](#) An Ordinance authorizing the City of Lee's Summit, Missouri to issue taxable Industrial Development Revenue Bonds in a principal amount not to exceed \$27,500,000 in connection with the Logistics Park Project (Phase III); and authorizing certain documents and actions in connection therewith.
(Note: First read by Council on June 14, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Mayor Pro Tem Lopez, that Bill No. 22-130 be adopted and numbered Ord. No. 9445. 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

Mayor Baird asked if Summit Waves will have Doggy Days again this year. Mr. Joe Snook, Administrator of Parks and Recreation, stated they would be having them again this year.

4. Public Hearings:

- A. [2022-4952](#) Public Hearing: Application #PL2022-119 - Preliminary Development Plan - Raintree Village, 1501 SW Arborwalk Boulevard; Scenic Development, LLC, applicant.
(Note: This item is to be continued to July 12, 2022 per the applicant's request.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lopez, that this Public Hearing be continued to a date certain of July 12, 2022 per the applicant's request. 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

5. Public Comments:

There were no Public Comments.

6. Presentations:

- A. [2022-4988](#) Presentation: Advisory Commissions Realignment Strategy

Council discussion included:
Consistency with Strategic Plan
Level of Service
Staff / Work Load
Guidance by staff
Board Member Protocols and Training
Arts Council sees the benefits
Feedback to guide policy decisions
More Advisory than volunteer
Feedback
Dates to begin
Scope of work for each
Transition period

Council reached a consensus to move forward. Mayor Pro Tem Lopez stated he would make the recommendation to have this assigned to the Rules Committee.

B. [2022-4989](#) Presentation: City Beautification Programs and Resources

Council discussion included:

Citizens want to help and for it to be more clear

More awareness and Education

Empower Citizens with way to participate

Use of non-profit

Funding

Facebook event - Liability

City Department have packets of bags / vests for citizens

Staff and Resources

Bag pick-up coordination

Online waiver

Volunteer Coordinator

More proactive and simple approach to volunteer

7. Resolutions:

- A. [RES. NO. 22-14](#) A Resolution authorizing the City of Lee's Summit Water Utilities and Public Works Department's application for grant funding from the Missouri Department of Natural Resources for the State of Missouri American Rescue Plan Act (ARPA) for Water Infrastructure Community Programs.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, that Resolution No. 22-14 be adopted. 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

8. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 22-131](#) An Ordinance awarding the bid for Project No. 794 for the Curb Repair FY23 Program to Phoenix Concrete & Underground, LLC, in the amount of \$2,637,383.38, and authorizing the City Manager to execute an agreement for the same. (PWC 6/13/22)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill NO. 22-131 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Felker

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 22-131 be adopted and numbered Ord. No. 9446. 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. 22-132](#)** An Ordinance approving Modification No. 3 to the On-Call Agreement for Environmental Professional Engineering Services Yearly Contract (Original RFQ No. 2020-061)(Renewal 2020-061/R2) between the City of Lee's Summit, Missouri, and Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers, for an amount not to exceed \$177,800.00, for annual tasks associated with the Resource Recovery Park for FY2023, and authorizing the City Manager to execute the same. (PWC 6/13/22)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 22-132 be second read. 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

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 22-132 be adopted and numbered Ord. No. 9447. The motion carried by the following vote:

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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. 22-133](#) An Ordinance authorizing the execution of Modification No. 1 to agreement dated June 28, 2021 (RFQ No. 2021-063) for professional engineering services for Water Master Plan with Burns and McDonnell Engineering Company, Inc., for an increase of \$53,545 with an amended not to exceed amount of \$303,245, and authorizing the City Manager to enter into an agreement for the same. (PWC 6/13/22)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Edson, that Bill No. 22-133 be second read. 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

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Hodges, that Bill No. 22-133 be adopted and numbered Ord. No. 9448. 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 - First Reading:

- A. [BILL NO. 22-134](#) An Ordinance amending Ordinance No. 9416 and vacating a certain easements located at 3501 SW Market Street in the City of Lee's Summit, Missouri. (Note: First read by Council on June 21, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Edson, that Bill No. 22-134 be advanced to second reading. The motion carried by the following vote:

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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. 22-135](#) An Ordinance accepting Final Plat entitled, "The Retreat at Hook Farms, 2nd Plat, Lots 179 thru 215 and Tracts J-L" as a subdivision to the City of Lee's Summit, Missouri.

(Note: First read by Council on June 21, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Edson, that Bill No. 22-135 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. 22-136](#) An Ordinance Approving the First Amendment to 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 June 21, 2022.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Shields, that Bill No. 22-136 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

10. Proposed Ordinances - Second Reading:

- A. [SUBSTITUT
E BILL NO.
22-114](#) An Ordinance approving a rezoning from District PMIX to District PI and a Preliminary Development Plan for approximately 49.85 acres located at the southeast corner of M-291 Highway and SE Bailey Road, proposed LS Industrial, in accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.

(Note: First reading by Council on June 7, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Substitute Bill No. 22-114 be adopted and numbered Ord. No. 9433. 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.
22-120](#) An Ordinance approving, adopting and appropriating the Budget for the Fiscal Year ending June 30, 2023, for the Municipal Court division of the City of Lee's Summit, Missouri.

(Note: First read by Council on June 14, 2022. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, that Bill No. 22-120 be adopted. 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

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 22-120 be reconsidered (Mayor Pro Tem Lopez inadvertently voted on this ordinance when he meant to recuse himself). The motion carried by the following vote:

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

Absent: 1 - Councilmember Felker

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Recused: 1 - Councilmember Lopez

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 22-120 be adopted and numbered Ord. No. 9449. The motion carried by the following vote:

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

Absent: 1 - Councilmember Felker

Recused: 1 - Councilmember Lopez

- C. [BILL NO. 22-121](#) An Ordinance approving, adopting and appropriating the Budget for the Fiscal Year ending June 30, 2023, for the Fire Department of the City of Lee's Summit, Missouri.

(Note: First read by Council on June 14, 2022. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Hodges, that Bill No. 22-121 be adopted and numbered Ord. No. 9450. The motion carried by the following vote:

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

Absent: 1 - Councilmember Felker

Recused: 1 - Councilmember Prier

- D. [BILL NO. 22-123](#) An Ordinance establishing a Pay and Classification plan for employees of the City of Lee's Summit, Missouri who are represented by a labor organization for the Fiscal Year ending June 30, 2023.

(Note: First read by Council on June 14, 2022. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Shields, that Bill No. 22-123 be adopted and numbered Ord. No. 9451. The motion carried by the following vote:

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

Absent: 1 - Councilmember Felker

Recused: 1 - Councilmember Prier

11. Committee Reports

There were no Committee Reports

12. Council Comments:

Councilmember Edson congratulated Council for making it through 8 weeks in a row of Council meetings.

Councilmember Edson stated she had reviewed the PSA (Public Service Agreement) with the Lee's Summit Economic Development Council (LSEDC) and there is a section in the agreement that requires the LSEDC to submit a report to the City on or before January 15 describing results of activities and expected achievements, describing program effectiveness and listing capitol expenditures. She asked Mr. Steve Arbo, City Manager, if the City had received that report.

Mr. Arbo stated that no report that was due on January 15th has been presented to the City. He also stated that he had been contacted by the Executive Director and they are having staffing issues and would not be able to meet the deadline. Mr. Arbo advised he told them that the date was not as important as getting the information to the City, but he did not give them permission to wait an additional 5 months.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, to direct staff to review the Public Service Agreement between the City of Lee's Summit and the Lee's Summit Economic Development Council to determine if there has been full compliance. If the City Manager determines a lack of full compliance, he shall send a notice that may be applicable in accordance with the Public Service Agreement. 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

13. Staff Roundtable

- A. [2022-5005](#) Staff Presentation - Request from City Manager and City Attorney to Adjust City Council Meeting Packet Posting Deadlines

Mr. Steve Arbo, City Manager, stated staff has been working hard to meet deadlines and have the packet posted for Council by noon on Wednesday. However, due to late Council meetings, Management Team meetings on Wednesday morning and last minute requests, that deadline has become increasing difficult to meet and has caused some oversights and errors due to the rushed timeline. He asked for the Council to consider moving the packet deadline to Thursdays by 5pm to allow staff more time to prepare the packet and have time to review for any errors.

Councilmember Shields stated one of the original reasons for the request to get the packet earlier was so that she and Councilmember Felker to provide the information to their law firms to check for and conflicts. She was okay with the change but wanted to be sure Councilmember Felker was able to do the same. Mayor Baird stated Councilmember Felker did send a comment in an email stating he was fine with the change in the packet deadline.

Council reached a consensus to move the packet deadline to Thursdays at 5:00pm.

This Report was approved.

14. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 6 into Closed Session at 7:58pm.

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"