

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

Tuesday, June 4, 2024

6:00 PM

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

REGULAR SESSION NO. 5

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, June 4, 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, June 3, 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. 5 to order at 6:05 pm.

D. Roll Call

Present: 8 - Mayor Bill Baird
Councilmember Trish Carlyle
Councilmember Faith Hodges
Councilmember Beto Lopez
Councilmember John Lovell
Councilmember Mia Prier
Councilmember Cynda Rader
Councilmember Hillary Shields

Absent: 1 - Councilmember Fred DeMoro

1. Approval of Agenda

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

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Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Rader
Councilmember Shields

Absent: 1 - Councilmember DeMoro

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Prier, to approve the Consent Agenda, Item 2.A. - 2.C. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Rader
Councilmember Shields

Absent: 1 - Councilmember DeMoro

A. [2024-6237](#) Approval of City Council Action Letter for May 21, 2024.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Prier, to approve the City Council Action Letter from May 21, 2024 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Rader
Councilmember Shields

Absent: 1 - Councilmember DeMoro

B. [2024-6333](#) Mayor's Appointments (simple majority vote):

Park Board: Appoint Nate Zier (to replace Tyler Morehead), and reappoint Jim Huser and Kathy Campbell, terms to expire 5-31-27.

Wellness Commission: Reappoint Carmen Nolke and Matthew Silvers, terms to expire 5-2-27.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Prier, to approve Mayor's Appointments as part of the Consent Agenda. The motion carried by the following vote:

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Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Rader
Councilmember Shields

Absent: 1 - Councilmember DeMoro

- C. [BILL NO. 24-094](#) An Ordinance authorizing the execution of an Intergovernmental Agreement between the City of Lee's Summit and the Junior College District of Metropolitan Kansas City, Missouri a/k/a Metropolitan Community College for use of its Precision Driving Track/Course.
(Note: First read by Council on May 21, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Prier, to adopt Bill No. 24-094 and number Ord. No. 9918 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Rader
Councilmember Shields

Absent: 1 - Councilmember DeMoro

3. Council Roundtable

Councilmember Shields stated Downtown Days will be this weekend, June 7th - 9th, and she hopes everyone will get out and support out downtown.

Councilmember Lovell stated he will be sitting on a panel for local builders and contractors at 7:30am tomorrow morning at the Grand Street Café. He thanked staff for helping to coordinate this panel.

Mayor Baird stated he may be distracted over the new few weeks as he is a big fan of the Celtics basketball team and they are currently doing very well in the playoffs this year.

4. Proclamations:

- A. [2024-6302](#) Proclamation: National Gun Violence Awareness Day - June 7, 2024

Members of the Local Chapter of Moms Demand Action were present to accept this proclamation.

This Proclamation was presented.

5. Public Hearings:

- A. [2024-6281](#) Public Hearing: Application #PL2024-064 - Preliminary Development Plan- 1,900 square foot ADU in the backyard of 512 NE Promised View Drive.

Mr. Shannon McGuire, Planning Manager, entered Exhibits 1 - 17 into the record.

Council discussion included:

- Neighborhood meeting - any concerns on impervious surface
 - 11 people showed up to Planning Commission to voice concerns

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. 24-095](#) An Ordinance approving a Preliminary Development Plan for an accessory dwelling unit on land located at 512 NE Promised View Drive, 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 4, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 24-095 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Rader
Councilmember Shields

Absent: 1 - Councilmember DeMoro

- B. [2024-6274](#) Public Hearing: Application #PL2024-078 - Rezoning from RP-2 and AG to RLL - 2800 SE Ranson Road and 1300 SE Hook Lane; Jaclyn Maloney, applicant.

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

Council discussion included:

- City Sewer - no on septic system / still meets requirements

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. 24-096](#) An Ordinance approving rezoning from District AG (Agricultural) and RP-2 (Planned Two-Family Residential) to District RLL (Residential Large Lot) on approximately 5.35 acres of land located at 2800 SE Ranson Road and 1300 SE Hook Lane, 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 4, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Rader, seconded by Councilmember Carlyle, that Bill No. 24-096 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Rader
Councilmember Shields

Absent: 1 - Councilmember DeMoro

- C. [2024-6227](#) Public Hearing: Application #PL2024-072 - Unified Development Ordinance (UDO) Amendment - Updates for temporary signage standards to Article 9 Signs; City of Lee's Summit, applicant.

Ms. Aimee Nassif, Deputy Director of Development Services, entered Exhibits 1 - 14 into the record.

Council discussion included:

- How are people held accountable to follow regulations? - Wait for complaints, follow-up
 - Real Estate Signs
- School Signs - "Proud Parent", "Senior", etc.

Ms. Vollenweider asked about metal signs on fences and definition of residential.

Any type of sign - including banners. Residential and non-residential both defined in UDO.

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. 24-097](#) An Ordinance amending Chapter 33, Unified Development Ordinance, Article 9. Signs, of the Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.

(Note: First read by Council on June 4, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Hodges, that Bill No. 24-097 be advanced to second reading. The motion carried by the following vote:

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Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Rader
Councilmember Shields

Absent: 1 - Councilmember DeMoro

- D. [2024-6279](#) Public Hearing: Application #PL2024-060 - Special Use Permit for equipment rental facility - 1100 SE Hamblen Road; McAdams, applicant.

Mr. Shannon McGuire, Planning Manager, entered Exhibits 1 - 18 into the record.

Council discussion included:

- Fencing - options
- Landscaping / vegetation
- Parking Lot
- Tree/ Shrub (cypress) placement
- Surrounding area - industrial
- Safety inside fencing

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

This Public Hearing - Sworn was presented.

- 1) [AMENDED BILL NO. 24-098](#) An Ordinance granting a Special Use Permit for an equipment rental facility in District PI (Planned Industrial) on land located at 1100 SE Hamblin Road, for a period of ten (10) 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 June 4, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Carlyle, that Bill No. 24-098 be advanced to second reading.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Prier, that Bill No. 24-098 be amended by removing Condition #6. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Rader
Councilmember Shields

Absent: 1 - Councilmember DeMoro

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Carlyle, that Bill No. 24-098 be advanced to second reading as amended. The motion carried by the following vote:

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Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Rader
Councilmember Shields

Absent: 1 - Councilmember DeMoro

6. Public Comments:

Mr. Lester Massood, spoke regarding stability of the hill and pad site of the Take 5 Oil Change business that is on the agenda for approval later this evening.

Ms. Teresa Fick spoke again about the damage to her property and to her trees due to her neighbors' pool drainage.

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

7. Resolutions:

- A. [RES. NO. 24-05](#) A Resolution approving the appointment of a director to the board of directors of the I-470 Western Gateway Transportation Development District.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Carlyle, that Res. No. 24-05 be adopted. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Rader
Councilmember Shields

Absent: 1 - Councilmember DeMoro

8. Proposed Ordinances - First Reading:

- A. [BILL NO. 24-084](#) An Ordinance amending the Code of Ordinances Section 2-2. City holidays, to add Juneteenth and Veterans Day as official City Holidays. (F&BC 5/6/24)
(Note: First read by Council on June 4, 2024.)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Carlyle, that Bill No. 24-084 be second read.

Councilmember Prier stated that she has a possible conflict as her husband works for the City. She was advised by the Missouri Ethics Commission that this conflict would not restrict her from voting on this Ordinance.

The motion carried by the following vote:

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Aye: 6 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Prier
Councilmember Shields

Nay: 2 - Councilmember Lovell
Councilmember Rader

Absent: 1 - Councilmember DeMoro

- B.** [BILL NO. 24-085](#) An Ordinance amending the Code of Ordinances Section 2-339 Determination of Final Average Salary to change the time period used for determining a member employee's final average salary from a sixty (60) consecutive-month period to a thirty-six (36) consecutive-month period with the Missouri Local Government Employees Retirement System. (F&BC 5/6/24)
(Note: First read by Council on June 4, 2024. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Hodges, that Bill No. 24-085 be second read.

Councilmember Prier was advised by the Missouri Ethics Commission since her husband works for the City this conflict would restrict her from participating and voting on this Ordinance.

The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Rader
Councilmember Shields

Absent: 1 - Councilmember DeMoro

Recused: 1 - Councilmember Prier

- C.** [BILL NO. 24-099](#) An Ordinance vacating a portion of a certain easement located at 3022 NW Thoreau Place in the City of Lee's Summit, Missouri.
(Note: First read by Council on June 4, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Shields, that Bill No. 24-099 be second read. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Rader
Councilmember Shields

Absent: 1 - Councilmember DeMoro

- D. [BILL NO. 24-100](#) An Ordinance accepting Final Plat entitled, "The Falls at Winterset Valley, 2nd Plat, Lots 1520-1532 and Tracts C-E", as a subdivision to the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Shields, that Bill No. 24-100 be second read. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Rader
Councilmember Shields

Absent: 1 - Councilmember DeMoro

9. Proposed Ordinances - Second Reading:

- A. [BILL NO. 24-086](#) An Ordinance approving rezoning from District RP-2 (Planned Two-Family Residential District) to District CP-2 (Planned Community Commercial District) and a Preliminary Development Plan for Take 5 Oil Change on approximately 1.73 acres of land located at 400 NE M-291 Highway, 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 May 21, 2024.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Carlyle, that Bill No. 24-086 be adopted and numbered Ord. No. 9919. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Carlyle
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Rader
Councilmember Shields

Nay: 1 - Councilmember Prier

Absent: 1 - Councilmember DeMoro

10. Committee Reports

Councilmember Shields stated the Finance and Budget Committee met yesterday, June 3, 2024 and discussed two upcoming Public Service Agreements. These will be with the Destination Marketing Organization (DMO) and Downtown Lee's Summit Main Street (DTLSMS). Both will be moving forward and brought back to the committee and then to the full Council at a later date.

Councilmember Lovell stated the Community and Economic Development Committee would be meeting on Wednesday, June 12, 2024 at 5:00pm and then they will be meeting at 4:00pm after that date.

11. Council Comments:

There were no Council Comments.

12. Staff Roundtable

Mr. Mark Dunning, City Manager, stated the Public Hearing for the budget would be held at the Council meeting next week. He also advised that today marks 10 years that Mr. Brian Head, City Attorney, has been with the City. He has been in the public service sector for 28 years.

13. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 5 at 8:12 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"