



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

Tuesday, August 16, 2022

6:00 PM

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

*****AMENDED*** REGULAR SESSION NO. 11**

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, August 16, 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, August 15, 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. 11 to order at 6:35pm.

- D. Rollcall

Present: 9 - Mayor Bill Baird
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Andrew Felker
Councilmember Faith Hodges
Councilmember Beto Lopez
Councilmember John Lovell
Councilmember Mia Prier
Councilmember Hillary Shields

1. Approval of Agenda

ACTION:

Mayor Baird advised agenda Item 7.A. (Bill No. 22-165 An Ordinance authorizing the execution of an amendment to an agreement between the City of Lee's Summit, Missouri, and McCown Gordon Construction Company to set a Guaranteed Maximum Price for the reconstruction of fire station 4 and fire station 5 in the amount of \$16,796,594.00.) before Item 6.D. (Bill No. 22-166 - An Ordinance approving Amendment No. 1 to the Budget for the Fiscal Year ending June 30, 2023, as adopted by Ordinance No. 9441, Ordinance No. 9442, Ordinance No. 9449, Ordinance No. 9450, and Ordinance No. 9451, by amending the authorized expenditures for the City of Lee's Summit, Missouri.)

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

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lopez, to approve the Consent Agenda, Items 2.A. – 2.F. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

A. [2022-5053](#) Approval of City Council Action Letter from August 9, 2022.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lopez, to approve the City Council Action Letter from August 9, 2022 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

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- B. [BILL NO. 22-153](#) An Ordinance approving the Lee's Summit Industrial Land Clearance for Redevelopment Authority (LCRA) Redevelopment Plan.
(Note: First read by City Council on August 9, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lopez, that Bill No. 22-153 be adopted and numbered Ord. No. 9474 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

- C. [BILL NO. 22-154](#) An Ordinance approving rezoning from District CP-2 (Planned Community Commercial) to District PMIX (Planned Mixed Use) and Preliminary Development Plan for land located at 3100 NE Ralph Powell Road, all in accordance with the provisions of Chapter 33 of the Unified Development Ordinance from the Code of Ordinances for the City of Lee's Summit, Missouri.
(Note: First read by City Council on August 9, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lopez, that Bill No. 22-154 be adopted and numbered Ord. No. 9475 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

- D. [BILL NO. 22-159](#) An Ordinance Approving a Funding Agreement Among the City of Lee's Summit, Missouri, Raintree Investors, LLC and 150 Highway Lee's Summit, LLC, for the Arborwalk Commercial Project.
(Note: First read by City Council on August 9, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lopez, that Bill No. 22-159 be adopted and numbered Ord. No. 9476 as part of the Consent Agenda. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

- E.** [BILL NO. 22-160](#) An Ordinance Approving the Amendment to the Termination of Rights, Duties, Obligations and Settlement Agreement between the City of Lee's Summit and LS Industrial, LLC.

(Note: First read by City Council on August 9, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lopez, that Bill No. 22-160 be adopted and numbered Ord. No. 9477 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

- F.** [BILL NO. 22-161](#) An Ordinance approving a License Agreement between the City of Lee's Summit and Google Fiber Missouri, LLC to use City right-of-way, and authorizing the City Manager to execute the same on behalf of the City.

(Note: First read by City Council on August 9, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lopez, that Bill No. 22-161 be adopted and numbered Ord. No. 9478 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

3. Council Roundtable

Councilmember Shields said she was happy to see Downtown Main Street work through the accreditation process again as they do such great work. It was noted Lee's Summit is often referred to for best practices. She congratulated them on all they do.

Councilmember Shields noted a new restaurant opened in District 4, Iron Horse. She said it was great and recommend it to others and enjoys supporting a local business.

Councilmember Prier wished all the students and teachers' good luck with going back to school this week and next week.

4. Public Comments:

Ms. Teresa Vollenwieder spoke about her concerns for discrepancies in her property lines.

5. Presentations:

A. [2022-5014](#) Presentation: North Star - Destination Management Organization

Council discussion included:

- Visitors Center location
- Competitor recreational sports events
- Next Steps
- Hotels
- Stakeholders
- Great Opportunity
- Generate Interest
- Hotel Inventory
- Perception from 10 years ago
- Best Practices
- Digital Marketing
- Entities / Events

Council reached a consensus to bring this forward and discuss next steps at a later date.

This Presentation was presented.

- B. [2022-5064](#) Presentation: 2022 Water Utilities Customer Survey by the ETC Institute.

Council discussion included:

- 58% responded concerned with water quality ranked most important
- Complimented Water Technicians
- Efforts to educate
- Using data
- Comparatives
- Ratings
- How often to survey
- Benchmarks

This Presentation was presented.

6. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 22-162](#) An Ordinance amending Chapter 29; Traffic and Motor Vehicles, of the Code of Ordinances for the City of Lee's Summit, Missouri, by amending Appendix B; Schedule of Stopping, Standing and Parking Restrictions, for certain streets and segments of streets located in the City of Lee's Summit, Missouri. (PWC 8/8/22)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 22-162 be second read.. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Felker, that Bill No. 22-162 be adopted and numbered Ord. No. 9479. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

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- B. [BILL NO. 22-163](#) An Ordinance changing the name of a street from SE Jud Street to SE Kings Tree Drive, the street stub along SE Cobey Creek Drive located between SE David Road and SE Gillette Street in the Cobey Creek residential subdivision all within the City of Lee's Summit, Missouri. (CEDC 8/10/22)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Shields, that Bill No. 22-163 be second read.. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Shields, that Bill No. 22-163 be adopted and numbered Ord. No. 9480. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

- C. [BILL NO. 22-164](#) An Ordinance changing the name of a street from SE Cobey Lane to SE Greenway Street, two street stubs located along SE David Road and SE Gillette Street in the Cobey Creek residential subdivision all within the City of Lee's Summit, Missouri. (CEDC 8/10/22)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Edson, that Bill No. 22-164 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Edson, that Bill No. 22-164 be adopted and numbered Ord. No. 9481. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

- D.** [BILL NO. 22-166](#) An Ordinance approving Amendment No. 1 to the Budget for the Fiscal Year ending June 30, 2023, as adopted by Ordinance No. 9441, Ordinance No. 9442, Ordinance No. 9449, Ordinance No. 9450, and Ordinance No. 9451, by amending the authorized expenditures for the City of Lee's Summit, Missouri. (F&BC 8/8/22)

ACTION:

Prior to the consideration of Bill No. 22-166, a presentation was given regarding the change in costs for construction of the Fire Stations and Bill No. 22-165 was read to be advanced to second reading.

Council discussion included:

- Cuts to make this more affordable
- Original budget / Current budget
- Comparators
- Construction costs rising
- COVID

A motion was made by Councilmember Lovell, seconded by Councilmember Hodges, that Bill No. 22-166 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Hodges, that Bill No. 22-166 be adopted and numbered Ord. No. 9482. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

7. Proposed Ordinances - First Reading:

- A. [BILL NO. 22-165](#) An Ordinance authorizing the execution of an amendment to an agreement between the City of Lee's Summit, Missouri, and McCown Gordon Construction Company to set a Guaranteed Maximum Price for the reconstruction of fire station 4 and fire station 5 in the amount of \$16,796,594.00.
(Note: First read by City Council on August 16, 2022. Passed by unanimous vote.)

ACTION:

Prior to the consideration of Bill No. 22-165, a presentation was given regarding the change in costs for construction of the Fire Stations.

Council discussion included:

- Cuts to make this more affordable
- Original budget / Current budget
- Comparators
- Construction costs rising
- COVID

A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, that Bill No. 22-165 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

- B. [BILL NO. 22-167](#) An Ordinance renewing the City of Lee's Summit's procedure for disclosure of potential conflicts of interest and substantial interests for certain municipal officials, pursuant to Sec. 2-75 of the Code of Ordinances for the City of Lee's Summit, Missouri.
(Note: First read by City Council on August 16, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Edson, that Bill No. 22-167 be advanced to second reading.. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

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- C. [BILL NO. 22-168](#) An Ordinance approving a contract between the City and McConnell & Associates Corporation, to purchase pavement maintenance and repair as needed and ratifying the City Manger's execution of the same for the City to allow for expanded spending authority.
(Note: First read by City Council on August 16, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 22-168 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

- D. [BILL NO. 22-169](#) An Ordinance approving the 2022 Labor Agreement by and between the City of Lee's Summit, Missouri and the International Association of Machinists and Aerospace Workers Lodge #778 and authorizing the City Manager to execute the same by and on behalf of the City.
(Note: First read by City Council on August 16, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Prier, that Bill No. 22-169 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

8. Proposed Ordinances - Second Reading:

- A. [BILL NO. 22-155](#) An Ordinance approving a Preliminary Development Plan on land located at 1295 SW Arborwalk Boulevard in District PMIX, proposed McBee's Coffee N Carwash, all in accordance with Chapter 33 of the Unified Development Ordinance from the Code of Ordinances for the City of Lee's Summit, Missouri.
(Note: First read by City Council on August 9, 2022.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Lovell, that Bill No. 22-155 be adopted and numbered Ord. No. 9483. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

- B.** [BILL NO. 22-156](#) An Ordinance approving a Preliminary Development Plan on land located at 601 SE Oldham Parkway in District PMIX, proposed LP Mart, all in accordance with the provisions of Chapter 33 of the Unified Development Ordinance from the Code of Ordinances for the City of Lee's Summit, Missouri.
(Note: First read by City Council on August 9, 2022. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember DeMoro, that Bill No. 22-156 be adopted and numbered Ord. No. 9484. The motion carried by the following vote:

Aye: 7 - Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Shields

Nay: 1 - Councilmember Prier

Recused: 1 - Mayor Baird

9. Committee Reports

Councilmember Felker advised the Rules Committee would be meeting this Thursday, August 18, 2022 at 4:00pm via video conference.

10. Council Comments:

There were no Council Comments.

11. Staff Roundtable

Mr. Mark Dunning, Assistant City Manager, stated the Public Comments period for the Pryor Road Improvements will end on August 20, 2022.

12. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 11 into Closed Session at 9:33pm.