

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

Tuesday, June 18, 2024

6:00 PM

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

REGULAR SESSION NO. 7

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, June 18, 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 17, 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. 7 to order at 6:05pm.

- D. Roll Call

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

Absent: 1 - Councilmember John Lovell

1. Approval of Agenda

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

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

2. Approval of Consent Agenda:

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

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

A. [2024-6311](#) Approval of City Council Action Letter for June 11, 2024.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, to approve the City Council Action Letter from June 4, 2024 as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lovell

B. [2024-6334](#) Final Development Plan Extension Request: Application #PL2023-055 - Heartland Market - Lee's Summit, 940 NE Colbern Road.; The Great American Dream IV, LLC, applicant.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, to approve the Final Development Plan Extension Request: Application #PL2023-055 - Heartland Market - Lee's Summit, 940 NE Colbern Road.; The Great American Dream IV, LLC, applicant as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lovell

- C. [2024-6336](#) Final Development Plan Extension Request: Application #PL2022-397 - Arcade Alley - Outdoor Space, 316 SE Douglas Street; The Cleaners LS, LLC, applicant.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, to approve this Final Development Plan Extension Request: Application #PL2022-397 - Arcade Alley - Outdoor Space, 316 SE Douglas Street; The Cleaners LS, LLC, applicant as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lovell

- D. [BILL NO. 24-108](#) An Ordinance approving a funding agreement between the City of Lee's Summit, Missouri and Oldham Investors, LLC, for the Oldham Village Redevelopment Project.

(Note: First read by Council on June 11, 2024. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, to adopt Bill No. 24-108 and number Ord. No. 9928 as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lovell

3. Council Roundtable

Councilmember DeDeMoro congratulated the Water Utilities Department on their accreditation.

Councilmember Shields stated there are several events happening in downtown Lee's Summit soon. This Thursday is Ladies Night Out. Followed by The Jazz Festival on June 22 and Music in the Park on June 28.

Mayor Baird commented on loss of two members of the Fire Department, he has asked Mr. Mark Dunning, City Manager, to provide information on how we can support the Fire Department and moving forward.

Mr. Mark Dunning, City Manager, thanked the surrounding Fire Departments for the additional resources and he thanked staff and the community for all the support and resources that have been and continue to be provided.

4. Public Hearings:

- A. [2024-6299](#) Public Hearing: Application #2024-073 - Preliminary Development Plan - Cobey Creek, 500 SE M 150 Highway; Clayton Properties Group, applicant.

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

Council discussion included:

- Lap siding / hardy board
- Parking
- Pool house / Pool
- Rental of houses - not allowed by Home Owners Association
- Existing homes / pushback from neighbors (none)
- Timeline
- Pricing on units
- Existing houses - price range
- Current Developer
- Definition of Villa
- Cul-de-sacs removed / lots added
- Maintenance of duplexes

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. 24-109](#) An Ordinance approving a Preliminary Development Plan for Cobey Creek on land located at 500 SE M-150 Highway, 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.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Hodges, that Bill No. 24-109 be advanced to second reading. The motion carried by the following vote:

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

5. Public Comments:

Mr. Holmes Osborn commented on John Knox Village and bonds offered through the City of Lee's Summit and spoke on several salaries of staff members as he feels they are extremely high for a non-profit organization.

Ms. Teresa Vollenweider once again spoke on what she believes are discrepancies on the plat for Collins/Mullins property. She then spoke on her trespassing arrest and a conversations regarding the property lines and trespassing charges.

6. Presentations:

- A. [2024-6256](#) Presentation: Lee's Summit Arts and Economic Prosperity Report

Council discussion included:

- Survey types
- How surveys were provided
- Cultural non-profits
- 12 Organizations surveyed
- Audience intercept surveys
- Money spent in community on arts
- Citizens vs. people coming in for events
- Sharing information with Destination Marketing Organization (DMO)
- Benchmarks with other communities
- Comparisons to regional / national averages

This Presentation was presented.

7. Resolutions:

- A. [RES. NO. 24-09](#) A Resolution authorizing the Municipal Airport Powered Paraglider (PPG) Operating Guidelines. (PWC 6/10/24)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, to adopt Resolution No. 24-09. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lovell

8. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 24-110](#) An Ordinance awarding the bid for Project No. 796 for the Curb Repair FY25 Program to Phoenix Concrete, LLC in the amount of \$2,899,311.82, and authorizing the City Manager to execute an agreement for the same. (PWC 6/10/24)

ACTION: A motion was made by Councilmember Rader, seconded by Councilmember Hodges, that Bill No. 24-110 be second read. The motion carried by the following vote:

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

ACTION: A motion was made by Councilmember Rader, seconded by Councilmember Shields, that Bill No. 24-110 be adopted and numbered Ord. No. 9929. The motion carried by the following vote:

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

- B. [BILL NO. 24-111](#) An Ordinance awarding the bid for Project No. 576-9C for the East Fork Little Blue Area 2 Stormwater Project to Infrastructure Solutions, LLC in the amount of \$1,112,852.00, and authorizing the City Manager to execute an agreement for the same. (PWC 6/10/24)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Hodges, that Bill No. 24-111 be second read. The motion carried by the following vote:

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

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Carlyle, that Bill No. 24-111 be adopted and numbered Ord. No. 9930. The motion carried by the following vote:

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

- C. [BILL NO. 24-112](#) An Ordinance approving Modification No. 5 to an Agreement for Professional Engineering Services for the Pryor Road Improvements from Longview Road to Hook Road (RFQ No. 2020-046), between the City of Lee's Summit, Missouri, and TranSystems Corporation, for an increase of \$76,272 with an amended not to exceed amount of \$1,540,125, and authorizing the City Manager to execute an agreement for the same. (PWC 6/10/24)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember DeMoro, that Bill No. 24-112 be second read. The motion carried by the following vote:

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

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Carlyle, that Bill No. 24-112 be adopted and numbered Ord. No. 9931. The motion carried by the following vote:

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

- D. [BILL NO. 24-113](#) An Ordinance authorizing the execution of a work order in accordance with the City's on-call construction services agreement (Contract 2024-057-1) with TC Fuller Construction LLC., for the installation of tees and the replacement of valves to complete the Maybrook Water Main inspection in the amount of \$322,710.70, and authorizing the City Manager to execute all necessary documents. (PWC 6/10/24)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 24-113 be second read. The motion carried by the following vote:

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

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Prier, that Bill No. 24-113 be adopted and numbered Ord. No. 9932. The motion carried by the following vote:

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

- E. [BILL NO. 24-114](#) An Ordinance authorizing the issuance of a Revenue Anticipation Note (State of Missouri - Lead Service Line Inventory Loan Program) Series 2024 in the aggregate principal amount of not to exceed \$153,000; prescribing the form and details of the note; and authorizing certain other actions and documents in connection therewith. (PWC 6/10/24)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Hodges, that Bill No. 24-114 be second read. The motion carried by the following vote:

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

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Shields, that Bill No. 24-114 be adopted and numbered Ord. No. 9933. The motion carried by the following vote:

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

- F.** [BILL NO. 24-115](#) An Ordinance approving Modification No. 6 to the On-Call Agreement for Environmental Professional Engineering Services Yearly Contract (Original RFQ No. 2020-061)(Renewal 2020-061/R4) 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 \$158,260.00, for annual tasks associated with the Resource Recovery Park for FY2025, and authorizing the City Manager to execute the same. (PWC 6/10/24)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Shields, that Bill No. 24-115 be second read. The motion carried by the following vote:

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

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Shields, that Bill No. 24-115 be adopted and numbered Ord. No. 9934. The motion carried by the following vote:

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

- G.** [BILL NO. 24-116](#) An Ordinance approving the award of RFQ No. 2024-064 for professional engineering services for the Engineering, Design and Construction Administration of Pump Stations and an agreement for professional engineering services for the Jacomo Pump Station Study project to HDR Engineering, Inc., for an amount not to exceed \$100,000.00, and authorizing the City Manager to execute the same. (PWC 6/10/24)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Hodges, that Bill No. 24-116 be second read. The motion carried by the following vote:

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

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Prier, that Bill No. 24-116 be adopted and numbered Ord. No. 9935. The motion carried by the following vote:

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

9. Proposed Ordinances - Second Reading:

- A. [BILL NO. 24-025](#) An Ordinance approving a Preliminary Development Plan for land located at 3100 NE Carnegie 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 reading was February 27, 2024. Second reading was postponed by Council motion on April 9 to May 21, then on May 21 to June 18, 2024. The applicant is requesting another postponement to a date certain of July 9, 2024.)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Shields, that Bill No. 24-025 be postponed to a date certain of July 9, 2024. The motion carried by the following vote:

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

- B. [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 reading was March 26, 2024. Second reading was postponed by Council motion on April 9 to May 21, then on May 21 to June 18, 2024. The applicant is requesting another postponement to a date certain of July 9, 2024.)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Prier, that Bill No. 24-056 be postponed to a date certain of July 9, 2024. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lovell

- C. [BILL NO. 24-101](#) An Ordinance approving, adopting and appropriating the Budget for the Fiscal Year ending June 30, 2025, for the City of Lee's Summit, Missouri.
(Note: First read by Council on June 11, 2024.)

ACTION: A motion was made by Councilmember Rader, seconded by Councilmember Shields, that Bill No. 24-101 be adopted and numbered Ord. No. 9936. The motion carried by the following vote:

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

- D. [BILL NO. 24-102](#) An Ordinance approving, adopting and appropriating the Budget for the Fiscal Year ending June 30, 2025, for the Fire Department of the City.
(Note: First read by Council on June 11, 2024.)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Shields, that Bill No. 24-102 be adopted and numbered Ord. No. 9937. The motion carried by the following vote:

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

Recused: 1 - Councilmember Prier

- E. [BILL NO. 24-103](#) An Ordinance approving, adopting and appropriating the Budget for the Fiscal Year ending June 30, 2025, for the Municipal Courts Division of the City.
(Note: First read by Council on June 11, 2024.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 24-103 be adopted and numbered Ord. No. 9938. The motion carried by the following vote:

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Aye: 7 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Hodges
Councilmember Prier
Councilmember Rader
Councilmember Shields

Recused: 1 - Councilmember Lopez

- F. [BILL NO. 24-104](#) An Ordinance establishing a Pay and Classification Plan for employees of the City who are not represented by a labor organization for the Fiscal Year ending June 30, 2025.

(Note: First read by Council on June 11, 2024.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Rader, that Bill No. 24-104 be adopted and numbered Ord. No. 9939. The motion carried by the following vote:

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

- G. [BILL NO. 24-105](#) An Ordinance establishing a Pay and Classification Plan for employees of the City who are represented by a labor organization for the Fiscal Year ending June 30, 2025.

(Note: First read by Council on June 11, 2024.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Hodges, that Bill No. 24-105 be adopted and numbered Ord. No. 9940. The motion carried by the following vote:

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

Recused: 1 - Councilmember Prier

10. Committee Reports

Councilmember Shields advised the Rules Committee would meet Thursday at 11:30am via Zoom.

Mayor Baird reminded everyone there will be a Council meeting via Zoom next Thursday, June 27th, at noon.

11. Council Comments:

Councilmember Shields mentioned having Council discuss the trash hauling franchise for Lee's Summit again soon. Mr. Dunning advised this could be sent to the Public Works Committee for discussion.

Councilmember Carlyle congratulated and thanked the Water Utilities Department for their newly attained accreditation.

12. Staff Roundtable

Mr. Mark Dunning, City Manager, advised there was a temporary road closure at Rice Road and Mulberry due to a stormwater issue, but it has been reopened now. He also advised that staff is working on World Cup Planning for 2026 including emergency management.

Mayor Baird stated he was celebrating the Boston Celtics win.

13. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 7 at 8:16pm.

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"