



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

Tuesday, March 8, 2022

6:00 PM

City Council Chambers
and Via Video Conference
220 SE Green Street
Lee's Summit, MO 64063
(816) 969-1000

REGULAR SESSION NO. 60 *AMENDED*****

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, March 8, 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, March 7, 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 website at www.WatchLS.net, and various cable providers (Spectrum channel 2, Google TV channel 143, AT&T U-Verse channel 99 and Comcast channel 7) for those whose cable providers carry the City of Lee's Summit meetings.

Preliminaries:

- A. Invocation
- B. Pledge of Allegiance
- C. Call to Order
- D. Roll Call

Present: 6 - Mayor Bill Baird
Councilmember Fred DeMoro
Councilmember Diane Forte
Councilmember Bob Johnson
Councilmember Beto Lopez
Councilmember Hillary Shields

Absent: 3 - Councilmember Trish Carlyle
Councilmember Phyllis Edson
Councilmember Andrew Felker

1. Approval of Agenda

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, to approve the published amended agenda. Councilmember Forte advised she would be abstaining on Item 4.A.1. - Bill No. 22-38. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, to approve the Consent Agenda Items 2.A. - 2.I. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

A. [2022-4731](#) Approval of City Council Action Letter from February 22, 2022.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, to approve the February 22, 2022 City Council Action Letter as part of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

B. [BILL NO. 22-21](#) An Ordinance approving a Preliminary Development Plan for F.I.T. Muscle and Joint Clinic on land located at 413 NW Murray Road, 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 February 22, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, that Bill No. 22-21 be adopted and numbered Ord. No. 9347 as part of the Consent Agenda. The motion carried by the following vote:

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Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

- C. [BILL NO. 22-23](#) An Ordinance approving a Preliminary Development Plan for Pergola Park 6th Plat and Lumberman's Row at New Longview, land located at 3221 SW Pergola Park 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 February 22, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, that Bill No. 22-213be adopted and numbered Ord. No. 9348 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

- D. [BILL NO. 22-24](#) An Ordinance Authorizing an Application to be Filed with the Missouri Department of Economic Development Pursuant to the Downtown Revitalization Preservation Program for the Downtown Market Plaza Project.

(Note: First read by Council on February 22, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, that Bill No. 22-24 be adopted and numbered Ord. No. 9349 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

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- E. [BILL NO. 22-25](#) An Ordinance Authorizing an Application to be Filed with the Missouri Development Finance Board Pursuant to the Tax Credits for Contributions Program for the Downtown Market Plaza Project.
(Note: First read by Council on February 22, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, that Bill No. 22-25 be adopted and numbered Ord. No. 9350 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

- F. [BILL NO. 22-26](#) An Ordinance Authorizing Formation of the Downtown Market Plaza Redevelopment Corporation for the Downtown Market Plaza Project.
(Note: First read by Council on February 22, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, that Bill No. 22-26 be adopted and numbered Ord. No. 9351 as part of the Consent Agenda. 1 The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

- G. [BILL NO. 22-36](#) An Ordinance accepting Final Plat entitled "Woodside Ridge, 2nd Plat, Lots 144-198 and Tracts I, J & K", as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on February 22, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, that Bill No. 22-36 be adopted and numbered Ord. No. 9352 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

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- H. [BILL NO. 21-40](#) An Ordinance accepting final plat entitled "Highland Meadows, 5th Plat, Lots 134-159 and Tracts G, H, and I", as a subdivision to the City of Lee's Summit, Missouri.

(Note: First reading by Council on February 23, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, that Bill No. 22-21 be adopted and numbered Ord. No. 9354 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

- I. [BILL NO. 21-66](#) An Ordinance accepting final plat entitled Highland Meadows, 6th plat, Lots 160-210 and Tract J as a subdivision to the City of Lee's Summit, Missouri.

(Note: First Read by Council on April 13, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, that Bill No. 22-66 be adopted and numbered Ord. No. 9355 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

3. Council Roundtable

Councilmember Shields reminded everyone the Emerald Isle parade is this weekend in downtown Lee's Summit. It will be cold so bundle up!

4. Public Hearings:

- A. [2022-4735](#) Public Hearing: Chapter 100 Plan for the Zerega Pasta Industrial Facility Expansion; A. Zerega Sons, Inc., applicant

Mr. David Bushek, Chief Counsel of Economic Development and Planning, entered Exhibits 1-4 into the record.

Council discussion included:

Size of building

New taxes generated

PILOT's

Assessed Value

Mr. Rick McDowel, President of the Lee's Summit Economic Development Council, stated they are in favor of this project and feel it is a good growth opportunity for Lee's Summit.

- 1) [BILL NO. 22-38](#) An Ordinance approving a plan for an Industrial Development Project for the Zerega Pasta Project.

(Note: First read by Council on March 8, 2022. Passed by unanimous vote with one abstention.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, that Bill No. 22-38 be advanced to second reading. The motion carried by the following vote:

Aye: 5 - Mayor Baird
Councilmember DeMoro
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

Abstain: 1 - Councilmember Forte

5. Public Comments:

There were no Public Comments.

6. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 22-43](#) An Ordinance approving Amendment No. 6 to the budget for the Fiscal Year ending June 30, 2022, as adopted by Ordinance No. 9184 and Ordinance No. 9187, by amending the authorized expenditures to projected year end amounts for the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, that Bill No. 22-43 be second read. The motion carried by the following vote:

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Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, that Bill No. 22-43 be adopted and numbered Ord. No. 9356. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

- B. [BILL NO. 22-44](#)** An Ordinance approving Amendment No. 7 to the budget for the Fiscal Year ending June 30, 2022, as adopted by Ordinance No. 9184 and Ordinance No. 9187, by amending the authorized expenditures and Full Time Equivalent positions for the Lee's Summit Municipal Airport; amending a position title in the Creative Services Division of the Administration Department; and establishing a new Pay and Classification Plan.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, that Bill No. 22-44 be second read. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Forte, that Bill No. 22-44 be adopted and numbered Ord. No. 9357. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

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Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

- C. [BILL NO. 22-45](#) An Ordinance approving Amendment No. 8 to the Budget for the fiscal year ending June 30, 2022, as adopted by Ordinance No. 9184 and Ordinance No. 9187 by amending the authorized expenditures for the Fire Department for the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Shields, that Bill No. 22-45 be second read. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 22-45 be adopted and numbered Ord. No. 9358. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

7. Proposed Ordinances - First Reading:

- A. [BILL NO. 22-39](#) An Ordinance accepting Final Plat entitled "Park Ridge, 7th Plat, Lots 329-361 and Tracts F6-F7", as a subdivision to the City of Lee's Summit, Missouri. (Note: First read by Council on March 8, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Shields, that Bill No. 22-39 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

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- B. [BILL NO. 22-40](#) An Ordinance accepting Final Plat entitled "Park Ridge, 8th Plat, Lots 362-391", as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on March 8, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Shields, that Bill No. 22-40 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

- C. [BILL NO. 22-41](#) An Ordinance accepting Final Plat entitled "Lee's Summit Logistics, Lots 1-3", as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on March 8, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Shields, that Bill No. 22-41 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

- D. [BILL NO. 22-42](#) An Ordinance approving the first amendment to the Development Agreement between the Streets of West Pryor, LLC, and the City of Lee's Summit, Missouri, for the Lot 7 and Tract C Development in the Streets of West Pryor Development.

(Note: First read by Council on March 8, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, that Bill No. 22-42 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

- E. [BILL NO. 22-46](#) An Ordinance appointing Mark Dunning as City Manager, approving an agreement setting the terms and conditions of employment and the commencement thereof and authorizing the Mayor to execute the same by and on behalf of the City of Lee's Summit, Missouri.

(Note: First read by Council on March 8, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, that Bill No. 22-46 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

8. Proposed Ordinances - Second Reading:

- A. [BILL NO. 22-22](#) An Ordinance approving a Preliminary Development Plan for Main Forest on land located at 4 NW Forest Avenue and 400 NW Main Street, 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 February 22, 2022. Passed unanimously with 1 Abstaining.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, that Bill No. 22-22 be adopted and numbered Ord. No. 9359. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 3 - Councilmember Carlyle
Councilmember Edson
Councilmember Felker

9. Committee Reports

Councilmember Forte stated the Community and Economic Development Committee will meet tomorrow, Wednesday, March 9, 2022 at 4:00pm and they will be discussing the annual CDBG funding.

Councilmember DeMoro advised there will be a Rules Committee on Monday, March 14, 2022 at 11am via Zoom and there will be a Public Works Committee at 5pm on the same day.

10. Council Comments:

Councilmember Forte said some citizens had been asking about all of the trucks on the Adessa property. Mr. Ryan Elam, Director of Development Services, stated the property owners were leasing the property short term to Ford to store over 2,000 Ford F150's that are awaiting chips. They did not realize they had to have a Special Event Permit to do so. They were made aware of this and have subsequently applied for the permit.

Councilmember Forte then asked about ARPA funding stating the document she received from staff was not what she thought it would look like as far as scores, rankings and the outcome was not what she expected. Mr. Steve Arbo, City Manager, advised the information provided was done so to respect the request. However, that was information in a very raw format and is not ready for a presentation to be made yet. Mr. Ryan Elam stated staff will be reviewing that information so that it can be presented to Council in a better format at a later date.

Councilmember Shields asked for an update on the downtown encroachment policy issues. Mr. Michael Park, Director of Public Works, advised they held an Open House with several business owners and he felt it was very successful. They determined that a policy change was not necessary but allowances by the City to businesses would be made through a change to license agreements.

11. Staff Roundtable

Mr. Steve Arbo, City Manager, advised the Half-Cent Public Safety Sales Tax postcard has been sent out to households this week. He stated that staff is willing to speak to any group wanting additional information.

12. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 60 at 6:49pm.

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"