



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

Tuesday, December 21, 2021

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. 53

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, December 21, 2021 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, December 13, 2021, 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: 9 - Mayor Bill Baird
Councilmember Trish Carlyle
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Andrew Felker
Councilmember Diane Forte
Councilmember Bob Johnson
Councilmember Beto Lopez
Councilmember Hillary Shields

1. Approval of Agenda

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

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

2. Council Roundtable

Councilmember Forted noted that today was the shortest day of the year and it is also National Short People Day.

3. Public Hearings:

- A. [2021-4530](#) Public Hearing: Application #PL2021-353 - Preliminary Development Plan - Raintree Animal Health Center addition & renovation; 3820 SW Ward Rd; Davidson Architecture & Engineering, applicant.

Mr. Josh Johnson, Assistant Director of Plan Services, entered Exhibits 1-18 into the record.

Council discussion included:

Original business setbacks
Property lines
neighbors contacted

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 21-252](#) An Ordinance approving a Preliminary Development Plan on land located at 3820 SW Ward Road in District AG, proposed Raintree Animal Health Center addition & renovation, all in accordance with the provisions of Unified Development Ordinance, Chapter 33 of the Code of Ordinances, for the City of Lee's Summit, Missouri.

(Note: First read by City Council on December 21, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Felker, that Bill No. 21-252 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- B. [2021-4580](#) Public Hearing: Master Plan for the Logistics Park Industrial Development

Project (Chapter 100)

Mr. David Bushed, Chief Counsel of Economic Development & Planning, entered Exhibits 1-5 into the record.

Council discussion:

Site Layout (Building "A")

What is being considered tonight

Amounts

Order of projects

Protection for City

Repayment Plan

Other Taxing Jurisdictions

Mr. Rick McDowell stated he and the Lee's Summit Economic Development Committee were in favor of this project and looked forward to having new buildings created within this project area.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 21-253](#) An Ordinance Approving the Master Plan for an Industrial Development Project for the Logistics Park Project.

(Note: First read by City Council on December 21, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Lopez, that Bill No. 21-253 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

4. Public Comments:

There were no Public Comments

5. Presentations:

- A. [2021-4577](#) Presentation: 1/2 Cent Sales Tax - Ballot Issue - Public Safety

Council discussion:

General fund

Financial commitment

Per Person \$

Infrastructure

Projections

1/2 cent equates to \$10.6M - Point of Sale Tax and \$1.5M - Use Tax

Other cities / adjacent communities
Current commitment / Hiring
Ballot language / Ordinance text
Implementation Date
Commitment
Inflation
Adjustment of General Fund Revenues
Definition of "Public Safety"
Work from current list

Council reached a consensus to have an ordinance with the ballot language brought back to the Council for consideration on January 4, 2022.

This Presentation was presented.

- B. [2021-4579](#) Presentation: Downtown Market Plaza Project - Preliminary Design Concepts and Amendment to Development Structure Agreement

Council discussion:

Farmers Market
Entertainment Space / Outdoor Performance Center
Multifamily Units / Homes
Boutique Hotel
Amenities
Destination location with lodging
Elevated walkways
More restaurants / less bars
Permanent Street Closure
Management / Ownership
Flex Space
Public / Private Ownership
Street Closure / Safety
Cooled / Heated Farmers Market
Due Diligence
Expand downtown charm

This Presentation was presented.

- 1) [BILL NO. 21-254](#) An Ordinance Approving the Amended and Restated Development Structure Agreement Among the City of Lee's Summit, Missouri, Lane4 Development Group, Inc., and Biederman Redevelopment Ventures for the Downtown Market Center Project.

(Note: First read by City Council on December 21, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Carlyle, that Bill No. 21-254 be advanced to second reading. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- C. [2021-4602](#) Presentation: Sale of Land and Transfer of Developer Interests from M-III Longview, LLC, to Box Real Estate Development, LLC, under the Longview Tax Increment Financing Contract

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Carlyle, to approve the requested sale of land and transfer of Developer interests from M-III Longview, LLC, to Box Real Estate Development, LLC, as the Developer of record pursuant to the Longview Tax Increment Financing Contract. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

6. Resolutions:

- A. [RES. NO. 21-29](#) A Resolution of the City of Lee's Summit, Missouri, affirmatively assenting to the issuance of revenue bonds payable from revenues to be derived from the operation of the Middle Big Creek Subdistrict sewer system in an amount not to exceed \$106,000,000 for the purpose of acquiring, constructing, improving or extending sewer system serving the Middle Big Creek Sewer Subdistrict, including, but not limited to the improvements described herein, in accordance with section 204.569(3), revised Missouri Statutes. (PWC 12/13/21)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Resolution No. 21-29 be adopted. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

7. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 21-255](#) An Ordinance approving the award of RFQ No. 2022-012 and agreement for professional engineering services for the West Prairie Lee - Sewer Modeling

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and Design Services Project to Burns & McDonnell Engineering Company, Inc., for an amount not to exceed \$130,949.00, and authorizing the City Manager to execute the same. (PWC 12/13/21)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 21-255 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, that Bill No. 21-255 be adopted and numbered Ord. No. 9305. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- B.** [BILL NO. 21-256](#) An Ordinance approving the use of the Cooperative Purchasing Agreement (2021-097) between the City of Lee's Summit, Missouri and Ace Pipe Cleaning, Inc. for CCTV inspection of RCP pipe in the Little Cedar Creek and West Prairie Lee Watersheds in the amount of \$130,957.25 and authorizing the City Manager to execute the same. (PWC 12/13/21)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 21-256 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 21-256 be adopted and numbered Ord. No. 9306. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- C. [BILL NO. 21-257](#) An Ordinance amending Chapter 29, Traffic and Motor Vehicles, of the Code of Ordinances of the City of Lee's Summit, Missouri, by amending Appendix A, Schedule of Speed Limits, for certain streets and segments of streets located in the City of Lee's Summit. (PWC 12/13/21)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Felker, that Bill No. 21-257 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Shields, that Bill No. 21-257 be adopted and numbered Ord. No. 9307. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- D. [BILL NO. 21-258](#) An Ordinance approving Modification No. 1 to an Agreement for Professional Engineering Services for the East Fork of Little Blue Watershed River Stormwater Improvement Project (Sole Source) between the City of Lee's Summit, Missouri, and Allgeier, Martin & Associates, Inc., for an increase of \$466,000 for the amended basic and optional services, with an amended not to exceed amount of \$624,000, and authorizing the City Manager to execute the same. (PWC 12/13/21)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Shields, that Bill No. 21-258 be second read. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Edson, that Bill No. 21-258 be adopted and numbered Ord. No. 9308. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- E. [BILL NO. 21-259](#) An Ordinance approving an intergovernmental agreement for transit services between the City of Lee's Summit, Missouri, and the Kansas City Area Transportation Authority (KCATA), for a period from January 1, 2022, through December 31, 2022, with a one-year option to renew, and commitment of Federal Transit Administration Section 5307 Formula Funds and CARES Act Funds to KCATA for eligible operating and capital expenses, and authorizing the Mayor to execute the same. (PWC 12/13/21)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Carlyle, that Bill No. 21-259 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Carlyle, that Bill No. 21-259 be adopted and numbered Ord. No. 9309. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- F.** [BILL NO. 21-260](#) An Ordinance approving a Transportation Service Agreement between the City of Lee's Summit, Missouri, and OATS, Incorporated (OATS), for transit services effective January 1, 2022 through December 31, 2022, with a one-year option to renew, and commitment of Federal Transit Administration Section 5307 formula funds and CARES Act funds to OATS for transit service, and authorizing the City Manager to execute the same. (PWC 12/13/21)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Carlyle, that Bill No. 21-260 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 21-260 be adopted and numbered Ord. No. 9310. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- G.** [BILL NO. 21-261](#) An Ordinance approving a Utility Agreement between the City of Lee's Summit, Missouri, and Evergy Metro, Inc. for facility relocation in the amount of \$203,635.50 pursuant to the Chipman Road Improvements from View High Drive to Bent Tree Drive Project, and authorizing the City Manager to execute the same. (PWC 12/13/21)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 21-261 be second read. The motion carried by the following vote:

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Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Edson, that Bill No. 21-261 be adopted and numbered Ord. No. 9311. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- H. [BILL NO. 21-262](#)** An Ordinance approving a Quitclaim Deed between the City of Lee's Summit, Missouri, and the Missouri Highways and Transportation Commission to adjust the City/State right-of-way limits along a portion of Chipman Road, and authorizing the Mayor to execute the same. (PWC 12/13/21)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 21-262 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 21-262 be adopted and numbered Ord. No. 9312. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- I. [BILL NO. 21-263](#)** An Ordinance approving Change Order No. 3 to the agreement with Linaweaver Construction, Inc. for the Lea Drive Stormwater project, an increase of

\$14,943.25 for a revised contract amount of \$2,085,800.55 and an increase of 35 calendar days to the overall project completion date and authorizing the execution of the same. (PWC 12/13/21)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Lopez, that Bill No. 21-263 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Lopez, that Bill No. 21-263 be adopted and numbered Ord. No. 9313. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

8. Committee Reports

Councilmember Forte advised there would be a report from the Homeless Coalition coming before the Council in March 2022.

Councilmember Felker stated that Rules Committee met on Monday and discussed the residency requirements for boards and commissions. He noted they would be meeting again for some additional discussion on this topic before bringing it to the full City Council.

9. Council Comments:

There were no Council Comments.

10. Staff Roundtable

There was no other Staff Roundtable beyond the reported noted below.

A. [2021-4590](#) Report: Update on Solid Waste Processing Facility

Mr. David Bushek, Chief Counsel of Economic Development and Planning, provided some information to Council and advised of upcoming public engagement opportunities regarding this project.

11. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 53 back into the previously motioned Closed Session at 10:00 p.m.

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(Previous Closed Session: Pursuant to Section 610.021(1) of the Revised Statutes of the State of Missouri pertaining to legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communication between a public governmental body or its representatives and its attorney; and, pursuant to Section 610.021(2) of the Revised Statutes of the State of Missouri pertaining to the leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore; and, pursuant to Section 610.021(3) of the Revised Statutes of the State of Missouri pertaining to hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded; and, pursuant to Section 610.021(9) of the Revised Statutes of the State of Missouri pertaining to preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups; and, pursuant to Section 610.021(13) of the Revised Statutes of the State of Missouri pertaining to individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment.)

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"