



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

Tuesday, May 10, 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. 1AMENDED****

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, May 10, 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, May 9, 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

1. Call to Order

Mayor Baird called Regular Session No. 1 to order at 6:22 pm.

2. Roll Call

Note: Councilmember Edson present at 7:14 pm, this was the beginning of Item 7.D.

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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

3. Approval of Agenda

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

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Edson

4. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember DeMoro, to approve the Consent Agenda (Item 4. A.). The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Edson

A. [2022-4874](#) Approval of City Council Action Letter from April 26, 2022.

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember DeMoro, to approve the City Council Action Letter from April 26, 2022, as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Edson

5. Council Roundtable

Councilmember DeMoro stated several students from Summit Tech gave a presentation on a project from beginning to end with a lot of detail from land use, stormwater, sanitary sewers, to final development. It was very impressive.

Councilmember Shields noted students from Summit Tech also had a luncheon this week for International Studies Mentor appreciation. Students have been having exchanges and cross cultural projects, they even discussed having a Sister City with the city.

Mayor Baird advised there was a ribbon cutting for the Scanell properties which is 800,000+ square feet of industrial / warehouse located behind the Police Department.

6. Proclamations:

- A. [2022-4913](#) Proclamation: Building Safety Month - May 2022
This Proclamation was presented.
- B. [2022-4896](#) Proclamation: Historic Preservation Month - May 2022
This Proclamation was presented.
- C. [2022-4897](#) Proclamation: Recognition of the Lee's Summit Robotics / Cyber Teams - Patriot Students
This Proclamation was presented.

7. Public Hearings:

- A, [2022-4818](#) Public Hearing: Application #PL2022-018 - Preliminary Development Plan - Lee's Summit Fire Station #4, 5031 NE Lakewood Way; City of Lee's Summit, applicant.
(Note: This Public Hearing was continued from April 26, 2022 and May 10, 2022, per staff's request.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Hodges, that this Public Hearing for Application #PL2022-018 - Preliminary Development Plan - Lee's Summit Fire Station #4, 5031 NE Lakewood Way; City of Lee's Summit, applicant be continued to May 24, 2022. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Edson

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- B. [2022-4848](#) Public Hearing: Application #PL2022-070 - Unified Development Ordinance Amendment - Proposed amendment to the design standards for new trash enclosures in the downtown core area, UDO Section 8.440.E.2.f; City of Lee's Summit, applicant.

Mr. Shannon McGuire, Planner, entered exhibits A - 1-11 into the record.

There was no Council discussion.

No one was present to speak in favor of or in opposition to this amendment.

This Public Hearing - Sworn was presented.

1. [BILL NO. 22-88](#) An Ordinance amending Chapter 33 of the Lee's Summit Code of Ordinances, Article 8, Division I, Subdivision 8, Section 8.440.E.2.f to update the design standards for new trash enclosures in the downtown core area of Lee's Summit; City of Lee's Summit, applicant.
(Note: First read by Council on May 10, 2002. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember DeMoro, that Bill No. 22-88 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Edson

- C. [2022-4851](#) Public Hearing: Application #PL2022-047 - Preliminary Development Plan - K1 Speed, 2911 NE Independence Avenue; DH4 Holdings, LLC, applicant.

Mr. Shannon McGuire, Planner, entered exhibits A - 1-19 into the record.

Council discussion included:

Curb Modification
Parking lot(s)
First in Missouri
Parking Ratios
Shared Parking

No one was present to speak in favor of or in opposition to this project.

This Public Hearing - Sworn was presented.

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1. [BILL NO. 22-89](#) An Ordinance approving a Preliminary Development Plan for K1 Speed on land located at 2911 NE Independence Avenue 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 May 10, 2002. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 22-89 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Edson

- D. [2022-4923](#) Public Hearing: Application #PL2021-450 - Rezoning from AG to RP-3 and Preliminary Development Plan - Anderson Pointe, 5601 NE Anderson Road; Engineering Solutions, LLC, applicant.
(Note: This was continued from April 12, 2022 per the applicant's request.)

Mr. Hector Soto, Senior Planner, entered Exhibits A, 1-28 into the record. He advised there was a legal petition for this project so there is a requirement of 6 votes in favor of this project to pass.

Council discussion included:

Stormwater Drainage Study

Shoulders

Unimproved Road Policy

Excavation

Drainage

Cost of Road

Engineered Swale

Ponds (Detention Basins)

Basin Overflow

Little Blue River

Peak flow in existing infrastructure

7 acres of common area

Sound Control

Tree lines

Mitigation Measures

Other alternatives for run off

Future road improvements

Blasting / Hoe-ramming

Drainage to main pond

Upkeep of basin

Detention ponds in Anderson Pointe (water run off when full)

Little Blue Drainage

Flood Plains

Guarantee to not add to flooding issues

Original Land Use

Mitigated Wet Lands

FEMA

Sight Lines (Final Design)

Sidewalks

Turn Lanes

Raising Anderson Drive

Seismic Activity

Tree Preservation

Several Citizens were present to voice their opposition to the project speaking

about flooding, wildlife, traffic, density, stormwater and infrastructure burdens.

These speakers included:

Anthony (Tony) Wrisinger

Erin Smith

Justin Van Wyck

Eric Self

Jennifer Allsworth

Jason Cullen

Molly Ray

Ed Berka

Diane Forte

Jeffrey Frost

Leslie Brown

Curt Rafferty

This Public Hearing - Sworn was presented.

1. [BILL NO. 22-90](#) An Ordinance approving a rezoning from AG (Agricultural) to district RP-3 (Planned Residential Mixed Use) and Preliminary Development Plan for Anderson Pointe on land located at 5601 NE Anderson 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.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, that Bill No. 22-90 be advanced to second reading. The motion failed by the following vote:

Aye: 4 - Mayor Baird
Councilmember Felker
Councilmember Lovell
Councilmember Shields

Nay: 5 - Councilmember DeMoro
Councilmember Edson
Councilmember Hodges
Councilmember Lopez
Councilmember Prier

8. Public Comments:

There were no Public Comments.

9. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 22-91](#) An Ordinance approving Amendment No. 10 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 City of Lee's Summit, Missouri. (F&BC 5/2/22)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Shields, that Bill No. 22-91 be second read. 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

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Edson, that Bill No. 22-91 be adopted and numbered Ord. No. 9409. 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. 22-92](#)** An Ordinance approving the award of Bid No. 2022-050 to Mechanical Piping, LLC to purchase plumbing services and materials on an as-needed basis for a one-year term with up to four, one-year renewals, and authorizing the City Manager to execute the same for the City. (F&BC 5/2/22)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 22-92 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 Hodges, that Bill No. 22-92 be adopted and numbered Ord. No. 9410. 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. 22-93](#) An Ordinance approving the dual award of Bid No. 2022-047, to purchase equipment rental services on an as-needed basis for a one-year term with up to four, one-year renewals to Bledsoe Equipment, Inc. and The G.W. VanKeppel Co., and authorizing the City Manager to execute the same for the City. (F&BC 5/2/22)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Edson, that Bill No. 22-93 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. 22-93 be adopted and numbered Ord. No. 9411. 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. 22-94](#) An Ordinance approving the use of a Cooperative Contract between Jackson County, Missouri and Guier Fence Company, to purchase fencing materials, repairs, and installation as needed and authorizing the City Manager to execute documents to use the same for the City. (F&BC 5/2/22)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Edson, that Bill No. 22-94 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 Prier, seconded by Councilmember Edson, that Bill No. 22-94 be adopted and numbered Ord. No. 9412. 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

10. Proposed Ordinances - First Reading:

- A. [BILL NO. 22-95](#) An Ordinance accepting Final Plat entitled, "Market Street Center, Lot 1-2 & Tract A", as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on May 10, 2002. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 22-95 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. 22-96](#) An Ordinance vacating certain easements located at 3501 SW Market Street in the City of Lee's Summit, Missouri.
(Note: First read by Council on May 10, 2002. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 22-96 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

- C. [BILL NO. 22-97](#) An Ordinance accepting Final Plat entitled, "Pergola Park, 5th Plat, Lots 119 thru 133 and Tracts Q thru S and 11-5", as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on May 10, 2002. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 22-97 be advanced to second reading. 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. 22-98](#) An Ordinance approving Modification No. 1 to an Agreement for Professional Engineering Services for 3rd Street Improvements from Jefferson Street to Blue Parkway (RFQ No. 2020-066) between the City of Lee's Summit, Missouri, and WSP USA, Inc., for an increase of \$82,000.00 for the amended basic services, with an amended not to exceed amount of \$729,300.00, and authorizing the City Manager to execute the same.

(Note: First read by Council on May 10, 2002. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 22-98 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

- E.** [BILL NO. 22-99](#) An Ordinance awarding the bid for Project No. 568-323-78 for the Browning Street Extension - Browning St. to Hamblen Rd. Project to Amino Bros. Co., Inc. in the amount of \$3,397,845.08 and authorizing the City Manager to execute an agreement for the same.

(Note: First read by Council on May 10, 2002. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember DeMoro, that Bill No. 22-99 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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- F. [BILL NO. 22-100](#) An Ordinance approving Modification No. 2 to an Agreement for Professional Engineering Services for the Browning Street Extension from Browning Street to Hamblen Road (RFQ No. 568-32372) between the City of Lee's Summit, Missouri, and Bartlett & West, Inc., for an increase of \$31,469.00 with an amended not to exceed amount of \$245,190.00, and authorizing the City Manager to execute the same.

(Note: First read by Council on May 10, 2002. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Edson, that Bill No. 22-100 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

- G. [BILL NO. 22-101](#) An Ordinance awarding the bid for Project No. 790-OV for the Mill & Overlay FY23 Program to Superior Bowen Asphalt Company, L.L.C. in the amount of \$3,745,041.01 and authorizing the City Manager to execute an agreement for the same.

(Note: First read by Council on May 10, 2002. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Edson, that Bill No. 22-101 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

- H. [BILL NO. 22-102](#) An Ordinance awarding the bid for Project No. 790-SS for the Surface Seal FY23 Program to Vance Brothers, Inc. in the amount of \$1,054,802.56, and authorizing the City Manager to execute an agreement for the same.

(Note: First read by Council on May 10, 2002. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Shields, that Bill No. 22-102 be advanced to second reading. 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

11. Committee Reports

Mayor Pro Tem Lopez advised there will be a Finance and Budget Committee meeting on Monday, May 16, 2022 at 5:00pm.

12. Council Comments:

Mayor Baird advised he was reappointing Mayor Pro Tem Lopez to continue being Mayor Pro Tem for the next year.

Mayor Baird stated that he, Mayor Pro Tem Lopez, Councilmember DeMoro and Councilmember Edson went to MML in February and met with Senator Cierpoit, Senator Razer and Representatives Patterson, Rizzo and Ingle for assistance in obtaining some of the state ARPA funds. This past Friday, \$10.5M of the request is in the State's approved budget. He thanked Senator Cierpoit and Representative Ingle for their assistance and championing for the City.

Mayor Baird referenced an article in the Tribune regarding volunteers cleaning up trash on Blue Parkway and how great that was. He asked staff to look into making the use of volunteers to clean Lee's Summit roadways and highways more sustainable and the costs involved.

He also noted there would probably be a May 31, 2022 Council meeting due to all the projects coming through City Council.

Mayor Pro Tem Lopez thanked and commended the new councilmembers for doing such a great job of doing their due diligence leading up to the Public Hearing tonight as well as the other items on the agenda. He felt they all did a great job.

Councilmember Felker echoed Mayor Pro Tem with regards to the new councilmembers. He also stated he would like to see if the City can partner with others in the community to look at resolving the trash issues on the roadways within the City.

Councilmember DeMoro also thanked the new councilmembers and he feels the Council is going to work very well together and he appreciates staff for all they do as well.

13. Staff Roundtable

Mr. Steve Arbo, City Manager, stated the new councilmembers have had many hours of on-boarding during the past couple of weeks and they have done a great job of being present and learning all the information provided by staff. He looks forward to working with them.

A. [2022-4916](#) FY23 Final Capital Improvement Plan with Public Comments

Mr. Michael Park, Director of Public Works, stated this was just a written report for the Council to review and ask questions. The ordinance will be coming before Council in June.

Councilmember Felker asked if there would be a time to ask questions or add comments. Mr. Park advised to get those questions or concerns to staff as soon as possible so they can be answered prior to being submitted to the Planning Commission for their Public Hearing.

14. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 1 at 10:50 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"