



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

Tuesday, December 13, 2022

6:00 PM

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

REGULAR SESSION NO. 23

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, December 13, 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, December 12, 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. 23 to order at 6:13 pm.

- D. Roll Call

Present: 6 - Mayor Bill Baird
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Beto Lopez
Councilmember John Lovell
Councilmember Mia Prier

Absent: 3 - Councilmember Andrew Felker
Councilmember Faith Hodges
Councilmember Hillary Shields

1. Approval of Agenda

ACTION:

Mayor Baird removed Item 2.H. from the Consent Agenda, due to a request from the applicant

for a change in the agreement. This item will be considered directly following the approval of the Consent Agenda.

A motion was made by Councilmember Edson, seconded by Councilmember Lovell, to approve the agenda as amended. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 3 - Councilmember Felker
Councilmember Hodges
Councilmember Shields

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, to approve the Consent Agenda, Items 2.A. – 2.G. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 3 - Councilmember Felker
Councilmember Hodges
Councilmember Shields

A. [2022-5305](#) Approval of City Council Action Letter from December 6, 2022.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, to approve the City Council Action Letter from December 6, 2022 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

B. [BILL NO. 22-241](#) An Ordinance Approving a Plan for a Chapter 100 Project for the Town Centre Industrial Project.

(Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 22-241 be adopted and numbered Ord. No. 9560 as part of the Consent Agenda. The motion carried by the following vote:

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Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

- C. [BILL NO. 22-242](#) An Ordinance amending the Unified Development Ordinance by amending Section 14.170 and repealing Section 14.180, 14.190 and 14.200 thereof, to provide that the Cultural Commission shall serve as the Historic Preservation Commission of the City of Lee's Summit, Missouri.
(Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 22-242 be adopted and numbered Ord. No. 9561 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

- D. [BILL NO. 22-243](#) An Ordinance amending the Lee's Summit Code of Ordinances by Clarifying and moving Article 8, Division II Parking, The Standards for storage and parking of RVs, Boats and Utility Trailers from Chapter 33, the Unified Development Ordinance, to Chapter 16, the Property Maintenance Code of the Code of Ordinances for the City of Lee's Summit, Missouri.
(Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 22-243 be adopted and numbered Ord. No. 9562 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

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- E. [BILL NO. 22-244](#) An Ordinance amending Chapter 16, Lee's Summit Property Maintenance Code, by adopting regulations pertaining to vehicle parking and storage regulations for private property of the Code of Ordinances for the City of Lee's Summit, Missouri.

(Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 22-244 be adopted and numbered Ord. No. 9563 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

- F. [BILL NO. 22-251](#) An Ordinance vacating a certain easement located at 5031 and 5051 NE Lakewood Way in the City of Lee's Summit, Missouri.

(Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 22-251 be adopted and numbered Ord. No. 9564 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

- G. [BILL NO. 22-252](#) An Ordinance vacating a certain easement located at 900 NW Black Twig Circle in the City of Lee's Summit, Missouri.

(Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that this Ordinance be adopted and numbered.Ord. No. 9565 The motion carried by the following vote:

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Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

- H. [BILL NO. 22-253](#) An Ordinance Approving the Cooperative Agreement Among the City of Lee's Summit, Missouri, The Valle Vista Community Improvement District and LS Valle Vista 2018, LLC.
(Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

ACTION:

Mr. David Bushek advised the change being made to Bill No. 22-252 is the Cooperative Agreement provides that the interest rate on certified and unreimbursed project costs is the prime rate plus 1%, up to a cap of 6%. In the past, this was a very reasonable provision and the developer initially agreed to this limitation. However, Developer has requested that the cap be removed because actual lending rates are much higher right now, and prime is 7% today (up from 3.25% at the start of 2022). Staff believes this is a reasonable request given the current lending rates, and there is a statutory 10% maximum on the interest rate that can be paid under this contract. This change is relatively minor, but it is substantive to the agreement and not in the nature of a scrivener's error.

A motion was made by Mayor Pro Tem Lopez, seconded by Councilmember DeMoro, that Bill No. 22-252 be adopted and numbered Ord. No. 9566. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 3 - Councilmember Felker
Councilmember Hodges
Councilmember Shields

3. Council Roundtable

Councilmember Lovell was advised by Mr. Joe Snook, Parks Administrator, that the former Parks Administrator, Mr. Tom Lovel (Councilmember Lovell's father), was inducted into the Missouri Parks and Recreation Hall of Fame today.

Councilmember Edson congratulated Councilmember Shields on the birth of her son (Felix) on Friday, December 9, 2022.

4. Proclamations:

- A. [2022-5308](#) Proclamations - Appreciation for Senator Cierpiot, Representative Ingle and

Representative Patterson for their efforts in securing \$10,500,000 in State ARPA funding for necessary water and sanitary sewer infrastructure.

This Proclamation was presented.

5. Public Hearings:

- A. [2022-5299](#) Public Hearing: Chapter 100 Plan for the Summit Square Phase III Apartments Project; NorthPoint Development, LLC, applicant

Mr. David Bushek, Chief Counsel of Economic Development and Planning, entered Exhibits 1-7 into the record.

Council discussion included:

- Abatement Request totals

No one was present to speak in favor of or opposed to this application.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 22-254](#) An Ordinance approving a plan for a Chapter 100 Project for the Summit Square Phase III Apartments Project.

(Note: First read by City Council on December 13, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 22-254 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 3 - Councilmember Felker
Councilmember Hodges
Councilmember Shields

- B. [2022-5301](#) Public Hearing: Chapter 100 Plan for the Tudor & Douglas Apartments Project; Archview Properties, LLC, applicant (affiliate of Cityscape Residential)

Mr. David Bushek, Chief Counsel of Economic Development and Planning, entered Exhibits 1-6 into the record.

Council discussion included:

- \$1800 per door assessment
- Escalator with valuations

No one was present to speak in favor of or opposed to this application.

This Public Hearing - Sworn was presented.

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- 1) [BILL NO. 22-255](#) An Ordinance approving a plan for a Chapter 100 Project for the Tudor and Douglas Apartments Project.
(Note: First read by City Council on December 13, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember DeMoro, that Bill No. 22-255 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 3 - Councilmember Felker
Councilmember Hodges
Councilmember Shields

- C. [2022-5303](#) Public Hearing: Chapter 100 Plan for the Raintree Village Senior Care Project; CCRC of Lee's Summit, LLC, applicant (affiliate of Scenic Development)

Mr. David Bushek, Chief Counsel of Economic Development and Planning, entered Exhibits 1-6 into the record.

Council discussion included:
There was no Council discussion.

No one was present to speak in favor of or opposed to this application.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 22-256](#) An Ordinance approving a plan for a Chapter 100 Project for the Raintree Village Project.
(Note: First read by City Council on December 13, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Prier, that Bill No. 22-256 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 3 - Councilmember Felker
Councilmember Hodges
Councilmember Shields

6. Public Comments:

There were no Public Comments.

7. Presentations:

A. [2022-5229](#) Continued Discussion: 2023 No Tax Increase Bond Initiatives

Council discussion included:

- Water / Sewer Projects
- Impactful Items
- Lifespan of bond issue / lifespan of asset
- Consistency throughout districts
- Great Improvements throughout the City
- Road Extensions
- Sales Tax Initiatives / Public Safety

Councilmember Felker arrived at 8:23pm.

Council went through each item on the list to determine what items move forward to next week.

Present: 7 - Mayor Bill Baird
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Andrew Felker
Councilmember Beto Lopez
Councilmember John Lovell
Councilmember Mia Prier

Absent: 2 - Councilmember Faith Hodges
Councilmember Hillary Shields

8. Resolutions:

A. [RES. NO. 22-23](#) A Resolution authorizing the City of Lee's Summit Water Utilities Department application for grant funding from the Missouri Department of Natural Resources for the State American Rescue Plan Act (ARPA) for Legislative Priority Water Infrastructure Projects.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Resolution No. 22-23 be adopted. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

9. Proposed Ordinances Forwarded from Committee:

A. [BILL NO. 22-257](#) An Ordinance repealing the current City of Lee's Summit Procurement Policy as adopted by Ordinance No. 8758, and adopting in lieu thereof a new policy entitled Procurement Policy for the City of Lee's Summit, Missouri. (F&BC

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12/5/22)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Edson, that Bill No. 22-257 be second read. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Edson, that Bill No. 22-257 be adopted and numbered Ordinance No. 9567. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

- B. [BILL NO. 22-258](#)** An Ordinance approving Amendment No. 8 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, and by amending the full time equivalent positions for Police, Fire, and Water Utilities and establishing a new Pay and Classification Plan for the City. (F&BC 12/5/22)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Edson, that Bill No. 22-258 be second read. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell

Absent: 2 - Councilmember Hodges
Councilmember Shields

Recused: 1 - Councilmember Prier

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Edson, that Bill No. 22-258 be adopted and numbered Ordinance No. 9568. The motion carried by the following vote:

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Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell

Absent: 2 - Councilmember Hodges
Councilmember Shields

Recused: 1 - Councilmember Prier

- C. [BILL NO. 22-259](#) An Ordinance approving Amendment No. 9 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 of the Police Department for the City of Lee's Summit, Missouri. (F&BC 12/5/22)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember DeMoro, that Bill No. 22-259 be second read. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 22-259 be adopted and numbered Ordinance No. 9569. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

10. Proposed Ordinances - First Reading:

- A. [BILL NO. 22-260](#) An Ordinance approving an agreement between the City of Lee's Summit, Missouri and Xybix for the purchase of dispatching consoles and authorizing the City Manager to execute the same of on behalf the City of Lee's Summit, Missouri.

(Note: First read by City Council on December 13, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, that Bill No. 22-260 be advanced to second reading.. The motion carried by the following vote:

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Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

ACTION:

After discussion, it was noted the title of the Bill read by Councilmember Edson was inadvertently changed from the title that was on the Council agenda. Therefore this motion had to be reconsidered and tabled to correct the issue.

A motion was made by Councilmember Felker, second by Councilmember Lovell to reconsider advancing to second reading Bill No. 22-260 as previously read.

The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

ACTION:

After approval of reconsideration of the previous motion to advance Bill No. 22-260 to second reading, a motion was made by Councilmember Felker, seconded by Councilmember DeMoro, that the previously read Bill No. 22-260 be tabled. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

ACTION:

After reconsidering and tabling Bill No. 22-260 with an incorrect ordinance title, a motion was made by Councilmember Edson, seconded by Councilmember Felker, that Bill No. 22-260 (with correct title) be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Absent: 2 - Councilmember Hodges
Councilmember Shields

11. Committee Reports

Councilmember Felker stated the Public Works Committee met on Monday and cleaned up ordinances regarding the Tree Board and Board of Aeronautic Commissioners.

12. Council Comments:

There were no Council Comments.

13. Staff Roundtable

Mr. Mark Dunning, City Manager, stated staff is in discussion with the consultant on economic development best practices. Information will be presented to Council at a later date.

Mr. Michael Park, Public Works Director, shared with the Council the current Snow Mapping System and how the system will function in a snow event.

14. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 23 at 9:31pm.

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"