



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

Tuesday, February 1, 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. 57**

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Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, February 1, 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, January 31, 2022, to the City Clerk at [clerk@cityofls.net](mailto: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](http://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

Mayor Baird called Regular Session No. 57 to order at 6:02 p.m.

- 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 Edson, 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. Approval of Consent Agenda:

**ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lopez, to adopt the Consent Agenda. The motion carried by the following vote:**

**Aye:** 8 - Mayor Baird  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Felker  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Nay:** 1 - Councilmember Forte

### A. [2022-4652](#) Approval of City Council Action Letter from January 18, 2022.

**A motion was made by Councilmember Shields, seconded by Councilmember Lopez, to approve the Action Letter dated January 18, 2022 as part of the Consent Agenda. The motion carried by the following vote:**

**Aye:** 8 - Mayor Baird  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Felker  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Nay:** 1 - Councilmember Forte

### B. [2022-4662](#) Mayor's Appointments:

Commission on Diversity and Inclusion: Appoint Cheri Ball to replace Melanie Harding.

**A motion was made by Councilmember Shields, seconded by Councilmember Lopez, to approve Mayor's Appointments as part of the Consent Agenda. The motion carried by the following vote:**

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**Aye:** 8 - Mayor Baird  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Felker  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Nay:** 1 - Councilmember Forte

- C. [BILL NO. 22-11](#) An Ordinance approving a Preliminary Development Plan on land located at 3501 SW Market Street in District CP-2, proposed Market Street Center, 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 Council on January 18, 2022. Passed by unanimous vote.)

**A motion was made by Councilmember Shields, seconded by Councilmember Lopez, that Bill No. 22-11 be adopted and numbered Ordinance No. 9328 as part of the Consent Agenda. The motion carried by the following vote:**

**Aye:** 8 - Mayor Baird  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Felker  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Nay:** 1 - Councilmember Forte

- D. [BILL NO. 22-12](#) An Ordinance approving a Preliminary Development Plan on land located at 900 NW Pryor Road in District PMIX, proposed Lot 9, Streets of West Pryor, all in accordance with the provisions of the Unified Development Ordinance, Chapter 33 of the City of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.  
(Note: First read by Council on January 18, 2022. Passed by unanimous vote.)

**A motion was made by Councilmember Shields, seconded by Councilmember Lopez, that Bill No. 22-12 be adopted and numbered Ordinance No. 9329 as part of the Consent Agenda. The motion carried by the following vote:**

**Aye:** 8 - Mayor Baird  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Felker  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Nay:** 1 - Councilmember Forte

- E. [BILL NO. 22-13](#) An Ordinance approving the lease agreement between Sunrise Masonry, Inc. and the City of Lee's Summit, Missouri, for the use of the property at 1305 SW

Jefferson Street for storage, and authorizing the Mayor to execute the same.

(Note: First read by Council on January 18, 2022. Passed by unanimous vote.)

**A motion was made by Councilmember Shields, seconded by Councilmember Lopez, that Bill No. 22-13 be adopted and numbered Ordinance No. 9330 as part of the Consent Agenda. The motion carried by the following vote:**

**Aye:** 8 - Mayor Baird  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Felker  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Nay:** 1 - Councilmember Forte

### 3. Council Roundtable

Councilmember Edson welcomed members of Boy Scout troop 1054 and thanked them for attending tonight's meeting.

Councilmember Felker stated he will be abstaining from agenda items 5A, 5B and 7A due to a conflict of interest.

Councilmember Johnson announced girls have 30 days to register for girls softball.

### 4. Presentations:

A. [2022-4678](#) Presentation: Pro-Active Code Enforcement

City Council discussions included:

- Are cases open on all violations found
- Additional employees and cost
- What happens when no resources are available for the owner to abate
- Possibility to put aside CBDG funds for abatement for those in need
- Quality Housing program - groups, advertising, and best practices
- Appeal process
- Will there be fewer violations after a few years of the program implementation
- Database of community volunteers or volunteer groups

**This Presentation was presented.**

- 1) [RES. NO. 22-03](#) A Resolution establishing a Proactive Code Enforcement Policy to guide the enforcement of the adopted Property Maintenance Code, the Unified Development Ordinance and the Business License Code in the City of Lee's Summit, Missouri.

**ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Carlyle, to adopt Resolution No. 22-03. The motion carried by the following vote:**

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**Aye:** 8 - Mayor Baird  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Felker  
Councilmember Forte  
Councilmember Lopez  
Councilmember Shields

**Nay:** 1 - Councilmember Johnson

- B.** [2022-4649](#) Conceptual Economic Development Incentive Request - Sales tax exemption on construction materials and real and personal property tax abatement pursuant to Chapter 100 for Zerega Pasta expansion, A. Zeregas Sons, Inc., applicant

City Council discussions included:

- Legal collection of remaining taxes
- Claw Backs
- Jobs and salaries
- Assesed evaluations
- Clarification of Chapter 100 and when the city has used it before
- Future expansion/development
- Equipment purchases
- New jobs created by the expansion
- New footprint and additional parking

**This Presentation was presented.**

- C.** [2022-4654](#) Presentation: Update on Solid Waste Processing Facility

There were no questions from the City Council on this presentation.

**5. Public Hearings:**

- A.** [2022-4637](#) Public Hearing: Application #PL2021-428 - Preliminary Development Plan and Application #PL2021-429 - Special Use Permit for a processing facility - Lee's Summit Processing Facility, 2101 SE Hamblen Rd; KC Dumpster Company, applicant.

Exhibit A, list of exhibits 1-21, were entered into the record.

City Council discussions included:

- Pricing
- Recycling
- Total investment from applicant
- Sorting by machine or people
- Working with DNR (Department of Natural Resources)

Ms. Debbie Calhoun, President of the Newberry HOA, spoke in opposition to this application.

There were no speakers in favor of this application.

- 1) [BILL NO. 22-14](#) An Ordinance approving a Preliminary Development Plan for a processing facility on land located at 2101 SE Hamblen Road, all in accordance with the provisions of the Unified Development Ordinance, Chapter 33 of the City of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.

**ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember DeMoro, that Bill No. 22-14 be advanced to second reading. The motion carried by the following vote:**

**Aye:** 6 - Mayor Baird  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Nay:** 2 - Councilmember Carlyle  
Councilmember Forte

**Abstain:** 1 - Councilmember Felker

- 2) [BILL NO. 22-15](#) An Ordinance approving a Special Use Permit for a processing facility on land located at 2101 SE Hamblen Road, all in accordance with the provisions of the Unified Development Ordinance, Chapter 33 of the City of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 22-15 be advanced to second reading. The motion carried by the following vote:**

**Aye:** 6 - Mayor Baird  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Nay:** 2 - Councilmember Carlyle  
Councilmember Forte

**Abstain:** 1 - Councilmember Felker

## 6. Public Comments:

There were no Public Comments.

## 7. Proposed Ordinances - First Reading:

- A. [BILL NO. 22-16](#) An Ordinance accepting Final Plat entitled The Ridge at Winterset Ridge, Lots 1601-1605 and Tract A, as a subdivision to the city of Lee's Summit, Missouri.

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Shields, that Bill No. 22-16 be advanced to second reading. The motion carried by the following vote:**

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**Aye:** 8 - Mayor Baird  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez  
Councilmember Shields

**Abstain:** 1 - Councilmember Felker

**8. Resolutions:**

- A. [RES. NO. 22-04](#) A Resolution authorizing the Mayor to appoint successor directors to the I-470 and View High Community Improvement District.

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, that Resolution No. 22-04 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

- B. [RES. NO. 22-05](#) A Resolution expressing support for the Missouri River Runner Train Service from Amtrak and urging the State of Missouri to fully fund two round-trip trains with stops at the Lee's Summit Station. (LIRC 1/20/22)

**ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Resolution No. 22-05 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

**9. Committee Reports**

Councilmember Johnson announced the Finance and Budget Committee will meet Monday, February 7, 2022 at 5:00 p.m. in the City Council Chambers.

**10. Council Comments:**

Councilmember DeMoro recognized Fire and Police personnel for a job well done on 11th Street.

Councilmember Forte gave kudos to Police personnel for solving the homicide on the Amtrak train.

Councilmember Edson shared that her Mother-in-Law received a postcard from Jackson County with directions on how to update her information online. She asked City Staff to keep in mind some people do not own computers and don't understand the language.

Mayor Baird expressed his appreciation for snow removal and communications staff. He said he hopes everyone stays safe.

#### **11. Staff Roundtable**

Mr. Mark Dunning, Assistant City Manager, reported that a lot of professional staff have lined up to fight the snow. He reminded everyone that snow removal does not begin until the snow fall ceases. The City's goal is to have all city streets plowed 48 hours after it stops snowing. He added this will be a difficult storm to fight.

#### **12. Adjournment**

There being no further business, Mayor Baird adjourned Regular Session No. 57 at 8:22 p.m.

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](http://lsmo.legistar.com)"