



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

Tuesday, September 5, 2023

6:00 PM

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

REGULAR SESSION NO. 48

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, September 5, 2023 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 Friday, September 1, 2023, 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. 48 to order at 6:12 pm.

- D. Roll Call

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

1. Approval of Agenda

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, to approve the agenda as published. 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

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.E. 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

A. [2023-5760](#) Approval of City Council Action Letter from August 22, 2023.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, to approve the City Council Action Letter from August 22, 2023 as part of the Consent Agenda. 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. [2023-5842](#) Mayor's Appointments:

Land Clearance Redevelopment Authority: Appoint Jason Betts, term to expire 9-1-27

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, to approve Mayor's Appointments as part of the Consent Agenda. 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. 23-162](#) An Ordinance approving rezoning from District AG and R-1 to District RLL for approximately 9.62 acres located at 3904 SW Pryor Road and 3912 SW Pryor Road, in accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.

(Note: First read by Council on August 22, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 23-162 be adopted and numbered Ord. No. 9740 as part of the Consent Agenda. 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. 23-164](#) An Ordinance approving a master plan for an industrial development project for the Lakewood Business Park Project.

(Note: First read by Council on August 22, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 23-164 be adopted and numbered Ord. No. 9741 as part of the Consent Agenda. 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. 23-169](#) An Ordinance repealing Ordinance No. 9719 passed by the Council of the City of Lee's Summit, Missouri on July 25, 2023 and enacting a new ordinance authorizing the City of Lee's Summit to require fingerprinting of applicants or licensees in specified occupations for the purpose of receiving state and national criminal history record information.

(Note: First read by Council on August 22, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 23-169 be adopted and numbered Ord. No. 9742 as part of the Consent Agenda. 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

3. Council Roundtable

Mayor Baird stated he was going to take his dog to the Pooch Paddle at Lee's Summit Waves this weekend and found out they have been closed for a couple of weeks and he's sorry he missed it.

Councilmember Shields stated Summit Waves did close a couple of weeks but the splashpads had their last day this weekend and she was able to visit them with her son and had a great time. She thanked the Parks Department for another great year.

Councilmember DeMoro stated there is an article in the Municipal Water Leader about Mr. Mark Schaufler, Water Utilities Director, and encouraged others to read it.

4. Proclamations:

A. [2023-5790](#) Proclamation: Constitution Week - September 17 - 23, 2023

Mayor Baird presented members of the Daughters of the American Revolution a proclamation proclaiming September 17 - 23, 2023 as Constitution Week.

This Proclamation was presented.

5. Public Hearings:

- A. [2023-5785](#) Public Hearing: Application #PL2022-441 - Preliminary Development Plan - Lakewood Pool parking expansion, 4140 NE Dick Howser Drive; Lakewood Property Owners Association, applicant.

Mr. Joshua Johnson, Director of Development Services, entered Exhibits 1-22 into the record.

Council discussion included:

- Neighborhood meeting - no notes in packet
 - 24 Individuals showed up - most were concerned with lights at tennis court (not part of this plan).
- Planning Commission meeting - no notes in packet

There was no one present to speak in favor of or in opposition to this application.

During Council discussion (after the closing of the Public Hearing) Councilmember Shields stated she felt this matter should be able to be done administratively and would like to see this reviewed by a Council Committee. After brief discussion, Mayor Pro Tem Lopez agreed to assign to a committee.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 23-170](#) An Ordinance approving a Preliminary Development Plan for the Lakewood Pool parking expansion on land located at 4140 NE Dick Howser 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 September 5, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 23-170 be advance for 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. [2023-5668](#) Public Hearing: Raintree Village Community Improvement District

Councilmember Felker stated he would be recusing from this matter as this involves a client of his employer.

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

Council discussion included:

- Has this been done before to had a CID pay under a different TDD
- No “but for” test
- Cost coverages by each taxing component

Ms. Kelly Bride spoke in opposition to this application due to the CID covering the costs or roadways and stormwater. She also does not feel the higher density mixed residential does not fit into this area. She would like to have higher standards considered for this area.

After Ms. Bride spoke - Council discussion included:

- State funding for roads is not sufficiently covered by the state
- These are funded by the developer and not under CID or TDD
- Stormwater coverage is being handled by developer also - to get it through the site
- Apartment developing is not part of the CID as one of the petitioners
- Stormwater
- Land use

This Public Hearing - Legislative was presented.

1) [BILL NO. 23-171](#) An Ordinance approving the petition for establishment of the Raintree Village Community Improvement District.

(Note: First read by Council on September 5, 2023.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Lopez, that Bill No. 23-171 be advance for second reading. The motion carried by the following vote:

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

Nay: 1 - Councilmember Hodges

Recused: 1 - Councilmember Felker

6. Public Comments:

There were no Public Comments.

7. Resolutions:

- A. [RES. NO. 23-24](#) A Resolution approving the appointment of an successor directors to the board of directors of the Raintree 150 Center Community Improvement District.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Resolution No. 23-24 be adopted. 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

8. Proposed Ordinances - First Reading:

- A. [BILL NO. 23-172](#) An Ordinance approving acceptance of the 2023 Justice Assistance Grant (JAG) in the amount of \$10,952.00 and ratifying the Mayor's execution of a Memorandum of Understanding between the City of Lee's Summit, Missouri and Jackson County Missouri to provide the grant funds.

(Note: First read by Council on September 5, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Felker, that Bill No. 23-172 be advance for 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

9. Proposed Ordinances - Second Reading:

- A. [SUBSTITUT E BILL NO. 23-163](#) An Ordinance amending Chapter 33, Unified Development Ordinance of the Lee's Summit Code of Ordinances, Article 7 Subdivisions, to allow for requirement of public infrastructure with the administrative approval of minor plats.

(Note: First read by Council on August 22, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Substitute Bill No. 23-163 be adopted and numbered Ord. No. 9743. 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

10. Committee Reports

Councilmember Shields stated there would be a Finance and Budget Committee tomorrow night, September 6, 2023 at 4:00pm in Council Chambers and they will be discussing the Reserve Balance Policy.

Councilmember Edson stated the Community and Economic Development Committee will meet on Wednesday, September 13, 2023 and they will be discussing political signs / locations.

Councilmember DeMoro stated the Legislative and Intergovernmental Relations Committee will meet on Monday, September 11, 2023 at 11:30am and the Public Works Committee will also meet on that day at 4:30pm.

11. Council Comments:

Councilmember Prier asked questions regarding Colbern Road and the utilities being moved, who paid for that and what is the cost. She also asked if there was more cost efficient to move them or bury them. Mr. Michael Park, Director of Public Works, stated these depend on the construction and the ability to bury or move them. Councilmember Lovell stated the City should look at all options when moving / burying / replacing utilities as well as new development and long term objectives and goals.

Councilmember Prier also asked if staff could arrange to have someone from Evergy speak to the public regarding the upcoming changes to energy saving plans and why certain parts of Missouri can opt out but Lee's Summit can't. Mr. Dunning stated staff would look into arranging this.

Councilmember Edson asked of the Discovery Park project would be using a "Native Plant Plan".

12. Staff Roundtable

Mr. Mark Dunning, City Manager, stated that due to the number of appeals with Jackson County, the City will be getting the final assessed value back later than usual. The Public Hearing is scheduled for September 19 and the assessments may come as late as September 11 which will likely change the numbers drastically. The ordinance will be made an emergency ordinance in order to meet the legal deadline for the Tax Levy.

Mr. Dunning also recognized Ms. Kara Stalin for being recognized by the State of Missouri as Floodplain Manager of the Year.

Additionally, Mr. Dunning advised the Snow Rodeo is being held September 15th and there are spots for "celebrity drivers" if the Council is interested in participating. It will be held at the Public Works Maintenance Facility and there will be a luncheon that day as well.

13. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 48 at 7:25 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"