



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

Tuesday, August 22, 2023

6:00 PM

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

REGULAR SESSION NO. 47 - AMENDED

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, August 22, 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 Monday, August 21, 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. 47 to order at 6:03 pm.

D. Roll Call

Present: 8 - Mayor Bill Baird
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Andrew Felker
Councilmember Faith Hodges
Councilmember Beto Lopez
Councilmember John Lovell
Councilmember Mia Prier

Absent: 1 - Councilmember Hillary Shields

1. Approval of Agenda

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

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

Absent: 1 - Councilmember Shields

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, to approve the Consent Agenda, Items 2.A. - & 2.C. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

A. [2023-5759](#) Approval of City Council Action Letter from August 15, 2023.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, to approve the City Council Action Letter from August 15, 2023 as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

B. [BILL NO. 23-153](#) An Ordinance approving Amendment No. 2 to the Budget for the Fiscal Year ending June 30, 2024, as adopted by Ordinance No. 9704, Ordinance No. 9705, Ordinance No. 9706, Ordinance No. 9707, and Ordinance No. 9708, by amending the authorized expenditures of Opioid Settlement Funds for the City of Lee's Summit, Missouri.

(Note: First read by Council on August 15, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 23-153 be adopted and numbered Ord. No. 9733 as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

- C. [BILL NO. 23-161](#) An Ordinance renewing the City of Lee's Summit's procedure for disclosure of potential conflicts of interest and substantial interests for certain municipal officials, pursuant to Sec. 2-75 of the Code of Ordinances for the City of Lee's Summit, Missouri.

(Note: First read by Council on August 15, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 23-161 be adopted and numbered Ord. No. 9734 as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

3. Council Roundtable

Councilmember Prier wished good luck to all the LSR7 students returning to school tomorrow.

Councilmember Lovell congratulated and thanked Mayor Baird and the Chamber of Commerce for the great State of City speech and hearing all the great things going on in and around the City. He thanked his fellow Councilmembers and community partners for their attendance at this event as well.

Mayor Baird thanked Councilmember Lovell for his kind words and all councilmembers for their attendance and continued support.

4. Public Hearings:

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- A. [2023-5800](#) Public Hearing: Application #PL2023-128 - Rezoning from AG and R-1 to RLL - 3904 and 3912 SW Pryor Road; Michael Carmack & Deborah Thompson, applicants.

Mr. Joshua Johnson, Director of Development Services, entered Exhibits 1-17 into the record.

Council discussion included:

- Adjust boundary lines
- Minimum size (acreage)
- Minor Plat
- Current structures
- Pond

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

This Public Hearing - Sworn was presented.

- 1) [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 Felker, that Bill No. 23-162 be advance for second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

- B. [2023-5748](#) Public Hearing: Application #PL2023-068- Unified Development Ordinance (UDO) Amendment for an Ordinance amending Chapter 33, Articles 7 Subdivisions, of the Lee's Summit Code of Ordinances, to allow for requirement of public infrastructure with the administrative approval of minor plats; City of Lee's Summit, applicant.

Mr. Joshua Johnson, Director of Development Services, provided a brief presentation on the changes this amendment would make to the Unified Development Ordinances.

Mr. Joshua Johnson, Director of Development Services, entered Exhibits 1-11 into the record.

Council discussion included:

- Changes in size
- Gaps in sidewalks / infrastructure
- Subdivision / Public Improvements
- Public Infrastructure vs. Public Improvements
- Change to language within the Ordinance - this will be changed before 2nd reading as the intent is the same

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

This Public Hearing - Sworn was presented.

- 1) [SUBSTITUTED 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 Edson, seconded by Councilmember Lovell, that Bill No. 23-163 be advance for second reading (with language change noted by Mr. Johnson). The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

- C. [2023-5772](#) Public Hearing: Chapter 100 Master Plan for the Lakewood Business Park Industrial Project; North Oak Safety Storage, LLC, applicant (affiliate of Ward Development)

Mr. David Bushek, Chief Counsel of Economic Development and Planning, entered Exhibits 1-8 into the record.

Council discussion included:

- Segregate Chapter 100 buildings from others
- Which buildings are being built first - being separated from Chapter 100
- Cost Sharing
- Bidding process
- Sewer improvements
- Previous cost sharing on other projects
- Incentive package - term sheet
- Naming rights of business parks
- Size of first two buildings
- Investment and passing savings on tenant
- Lease rate to be competitive

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

This Public Hearing - Sworn was presented.

- 1) [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 Felker, seconded by Councilmember DeMoro, that Bill No. 23-164 be advance for second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

5. Public Comments:

There were no Public Comments.

6. Proposed Ordinances Forwarded from Committee:

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- A. [BILL NO. 23-165](#) An Ordinance awarding the bid for Project No. 815 for the Crack Seal FY24 Program to Pavement Management LLC. in the amount of \$327,000 and authorizing the City Manager to execute an agreement for the same. (PWC 8/14/23)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Felker, that Bill No. 23-165 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Hodges, that Bill No. 23-165 be adopted and numbered Ord. No. 9735. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

- B. [BILL NO. 23-166](#) An Ordinance approving Modification No. 2 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 \$106,000.00 for the amended basic services, with an amended not to exceed amount of \$835,300.00 and authorizing the City Manager to execute the same. (PWC 8/14/23)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Hodges, that Bill No. 23-166 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Hodges, that Bill No. 23-166 be adopted and numbered Ord. No. 9736. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

- C. [BILL NO. 23-167](#) An Ordinance approving a cooperative agreement (Contract #2023-046) with Uretex USA, Inc. for on-call soil and pavement stabilization services for a period of one year with three possible one-year renewals and authorizing the City Manager to execute an agreement for the same. (PWC 8/14/23)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Edson, that Bill No. 23-167 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Edson, that Bill No. 23-167 be adopted and numbered Ord. No. 9737. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

- D. [BILL NO. 23-168](#) An Ordinance authorizing the execution of an intergovernmental agreement between the City of Lee's Summit, Missouri, and the Southern Jackson County Fire Protection District for water services for training purposes located at 11010 Milton Thompson Road. (PWC 8/14/23)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Hodges, that Bill No. 23-168 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Hodges, that Bill No. 23-168 be adopted and numbered Ord. No. 9738. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

- E. [BILL NO. 23-159](#) An Ordinance approving the bylaws for the Lee's Summit Visitor's Bureau, a Missouri non-profit 501(c)(6) Corporation, in Lee's Summit, Missouri. (CEDC 8/9/23)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Hodges, that Bill No. 23-159 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 23-159 be adopted and numbered Ord. No. 9739. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

7. Proposed Ordinances - First Reading:

- A. [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 Edson, seconded by Councilmember Lopez, that Bill No. 23-169 be advanced for second reading.. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

8. Committee Reports

Mayor Baird thanked the Community and Economic Development Committee for holding a special session to work out the details of the bylaw's ordinance that was just adopted by Council.

9. Council Comments:

Councilmember Felker asked for a few more details on the discussion with Economic Development Commission and the recommendations on the DMO and stakeholders. Mr. Mark Dunning, City Manager, stated the consultant is still working through this process and it will be provided to Council in September or October. Mayor Baird stated he did have a good meeting the EDC and though it feels the process is going slowly, this is something that will take a lot of time and many discussions.

10. Staff Roundtable

Mr. Mark Dunning, City Manager, advised the Preliminary Development Plan for the Downtown Market Plaza has been submitted to the City and is being reviewed by staff. The website for the Downtown Market Plaza has been updated and includes a 3D tour of the proposal. There is an informational neighborhood meeting being held tomorrow, Wednesday, August 23, 2023 at 5:30pm in Council Chambers. This is not a Public Hearing, that will be held at a later date.

Mr. Dunning stated Councilmember Shields and Councilmember Prier would be holding a District 1 Townhall meeting on Wednesday, August 30, 2023 at Bridge Space from 5:30pm - 7:00pm.

11. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 47 at 8:06 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"