



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

Tuesday, March 14, 2023

6:00 PM

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

REGULAR SESSION NO. 32

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, March 14, 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, March 13, 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. 32 to order at 6:03 pm.

Councilmember Felker present at 6:15 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 Mia Prier
Councilmember Hillary Shields

Absent: 1 - Councilmember John Lovell

1. Approval of Agenda

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

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

Absent: 2 - Councilmember Felker
Councilmember Lovell

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.E. The motion carried by the following vote:

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

Absent: 2 - Councilmember Felker
Councilmember Lovell

A. [2023-5457](#) Approval of City Council Action Letter from March 7, 2023.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, to approve the City Council Action Letter from March 7, 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 Prier
Councilmember Shields

Absent: 1 - Councilmember Lovell

**B. [BILL NO. 23-050](#) An Ordinance approving a Preliminary Development Plan on land located at 900 NE Colbern Road in District CP-2, 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.
(First read by Council on March 7, 2023. Passed by unanimous vote.)**

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 23-050 be adopted and numbered Ord. No. 9624 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 Prier
Councilmember Shields

Absent: 1 - Councilmember Lovell

- C. [BILL NO. 23-051](#) An Ordinance approving an Amended and Restated Plan for Industrial Development and authorizing the City of Lee's Summit, Missouri to issue taxable Industrial Development Revenue Bonds in a principal amount not to exceed \$24,500,000 in connection with the Town Centre Industrial Project and authorizing certain documents and actions in connection therewith. (First read by Council on March 7, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 23-051 be adopted and numbered Ord. No. 9625 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 Prier
Councilmember Shields

Absent: 1 - Councilmember Lovell

- D. [BILL NO. 23-052](#) An Ordinance vacating a certain sanitary sewer easement located at 1000 and 1010 NW Pryor Rd in the city of Lee's Summit, Missouri. (First read by Council on March 7, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 23-052 be adopted and numbered Ord. No. 9626 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 Prier
Councilmember Shields

Absent: 1 - Councilmember Lovell

- E. [BILL NO. 23-053](#) An Ordinance accepting the State and Local Cybersecurity Grant Program award in the amount of \$35,272.80 from the Missouri Department of Public Safety Office of Homeland Security for the review and development of necessary policies and training plans for the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 23-053 be adopted and numbered Ord. No. 9627 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 Prier
Councilmember Shields

Absent: 1 - Councilmember Lovell

3. Council Roundtable

Councilmember Edson stated she helped her neighbors pick up trash on Saturday. It was cold and raining and only 4 people showed up to help. However, in two hours they picked up 18 bags of trash. She is hoping to get some competitions going with other Lee's Summit neighborhoods.

Councilmember Prier said she went to the Emerald Isle Parade on Saturday and felt it was a fun time with a very good turnout.

4. Public Hearings:

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- A. [2023-5487](#) Public Hearing: Ellis Glen LCRA Redevelopment Plan; Ellis Glen, LLC, applicant
Mr. David Bushek, Chief Counsel for Economic Development and Planning, entered Exhibits 1-9 into the record.

Council discussion included:

- Amount of incentive request
- Claw back protection
- Rate of Return
- Infrastructure Improvements / Stormwater
- Retention Pond
- Design and land cost
- Occupants
- Notches not included in blight
- Original intent of purchasing properties
- Rented apartments at Elevate - 94% occupancy rate
- Lease agreements in place (verbal - not written)
- Net total of new jobs - 45
- Cost of spaces - \$20 per foot
- New Sales Tax
- Additional improvements
- Reasons for blight finding / "But for" tests
- Previously used LCRA findings
- Standard to incorporate the acquisition cost
- Property left as is if not approved for incentives
- Costs associated / impact on City
- LCRA Uses

No one was present to speak in support of or in opposition to this application.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 23-054](#) An Ordinance approving the Ellis Glen Land Clearance for Redevelopment Authority (LCRA) Redevelopment Plan.
(First read by Council on March 14, 2023.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, that Bill No. 23-054 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember Edson
Councilmember Felker
Councilmember Lopez
Councilmember Prier
Councilmember Shields

Nay: 2 - Councilmember DeMoro
Councilmember Hodges

Absent: 1 - Councilmember Lovell

B. [2023-5471](#) Public Hearing: Sewer Rates & Charges

Mr. Brent Boice, Assistant Director of Business Services for Water Utilities, entered Exhibits 1-3 into the record.

Council discussion included:

- There was no Council discussion

No one was present to speak in support of or in opposition to this application.

This Public Hearing - Sworn was presented.

5. **Public Comments:**

There were no Public Comments.

6. **Resolutions:**

A. [RES. NO. 23-05](#) A Resolution authorizing the Mayor to appoint successor directors to the Blue Parkway and Colbern Road Community Improvement District.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, that Res. No. 23-05 be adopted. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lovell

7. **Proposed Ordinances Forwarded from Committee:**

A. [BILL NO. 23-055](#) An Ordinance approving Amendment No. 11 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 to projected year amounts for the City. (F&BC 3/6/23)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 23-055 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 Prier
Councilmember Shields

Absent: 1 - Councilmember Lovell

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ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 23-055 be adopted and numbered Ord. No. 9628. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lovell

- B. [BILL NO. 23-056](#)** An Ordinance approving Amendment No. 12 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 for Fire to projected fiscal year amounts for the City. (F&BC 3/6/23)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Edson, that Bill No. 23-056 be second read. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Shields

Absent: 1 - Councilmember Lovell

Recused: 1 - Councilmember Prier

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Edson, that Bill No. 23-056 be adopted and numbered Ord. No. 9629. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Shields

Absent: 1 - Councilmember Lovell

Recused: 1 - Councilmember Prier

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- C. [BILL NO. 23-057](#) An Ordinance approving Amendment No. 13 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 to projected year amounts for Municipal Court and the Full Time Equivalent positions for the City. (F&BC 3/6/23)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Hodges, that Bill No. 23-057 be second read. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lovell

Recused: 1 - Councilmember Lopez

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Hodges, that Bill No. 23-057 be adopted and numbered Ord. No. 9630. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lovell

Recused: 1 - Councilmember Lopez

- D. [BILL NO. 23-058](#) An Ordinance amending Section 32-107, Water Tap Fees, of the Code Of Ordinances of the City Of Lee's Summit, Missouri, regarding water tap fees. (F&BC 3/6/23)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Edson, that Bill No. 23-058 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 Prier
Councilmember Shields

Absent: 1 - Councilmember Lovell

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Shields, that Bill No. 23-058 be adopted and numbered Ord. No. 9631. 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 Prier
Councilmember Shields

Absent: 1 - Councilmember Lovell

- E. [BILL NO. 23-059](#) An Ordinance repealing previous ordinances related to the Schedule of Fees and Charges for the City of Lee's Summit and Establishing a New Schedule of Fees and Charges to take effect July 1, 2023 for the City of Lee's Summit, Missouri. (F&BC 3/6/23)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Prier, that Bill No. 23-059 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 Prier
Councilmember Shields

Absent: 1 - Councilmember Lovell

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Hodges, that Bill No. 23-059 be adopted and numbered Ord. No. 9632. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lovell

- F. [BILL NO. 23-060](#) An Ordinance authorizing the City of Lee's Summit, Missouri to waive the Lee's Summit Housing Authority's Payment in Lieu of Taxes for the Authority's fiscal year ended September 30, 2022 in the estimated amount of \$33,874.16. (F&BC 3/6/23)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Prier, that Bill No. 23-060 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 Prier
Councilmember Shields

Absent: 1 - Councilmember Lovell

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Hodges, that Bill No. 23-060 be adopted and numbered Ord. No. 9633. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lovell

8. Proposed Ordinances - First Reading:

- A. [BILL NO. 23-061](#) An Ordinance approving the Second Amendment to Real Estate Sale Agreement between the City of Lee's Summit, Missouri, and Archview Properties, LLC, for the sale of city property at 15 and 25 NW Tudor Road.
(First read by Council on March 14, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 23-061 be advanced to second reading.. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lovell

- B. [BILL NO. 23-062](#) An Ordinance authorizing the execution of an agreement between the City of Lee's Summit, Missouri and McCown Gordon Construction Company for pre-construction services for the Downtown Market Plaza Project.
(First read by Council on March 14, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Prier, that Bill No. 23-062 be advanced to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lovell

9. Proposed Ordinances - Second Reading:

- A. [BILL NO. 23-049](#) An Ordinance approving a Development Agreement between Blackwell 55, LLC, Reserve at Blackwell, LLC, Residences at Blackwell, LLC, One Twenty, LLC, and the City of Lee's Summit, Missouri, for the Blackwell Mixed-Use Development. (Note: First read by Council on February 28, 2023.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 23-049 be adopted and numbered Ord. No. 9634. The motion carried by the following vote:

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

Nay: 2 - Councilmember Felker
Councilmember Hodges

Absent: 1 - Councilmember Lovell

10. Committee Reports

Councilmember Edson stated the Community and Economic Development Committee would be meeting on Wednesday, March 8, 2023 at 5:00pm and they will be having the Public Hearings for the Community Development Block Grant (CDBG) funding.

11. Council Comments:

Councilmember Shields asked when the new commissions will be online and when the appointments will be made.

Mayor Baird stated he met with staff this week and went through the applications and he will be going through the process as quickly as he can while making sure to choose the best applicants for each commission.

12. Staff Roundtable

A. [2023-5501](#) Report: Update on the Downtown Market Plaza Project

Mr. Ryan Elam, Assistant City Manager, provided a brief overview the of the written report providing an update on the Downtown Market Plaza Project. He pointed out some key points for the Mayor and Council to be aware of.

This Report was presented.

13. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 32 into Closed Session at 8:47 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"