

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

Tuesday, December 19, 2023

6:00 PM

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

REGULAR SESSION NO. 59

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, December 19, 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, December 18, 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. 59 to order at 6:06 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 Edson, seconded by Councilmember DeMoro, to approve the agenda as amended. 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

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, 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 Prier
Councilmember Shields

Absent: 1 - Councilmember Lovell

A. [2023-5924](#) Approval of City Council Action Letter for December 12, 2023

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, to approve the City Council Action Letter from December 12, 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. [2023-6015](#) Mayor's Appointments (Simple Majority):

Board of Aeronautic Commissioners: Appoint Adam Shimmens, term to expire 09-14-26.

Board of Appeals: Reappoint Sarah Knights, term to expire 12-01-26.

Tax Increment Financing Commission: Reappoint Joe Willerth, term to expire 12-15-27.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, 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 DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lopez
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lovell

- C. [2023-6020](#) Mayor's Appointments (Two-thirds majority):
Board of Adjustments: Reappoint Joe Towns, term to expire 12-17-28.
Board of Appeals: Reappoint Dana Miller, term to expire 12-01-26.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, to approve Mayor's Appointments 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. 20-161](#) An Ordinance accepting final plat entitled Sequoia Residential, Tract 1, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First reading done by Council on August 18, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 20-161 be adopted and numbered Ord. No. 9818 (removed from Consent Agenda due to recusal). The motion carried by the following vote:

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

Absent: 1 - Councilmember Lovell

Recused: 1 - Councilmember Felker

3. Council Roundtable

Councilmember Prier stated the Boot Block that was held this past weekend was very successful but she did not have the final numbers. She also wished everyone a merry Christmas.

4. Public Hearings:

- A. [2023-5969](#) Public Hearing: Pryor Mixed-Use Community Improvement District; Griffin Riley Investments, LLC, applicant

Mr. David Bushek, Chief Counsel of Economic Development and Planning, entered Exhibits 1 - 10 into the record.

Council Discussion Included:

- Infrastructure Costs - Benefits
- Connectors / needed without development
- Private vs. Public
- Platting
- Pryor Road Improvements
- Sidewalks
- Taxes / Incentive Request
- PILOTS
- Variables of usage of infrastructure
- Rent Rates / incentives / asset
- Construction Costs
- Net Operating Income
- City Services
- Local economic impact
- Sales tax estimates
- Maintenance of properties

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 23-243](#) An Ordinance approving the petition for establishment of the Pryor Mixed-Use Community Improvement District.

(Note: First read by Council on December 19, 2023.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 23-243 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 Prier
Councilmember Shields

Nay: 1 - Councilmember Hodges

Absent: 1 - Councilmember Lovell

- B. [2023-5968](#) Public Hearing: Chapter 100 Plan for the Pryor Mixed-Use Project; Griffin Riley Investments, LLC, applicants

Mr. David Bushek, Chief Counsel of Economic Development and Planning, entered Exhibits 1 - 12 into the record and all previous evidence and testimony provided in the previous Public Hearing for the Community Improvement District.

Council Discussion Included:

- None

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 23-244](#) An Ordinance approving a plan for a Chapter 100 Project for the Pryor Mixed-Use Project.

(Note: First read by Council on December 19, 2023.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 23-244 be advanced to second reading. 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

- C. [2023-5996](#) An appeal of prohibited uses within the Envision LS Overlay District.

ACTION:

Councilmember Felker recused himself due to a conflict with his employment.

Council Discussion Included:

- Good area
- Agree to move forward
- Big Box Stores

A motion was made by Councilmember Shields, seconded by Councilmember Edson, to recommend the City Council grant the appeal and approved the following uses to be allowable on the subject property:

- Automotive/truck related uses
- Retail-Big box in excess of 80,000 square feet on one level
- Car wash indoor or outdoor or automated
- Daycare except as an accessory use located within a larger building complex for a permitted business use

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: 1 - Councilmember Lovell

Recused: 1 - Councilmember Felker

5. Public Comments:

Ms. Teresa Vollenweider provided her thoughts on discrepancies on her property lines and surrounding properties.

6. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 23-245](#) An Ordinance amending Chapter 16 of the Lee's Summit Code of Ordinances, the Lee's Summit Property Maintenance Code, pertaining to stormwater best management practices. (PWC 12/11/23)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Shields, that Bill No. 23-245 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 Hodges, seconded by Councilmember Edson, that Bill No. 23-245 be adopted and numbered Ord. No. 9819. 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. 23-246](#) An Ordinance approving Change Order No. 2 to the agreement with Streetwise, Inc. for Pavement Marking Services, for an increased amount of \$147,782.81 for a revised agreement amount of \$680,070.89 and authorizing the City Manager to execute an agreement for the same. (PWC 12/11/23)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Hodges, that Bill No. 23-246 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 DeMoro, seconded by Councilmember Hodges, that Bill No. 23-246 be adopted and numbered Ord. No. 9820. 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

- C. [BILL NO. 23-247](#) An Ordinance approving the award of RFQ No. 2024-014 for Design Services for Fire Station No. 1, Phase 1 Feasibility Study, to WSKF for an amount not to exceed \$113,830.00 and authorizing the City Manager to execute an agreement for the same. (PWC 12/11/23)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Edson, that Bill No. 23-247 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 Hodges, that Bill No. 23-247 be adopted and numbered Ord. No. 9821. 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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- D. [BILL NO. 23-248](#) An Ordinance approving the award of RFQ No. 2024-030 for Design Services for the Joint Operations Center and Phase 2 Police Department Remodel to Hoefer Welker for an amount not to exceed \$2,489,125.00 and authorizing the City Manager to enter into an agreement for the same. (PWC 12/11/23)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Hodges, that Bill No. 23-248 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 Edson, that Bill No. 23-248 be adopted and numbered Ord. No. 9822. 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. 23-249](#) An Ordinance approving an electrical easement in favor of Evergy for an electrical transmission line at Lot 5, Raintree Lake Village related to improvements for Lee's Summit Fire Station No. 5, and authorizing the Mayor to execute the same. (PWC 12/11/23)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 23-249 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 Shields, seconded by Councilmember Hodges, that Bill No. 23-249 be adopted and numbered Ord. No. 9823. 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

- F. [BILL NO. 23-250](#) An Ordinance approving a water line easement in favor of Public Water Supply District No. 13 of Jackson County, Missouri, for a water pipeline on land generally located at Legacy Park, and authorizing the Mayor to execute the same. (PWC 12/11/23)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 23-250 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 Edson, seconded by Councilmember Hodges, that Bill No. 23-250 be adopted and numbered Ord. No. 9824. 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

- G. [BILL NO. 23-251](#) An Ordinance authorizing the execution of a Cooperative Agreement for Hangar #2 at the Lee's Summit Municipal Airport between the City of Lee's Summit, Missouri and the Reorganized School District No. 7 of Jackson County, Missouri, and authorizing the Mayor to execute an agreement for the same. (PWC 12/11/23)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Hodges, that Bill No. 23-251 be second read. 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: 1 - Councilmember Lovell

Recused: 1 - Councilmember Felker

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Prier, that Bill No. 23-251 be adopted and numbered Ord. No. 9825. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lovell

Recused: 1 - Councilmember Felker

- H. [BILL NO. 23-252](#) An Ordinance authorizing the execution of a Memorandum of Understanding by and between the City of Lee's Summit, Missouri and the Blue Springs R-IV School District for the IMPACT program. (CEDC 12/13/23)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember DeMoro, that Bill No. 23-252 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 Hodges, seconded by Councilmember Prier, that Bill No. 23-252 be adopted and numbered Ord. No. 9826. 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. Emergency Ordinances:

- A. [BILL NO. 23-253](#) An Ordinance approving the North and East Property Real Estate Sale Agreement between Southwestern Bell Telephone Company and the City of Lee's Summit, Missouri, for acquisition of property for the Downtown Market Plaza Project and containing an emergency clause.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lopez, that Bill No. 23-253 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 Shields, seconded by Councilmember Hodges, that Bill No. 23-253 be adopted and numbered Ord. No. 9827. 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. Committee Reports

Councilmember Shields advised the Finance and Budget Committee will meet on Wednesday, January 3, 2024.

Mayor Baird stated the Lee's Summit Economic Development Council is looking at getting representation to assist with working with the City on developing the Public Service Agreement and the bylaws and how to move forward together productively. Mr. Mark Dunning, City Manager, stated there were some concerns with meeting some very aggressive dates, but they understand these timelines were more suggestions than hard deadlines.

9. Council Comments:

Councilmember Prier and Councilmember DeMoro thanked everyone for their continued dedication and hard work with the City and wished everyone a Merry Christmas.

10. Staff Roundtable

Mr. Mark Dunning, City Manager, advised Mr. Mike Snider and Mr. Ryan Elam had a couple of brief presentations and reports to provide to Council

A. [2023-6002](#) Fire Department's Annual Accreditation Report

Mr. Mike Snider, Fire Chief, noted the Fire Departments Annual Accreditation report has been provided to Council as part of this agenda. He also provided information on how the Fire Department is helping the Liberty Hospital while working through an IT issue. Liberty Hospital is still currently out of service at this time.

This Report was presented.

B. [2023-6009](#) Downtown Market Plaza Update Report

Mr. Ryan Elam, Assistant City Manager, advised the Council had received an update report regarding the Downtown Market Plaza with this agenda. He noted demolition has begun across the street and some temporary facilities are being constructed for AT&T during the construction process. Green Street will be closed around March 1, 2024 and there will be a temporary closing of Second Street just prior to that.

This Report was presented.

11. Adjournment

Hearing no further business, Mayor Pro Tem Lopez adjourned Regular Session No. 59 at 8:42 pm.