



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

Tuesday, December 6, 2022

6:00 PM

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

REGULAR SESSION NO. 22

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, December 6, 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, December 5, 2022, 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. 22 to order at 6:04 p.m.

- 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 Edson, to approve the agenda as published. 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

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, to approve 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

A. [2022-5227](#) Approval of City Council Action Letter from November 15, 2022.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, to approve the November 15, 2022 Action Letter 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. [2022-5289](#) Mayor's Appointment: TIF Commission - Appoint Keith Asel, term to expire 12-15-26.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, 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 Lovell
Councilmember Prier

Absent: 1 - Councilmember Shields

- C. [BILL NO. 22-235](#) An Ordinance approving a Preliminary Development Plan for Summit Orchards West on land located at 700 NW Ward Road in District PMIX, all in accordance with the provisions of Chapter 33, Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.
(Note: First read by City Council on November 15, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, that Bill No. 22-235 be adopted and numbered Ordinance No. 9551 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

- D. [BILL NO. 22-239](#) An Ordinance ratifying an emergency purchase services agreement between Insituform Technologies USA, LLC and the City of Lee's Summit, Missouri in the amount of \$1,246,064.95 to repair the Scruggs Road Pump Station force mains through the installation of a liner and authorizing the City Manager to execute the same.
(Note: First read by City Council on November 15, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, that Bill No. 22-239 be adopted and numbered Ordinance No. 9552 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

- E. [BILL NO. 22-240](#) An Ordinance ratifying an emergency purchase between Wiedenmann, Inc. and the City of Lee's Summit, Missouri to repair the Scruggs Road Pump Station force mains in the amount of \$258,200.00 and authorizing the City Manager to execute the same.

(Note: First read by City Council on November 15, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, that Bill No. 22-240 be adopted and numbered Ordinance No. 9553 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

Mayor Baird thanked everyone for attending the Mayor's tree lighting and said downtown looks beautiful. He thanked the Parks Department and all the sponsors.

4. Public Hearings:

- A. [2022-5266](#) Public Hearing: Application #PL2022-349 - Preliminary Development Plan - Nightingale Meadow, 601 SE Douglas Street; Adam Garrett, applicant.
(Note: This public hearing is to be continued to December 20, 2022 per applicant's request.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Hodges, that this Public Hearing be continued to December 20, 2022. 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. [2022-5286](#) Public Hearing: Chapter 100 Plan for the Town Centre Industrial Project; Independence Safety Storage North II, LLC, applicant (affiliate of Ward Development)

Exhibit A, List of Exhibits 1-5 were entered into the record.

City Council discussions included:

- Date the table of local abatements was last updated
- Rationale behind Chapter 100 for this project as opposed to an LCRA (Land Clearance for Redevelopment Authority)

There were no speakers in favor of, or opposed to, this application.

- 1) [BILL NO. 22-241](#) An Ordinance Approving a Plan for a Chapter 100 Project for the Town Centre Industrial Project. (Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 22-241 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 Lovell
Councilmember Prier

Absent: 1 - Councilmember Shields

- C. [2022-5314](#) Public Hearing: Application #PL2022-362 - UDO Amendment - An amendment to Chapter 14, Administration, to provide that the Cultural Commission shall serve as the Historic Preservation Commission of the City of Lee's Summit; City of Lee's Summit, applicant.

Exhibit A, List of Exhibits 1-11 were entered in to the record.

There was no City Council discussions. There were also no speakers in favor of, or opposed, to this application.

- 1) [BILL NO. 22-242](#) An Ordinance amending the Unified Development Ordinance by amending Section 14.170 and repealing Section 14.180, 14.190 and 14.200 thereof, to provide that the Cultural Commission shall serve as the Historic Preservation Commission of the City of Lee's Summit, Missouri. (Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Hodges, that Bill No. 22-242 be advanced to second reading. 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

- D. [2022-5315](#) Public Hearing: Application #PL2022-364 - UDO Amendment - An amendment to Chapter 8, Site Standards, to clarify and move standards for storage and parking of RVs, boats and utility trailers from the UDO to the Property Maintenance Code of the Code of Ordinances; City of Lee's Summit, applicant..

Exhibit A, List of Exhibits 1-11 were entered into the record.

City Council discussions included:

- By moving from the UDO to the property maintenance code, what will be lost without grandfathering current codes?
- How many complaints are received now
- Previous revisions, and attempted revisions
- Code on unlicensed vehicle parked in a driveway
- Code on vehicles full of trash
- Impact to street parking

There were no speakers in favor of, or opposed to, this application.

- 1) [BILL NO. 22-243](#) An Ordinance amending the Lee's Summit Code of Ordinances by Clarifying and moving Article 8, Division II Parking, The Standards for storage and parking of RVs, Boats and Utility Trailers from Chapter 33, the Unified Development Ordinance, to Chapter 16, the Property Maintenance Code of the Code of Ordinances for the City of Lee's Summit, Missouri. (Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Edson, that Bill No. 22-243 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 Lovell
Councilmember Prier

Absent: 1 - Councilmember Shields

- 2) [BILL NO. 22-244](#) An Ordinance amending Chapter 16, Lee's Summit Property Maintenance Code, by adopting regulations pertaining to vehicle parking and storage regulations for private property of the Code of Ordinances for the City of Lee's Summit, Missouri. (Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 22-244 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 Lovell
Councilmember Prier

Absent: 1 - Councilmember Shields

5. Public Comments:

Mr. Mitchell Putnam spoke to the City Council regarding the No Tax Increase Bond Initiatives and the Airport Master Plan. He asked them to consider building Hangar 2 at the Airport.

6. Presentations:

- A. [2022-5313](#) Presentation: Sister City Partnership with Ibague, Colombia, Global Prep Squad and the City of Lee's Summit, Missouri.

This Presentation was presented.

- 1) [RES. NO. 22-21](#) A Resolution approving a Sister City Partnership with Ibague, Colombia, Global Prep Squad, and the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Prier, to adopt Resolution No. 22-21. 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. [2022-5217](#) Presentation: Update on the Downtown Market Plaza Project

This Presentation was presented.

- C. [2022-5229](#) Presentation: 2023 No Tax Increase Bond Initiatives

This Presentation was presented.

7. Resolutions:

- A. [RES. NO. 22-22](#) A Resolution adopting the 2023 Legislative Intergovernmental Program for the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lovell, to adopt Resolution No 22-22. 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. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 22-245](#) An Ordinance approving Change Order No. 3 to the Agreement for the construction of the Water Main Replacement FY22 - First Phase Project, Project No. 496-1, between the City of Lee's Summit, Missouri, and Wiedenmann, Inc., for an increase in the contract price of \$51,418.35 for a revised agreement amount of \$4,073,834.10 and to increase the project timeline by 45 calendar days, and authorizing the City Manager to execute the same. (PWC 11/14/22)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Felker, that Bill No. 22-245 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 Lovell
Councilmember Prier

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Hodges, that Bill No. 22-245 be adopted and numbered Ordinance No. 9554. 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

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- B. [BILL NO. 22-246](#) An Ordinance approving Change Order No. 5 to the Agreement for the construction of the Arnold Hall Stormwater Improvements Project, Project No. 54-13, between the City of Lee's Summit, Missouri, and Tasco, LLC, to increase the project timeline by 21 calendar days, and authorizing the City Manager to execute the same. (PWC 11/14/22)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 22-246 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 Edson, seconded by Councilmember Hodges, that Bill No. 22-246 be adopted and numbered Ordinance No. 9555. 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. [BILL NO. 22-247](#) An Ordinance awarding the bid for Project No. 425 for the McClendon Ditch Sewer Improvements Project to Infrastructure Solutions, LLC. in the amount of \$ 6,113,400.00, and authorizing the City Manager to execute an agreement for the same. (PWC 11/14/22)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Hodges, that Bill No. 22-247 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 Lovell
Councilmember Prier

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Hodges, that Bill No. 22-247 be adopted and numbered Ordinance No. 9556. 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

- D. [BILL NO. 22-248](#) An Ordinance awarding the bid for Project No. 496-2 for the Water Main Replacement FY22 - Second Phase Project to Legacy Underground Construction, Inc. in the amount of \$1,990,178.50 and authorizing the City Manager to execute an agreement for the same. (PWC 11/14/22)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 22-248 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 Lovell
Councilmember Prier

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 22-248 be adopted and numbered Ordinance No. 9557. 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. 22-249](#) An Ordinance approving Addendum No. 16 to an On-Call Agreement for professional engineering services with HDR Engineering, Inc. (Original RFQ No. 2020-030-1) for the Strategic Plan Update, for a not to exceed amount of \$177,931.00, and authorizing the City Manager to enter into an agreement for the same. (PWC 11/14/22)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 22-249 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 Edson, seconded by Councilmember DeMoro, that Bill No. 22-249 be adopted and numbered Ordinance No. 9558. 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

- F. [BILL NO. 22-250](#) An Ordinance approving the assignment of Agreement No. 2019-032 from KC Dumpster Company, LLC to Summit Transfer, LLC for the operation of the Public Disposal Area for the City and authorizing the City Manager to execute the same. (PWC 11/14/22)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Hodges, that Bill No. 22-250 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

Recused: 1 - Councilmember Felker

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Hodges, that Bill No. 22-250 be adopted and numbered Ordinance No. 9559. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

Recused: 1 - Councilmember Felker

9. Proposed Ordinances - First Reading:

- A. [BILL NO. 22-251](#) An Ordinance vacating a certain easement located at 5031 and 5051 NE Lakewood Way in the City of Lee's Summit, Missouri. (Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember DeMoro, that Bill No. 22-251 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 Lovell
Councilmember Prier

Absent: 1 - Councilmember Shields

- B. [BILL NO. 22-252](#) An Ordinance vacating a certain easement located at 900 NW Black Twig Circle in the City of Lee's Summit, Missouri. (Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Hodges, that Bill No. 22-252 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 Lovell
Councilmember Prier

Absent: 1 - Councilmember Shields

- C. [BILL NO. 22-253](#) An Ordinance Approving the Cooperative Agreement Among the City of Lee's Summit, Missouri, The Valle Vista Community Improvement District and LS Valle Vista 2018, LLC. (Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Edson, that Bill No. 22-253 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 Lovell
Councilmember Prier

Absent: 1 - Councilmember Shields

10. Committee Reports

Councilmember Edson announced the December Community and Economic Development Committee meeting has been cancelled.

Councilmember Felker reported the December Rules Committee meeting was cancelled and the Public Works Committee meeting will be held via video conference.

11. Council Comments:

There were no Council Comments.

12. Staff Roundtable

Mr. Mark Dunning, City Manager, stated the Fire Department's Annual Accreditation Report is attached. A formal presentation was not prepared but staff is available to answer questions.

Mr. Brian Head, City Attorney, mentioned the CEDC (Community and Economic Development Committee) is discussing marijuana and a series of amendments; 4-5 ordinances are anticipated to come forward with a February deadline.

A. [2022-5268](#) Fire Department's Annual Accreditation Report

This was presented via a written report.

This Report was presented.

13. Adjournment

Seeing no further business, Mayor Baird adjourned Regular Session No. 22 at 10:06 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"