



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

Tuesday, September 26, 2023

6:00 PM

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

**REGULAR SESSION NO. 50**

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Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, September 26, 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, September 25, 2023, to the City Clerk at [clerk@cityofls.net](mailto: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](http://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. 50 to order at 6:05 p.m.

Mayor Baird announced Jackson County erroneously advertised Lee's Summit's Tax Levy Public Hearing for this evening. That Public Hearing was held at last week's City Council meeting on September 19, 2023.

- 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

A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, 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 Edson, seconded by Councilmember Shields, to adopt 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

A. [2023-5830](#) Approval of City Council Action Letter from September 19, 2023.

A motion was made by Councilmember Edson, seconded by Councilmember Shields, to approve the Action Letter dated September 19, 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. [BILL NO. 23-185](#) An Ordinance establishing the General Fund Balance Reserve Guidelines to ensure the continued economic stability of the City of Lee's Summit, Missouri. (Note: First read by Council on September 19, 2023. Passed by unanimous vote.)

A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 23-185 be adopted and numbered Ordinance No. 9757 as part of the Consent Agenda. The motion carried by the following vote:

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**Aye:** 9 - Mayor Baird  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Felker  
Councilmember Hodges  
Councilmember Lopez  
Councilmember Lovell  
Councilmember Prier  
Councilmember Shields

- C. [BILL NO. 23-186](#) An Ordinance approving the Redevelopment Contract and the Lease Agreement between the City of Lee's Summit, Missouri and Reinhart Foodservice, L.L.C., to implement the Reinhart Foodservice Land Clearance for Redevelopment Authority Redevelopment Plan.  
(Note: First read by Council on September 19, 2023. Passed by unanimous vote.)

**A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 23-186 be adopted and numbered Ordinance No. 9758 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. 23-187](#) An Ordinance approving the Redevelopment Agreement and Lease Agreement between the City of Lee's Summit, Missouri, Colbern-Rice Investments, LLC, and the Colbern Ridge Community Improvement District to implement the Colbern Ridge Community Improvement District and the Colbern Ridge Land Clearance for Redevelopment Authority Redevelopment Plan.  
(Note: First read by Council on September 19, 2023. Passed by unanimous vote.)

**A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 23-187 be adopted and numbered Ordinance No. 9759 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

Councilmember Shields gave a shout-out to the Lee's Summit Chamber of Commerce for hosting a wonderful Oktoberfest this past weekend.

Councilmember Prier also thanked the Lee's Summit Chamber and Lee's Summit Police Department for their work at Oktoberfest. She stated she felt very safe. She then asked staff if the rumor is true that Taylor Swift landed at the Lee's Summit Airport to attend the Chief's game. Mr. Michael Park, Director of Public Works, responded the Airport values discretion and he would not be able to say even if he did know.

### 5. Public Hearings:

- A. [2023-5808](#) Public Hearing: Application #PL2023-151 - Preliminary Development Plan - Streets of West Pryor, Lots 11 and 13, 1000 and 1020 NW Pryor Road; Streets of West Pryor, LLC, applicant.

**ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that this Public Hearing be continued to a date certain of October 10, 2023. 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. [2023-5710](#) Public Hearing: Application #PL2023-053 - Preliminary Development Plan - Kensington Farms, 2nd Plat, 3rd Plat and future phase - revised architecture; Inspired Homes, applicant.

Exhibit A, List of Exhibits 1-23 were entered into the record.

City Council discussions included:

- Default on NID funds, what is the status of the special assessments
- Approved materials
- Reason for the unusual PDP (Preliminary Development Plan)

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

- 1) [BILL NO. 23-188](#) An Ordinance approving a Preliminary Development Plan for Kensington Farms, 2nd Plat, 3rd Plat and future phase on approximately 77 acres generally located south of SW County Line Road, between SW Ward Road and SW Prairie Lane, 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 Council on September 26, 2023. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 23-188 be advanced to 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

## 6. Public Comments:

Mr. Steven Clutchy stated he has started a petition to recall the Jackson County Executive. He encouraged all registered voters to sign it.

Mr. Bob Glaus asked if the 1.2794 tax levy passed by Lee's Summit at the September 19, 2023 City Council meeting is against Missouri Law. He stated he believes it will be more than the 5% allowed.

Mr. Will Coates, Chairperson of the Lee's Summit Economic Development Council, spoke regarding the EDO presentation on this agenda and issues with the Economic Development Council for the last 6 months.

## 7. Presentations:

**A. [2023-5791](#)** Presentation: Economic Development Organization Strategic Recommendations

City Council discussions included:

- Direct contact with Businesses
- Timelines for both suggested recommendations
- Timeline to go with existing EDC (Economic Development Council) and would they have to follow these recommendations
- Concerns with repeating discussions and studies to tell the Council what they already know, like affordable housing
- Public vs. Private organizations as leaders of this initiative
- Reason the study doesn't recommend moving forward with the current EDC
- Clarification of a Public Service Agreement
- Desire for a short process, concern with a 12 month timeline

**B. [2023-5868](#)** Presentation: Update on the Downtown Market Plaza and presentation of Guaranteed Maximum Price 1 (GMP 1).

City Council discussions included:

- Demolition of the Ice House, abatement and special program
- Feedback from the 2 bids on the abatement
- Timeline for City Council to approve additional money from the General Fund
- More funding sources
- Difference in project uses and GMP1 (Guaranteed Maximum Price 1)
- Difference between this bid process and a normal public bid

- Prevailing wage
- Projects pulled from the CIP (Capital Improvement Plan)
- Possibility of change orders
- Underground utilities
- If the cost analysis is shared during the bid process
- When Green Street will be shut down

- 1) [BILL NO. 23-189](#) An Ordinance authorizing the execution of an amendment to an agreement between the City of Lee's Summit, Missouri and McCown Gordon Construction Company to set Guaranteed Maximum Price 1 (GMP 1) for the Downtown Market Plaza Project in the amount of \$5,648,457.00.  
(NOTE: First read by Council on September 26, 2023. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, that Bill No. 23-189 be advanced to 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. [BILL NO. 23-174](#) An Ordinance approving a plan for a Chapter 100 Development Project for the Greens at Woods Chapel Apartments Project.  
(Note: First read by Council on September 19, 2023. )

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 23-174 be adopted and numbered Ordinance No. 9760. The motion carried by the following vote:**

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

- Nay:** 1 - Councilmember Felker

- B. [BILL NO. 23-175](#) An Ordinance approving a plan for a Chapter 100 Development Project for the Douglas Station Residential Project.  
(Note: First read by Council on September 19, 2023.)

**ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Lopez, that Bill No. 23-175 be adopted and numbered Ordinance No. 9761. The motion carried by the following vote:**

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

**Nay:** 2 - Councilmember Felker  
Councilmember Hodges

## 10. Committee Reports

Councilmember Edson announced CEDC (Community and Economic Development Committee) will meet Wednesday, October 11, 2023 at 5:00 p.m. She also announced there will not be a City Council meeting next week.

Councilmember Shields announced the Finance and Budget Committee will meet Monday, October 2, 2023 at 4:00 p.m.

## 11. Council Comments:

Councilmember Lovell shared his concerns with getting the most competitive bids, utilizing Best Practices and being good stewards of tax payer dollars.

Councilmember Felker stated he believes the Lee's Summit Chamber of Commerce and the Lee's Summit Economic Development Council should be asked who they would like to have appointed to an exploratory committee for the EDO so the City Council can avoid the appearance of determining an outcome.

Councilmember Prier asked staff to address the Public Comment earlier this evening about the amount for the Tax Levy the city is allowed to collect. Mrs. Bette Wordelman, Finance Director, said the state has set formula's the City is required to use which is then reviewed by both Jackson and Cass Counties, as well as the State Auditor, before it is certified.

Councilmember Shields thought having the Mayor and Mayor Pro Tem representing City Council on an exploratory committee for economic development was a good idea. She deferred to the Mayor as to who should be invited from other organizations but sees a fresh start as being very important. She would like to see some stakeholders and investors included.

Councilmember Edson was not in favor of inviting anyone from the current EDC to participate on the exploratory committee due to the fact they have not been producing for at least 8 years which is why the City Council chose to stop funding them. She also thought the current Chair of the EDC using tonight's public meeting to take shots at the Mayor showed he would not be a productive member. She does believe a few past Chairs might be really good on the committee.

Mayor Pro Tem Lopez was also not impressed by the current EDC Chair using tonight's meeting to make personal attacks against the Mayor and does not believe that person should be a part of any committee for the betterment of the community.

## **12. Staff Roundtable**

Mr. Mark Dunning, City Manager, announced there will not be a City Council meeting next week. He then shared the intersection of Chipman Road and Pryor Road will have nightly closures from 8:00 pm - 6:00 am to replace a water main. The closures will begin Monday, October 2, 2023 for 2-3 weeks. The public hearing for the design of the M291 North and 50 Highway interchange is scheduled for October 3, 2023 in the Lee's Summit City Council Chambers from 4:30 - 7:00 pm. MoDOT (Missouri Department of Transportation) is also offering online review of the plans from October 3 through October 17 where comments and questions can be submitted.

## **13. Adjournment**

Mayor Baird addressed comments from a citizen made at last week's City Council meeting. He did not believe they were appropriate in the context of the conversation and he wanted to make sure public safety employees know that the City Council trusts and appreciates them.

Seeing no further business, Mayor Baird adjourned Regular Session No. 50 at 9:25 pm.

Unless determined otherwise by the Mayor and City Council, no new agenda items shall be considered after 11:00 p.m.