



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

Tuesday, October 24, 2023

6:00 PM

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

REGULAR SESSION NO. 53 - AMENDED

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, October 24, 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, October 23, 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. 53 to order at 6:02 pm.

- D. Roll Call

Councilmember Felker was absent at the time of Roll Call. He arrived at 8:45pm just prior to Item 7.C.

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

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, to approve the published amended agenda. 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

Absent: 1 - Councilmember Felker

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, to approve the Consent Agenda, Items 2.A. - 2.G. 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

Absent: 1 - Councilmember Felker

A. [2023-5865](#) Approval of City Council Action Letter from October 10, 2023.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, to approve the City Council Action Letter from October 10, 2023 as part of the Consent Agenda. 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

Absent: 1 - Councilmember Felker

B. [2023-5866](#) Approval of City Council Action Letter from October 17, 2023.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, to approve the City Council Action Letter from October 17, 2023 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 Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Felker

- C. [2023-5918](#) Mayor's Appointment (Two-Thirds Vote):
Cultural Commission: Appoint Keith Townsend, to replace Carlethia Thomas,
term to expire 6-6-24

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, 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 Hodges
Councilmember Lopez
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Felker

- D. [BILL NO. 23-190](#) An Ordinance approving a Preliminary Development Plan for Tailormade Landing on land located at 1600 SE Hamblen Road, 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 October 10, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 23-190 be adopted and numbered Ord. No. 9766 as part of the Consent Agenda. 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

Absent: 1 - Councilmember Felker

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- E. [BILL NO. 23-191](#) An Ordinance approving a Preliminary Development Plan for Streets of West Pryor Lots 11 and 13 located at 1000 NW Pryor Road and 1020 NW Pryor Road, 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 October 10, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 23-191 be adopted and numbered Ord. No. 9767 as part of the Consent Agenda. 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

Absent: 1 - Councilmember Felker

- F. [BILL NO. 23-194](#) An Ordinance approving Modification No. 5 to the On-Call Agreement for Environmental Professional Engineering Services Yearly Contract (Original RFQ No. 2020-061)(Renewal 2020-061/R3) between the City of Lee's Summit, Missouri and Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers, in the amount of \$168,872.50, for Environmental Support Services - Market Plaza Redevelopment Area Demolition for the Downtown Market Plaza, and authorizing the City Manager to execute the same. (Note: First read by Council on October 10, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 23-194 be adopted and numbered Ord. No. 9768 as part of the Consent Agenda. 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

Absent: 1 - Councilmember Felker

- G. [BILL NO. 23-195](#) An Ordinance amending the bylaws of the Lee's Summit Visitors Bureau a Missouri 501 (c)(6) Corporation in Lee's Summit, Missouri. (Note: First read by Council on October 10, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 23-195 be adopted and numbered Ord. No. 9769 as part of the Consent Agenda. 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

Absent: 1 - Councilmember Felker

3. Council Roundtable

Councilmember Shields stated downtown has a lot going on right now. The annual Boo's, Barks and Badges parade will be held this coming Saturday and the groundbreaking ceremony for the Downtown Market Plaza just took place this afternoon at 4:30pm and was well attended.

Mayor Baird noted that many of the partners, City staff, contractors, Downtown CID members, and former City Manager Steve Arbo were all present for the groundbreaking ceremony for the future Downtown Market Plaza.

4. Proclamations:

A. [2023-5850](#) Proclamation: World Polio Day - October 24, 2023

This Proclamation was presented.

5. Public Hearings:

A. [2023-5887](#) Public Hearing: Appl. #PL2022-421 - Vacation of Right-of-Way - an alley segment located east of NE Douglas St and south of NE Elm St (adjacent to 105 NE Elm St); Chris and Nicolette Saddler; applicant

Mr. Hector Soto, Jr, Senior Planner, entered Exhibit A: 1 - 17 into the record.

Council discussion included:

- Why is the vacation wanted / needed?
 - Construction done by previous owner was done without permit
 - Subject to 15-foot setback - helps abate that a little
 - Anonymous complaint had been made
 - New owner trying to remedy the situation

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

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 23-196](#) An Ordinance vacating dedicated right-of-way for a north-south alley segment located east of NE Douglas Street and south of NE Elm Street (adjacent to 105 NE Elm Street), in the City of Lee's Summit, Missouri.

(Note: First read by Council on October 24, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 23-196 be advanced to second reading. 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

Absent: 1 - Councilmember Felker

- B. [2023-5780](#) Public Hearing: Application #PL2023-093 - Rezoning from CP-2 and RP-3 to PMIX and Preliminary Development Plan - Pryor Mixed Use, 1805 & 1905 SW M-150 Highway; Griffin Riley Property Group, applicant.

(NOTE: This was continued from October 10, 2023 per the applicant's request.)

Councilmember Lovell advised he would be recusing himself due to a conflict.

Mr. Shannon McGuire, Senior Planner, entered Exhibit A: 1 - 21 into the record.

Council discussion included:

- Any incentives requested
- Pryor & 150 Hwy - Right In / Right Out on 150? - Yes
- Turn lane on 150
- Modification for unimproved road - for Pryor
- Parking

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

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 23-197](#) An Ordinance approving rezoning from District CP-2 (Planned Community Commercial District) & RP-3 (Planned Residential Mixed-Use District) to District PMIX (Planned Mixed Use District) & RP-4 (Planned Apartment Residential District) and a Preliminary Development Plan for Pryor Mixed Use on approximately 18.16 acres of land located at 1805 SW M-150 Highway & 1905 SW M-150 Highway, 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 October 24, 2023. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 23-197 be advanced to second reading. 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 Felker

Recused: 1 - Councilmember Lovell

6. Public Comments:

Mr. Brad Cox, Lee's Summit business owner, previous member the Lee's Summit Economic Development Council (LSEDC) that faced a similar issue as the LSEDC is facing today. He would like to see the City and the LSEDC get back to collaborating and working together.

7. Presentations:

- A. [2023-5774](#) Presentation: Conceptual Economic Development Incentive Request for the Pryor Mixed-Use Project - Chapter 100 and Community Improvement District; Griffin Riley, applicant.

Councilmember Lovell advised he would be recusing himself due to a conflict.

Council discussion included:

- Value proposition good
- Structures / area improvement
- Road Improvements
- What type of commercial
- Timing / phased in
- User Driven

General consensus to move forward.

This Presentation was presented.

- B. [2023-5879](#) Conceptual Presentation: Lee's Summit Parks Impact Fee Ordinance

Council discussion included:

- Conversations w/ developers & homeowners
- PRI properties
- Housing prices / construction loans
- Actual fee cost
- Comparators (other cities)
- Why no other cities in MO that have a Park Impact Fee
- Land dedications
- City divided into sectors - where do fees go
- How are other cities generating that revenue?
- Park redevelopment / parks in redevelopment area
- One-time fee - All new construction
- Tiered System
- School / Parks / Public Safety = Increased quality of life
- Precedent for the State of Missouri
- Cost per Square foot on commercial development
- Consistency / Certainty

General consensus to move forward.

This Presentation was presented.

- C. [2023-5939](#) Discussion - Lee's Summit Economic Development Council considerations
Councilmember Felker present at 8:45pm

Council discussion included:

- Wants to see what will be different to meet terms of contract
- Good proposal to move forward
- Adding additional members from other community partners
- Working to move forward
- Not require unanimous consent
- If they would like to work within agreement then okay - if not walk away
- Not missing out on economic development opportunities
- Take time and get it right
- Good conversation - time to work together to find good solutions
- Lots of challenges
- Listening in good faith
- Mistrust and Healing
- Ongoing communication is necessary to continue
- Up to board to accept proposal / work on proposal
- Transparency
- Board has issues it needs to resolve in order to move forward
- Council to participate at board meetings / be present / Mayor & City Manager
- Ball back in their (LSEDC) court at this time
- Timeline / deadline
- Nov. 14th - presentation by LSEDC to review

This Presentation was presented.

8. Resolutions:

- A. [RES. NO. 23-25](#) A Resolution approving the 2023 Strategic Plan for the City of Lee's Summit Water Utilities Department. (PWC 10/9/23)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Resolution No. 23-25 be adopted. 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 Forwarded from Committee:

- A. [BILL NO. 23-198](#) An Ordinance approving a Transportation Alternatives Program Funding Agreement between the City of Lee's Summit, Missouri, and the Missouri Highways and Transportation Commission related to the public improvement project designated as Federal Project Number TAP-3001(015), Ward Road Improvements from Blue Parkway to O'Brien Road, within the City limits of Lee's Summit, Missouri and authorizing the Mayor to execute the same. (PWC 10/9/23)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Edson, that Bill No. 23-198 be second read. 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

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Lovell, that Bill No. 23-198 be adopted and numbered Ord. No. 9770. 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. 23-199](#) An Ordinance approving Modification No. 1 to an Agreement for Professional Engineering Services for the Ward Road Improvements (NW O'Brien Road to NW Blue Parkway) Project (RFQ No. 2022-040) with Walter P Moore and Associates, Inc., for an increase of \$106,670.00 for the amended Basic Services, with an amended not to exceed amount of \$550,985.00, and authorizing the City Manager to execute an agreement for the same. (PWC 10/9/23)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Prier, that Bill No. 23-199 be second read. 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

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Hodges, that Bill No. 23-199 be adopted and numbered Ord. No. 9771. 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

- C. [BILL NO. 23-200](#)** An Ordinance authorizing the execution of a Cooperative Service Agreement by and between the City of Lee's Summit, Missouri (Lee's Summit Municipal Airport), and the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) Wildlife Services (WS), to cooperate in a wildlife damage management project and authorizing the Mayor to execute an agreement for the same. (PWC 10/9/23)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember DeMoro, that Bill No. 23-200 be second read. 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

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 23-200 be adopted and numbered Ord. No. 9772. 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. 23-201](#)** An Ordinance approving the award of RFQ No. 2023-058 for Professional Engineering Services for the Pryor Road Phase 2 Improvements (Hook Road to M-150 Highway) Project to Affinis Corp. in the amount of \$1,100,978.95 and authorizing the City Manager to execute an agreement for the same. (PWC 10/9/23)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Prier, that Bill No. 23-201 be second read. 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

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Felker, that Bill No. 23-201 be adopted and numbered Ord. No. 9773. 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

- E. [BILL NO. 23-202](#) An Ordinance Amending Chapter 4, Alcoholic Beverages, Article I. In General and Article III. Licenses, Division 2. Types Of Licenses, Fees, of the Code of Ordinances of the City of Lee's Summit, Missouri to Revise the Provisions Relating to the Administration of Liquor Licenses by the City. (CEDC 10/11/23)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 23-202 be second read. 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

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 23-202 be adopted and numbered Ord. No. 9774. 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

- F. [BILL NO. 23-203](#) An Ordinance amending Section 2-530 of the Code of Ordinances of the City of Lee's Summit, Missouri, to update provisions pertaining to closed meetings, records and votes, to be in conformity with the most current revised version of Missouri's Sunshine Law. (CEDC 10/11/23)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Hodges, that Bill No. 23-203 be second read. 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

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Prier, that Bill No. 23-203 be adopted and numbered Ord. No. 9775. 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

10. Proposed Ordinances - Second Reading:

- A. [BILL NO. 15-233](#) An Ordinance approving Redevelopment Project I for the New Longview Tax Increment Financing Plan and activating the collection of Tax Increment Financing revenues therein.
(Note: First read by Council on December 17, 2015.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lovell, that Bill No. 15-233 be adopted and numbered Ord. No. 9776. 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

11. Committee Reports

Councilmember DeMoro stated the Legislative and Intergovernmental Relations Committee (LIRC) met on Monday and discussed the Request for Proposal (RFP) for the Lobbyist which they will be discussing again in November, and the Legislative Priorities for 2024 which will be brought forward to Council in November.

Councilmember Shields noted there will be a Finance and Budget Committee (FBC) on Monday, November 6, 2023 at 4:00pm.

12. Council Comments:

Councilmember Lovell asked if they could get an update on the New Longview TIF projects.

- Mr. David Bushek, Chief Counsel of Economic Development and Planning, stated this may come forward as they are working through some new assignment of property and that would make it a good time to give an overall update.

Councilmember Lovell also stated he met with Mr. Mark Dunning, City Manager, and Mr. Ryan Elam, Assistant City Manager, today and got a high-level overview of the City's procurement process. He felt this gave him more confidence and understanding on the process the City goes through and felt it would be a good thing for all Council to review and be updated on.

Councilmember Prier said she was proud to be part of a Council that communicate openly and respectfully with one another while hearing each side and being considerate of different points of view. She thanked Mayor Baird for navigating them all through this process so well.

Mayor Baird recognized that he and some Councilmembers had referred to Mr. Joe Snook, Parks Administrator, as "Joe" and not "Mr. Snook" during his presentation tonight. He apologized and said he normally likes to be more formal during the meetings and it was not intended as a sign of disrespect but more of a comfort level in working with him. He said he would try to see they did better in the future.

13. Staff Roundtable

Mr. Mark Dunning, City Manager, stated he had four items he wanted to share:

- 1) Staff would be presenting a No Tax Increase Bond Project Update to the Council in November
- 2) Staff had a dry run on preparing for the upcoming "snow fighting" season - running routes and becoming familiar with the roadways
- 3) On November 1, 2023 at Pleasant Lea Middle School there will be an Open House for public input on the design concepts for the offset traffic lights located at Ward and Persels. This project is expected to last from late summer 2024 - fall 2025.
- 4) Recognizing the resolution adopting the Water Strategic Plan had a lot that went into it including a Tactical Plan that was several years in the making.

14. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 53 into Closed Session at 10:03 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"