



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

Tuesday, March 21, 2023

6:00 PM

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

*****AMENDED*** REGULAR SESSION NO. 33**

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, March 21, 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 20, 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. 33 to order at 6:05 pm.

D. Roll Call

Present: 8 - Councilmember Hillary Shields
Mayor Bill Baird
Councilmember Fred DeMoro
Councilmember Andrew Felker
Councilmember Faith Hodges
Councilmember Beto Lopez
Councilmember John Lovell
Councilmember Mia Prier

Absent: 1 - Councilmember Phyllis Edson

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:

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

Absent: 1 - Councilmember Edson

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.E. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

A. [2023-5458](#) Approval of City Council Action Letter from March 14, 2023.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, to approve the City Council Action Letter from March 14, 2023 as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

B. [2023-5492](#) Mayor's Appointments (need simple majority approval):

Human Relations Commission: Reappoint Vanessa Hickman, term to expire 7-6-24.

Jackson County Board of Equalization: Reappoint Iana Johnson and reappoint Gary Moore as alternate for a one-year terms to expire 3-21-24.

Planning Commission: Reappoint: Cynda Radar and Terry Trafton, terms to expire 4-15-26.

Water Utilities Advisory Board: Reappoint Cynda Radar, term to expire 3-1-26.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, to approve the Mayor's Appointments as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

- C. [2023-5510](#) Mayor's Appointments (need two thirds approval):
*Board of Aeronautic Commissioners: Appoint Steve Rich, term to expire 9-14-25.
**License Tax Review Committee: Reappoint Glen Jones, Cynda Radar and Karl Blumenhorst, terms to expire 3-1-25.
**Water Utilities Advisory Board: Reappoint Mike Atcheson term to expire 3-1-26.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, to approve the Mayor's Appointments as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

- D. [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 Shields, seconded by Councilmember Hodges, that Bill No. 23-061 be adopted and numbered Ord. No. 9635 as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

- E. [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 Shields, seconded by Councilmember Hodges, that Bill No. 23-062 be adopted and numbered Ord. No. 9636 as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

3. Council Roundtable

There was no Council Roundtable.

4. Public Hearings:

- A. [2023-5464](#) Public Hearing: Application #PL2022-217 - Rezoning from AG to RP-3 and Preliminary Development Plan - Colton's Crossing, approximately 74 acres located along the west side of SE Hamblen Road, 1/2 mile south of SE Thompson Drive; Hamblen Road Project, LLC, applicant.
(Note: Staff has requested this application be continued indefinitely.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Hodges, to continue Application #PL2022-217 - Rezoning from AG to RP-3 and Preliminary Development Plan - Colton's Crossing, approximately 74 acres located along the west side of SE Hamblen Road, 1/2 mile south of SE Thompson Drive; Hamblen Road Project, LLC, applicant indefinitely per Staff's request. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

5. Public Comments:

There were no Public Comments.

6. Presentations:

- A. [2023-5505](#) Presentation: Ignite! Community Strategic Plan Critical Success Factor (CSF) - Collaborative Relations With Education Partners.

Council Discussion:

- Scholarships
- Assessment / Aptitude Test / Interest Inventories
- Birdhouses built by 5th Graders
- How businesses get involved
- Career exploration
- Engineering program
- Certification upon completion
- Community Gardening / Sustainability

7. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 23-063](#) An Ordinance approving Modification No. 1 to the agreement between the City of Lee's Summit, Missouri and HDR Engineering, Inc. for professional engineering services for transmission, large diameter sewers, and force main condition assessment and management program (RFQ No. 2019-002) for an increase of \$519,300.00 with an amended not to exceed amount of \$2,045,680, and authorizing the City Manager to execute an agreement for the same. (PWC 3/13/23)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 23-063 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Lovell, that Bill No. 23-063 be adopted and numbered Ord. No. 9637. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

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- B. [BILL NO. 23-064](#) An Ordinance approving Modification No. 1 to the agreement between the City of Lee's Summit, Missouri and Burns & McDonnell Engineering Company, Inc. for professional engineering services for West Prairie Lee - Sewer Modeling and Design Services (RFQ No. 2022-012), for an increase of \$427,406.00 with an amended not to exceed amount of \$558,355.00, and authorizing the City Manager to execute an agreement for the same. (PWC 3/13/23)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Hodges, that Bill No. 23-064 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Lovell, that Bill No. 23-064 be adopted and numbered Ord. No. 9638. The motion carried by the following vote:

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

Absent: 2 - Councilmember Edson
Councilmember Felker

- C. [BILL NO. 23-065](#) An Ordinance awarding the bid for Project No. 794-2 for the Curb Repair FY23-2 Program to Quality Custom Concepts, Inc. DBA Quality Custom Construction, in the amount of \$390,322.66, and authorizing the City Manager to execute an agreement for the same. (PWC 3/13/23)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Lopez, that Bill No. 23-065 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Hodges, that Bill No. 23-065 be adopted and numbered Ord. No. 9639. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

- D. [BILL NO. 23-066](#) An Ordinance approving the dual award of RFP 2023-028 to SAK Construction, LLC and Proshot Concrete, Inc for Corrugated Metal Pipe (CMP) Rehab Using Trenchless Technology and Related Products and Services for a one-year term with four possible one-year renewal options and authorizing the City Manager to execute an agreement for the same. (PWC 3/13/23)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Hodges, that Bill No. 23-066 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Hodges, that Bill No. 23-066 be adopted and numbered Ord. No. 9640. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

- E. [BILL NO. 23-067](#) An Ordinance approving an access easement across a City-owned parcel addressed 225 NW Chipman Road for the benefit of 221 NW Chipman Road, LLC and authorizing the Mayor to execute the same. (PWC 3/13/23)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Prier, that Bill No. 23-067 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Prier, that Bill No. 23-067 be adopted and numbered Ord. No. 9641. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

- F. [BILL NO. 23-068](#)** An Ordinance approving a Fixed Base Operator (FBO) agreement between the City of Lee's Summit, Missouri and MJ Aviation Innovations, LLC for an initial period of two years to perform aviation services at the Lee's Summit Municipal Airport and authorizing the Mayor to execute the same. (PWC 3/13/23)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Hodges, that Bill No. 23-068 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Hodges, that Bill No. 23-068 be adopted and numbered Ord. No. 9642. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

8. Proposed Ordinances - First Reading:

- A. [BILL NO. 23-069](#) An Ordinance approving a Funding Agreement between the City of Lee's Summit, Missouri and RED Lee's Summit East, LLC, for proposed amendments to the Amended and Restated Summit Fair Tax Increment Financing Contract. (First read by Council on March 21, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 23-069 be advanced to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

- B. [BILL NO. 23-070](#) An Ordinance approving the Emergency Operations Plan for the City of Lee's Summit, Missouri and amending Section 10.7 Emergency Operations Plan of the Code of Ordinances to reflect the adoption of the new plan. (First read by Council on March 21, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Hodges, that Bill No. 23-070 be advanced to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Edson

9. Proposed Ordinances - Second Reading:

- A. [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 Shields, seconded by Councilmember Felker, that Bill No. 23-054 be adopted and numbered Ord. No. 9643. The motion carried by the following vote:

Aye: 5 - Councilmember Shields
Mayor Baird
Councilmember Felker
Councilmember Lopez
Councilmember Prier

Nay: 3 - Councilmember DeMoro
Councilmember Hodges
Councilmember Lovell

Absent: 1 - Councilmember Edson

10. Committee Reports

Councilmember Shields advised the April 10, 2023 Legislative and Intergovernmental Relation Committee meeting will be rescheduled due to a conflict in her schedule.

Councilmember DeMoro stated the April 3, 2023 Finance and Budget Committee may also be rescheduled as they do not have everything they need to review the items currently on that agenda.

11. Council Comments:

Mayor Baird noted they would be reviewing the economic development review process soon. Mr. Mark Dunning, City Manager, stated staff was preparing to bring that forward in May.

Mayor Baird advised that he and Mayor Pro Tem Lopez would be leaving for the National League of Cities in Washington, D.C. conference being held next week.

Councilmember Lovell asked when they would be reviewing the incentive policy and how it would effect the city with the rising property tax that may be coming soon. Mayor Baird advised this would be brought to the Community and Economic Development Committee soon and then brought to Council at a later date.

Councilmember Prier stated she loved hearing the presentation from the school district and learning about all of the things they have working in the community.

12. Staff Roundtable

Mr. Mark Dunning, City Manager, noted there was a written report on the FY2023 License Tax Review Committee Annual Report. They are requesting any changes at this time.

Mr. Dunning also advised that House Bill 909 regarding the half mile radius for the landfill would have its third reading tomorrow at the House. Staff is not aware of what is happening on the Senate side.

- A. [2023-5512](#) Report: License Tax Review Committee Annual Report for FY2023
This Report was presented.

13. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 33 at 7:38pm.

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"