



The City of Lee's Summit

Final Agenda

City Council - Regular Session

Tuesday, November 21, 2023

6:00 PM

City Council Chambers
and Via Video Conference

220 SE Green Street

Lee's Summit, MO 64063

REGULAR SESSION NO. 56

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, November 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, November 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
- D. Roll Call

1. Approval of Agenda

2. Approval of Consent Agenda:

Items on the Consent Agenda are routine business matters or proposed ordinances approved unanimously by the Council on First Reading. Consent agenda items may be removed by any Councilmember for discussion as part of the regular agenda.

- A. [2023-5921](#) Approval of City Council Action Letter for November 14, 2023
- B. [2023-5959](#) Extension Request - Application #PL2022-288 - Final Development Plan - McBee's Coffee and Carwash, 1295 SW Arborwalk Boulevard.; McBee Construction Company, applicant.

Presenter: Dan Fernandez, Project Manager

- C. [BILL NO. 23-212](#) An Ordinance accepting Final Plat entitled, "Woodland Oaks, Lots 1-42 and Tracts A & B", as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on November 7, 2023. Passed by unanimous vote.)
Presenter: Dawn Bell, Planning Manager
- D. [BILL NO. 23-220](#) An Ordinance determining and declaring the necessity of acquiring for public use certain permanent easements and temporary construction easements for sanitary sewer, water, storm water, other public improvements, and all work incidental and subsidiary thereto, associated with the proposed North and South Summit Mill Improvements Project; authorizing the City Manager and his designee(s) to negotiate for the purpose of acquiring the necessary interests in land; and authorizing the City Attorney and his designee(s) to institute condemnation proceedings if such interests in land cannot be acquired by purchase through good faith negotiations.
(Note: First read by Council on November 14, 2023. Passed by unanimous vote.)
Presenter: Scott Ison, Chief Counsel of Infrastructure and Recreation

3. Council Roundtable

Council Roundtable is reserved for items of general interest, community announcements and other such information. Council may ask for clarification or give direction about agenda items or discuss items of an emerging nature.

4. Public Hearings:

Proposed ordinances considered after a public hearing will be read for the first time and forwarded to a future City Council meeting for second reading, unless deemed to be an emergency as defined in Sec. 3.13(f) of the Lee's Summit Charter. Five affirmative votes are required for approval of second reading.

- A. [2023-5928](#) Public Hearing: Application #PL2023-196 - Commercial Rezoning and Preliminary Development and Conceptual Plan - Downtown Market Plaza, 201, 205, and 220 SE Green Street; 205 and 208 Johnson Street; and 200 and 202 SE 3rd Street; Lane4 Property Group, applicant.
Presenter: Weston Buckley, applicant
C. Shannon McGuire, Senior Planner
- 1) [BILL NO. 23-221](#) An Ordinance approving rezoning from District CP-2 (Planned Community Commercial District) to District CBD (Central Business District) and a Preliminary Development Plan for the Downtown Market Plaza on approximately 4 acres of land located at 201, 205, and 220 SE Green Street; 205 and 208 SE Johnson Street; and 200 and 202 SE 3rd Street, 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.
Presenter: C. Shannon McGuire, Senior Planner
- B. [2023-5927](#) Public Hearing: Application #PL2023-221 - Preliminary Development Plan - Chick-fil-A drive-through expansion, 690 NW Blue Parkway; Chick-fil-A, Inc., applicant.
Presenter: Patrick Thompson, Applicant Representative
Hector Soto, Jr., AICP, Senior Planner

- 1) [BILL NO. 23-222](#) An Ordinance approving a Preliminary Development Plan for Chick-fil-A located at 690 NW Blue Parkway, 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.
- Presenter:** Hector Soto, Jr., AICP, Senior Planner
- C. [2023-5932](#) Public Hearing: Application #PL2022-357 - Rezoning from RP-2 to CP-2 and Preliminary Development Plan - Take 5 Oil Change, 400 NE M-291 Highway; Driven Assets, LLC, applicant.
- Presenter:** Todd Minnis, Applicant's Representative
C. Shannon McGuire, Senior Planner
- 1) [BILL NO. 23-223](#) An Ordinance approving rezoning from District RP-2 (Planned Two-Family Residential District) to District CP-2 (Planned Community Commercial District) and a Preliminary Development Plan for Take 5 Oil Change on approximately 1.73 acres of land located at 400 NE M-291 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.
- Presenter:** C. Shannon McGuire, Senior Planner

5. Public Comments:

Anyone wishing to address the Mayor and Council during Public Comments will be limited to 3 minutes. Each speaker must fill out a Public Comment Card. The Public Comment Cards are located at the entrance of Council Chambers. After completion, the card is to be given to the City Clerk. Please be concise with comments and respect the 3 minute time limit.

6. Presentations:

- A. [2023-5926](#) Presentation: Status update on Capital Improvement Plan No-Tax Increase Bond Projects
- Presenter:** Ryan Elam, Assistant City Manager
Sharon Bloom, Project Manager - CBS
Diana Newman, Project Manager - ITS
Michael Park, Director of Public Works

7. Proposed Ordinances Forwarded from Committee:

The following proposed ordinances were considered by a Council Committee and are presented to the Council for two readings and adoption.

- A. [BILL NO. 23-215](#) An Ordinance approving a Public Service Agreement for enhanced public area maintenance services, including but not limited to, litter control, weed abatement, sidewalk cleaning, by and between the Downtown Lee's Summit Community Improvement District and the City of Lee's Summit, Missouri. (F&BC 11/6/23)
- Presenter:** Brian Page, Facilities Manager

- B. [BILL NO. 23-224](#)** An Ordinance approving the award of RFQ No. 2024-015 for Design Services for Remodel and Repurpose of Fire Station 5 to Hoefer Welker for an amount not to exceed \$309,320.00 and authorizing the City Manager to enter into an agreement for the same. (PWC 11/13/23)
- Presenter:*** John Boenker, Deputy Police Chief
- C. [BILL NO. 23-225](#)** An Ordinance approving Change Order No. 2 to the agreement with Sands Construction, LLC for the Sidewalk Gap Program FY23 Project, Project No. 718, for an increase of \$219,880.73 for a revised agreement amount of \$2,049,991.23 and to increase the project timeline by 113 days, and authorizing the City Manager to execute an agreement for the same. (PWC 11/13/23)
- Presenter:*** Perry Allen, Construction Manager
- D. [BILL NO. 23-226](#)** An Ordinance approving Modification No. 1 to an Agreement for Professional Engineering Services for the Olive and Orchard Road and Storm Sewer Improvements (Douglas Street to Chipman Road) Project (RFQ No. 2022-060) with Kimley-Horn and Associates, for an increase of \$119,101.50 for the amended Basic Services, with an amended not to exceed amount of \$974,529.50, and authorizing the City Manager to execute an agreement for the same. (PWC 11/13/23)
- Presenter:*** Nikia Chapman-Freiberger, Senior Staff Engineer
- E. [BILL NO. 23-227](#)** An Ordinance approving Modification No. 3 to an Agreement dated February 23, 2021 for Professional Engineering Services for the East Fork of Little Blue Watershed River Stormwater Improvement Project (Sole Source) between the City of Lee's Summit, Missouri, and Allgeier, Martin & Associates, Inc., for an increase of \$275,600 for the amended basic services, with an amended amount of \$928,600.00, and authorizing the City Manager to execute the same. (PWC 11/13/23)
- Presenter:*** Karen Quackenbush, Senior Staff Engineer
- F. [BILL NO. 23-228](#)** An Ordinance approving Modification No. 2 to the On-Call Agreement for Professional Engineering Services (Original RFQ No. 2022-030) between the City of Lee's Summit, Missouri and Olsson Associates, Inc., in the amount of \$96,540.00, for Professional Engineering Services for the I-470 Sewer Crossing Design and authorizing the City Manager to execute the same. (PWC 11/13/23)
- Presenter:*** Amanda Bagwell, Water Utilities Department
- G. [BILL NO. 23-229](#)** An Ordinance approving a Sole Source Agreement for Professional Engineering Services for the Installation of Precipitation Gauges by and between the City of Lee's Summit, Missouri, and Allgeier, Martin & Associates, Inc., for an amount not to exceed \$197,000, and authorizing the City Manager to execute an agreement for the same. (PWC 11/13/23)
- Presenter:*** George Binger, Deputy Director of Public Works/City Engineer

- H. [BILL NO. 23-230](#) An Ordinance approving an agreement between the City of Lee's Summit, Missouri and the United States Geologic Survey for the Installation and Maintenance of Stream Gages in the amount of \$206,200, and authorizing the Mayor to execute the same. (PWC 11/13/23)
- Presenter:** George Binger, Deputy Director of Public Works/City Engineer
- I. [BILL NO. 23-231](#) An Ordinance approving a deed restriction for Pleasant Lea Park regarding restrictions limiting the use of the Park property to outdoor recreational use and maintaining and operating the Park property consistent with 43 CFR Part 17, in perpetuity, and authorizing the Mayor to execute the same. (PWC 11/13/23)
- Presenter:** Scott Ison, Chief Counsel of Infrastructure & Recreation
- J. [BILL NO. 23-232](#) An Ordinance approving a license agreement between the City of Lee's Summit, Missouri, and the Little Blue Valley Sewer District for repairs to the Little Blue Valley Sewer District's existing sanitary sewer line through Eagle Creek Park, and authorizing the Mayor to execute the same. (PWC 11/13/23)
- Presenter:** Scott Ison, Chief Counsel of Infrastructure & Recreation

8. Proposed Ordinances - First Reading:

The proposed ordinances presented for first reading may include items with a previous hearing; an item brought directly to the City Council without a recommendation from a Council Committee; or, items forwarded from citizen Boards or Commissions. Five affirmative votes are required for approval of second reading.

- A. [BILL NO. 23-233](#) An Ordinance vacating a portion of a certain easement located at 690 NW Blue Parkway in the City of Lee's Summit, Missouri.
- Presenter:** Hector Soto, Jr., AICP, Senior Planner
- B. [BILL NO. 23-234](#) An Ordinance accepting Final Plat entitled, "The Village at New Longview, Blocks 1-15 and Tracts A & B", as a subdivision to the City of Lee's Summit, Missouri.
- Presenter:** Hector Soto, Jr., AICP, Senior Planner
- C. [BILL NO. 23-235](#) An Ordinance approving the Cooperative Agreement among the City of Lee's Summit, Missouri, the Raintree Village Community Improvement District, Martin City Partners, LLC, and 150 Highway Lee's Summit, LLC, to implement the Raintree Village Community Improvement District.
- Presenter:** David Bushek, Chief Counsel of Economic Development & Planning

9. Committee Reports

Committee chairs report on matters held in Committee.

10. Council Comments:

(NOTE: Total time for Council Comments will be limited to 5 minutes.)

11. Staff Roundtable

Staff Roundtable is reserved for items of general interest, community announcements and other such information; however, staff may ask for clarification or direction from the council related to items on the agenda or for items of an emergency nature for which insufficient time exists for adding to the agenda.

12. Adjournment

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