



The City of Lee's Summit

Final Agenda

City Council - Regular Session

Tuesday, March 5, 2019

6:30 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 23

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. [2019-2579](#) Approval of Action Letters from February 5 and February 19, 2019.

- B. [BILL NO. 19-26](#) An Ordinance approving the Petition for establishment of the Summit Orchards Community Improvement District, and approving a Cooperative Agreement to implement the District.
(First Reading by Council on February 19, 2019. Passed by unanimous vote.)

Presenter: Steve Rich, Townsend Capital - developer
John Snyder, Dentons - legal counsel for developer
Mark Dunning, Assistant City Manager
David Bushek, Chief Counsel of Economic Development & Planning

- C. [BILL NO. 19-33](#) An Ordinance accepting the final plat entitled "Hawthorne Ridge, 1st Plat, Lots 1-100 & Tracts A-E" (formally known as Arborwalk North, 1st Plat, Lots 1-100 & Tracts A-E), a subdivision to The City Of Lee's Summit, Missouri.
(First Reading by Council on February 19, 2019. Passed by unanimous vote.)

Presenter: Josh Johnson, AICP, Assistant Director of Plan Services
David Price, CMH Parks, Inc. -- applicant

- D. [BILL NO. 19-34](#) An Ordinance accepting final plat entitled "Monticello, 3rd Plat, Lots 68-108 and Tracts G thru J", as a subdivision to the City of Lee's Summit, Missouri.
(First Reading by Council on February 19, 2019. Passed by unanimous vote.)

Presenter: Josh Johnson, Assistant Director of Plan Services -- Staff
Matt Schlicht, Engineering Solutions -- Applicant

- E. [BILL NO. 19-35](#) An Ordinance awarding Bid No. 40252086-1 for the Phase 3 Landfill Gas Collection System Construction to Joe Coleman & Son Environmental Services, Inc. in the amount of \$636,731.73 and authorizing the City Manager to enter into an agreement for the same.
(First Reading by Council on February 19, 2019. Passed by unanimous vote.)

Presenter: Dena Mezger, Director of Public Works

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. Proclamations:

- A. [2019-2596](#) March for Meals Month

Presenter: Susie Newsom, Meals On Wheels Lee's Summit Board President
Mike Gann, Meals On Wheels Lee's Summit Board Member

5. 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. [2019-2597](#) Public Hearing: A Labor Agreement by and between the City of Lee's Summit and the International Association of Machinists and Aerospace Workers Lodge #778

Presenter: Beth Murano, Chief Counsel of Public Safety - Civil Rights Specialist

- B. [2019-2598](#) Public Hearing: The 2019 Labor Agreement by and between the City of Lee's Summit and the International Association of Fire Fighters Local 2195.

Presenter: Beth Murano, Chief Counsel of Public Safety - Civil Rights Specialist

- C. [2019-2599](#) Public Hearing: The 2019 Labor Agreement by and between the City of Lee's Summit and the Fraternal Order of Police Lodge #50.

Presenter: Beth Murano, Chief Counsel of Public Safety - Civil Rights Specialist

- D. [2019-2570](#) Public Hearing: Application #PL2018-102 - Vacation of Right-of-Way for a portion of NE Douglas Street abutting 1410 NE Douglas Street; Oakview Capital Partners, LLC, applicant.

Presenter: Josh Johnson, AICP, Assistant Director of Plan Services
Dan Foster, PE, Schlagel and Associates, Representative for applicant

- 1) [BILL NO. 19-37](#) An Ordinance vacating a portion of NE Douglas Street right-of-way for the purpose of facilitating the development of the abutting property addressed 1410 NE Douglas Street, in the City of Lee's Summit, Missouri.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Dan Foster, PE, Schlager and Associates, Representative for applicant
- E. [2019-2572](#) Public Hearing: Application #PL2018-233 - Vacation of Right-Of-Way - a portion of NW Lowenstein Drive, located west of NW Pryor Road; Drake Development, LLC, applicant.
- Presenter:** Josh Johnson, Assistant Director of Plan Services
Dave Olson, Applicant
- 1) [BILL NO. 19-38](#) An Ordinance vacating dedicated right-of-way for a portion of NW Lowenstein Drive, located west of NW Pryor Road, in the City of Lee's Summit, Missouri.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Dave Olson, Applicant
- F. [2019-2573](#) Public Hearing: Application #PL2018-121 and Application #2018-231 - Preliminary Development Plan and Special Use Permit for indoor climate controlled storage facility - Attic Storage of Lee's Summit, 920 NE Deerbrook Street; Strickland Construction Co., applicant.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Stan Hernly, Architect, Representative for Applicant
- 1) [BILL NO. 19-39](#) An Ordinance approving a preliminary development plan located on Lot 3B Deerbrook Commercial Park in District CP-2, proposed Attic Storage, indoor climate controlled storage facility in accordance with the provisions of Chapter 33, The Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Stan Hernly, Architect, Applicant
- 2) [BILL NO. 19-40](#) An Ordinance approving a special use permit for an indoor climate controlled storage facility in district CP-2 on land located on Lot 3B Deerbrook Commercial Park in CP-2, proposed Attic Storage, all in accordance with the provisions of Chapter 33, The Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Stan Hernly, Architect

6. 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.

7. Emergency Ordinances:

The following proposed ordinances meet the criteria included in Sec. 3.13(f) of the Lee's Summit Charter for Emergency ordinances and are presented for two readings in this meeting. Six affirmative votes are required for approval of second reading.

- A. [BILL NO. 19-41](#) An Ordinance approving the 2019 Labor Agreement by and between the City of Lee's Summit, Missouri and the International Association of Fire Fighters Local #2195 and authorizing the City Manager to execute the same by and on behalf of the City; appropriating \$834,531.22 and containing an emergency clause.

Presenter: Nick Edwards, Assistant City Manager, Administrative Services
Beth Murano, Chief Counsel of Public Safety - Civil Rights Specialist

- B. [BILL NO. 19-42](#) An Ordinance approving the 2019 Labor Agreement by and between the City of Lee's Summit, Missouri and the Fraternal Order of Police Lodge #50 and authorizing the City Manager to execute the same by and on behalf of the city; appropriating \$1,278,037 and containing an Emergency Clause.

Presenter: Nick Edwards, Assistant City Manager, Administrative Services
Beth Murano, Chief Counsel of Public Safety - Civil Rights Specialist

- C. [BILL NO. 19-36](#) An Ordinance approving the 2019 Labor Agreement by and between the City of Lee's Summit, Missouri and the International Association of Machinists and Aerospace Workers Lodge #778 and Authorizing the City Manager to Execute the same by and on behalf of the City; Appropriating \$288,486.36 and containing an Emergency Clause.

Presenter: Nick Edwards, Assistant City Manager, Administrative Services
Beth Murano, Chief Counsel of Public Safety - Civil Rights Specialist

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. 19-43](#) An Ordinance approving a development agreement between The Streets of West Pryor, LLC and The City of Lee's Summit, Missouri, for the Streets of West Pryor Development.

Presenter: David Bushek, Chief Counsel of Economic Development and Planning

- B. [BILL NO. 19-44](#) An Ordinance accepting final plat entitled "Streets of West Pryor Lots 1 thru 14, Tracts A, B, C, & D", as a subdivision to the City of Lee's Summit, Missouri.

Presenter: Josh Johnson, AICP, Assistant Director of Plan Services
Dave Olson, Applicant

- C. [BILL NO. 19-45](#) An Ordinance determining and declaring the necessity of acquiring for public use certain Permanent Easements and Temporary Construction Easements for road improvements associated with the 3rd Street Improvement Project (Pryor Road to Murray Road) in Lee's Summit, Missouri; authorizing the City Manager and his designees to negotiate for the purpose of acquiring the necessary interests in land; and authorizing the City Attorney and his designees to institute condemnation proceedings if such interests in land cannot be acquired by purchase through good faith negotiations.

Presenter: Dena Mezger, Director of Public Works

- D. [BILL NO. 19-46](#) An Ordinance awarding Bid No. 28631683-C, for the Water Main Replacement - FY19 to Westland Construction, Inc., in the amount of \$1,224,772.00 and authorizing the City Manager to execute an agreement for the same.

Presenter: Jeff Thorn, Assistant Director of Engineering Services, Lee's Summit Water Utilities

- E. [BILL NO. 19-47](#) An Ordinance authorizing the execution of Modification No. 1 to agreement dated February 28, 2018 (RFQ No. 2018-301) for professional engineering services for Four Streambank Stabilization/Stormwater Management Projects with Allgeier, Martin and Associates, Inc., for an increase of \$60,700.00 with an amended not to exceed amount of \$225,700, and authorizing the City Manager to enter into an agreement for the same.

Presenter: Dena Mezger, Public Works Director

- F. [BILL NO. 19-48](#) An Ordinance authorizing execution of an agreement by and between the City of Lee's Summit, Missouri, and Bartlett & West, Inc. in an amount not to exceed \$195,035.00 for Professional Engineering Services for the Browning Street Extension - SE Browning Street to SE Hamblen Rd (RFQ No. 568-32372), and authorizing the City Manager to enter into an agreement for the same.

Presenter: Dena Mezger, Director of Public works

- G. [BILL NO. 19-49](#) An Ordinance authorizing execution of modification No. 12, to the agreement with Crawford, Murphy and Tilly, Inc. for On-Call Engineering Services for the airport (RFQ No. 2015-300) in the amount of \$45,164.63 for Engineering, Inspection and Testing.

Presenter: Bob Hartnett, Deputy Director of Public Works

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.

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"