



The City of Lee's Summit

Final Agenda

City Council - Regular Session

Tuesday, July 20, 2021

6:00 PM

City Council Chambers
and Via Video Conference

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 38 *AMENDED*****

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, July 20, 2021 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, July 19, 2021, 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 website at www.WatchLS.net, and various cable providers (Spectrum channel 2, Google TV channel 143, AT&T U-Verse channel 99 and Comcast channel 7) for those whose cable providers carry the City of Lee's Summit meetings.

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. [SUBSTITUT E BILL NO. 21-139](#) An Ordinance determining and declaring the necessity of acquiring for public use certain right of way, permanent easements and temporary construction easements for road, water, stormwater and sewer improvements associated with the proposed Chipman Road Improvements from View High Drive to Bent Tree Drive 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 July 13, 2021. Passed by unanimous vote.)

Presenter: Michael Park, Director of Public Works

- B. [BILL NO. 21-140](#) An Ordinance renewing the City of Lee's Summit's procedure for disclosure of potential conflicts of interest and substantial interests for certain municipal officials, pursuant to Sec. 2-75 of the Code of Ordinances for the City of Lee's Summit, Missouri.

(Note: First read by Council on July 13, 2021. Passed by unanimous vote.)

Presenter: Trisha Fowler Arcuri, City Clerk

- C. [BILL NO. 21-141](#) An Ordinance terminating Project 4 of the East U.S. 50 Corridor Improvement Tax Increment Financing Plan and terminating the collection of Tax Increment Financing Revenues within the Project 4 Area.

(Note: First read by Council on July 13, 2021. Passed by unanimous vote.)

Presenter: David Bushek, Chief Counsel of Economic Development & Planning
Bette Wordelman, Director of Finance

- D. [BILL NO. 21-142](#) An Ordinance terminating and dissolving the I-470 Business and Technology Tax Increment Financing Plan, Special Allocation Fund, Redevelopment Area and terminating the collection of Tax Increment Financing Revenues for such plan.

(Note: First read by Council on July 13, 2021. Passed by unanimous vote.)

Presenter: David Bushek, Chief Counsel of Economic Development & Planning
Bette Wordelman, Director of Finance

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. Presentations:

- A. [2021-4259](#) End of 2021 Session report from Mr. Jim Durham, the City's Lobbyist.

Presenter: Mr. Jim Durham, Lobbyist

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. [2021-4218](#) Public Hearing: Application #PL2021-134 - Rezoning from AG to RP-3 and Preliminary Development Plan- Osage, 3rd Plat, 2151 SW M-150 Hwy; Clayton Properties Group, Inc. d/b/a Summit Homes, applicant.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Julie Sellers, PE/Engineer
Brad Kempf/Owner Representative
- 1) [BILL NO. 21-143](#) An Ordinance approving a rezoning from AG (Agricultural) to district RP-3 (Planned Residential Mixed Use) and preliminary development plan for Osage 3rd plat, located at 2151 SW M-150 Hwy, 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
Julie Sellers, PE/Engineer
Brad Kempf/Owner Representative
- B. [2021-4214](#) Public Hearing: Application #PL2021-145 - Preliminary Development Plan - Chapel Ridge Business Park out-building, 3680 NE Akin Drive; VAAP Chapel Ridge, LLC, applicant.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Jim Gamble, Applicant Representative
- 1) [BILL NO. 21-144](#) An Ordinance approving a preliminary development plan for the proposed Chapel Ridge Business Park outbuilding, 3680 NE Akin Dr, 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:** Hector Soto, Jr., AICP, Planning Manager
Jim Gamble, Applicant Representative
- C. [2021-4240](#) Public Hearing: Master Plan for Industrial Development Project (Chapter 100) for the Stag's Field Apartments
- Presenter:** Kevin Tubbesing, Stag Commercial
David Bushek, Chief Counsel of Economic Development & Planning
Mark Dunning, Assistant City Manager
- 1) [BILL NO. 21-145](#) An Ordinance Approving a Plan For an Industrial Development Project for Stag's Field Apartments.
- Presenter:** David Bushek, Chief Counsel of Economic Development & Planning
Mark Dunning, Assistant City Manager
Kevin Tubbesing, Stag Commercial

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. 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. 21-146](#) An Ordinance awarding the bid for Project No. 78831883-C for the South Terminal Water Tank Rehabilitation Project to DN Tanks, LLC in the amount of \$162,375, and authorizing the City Manager to execute an agreement for the same. (PWC 7/12/21)

Presenter: Mark Schaufler, Director of Water Utilities

- B. [BILL NO. 21-147](#) An Ordinance awarding the bid for Project No. 57831683-21 for the Cathodic Protection Program FY21 to Kantex Industries, Inc. in the amount of \$397,883 and authorizing the City Manager to execute an agreement of the same. (PWC 7/12/21)

Presenter: Mark Schaufler, Director of Water Utilities

- C. [BILL NO. 21-148](#) An Ordinance approving Change Order No. 3 to the contract with MegaKC Corporation for the Jefferson Street Improvements project, an increase of \$121,503.68 for a revised contract price of \$2,779,713.41. (PWC 7/12/21)

Presenter: Michael Park, Director of Public Works

8. 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. 21-152](#) An Ordinance authorizing the execution of a Memorandum of Agreement between the City of Lee's Summit, Missouri, the Federal Highway Administration, the Missouri State Historic Preservation Officer, and the Unity School of Christianity, related to the mitigation of adverse effects of the public improvement project designated as Federal Project Number STP-3301(527), Colbern Road, within the City limits of Lee's Summit, Missouri, and containing an emergency clause.

Presenter: Michael Park, P.E., PTOE, City Traffic Engineer

9. 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. 21-149](#) An Ordinance awarding the bid for Project No. 324-21/22 (Curb) for the Curb Repair 21/22 Program to Phoenix Concrete & Underground, LLC in the amount of \$1,811,323.88, and authorizing the City Manager to execute an agreement for the same. (PWC 7/12/21 - 2 to 1 vote.)

Presenter: Michael Park, Director of Public Works

- B. [BILL NO. 21-150](#) An Ordinance Authorizing the City of Lee's Summit, Missouri to Issue Taxable Industrial Development Revenue Bonds in a Principal Amount not to Exceed \$36,500,000 in Connection with the Streets of West Pryor Apartment Development; and Authorizing Certain Documents and Actions in Connection Therewith

Presenter: David Bushek, Chief Counsel of Economic Development & Planning
David Martin, Gilmore & Bell, P.C.
Jeff Haney, HaneyCo KC

- C. [BILL NO. 21-151](#) An Ordinance Approving a Transferee Agreement Among Red Summit Fair, LLC, Sahara Pavilion South SC, LLC, Win, LLC, and the City of Lee's Summit, Missouri, for the Transfer of Property in the Lee's Summit East (Summit Fair) Tax Increment Financing Redevelopment Area.

Presenter: David Bushek, Chief Counsel of Economic Development & Planning
Melissa Goodson, RED Development
Scott Rehorn, RED Development

10. Proposed Ordinances - Second Reading:

The proposed Ordinances were advanced from First Reading without a unanimous vote of the City Council.

- A. [BILL NO. 21-138](#) An Ordinance approving the first amendment to the Redevelopment Agreement among the City of Lee's Summit, Missouri, the Cedar Creek Community Improvement District and Enterprises Cedar Creek, LLC, and approving the First Amendment to the Cedar Creek Land Clearance for Redevelopment Authority Redevelopment Plan, to implement the incentives for the Cedar Creek Shopping Center Redevelopment Project.

(Note: First read by Council on July 13, 2021.)

Presenter: Curt Petersen, Polsinelli law firm
David Bushek, Chief Counsel of Economic Development & Planning
Mark Dunning, Assistant City Manager

11. Committee Reports

Committee chairs report on matters held in Committee.

12. Council Comments:

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

13. 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.

- A. [2021-4244](#) Update on Downtown Market Plaza Project

Presenter: David Bushek, Chief Counsel on Economic Development & Planning
Mark Dunning, Assistant City Manager

14. 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"

