



The City of Lee's Summit

Final Agenda

City Council - Regular Session

Tuesday, April 18, 2023

6:00 PM

City Council Chambers
and Via Video Conference

220 SE Green Street

Lee's Summit, MO 64063

REGULAR SESSION NO. 36

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, April 18, 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, April 17, 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. [2023-5539](#) Approval of City Council Action Letter from April 11, 2023.

- B. [BILL NO. 23-073](#) An Ordinance approving a Memorandum of Understanding between the City of Lee's Summit, Missouri, and the Lee's Summit R-7 School District for the Meet Me in the Park Event and authorizing the Mayor to execute the same.
(NOTE: First read by Council on April 11, 2023. Passed by unanimous vote.)

Presenter: Joe Snook, Administrator of Parks and Recreation

- C. [BILL NO. 23-074](#) An Ordinance approving the extension of consulting services between the City of Lee's Summit and Biederman Redevelopment Ventures (BRV) for professional services related to the Downtown Market Plaza Project and authorizing the City Manager to execute an agreement for the same.

(NOTE: First read by Council on April 11, 2023. Passed by unanimous vote.)

Presenter: Ryan A. Elam, P.E., Assistant City Manager

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. [2023-5464](#) 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.

Presenter: Dustin Baxter, Applicant Representative
Josh Johnson, AICP, Director of Development Services

- 1) [BILL NO. 23-075](#) An Ordinance approving rezoning from District AG (Agricultural) to District RP-3 (Planned Residential Mixed Use) and Preliminary Development Plan for approximately 74 acres located along the west side of SE Hamblen Road, ½ mile south of SE Thompson Drive, all in accordance with the provisions of Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

Presenter: Dustin Baxter, Applicant Representative
Josh Johnson, AICP, Director of Plan Services

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. [2023-5452](#) Presentation: Conceptual Economic Development Incentive Request - Performance Food Group request for tax abatement for facility expansion at 290 SE Thompson Drive; Reinhart Foodservice, LLC, applicant.

Presenter: Tami Gardner, Performance Food Group, Vice President of Tax
Chris Lloyd, Director, McGuireWoods Consulting
Scott Cinquanta, President, Performance Foodservice Lee's Summit
David Bushek, Chief Counsel of Economic Development & Planning

7. Resolutions:

- A. [RES. NO. 23-07](#) A Resolution canvassing and declaring the results of the April 4, 2023, General Municipal Election for Question 1, authorizing the issuance of general obligation bonds in the amount of \$74,000,000 for the purpose of acquiring land, acquiring, constructing, furnishing and equipping buildings and facilities, making certain renovations and improvements to existing facilities and acquiring equipment and network/technology improvements for public safety and emergency preparedness purposes.

Presenter: Trisha Fowler Arcuri, City Clerk

- B. [RES. NO. 23-08](#) A Resolution canvassing and declaring the results of the April 4, 2023 General Municipal Election for the issuance of general obligation bonds in the amount of \$98,000,000 for transportation purposes including without limitation, acquiring land and rights of way, and acquiring, constructing, reconstructing, repairing and improving streets, roads, bridges and sidewalks throughout the City and acquiring, constructing, renovating, and improving the airport.

Presenter: Trisha Fowler Arcuri, City Clerk

- C. [RES. NO. 23-09](#) A Resolution canvassing and declaring the results of the April 4, 2023 General Municipal Election for the issuance of general obligation bonds in the amount of \$14,000,000 for the purpose of acquiring, constructing, renovating, improving and equipping municipal buildings, facilities and network/technology infrastructure and systems including renovations and improvements to city hall and maintenance facilities.

Presenter: Trisha Fowler Arcuri, City Clerk

- D. [RES. NO. 23-10](#) A Resolution canvassing and declaring the results of the April 4, 2023, General Municipal Election for Question 4, authorizing a city sales tax of three percent (3%) on all retail sales of adult use, non-medical marijuana sold in the City of Lee's Summit, Missouri.

Presenter: Trisha Fowler Arcuri, City Clerk

8. 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. 23-076](#) An Ordinance approving the award of RFQ No. 2023-041 for Professional Engineering Services for Sampson Road Bridge Replacement and Stormwater Improvements to Wilson & Company, Inc., for an amount not to exceed \$584,535.00, and authorizing the City Manager to execute an agreement for the same. (PWC 4/10/23)

Presenter: John Persing, Staff Engineer

- B. [BILL NO. 23-077](#) An Ordinance awarding the bid for Project No. 97631683 for the Cathodic Protection Program FY23 to Wiedenmann, Inc. in the amount of \$993,300.00 and authorizing the City Manager to execute an agreement for the same. (PWC 4/10/23)

Presenter: Jeff Thorn, Deputy Director of Water Utilities

- C. [BILL NO. 23-078](#) An Ordinance awarding the bid for Project No. 767-C for the Langsford and Milton Thompson Water Main Upsize Program to Infrastructure Solutions, LLC. in the amount of \$1,059,880.00 and authorizing the City Manager to execute an agreement for the same. (PWC 4/10/23)

Presenter: Jeff Thorn, Deputy Director of Water Utilities

- D. [BILL NO. 23-079](#) An Ordinance awarding the bid for Project No. 569 for the Colbern Road Improvements from M350 Highway to Douglas Street to Clarkson Construction Company in the amount of \$25,999,806.77, and authorizing the City Manager to execute an agreement for the same. (PWC 4/10/23)

Presenter: Craig Kohler, Senior Staff Engineer

- E. [BILL NO. 23-080](#) An Ordinance authorizing execution of an agreement for facility relocation by and between the City of Lee's Summit, Missouri, and Spire Missouri Inc. in the amount of \$535,643.00 for the Colbern Road Improvements from M350 Highway to Douglas Street, and authorizing the City Manager to execute the same. (PWC 4/10/23)

Presenter: Craig Kohler, Senior Staff Engineer

- F. [BILL NO. 23-081](#) An Ordinance awarding the bid for Project No. 791-OV for the Mill & Overlay FY24 Program to Amino Brothers Co., Inc. in the amount of \$3,825,766.45 and authorizing the City Manager to execute an agreement for the same. (PWC 4/10/23)

Presenter: Vince Schmoeger, Project Manager

- G. [BILL NO. 23-082](#) An Ordinance approving an Intergovernmental Agreement Regarding Cost Sharing for Road Maintenance and Overlay and a Regarding Capital Improvement Project paid for by the City of Lee's Summit and Jackson County to Mill & Overlay Langsford Road (West of Blackwell Road to Wildflower Drive) and authorizing the Mayor to execute the same. (PWC 4/10/23)
- Presenter:** Vince Schmoeger, Project Manager
- H. [BILL NO. 23-083](#) 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 Animal and Plant Health Inspection Service (APHIS) Wildlife Services (WS), in the amount of \$1,900 to conduct a Wildlife Hazard Site Visit and authorizing the Mayor to execute an agreement for the same. (BOAC 4/3/23) (PWC 4/10/23)
- Presenter:** Mike Anderson, Deputy Director of Public Works - Operations
- I. [BILL NO. 23-084](#) An Ordinance amending Chapter 29; Traffic and Motor Vehicles, of the Code of Ordinances for the City of Lee's Summit, Missouri, by amending Appendix B, Schedule of Stopping, Standing and Parking Restrictions, for certain streets and segments of streets located in the City of Lee's Summit. (PWC 4/10/23)
- Presenter:** Susan Barry, PE, PTOE, City Traffic Engineer
- J. [BILL NO. 23-085](#) 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-3001006, Complete Street Improvements: Douglas Street - Chipman Road to 2nd Street, within the City limits of Lee's Summit, Missouri and authorizing the Mayor to execute the same. (PWC 4/10/23)
- Presenter:** George Binger, P.E., Deputy Director of Public Works/City Engineer
- K. [BILL NO. 23-086](#) An Ordinance approving Amendment No. 14 to the budget for the Fiscal Year ending June 30, 2023, as adopted by Ordinance No. 9441, Ordinance No. 9442, Ordinance No. 9449, Ordinance No. 9450, and Ordinance No. 9451, by amending the authorized expenditures for the City. (F&BC 4/17/23)
- Presenter:** Rick Gentry, Budget Manager
- L. [BILL NO. 23-087](#) An Ordinance approving amendment No. 15 to the budget for the Fiscal Year ending June 30, 2023, as adopted by Ordinance No. 9441, Ordinance No. 9442, Ordinance No. 9449, Ordinance No. 9450, and Ordinance No. 9451, by amending the full time equivalents for ITS, Fire, Public Works, and Finance, and the Pay and Classification Plan for the City. (F&BC 4/17/23)
- Presenter:** Rick Gentry, Budget Manager

- M. [BILL NO. 23-088](#) An Ordinance approving the 2023 Combat Drug Commission LESBI Agreement by and between the City of Lee's Summit, Missouri and Jackson County, Missouri, and authorizing the Mayor to execute the same by and on behalf of the City. (F&BC 4/17/23)

Presenter: Captain Michael Ervin, Lee's Summit Police Department

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. 23-089](#) An Ordinance repealing Ordinance No. 7386 dealing generally with automated license plate reader technology.

Presenter: Brian W. Head, City Attorney

10. Committee Reports

Committee chairs report on matters held in Committee.

11. Council Comments:

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

12. 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. [2023-5555](#) Report: FY24 DRAFT Capital Improvement Plan to be published for public comment

Presenter: Michael Park, Director of Public Works

13. Adjournment