



The City of Lee's Summit

Final Agenda

City Council - Regular Session

Tuesday, May 16, 2023

6:00 PM

City Council Chambers
and Via Video Conference

220 SE Green Street

Lee's Summit, MO 64063

REGULAR SESSION NO. 39-AMENDED

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, May 16, 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, May 15, 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. [2023-5582](#) Approval of City Council Action Letter from May 9, 2023.
- B. [2023-5633](#) Mayor's Appointments:
 - Land Clearance Redevelopment Authority: Appoint Drew Reynolds, term to expire 9-1-25.
 - Parks and Recreation Board: Reappoint Samantha Shepard, term to expire 5-31-26.

- C. [2023-5576](#) Mayor Pro Tempore City Council Committee and Liaison Appointments

Presenter: Mayor Pro Tempore Lopez

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. [2023-5574](#) Proclamation: National Police Week - May 14 to May 20, 2023

Presenter: Police Chief Travis Forbes

- B. [2023-5648](#) A Proclamation/Resolution from the Jackson County Legislature recognizing National Police Week 2023 and honoring the service and sacrifice of law enforcement officers in our community.

Presenter: Sean Smith, 6th District Jackson County Legislator

- C. [2023-5575](#) Proclamation: National Public Works Week - May 21 to May 27, 2023

Presenter: Public Works and Water Utility Department staff

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. [2023-5385](#) Continued Public Hearing: Application #PL2022-394 - Rezoning from PMIX and PI to PI and Preliminary Development Plan - Summit 470 Logistics Center, 1451 NW Main Street; Ryan Companies US, Inc., applicant.
(Note: This item was continued from April 4, 2023. This has application has been withdrawn by the applicant.)

Presenter: Andy Crimmins, Applicant Representative
Josh Johnson, AICP, Director of Development Services

7. 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. [2023-5563](#) Presentation: Diversity and Inclusion Commission Status Update

Presenter: Allan Gray, D & I Commission Chairperson
Dr. Susan Wilson, D & I Commission Vice Chairperson
Dana Cutler, James W. Tippin and Associates
Donna Lake, Assistant City Manager
Mark Dunning, City Manager

- 1) [RES. NO. 23-13](#) A Resolution amending Resolutions 21-01 and 21-17 to amend dates and time frames in order to extend the time of the Lee's Summit Commission for Diversity and Inclusion to September 30, 2023.
Presenter: Mark Dunning, City Manager
Donna Lake, Assistant City Manager
- B. [2023-5649](#) Paragon Star project status update
Presenter: Mark Dunning, City Manager
- C. [2023-5533](#) Presentation: Critical Success Factor (CSF) - City Services and Infrastructure
Presenter: Mark Dunning, City Manager

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. 23-094](#) An Ordinance awarding the bid for Project No. 791-SS for the Surface Seal FY24 Program to Vance Brothers, Inc. in the amount of \$1,304,006.51 and authorizing the City Manager to execute an agreement for the same. (PWC 5/8/23)
Presenter: Vince Schmoeger, Project Manager
- B. [BILL NO. 23-095](#) An Ordinance approving Modification No. 4 to the On-Call Agreement for Environmental Professional Engineering Services Yearly Contract (Original RFQ No. 2020-061)(Renewal 2020-061/R3) between the City of Lee's Summit, Missouri, and Stearns, Conrad and Schmidt, Consulting Engineers, Inc. dba SCS Engineers, for an amount not to exceed \$153,760.00, for annual tasks associated with the Resource Recovery Park for FY2024, and authorizing the City Manager to execute the same. (PWC 5/8/23)
Presenter: Dave Lohe, Engineering Manager
- C. [BILL NO. 23-096](#) An Ordinance awarding the bid for Project No. 73 for the Chipman Road Improvements from View High Drive to Bent Tree Drive to Emery Sapp & Sons, Inc. in the amount of \$11,053,857.60, and authorizing the City Manager to execute an agreement for the same. (PWC 5/8/23)
Presenter: Craig Kohler, Senior Staff Engineer
- D. [BILL NO. 23-097](#) An Ordinance authorizing the execution of the second amendment to Cooperative Agreement for payment of funds from Jackson County, Missouri to the City of Lee's Summit, Missouri for the construction of a new pedestrian bridge to accommodate the shared use pathway over Chipman Road, and authorizing the Mayor to execute an agreement for the same. (PWC 5/8/23)
Presenter: Craig Kohler, Senior Staff Engineer

- E. [BILL NO. 23-098](#) An Ordinance approving Change Order No. 5 to the Agreement for the construction of the Water Main Replacement FY22 - First Phase Project, Project No. 496-1, between the City of Lee's Summit, Missouri, and Wiedenmann, Inc., for an increase of \$61,305.99 for a revised agreement amount of \$4,191,289.56 and to increase the project timeline by 18 days and authorizing the City Manager to execute the same. (PWC 5/8/23)
- Presenter:** Perry Allen, Construction Manager
- F. [BILL NO. 23-099](#) An Ordinance approving Change Order No. 8 to the agreement with Amino Bros. Co., Inc. for the Browning Street Extension - Browning St. to Hamblen Rd. Project No. 568-323-78, for an increase of \$76,579.01 for a revised agreement amount of \$3,642,897.88 and to increase the project timeline by 5 days, and authorizing the City Manager to execute an agreement for the same. (PWC 5/8/23)
- Presenter:** Perry Allen, Construction Manager
- G. [BILL NO. 23-100](#) An Ordinance approving a modification to the emergency purchase between Wiedenmann, Inc. and the City of Lee's Summit, Missouri, to repair the Scruggs Road Pump Station Force Mains for an increase of \$55,912.63 for a modified amount of \$314,112.63 and authorizing the City Manager to execute the same. (PWC 5/8/23)
- Presenter:** Amanda Bagwell, P.E. Senior Staff Engineer Water Utilities
- H. [BILL NO. 23-101](#) An Ordinance approving an agreement between the City of Lee's Summit and WHP L.L.C. and utilizing the Sourcewell Co-operative Contract to purchase and construct a live fire training facility for the Fire Department in the amount of \$1,700,000.00 and authorizing the City Manager to execute an agreement for the same. (PWC 5/8/23)
- Presenter:** Brian Austerman, Deputy Fire Chief
- I. [BILL NO. 23-102](#) An Ordinance approving the second amendment to the Master Services Agreement between OPG-3 Inc, a Minnesota corporation, and the City of Lee's Summit to modify the Laserfiche license types and counts available to the City under the agreement, and authorizing the City Manager to execute the same by and on behalf of the City. (F&BC 5/15/23)
- Presenter:** Stephen L. Marsh, Chief Technology Officer

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. 23-103](#) 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, storm water and additional pedestrian amenities associated with the proposed 3rd Street Improvements from Blue Parkway to Jefferson Street 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.

Presenter: Curt Powelson, Senior Right of Way Agent

- B. [BILL NO. 23-104](#) An Ordinance Approving the Real Estate Sale Agreement Between Southwestern Bell Telephone Company and the City of Lee's Summit, Missouri, for Acquisition of Property for the Downtown Market Plaza Project

Presenter: David Bushek, Chief Counsel of Economic Development and Planning
Ryan Elam, Assistant City Manager

10. Proposed Ordinances - Second Reading:

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

- A. [BILL NO. 23-093](#) An Ordinance approving the Second Amendment to the agreement for professional architectural services for the Downtown Market Plaza Project between GLMV Architecture, Inc., and the City of Lee's Summit, Missouri.

Presenter: Ryan Elam, Assistant City Manager
David Bushek, Chief Counsel of Economic Development and Planning

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.

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"