



## The City of Lee's Summit

### Final Agenda

### City Council - Regular Session

Tuesday, June 20, 2023

6:00 PM

City Council Chambers  
and Via Video Conference

220 SE Green Street

Lee's Summit, MO 64063

#### REGULAR SESSION NO. 42 - AMENDED

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Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, June 20, 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, June 19, 2023, to the City Clerk at [clerk@cityofls.net](mailto: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](http://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. [2023-5585](#) Approval of City Council Action Letter from June 13, 2023.
  
- B. [BILL NO. 23-028](#) An Ordinance accepting Final Plat entitled, " Pryor Ridge, 11th Plat, Lots 359-437", as a subdivision to the City of Lee's Summit, Missouri.  
(First read by Council on February 7, 2023. Passed by unanimous vote.)

**Presenter:** Matt Schlicht, P.E., Applicant  
Hector Soto, Jr., AICP, Senior Planner

### 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. [2023-5663](#) Public Hearing: Reinhart Foodservice, LLC Land Clearance for Redevelopment Authority redevelopment plan; Reinhart Foodservice, LLC, applicant.

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

- 1) [BILL NO. 23-129](#) An Ordinance approving the Reinhart Foodservice, LLC Land Clearance for Redevelopment Authority Redevelopment Plan.

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

- B. [2023-5657](#) Public Hearing: Application #PL2023-069 - Preliminary Development Plan - Dental Depot, 1501 NE Rice Road; Ashmore Investments, LLC, applicant.

**Presenter:** C. Shannon McGuire, Planner  
Brian Ward, Applicant's Representative

- 1) [BILL NO. 23-130](#) An Ordinance approving a Preliminary Development Plan for Dental Depot on land located at 1501 NE Rice Road, 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:** C. Shannon McGuire, Planner  
Brian Ward, Applicant's Representative

### 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. [2023-5682](#) Presentation: Stormwater Advisory Committee Discussions and Recommendations to Council

**Presenter:** George Binger, P.E., Deputy Directory of Public Works/City Engineer

- B. [2023-5694](#) Conceptual Economic Development Incentive Request - Chapter 100 incentives for the Greens at Woods Chapel Residential Project; Andy Mackey and Brian Mertz, applicants

**Presenter:** Curt Petersen, Polsinelli Law Firm for applicants  
Andy Mackey, applicant  
David Bushek, Chief Counsel of Economic Development and Planning  
Ryan Elam, Assistant City Manager

- C. [2023-5695](#) Conceptual Economic Development Incentive Request - Chapter 100 incentives for the Douglas Station Residential Project; Andy Mackey, applicant

**Presenter:** Curt Petersen, Polsinelli Law Firm for applicants  
Andy Mackey, applicant  
David Bushek, Chief Counsel of Economic Development and Planning  
Ryan Elam, Assistant City Manager

## 7. Resolutions:

- A. [RES. NO. 23-17](#) A Resolution approving the appointment of an successor directors to the board of directors of the New Longview Community Improvement District.

**Presenter:** Mark Dunning, Assistant 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. 23-131](#) An Ordinance approving Modification No. 4, to the agreement with Crawford, Murphy and Tilly, Inc. for On-Call Professional Planning & Engineering Services for the airport (RFQ No. 2020-067) in the amount of \$39,200.00, and authorizing the City Manager to execute an agreement for the same. (BOAC 6-5-23) (PWC 6/12/23)

**Presenter:** Mike Anderson, Deputy Director of Public Works - Operations

- B. [BILL NO. 23-132](#) An Ordinance approving a Congestion Mitigation and Air Quality 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 CMAQ 3302(429), Intersection of Ward & Persels, within the City limits of Lee's Summit, Missouri and authorizing the Mayor to execute the same. (PWC 6/12/23)

**Presenter:** Craig Kohler, Senior Staff Engineer

- C. [BILL NO. 23-133](#) An Ordinance approving Modification No. 6 to an Agreement for Professional Engineering Services for the Colbern Road Improvements from M350 to Douglas Street (RFQ No. 569-32272) with Garver, LLC, for an increase of \$107,036 for the amended Basic Services, with an amended not to exceed amount of \$2,219,034, and authorizing the City Manager to execute an agreement for the same. (PWC 6/12/23)

**Presenter:** Craig Kohler, Senior Staff Engineer

- D. [BILL NO. 23-134](#) An Ordinance awarding the bid for Project No. 795 for the Curb Repair FY24 Program to Phoenix Concrete & Underground, LLC in the amount of \$2,740,197.93, and authorizing the City Manager to execute an agreement for the same. (PWC 6/12/23)

**Presenter:** Vince Schmoeger, Project Manager

- E. [BILL NO. 23-135](#) An Ordinance approving a fixed base operator agreement between Meisinger Aviation LLC and the City of Lee's Summit, Missouri to rent office space to perform aircraft sales and aircraft brokering at the Lee's Summit Municipal Airport and authorizing the Mayor to execute the same. (BOAC 6-5-23) (PWC 6/12/23)  
**Presenter:** Joel Arrington, Airport Manager
- F. [BILL NO. 23-136](#) An Ordinance approving a fixed base operator agreement between Rebel Aviation and the City of Lee's Summit, Missouri to rent office and hangar space to perform Flight Training, Aircraft Rental, Aircraft Maintenance and Inspection Services at the Lee's Summit Municipal Airport and authorizing the Mayor to execute the same. (BOAC 6-5-23) (PWC 6/12/23)  
**Presenter:** Joel Arrington, Airport Manager
- G. [BILL NO. 23-137](#) An Ordinance approving the award of Bid Number 2021-066 to Tandem Paving Co., Inc., for on-call Asphalt Construction and Repairs, and authorizing the City Manager to execute an agreement for the same for a period of one year with four possible one-year renewal options. (PWC 6/12/23)  
**Presenter:** Vince Schmoeger, Project Manager
- H. [BILL NO. 23-138](#) An Ordinance approving a Grant Agreement between the City of Lee's Summit, Missouri and the Missouri Department of Economic Development for Community Revitalization Matching Grant Program funding in order to help build a new youth center for Pro Deo Youth Center.  
**Presenter:** Amy Koeneman, Administration Manager - Development Services  
Elaine Metcalf, Executive Director of Pro Deo Youth Center

## 9. 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. 23-139](#) An Ordinance approving the FY2024 Property And Liability Insurance Program, authorizing the City Manager to enter into Agreements with Traveler's Insurance and Chubb Limited for the procurement of property and liability insurance coverage and related services for FY2024; and appropriating funds and directing payment therefore and authorizing the City Attorney to approve individual claim expenses and/or settlements in amounts not to exceed \$20,000.00 per claim all as an emergency ordinance pursuant to Sections 3.13(f) (1) and (3) of the Charter.  
**Presenter:** Edward Rucker, Chief Counsel of Management and Operations

## 10. 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. 23-140](#) An Ordinance approving the Redevelopment Contract and the Lease Agreement between the City of Lee's Summit and Ellis Glen, LLC, to implement the Ellis Glen Land Clearance for Redevelopment Authority Redevelopment Plan.

**Presenter:** David Bushek, Chief Counsel of Economic Development & Planning

## 11. Proposed Ordinances - Second Reading:

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

- A. [BILL NO. 23-105](#) An Ordinance approving a Preliminary Development Plan on land located at 3640 SW Arboridge Road in District PMIX, all in accordance with the provisions of Unified Development Ordinance, Chapter 33, of the Code of Ordinances for the City of Lee's Summit, Missouri.

(Note: First read by Council on June 6, 2023.)

**Presenter:** Garrett Fugate, Applicant's Representative  
Shannon McGuire, Planner

- B. [BILL NO. 23-115](#) 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.

(Note: First read by Council on June 6, 2023. Passed by unanimous vote with one recusal.)

**Presenter:** Curt Powelson, Senior Right of Way Agent

- C. [BILL NO. 23-116](#) An Ordinance approving, adopting and appropriating the budget for the Fiscal Year ending June 30, 2024, for the City.

(Note: First read by Council on June 13, 2023.)

**Presenter:** Mark Dunning, City Manager

- D. [BILL NO. 23-117](#) An Ordinance approving, adopting and appropriating the budget for the Fiscal Year ending June 30, 2024, for the Fire Department of the City.

(Note: First read by Council on June 13, 2023.)

**Presenter:** Mark Dunning, City Manager

- E. [BILL NO. 23-118](#) An Ordinance approving, adopting and appropriating the budget for the Fiscal Year ending June 30, 2024, for the Municipal Courts Division of the City.

(Note: First read by Council on June 13, 2023.)

**Presenter:** Mark Dunning, City Manager

- F. [BILL NO. 23-119](#) An Ordinance establishing a Pay and Classification Plan for employees of the City who are not represented by a labor organization for the Fiscal Year ending June 30, 2024.

(Note: First read by Council on June 13, 2023.)

**Presenter:** Mark Dunning, City Manager

- G. [BILL NO. 23-120](#) An Ordinance establishing a Pay and Classification Plan for employees of the City who are represented by a labor organization for the Fiscal Year ending June 30, 2024.

(Note: First read by Council on June 13, 2023.)

**Presenter:** Mark Dunning, City Manager

## 12. Committee Reports

*Committee chairs report on matters held in Committee.*

## 13. Council Comments:

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

## 14. 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.*

## 15. 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"