

The City of Lee's Summit
Action Letter
City Council - Regular Session

Tuesday, May 24, 2022

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. 3

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, May 24, 2022 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 23, 2022, 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

1. Call to Order

Mayor Baird called Regular Session No. 3 to order at 6:01pm.

2. Roll Call

Present: 8 - Mayor Bill Baird
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Andrew Felker
Councilmember Faith Hodges
Councilmember John Lovell
Councilmember Mia Prier
Councilmember Hillary Shields

Absent: 1 - Councilmember Beto Lopez

3. Approval of Agenda

ACTION:

Mayor Baird advised that he will be recusing himself from Items 7.D. (Public Hearing: Application #PL2022-074 - Rezoning from AG to RP-4 and Preliminary Development Plan - Tristar at Lee's Summit, approximately 54 acres located on the east side of Old 291 Hwy approximately 1/2 north M-150 Hwy; Engineering Solutions, LLC, applicant.) and 7.E. (Public Hearing: Application #PL2022-066 - Preliminary Development Plan and Application #2022-067 - Special Use Permit for major automotive repair; Gerber Collision, 575 NW Blue Parkway; Burman Companies, applicant.) due to a conflict of interest with his business.

A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, to approve the agenda as published. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lopez

4. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that the Consent Agenda, Items 4.A. - 4E. be approved. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lopez

A. [2022-4909](#) Approval of City Council Action Letter from May 17, 2022.

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, to approve the City Council Action Letter from May 17, 2022 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lopez

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- B. [BILL NO. 22-103](#) An Ordinance approving a Preliminary Development Plan for Lee's Summit Fire Station #4 on land located at 5031 NE Lakewood Way, 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.

(Note: First read by Council on May 17, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 22-103 be adopted and numbered Ord. No. 9422 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lopez

- C. [BILL NO. 22-104](#) 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.

(Note: First read by Council on May 17, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 22-104 be adopted and numbered Ord. No. 9423 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lopez

- D. [BILL NO. 22-105](#) An Ordinance approving the award of RFQ No. 2022-046 to Geotechnology, LLC; Kaw Valley Engineering, Inc.; and, Olsson, Inc., for on-call geotechnical engineering, materials testing and inspection services, and authorizing the City Manager to execute individual agreements of the same for a period of one year with four possible one-year renewal options.

(Note: First read by Council on May 17, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 22-105 be adopted and numbered Ord. No. 9424 as part of the Consent Agenda. The motion carried by the following vote:

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Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lopez

- E. [BILL NO. 22-106](#) An Ordinance approving a Regional Preventive Maintenance Program Agreement between the City of Lee's Summit, Missouri, and Mid-America Regional Council (MARC), and authorizing the Mayor to execute the same. (Note: First read by Council on May 17, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Prier, that Bill No. 22-106 be adopted and numbered Ord. No. 9425 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lopez

5. Council Roundtable

Councilmember Felker stated that Summit Waves will open this Saturday, May 28, 2022 and Camp Summit will open on Tuesday, May 31, 2022.

Councilmember Edson noted the Tribune had another article about volunteers picking up trash from Lee's Summit roadways. This group was from Bernard Campbell. She encourage more volunteers to continue to be part of the solution and help clean up trash throughout Lee's Summit.

Councilmember Shields advised there are new sculptures out in various places in Lee's Summit and encouraged citizens to check them out.

6. Presentations:

A. [2022-4906](#) Presentation: 2022 Citizen's Leadership Academy Graduation Recognition

Mrs. Trisha Fowler Arcuri, City Clerk, recognized members of the 2022 Citizen's Leadership Academy for their participation and completion of the program this year. She also recognized several members of staff and council that gave their time to make it another successful year.

Academy Participants:

Randy Johnson

Jim Leppla

Brian Pahls

Amy Rasmussen

David Carranza

John Anderson

Jamila Crawford

Sarah Hatheway

Tanya Jana-Ford

Tracy Osbourn

Adam Shimmens

Holly Borst

Luke Borst

Bruce Fisher

Staff and Council Recognized:

Police Chief Travis Forbes

Deputy Police Chief John Boenker

Ryan Elam - Director of Development Services

Josh Johnson - Assistant Director of Plan Services

Brian Head, City Attorney

Steve Arbo, City Manager

Michael Park, Public Works Director

Joe Snook, Administrator of Parks and Recreation

Mark Schaufler, Director of Water Utilities

Dom Bennet, Account Services Manager of Water Utilities

Fire Chief Mike Snider

Assistant Fire Chief Jim Eden

Assistant Fire Chief Dan Manley

Tracy Deister, Assistant Director of Codes Administration

Dan Harper, Assistant Director of Field Services

Bette Wordelman, Finance Director

Mark Dunning, Assistant City Manager

David Bushek, Chief Counsel of Planning and Economic Development

Mayor Baird

Councilmember DeMoro
Councilmember Shields
Christal Weber, Assistant City Manager (when I had a prior commitment)
Guest Speaker, Fred Grogan - History of Lee's Summit
Almuni from previous years Academies
and all the staff that helped book and set up meeting rooms and provided tours
of each facility.

This Presentation was presented.

7. Public Hearings:

- A. [2022-4887](#) Public Hearing: Application #PL2022-079 - Rezoning from AG to CP-2 and Preliminary Development Plan - Whataburger, 204 SW M-150 Hwy; Whatabrands, Inc., applicant.

Mr. Shannon McGuire, Planner, entered Exhibit A. 1-21 into the record.

Council discussion included:
Underground Detention System
Traffic Impact Study - Timing
Parking Count
Whatabrand, Inc vs. Whatabrand, LLC
Lines

No one was present to speak in favor of or opposed to this application.

This Public Hearing - Sworn was presented.

1. [BILL NO. 22-107](#) An Ordinance approving a rezoning from AG (Agricultural) to District CP-2 (Planned Community Commercial) and Preliminary Development Plan for Whataburger on land located at 204 SW M-150 Hwy, 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.
(Note: First read by Council on May 24, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill NO. 22-107 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lopez

B. [2022-4910](#) Public Hearing: Sewer Rates & Charges

Mr. Scott Ison, Chief Counsel of Infrastructure and Recreation, entered Exhibits 1-4 into the record.

Council discussion included:

Rate Differences / Comparison

Tap On Fee / Tap Fee - Same thing

Stacked Fee

Future projections

Trunk lines

Connection Sizes

Fitting

CIP Funds

Drains to Meters

No one was present to speak in favor of or opposed to this application.

This Public Hearing - Sworn was presented.

1. [BILL NO. 22-108](#) An Ordinance Amending Chapter 32 of the Code of Ordinances of the City of Lee's Summit, Missouri, Section 32-312, Permit, connection charges, and Division Five, Sewer Improvement Fees, regarding sewer rates and amending the Schedule of Fees and Charges to take effect July 1, 2022, for the same. (Note: First read by Council on May 24, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 22-108 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lopez

2. [BILL NO. 22-109](#) An Ordinance amending the Schedule of Fees and Charges for the City of Lee's Summit to take effect July 1, 2022, regarding sewer charges. (Note: First read by Council on May 24, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Felker, that Bill No. 22-109 be advanced to second reading. The motion carried by the following vote:

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Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lopez

- C. [2022-4933](#) Public Hearing: Application #PL2022-157 - Unified Development Ordinance (UDO) amendment - Amendment to the allowable freestanding sign standards for non-residential uses in the AG, RDR, RLL, R-1, RP-1, RP-2, RP-3 and RP-4 zoning districts under Article 9, Section 9.260, Table 9-1; City of Lee's Summit, applicant.

Mr. Hector Soto, Senior Planner, entered Exhibits 1-11 into the record.

Council discussion included:
Updating to be compliant

No one was present to speak in favor of or opposed to this application.

This Public Hearing - Sworn was presented.

1. [BILL NO. 22-110](#) An Ordinance amending Chapter 33, the Unified Development Ordinance, of the Lee's Summit Code of Ordinances, Article 9, Division IX, Section 9.260, Table 9-1 to amend the allowable freestanding sign standards for non-residential uses in the agricultural and residential zoning districts.

(Note: First read by Council on May 24, 2022. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 22-110 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lopez

- D. [2022-4889](#) Public Hearing: Application #PL2022-074 - Rezoning from AG to RP-4 and Preliminary Development Plan - Tristar at Lee's Summit, approximately 54 acres located on the east side of Old 291 Hwy approximately 1/2 north M-150 Hwy; Engineering Solutions, LLC, applicant.

Mayor Baird left the dais and Councilmember Edson presided.

Mr. Shannon McGuire, Planner, entered Exhibit A. 1-24 into the record.

Council discussion included:

Thickness of siding
Siding warranties
Compatibility of Siding
Where are like designs used
Golf Club memberships
Traffic
Infrastructure
Access points
Sprinklered Units
55+ Housing
Vinyl vs wood siding
Detention Basins
Market Rate Rentals
Amenities
Phases
Floor Plans
Ensure outcome of aesthetics
Creek / Flooding

No one was present to speak in favor of or opposed to this application.

This Public Hearing - Sworn was presented.

1. [BILL NO. 22-111](#) An Ordinance approving a rezoning from AG (Agricultural) to District RP-4 (Planned Apartment Residential District) and Preliminary Development Plan for Tristar at Lee's Summit on approximately 54 acres located on the east side of Old 291 Hwy approximately 1/2 north M-150 Hwy, 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.
(First read by Council on May 24, 2022. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember DeMoro, that Bill No. 22-111 be advanced to second reading. The motion carried by the following vote:

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Aye: 7 - Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lopez

Recused: 1 - Mayor Baird

- E. [2022-4884](#) Public Hearing: Application #PL2022-066 - Preliminary Development Plan and Application #2022-067 - Special Use Permit for major automotive repair; Gerber Collision, 575 NW Blue Parkway; Burman Companies, applicant.

Mayor Baird left the dais and Councilmember Edson presided.

Mr. Shannon McGuire, Planner, entered Exhibit A. 1-19 into the record.

Council discussion included:
Longest SUP for automotive
SUP Requirements / transferability

No one was present to speak in favor of or opposed to this application.

1. [BILL NO. 22-112](#) An Ordinance approving a Preliminary Development Plan for Gerber Collision on land located at 575 NW Blue Parkway, 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.

(First read by Council on May 24, 2022. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Felker, that Bill No. 22-112 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lopez

Recused: 1 - Mayor Baird

2. [BILL NO. 22-113](#) An Ordinance granting a Special Use Permit for a major automotive repair facility in District CP-2 on land located at 575 NW Blue Parkway, for a period of twenty (20) years, all in accordance with Article 6 of the Unified Development Ordinance, for the City of Lee's Summit, Missouri.
(First read by Council on May 24, 2022. Passed by unanimous vote with one recusal.)

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 22-113 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Hodges
Councilmember Lovell
Councilmember Prier
Councilmember Shields

Absent: 1 - Councilmember Lopez

Recused: 1 - Mayor Baird

8. Public Comments:

There were no Public Comments.

9. Committee Reports

Councilmember Lovell stated he has been newly appointed to the Board of Aeronautic Commissioners and he was able to get out to the airport to meet staff and take a tour of the facility. He said it's a very impressive facility and he looks forward to being a part of this board.

10. Council Comments:

Mayor Baird stated the Missouri City Managers Association (MCMA) recently awarded Mr. Steve Arbo, City Manager, the Jay T. Bell and Richard R. Noll Award for his outstanding work and professional and ethical leadership for the City of Lee's Summit.

Councilmember Felker stated the Kansas City Business Journal had a nice spread on Lee's Summit that included a lot of great information, maps, demographics and he feels it would benefit everyone to look at this information.

Mayor Baird asked Mr. Arbo to get Council a copy of the spread in the Kansas City Business Journal.

11. Staff Roundtable

There was no Staff Roundtable.

12. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 3 into Closed Session at 8:57pm.

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"