



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

Tuesday, September 20, 2022

6:00 PM

City Council Chambers  
and Via Video Conference  
220 SE Green Street  
Lee's Summit, MO 64063

**REGULAR SESSION NO. 15**

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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, September 20, 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, September 19, 2022, 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

Mayor Baird called Regular Session No. 15 to order at 6:00 p.m.

- D. Roll Call

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

**Absent:** 1 - Councilmember Andrew Felker

## 1. Approval of Agenda

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

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

**Absent:** 1 - Councilmember Felker

## 2. Approval of Consent Agenda:

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, to approve the Consent Agenda, Items 2.A. – 2.H. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Felker

### A. [2022-5148](#) Approval of City Council Action Letter from September 13, 2022.

**A motion was made by Councilmember Edson, seconded by Councilmember Shields, to approve the City Council Action Letter from September 13, 2022 as part of the Consent Agenda. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Felker

### B. [BILL NO. 22-182](#) An Ordinance setting the tax levy for the year 2022 for the City of Lee's Summit, Jackson and Cass Counties, Missouri.

(Note: First read by Council on September 13, 2022. Passed by unanimous vote.)

**A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 22-182 be adopted and numbered Ord. No. 9505 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 Hodges  
Councilmember Lopez  
Councilmember Lovell  
Councilmember Prier  
Councilmember Shields

**Absent:** 1 - Councilmember Felker

- C. [BILL NO. 22-190](#) An Ordinance awarding the bid for Project No. 814 for the Crack Seal FY23 Program to Vance Brothers, Inc. in the amount of \$258,300.00 and authorizing the City Manager to execute an agreement for the same.  
(Note: First read by Council on September 13, 2022. Passed by unanimous vote.)

**A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 22-190 be adopted and numbered Ord. No. 9506 as part of the Consent Agenda. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Felker

- D. [BILL NO. 22-191](#) An Ordinance authorizing the execution of a Public Highway Overpass Agreement, Northwest Colbern Road - DOT 441960S, pursuant to the Colbern Road Improvements Project by and between the Union Pacific Railroad Company and the City of Lee's Summit, Missouri, and authorizing the City Manager to execute the same.  
(Note: First read by Council on September 13, 2022. Passed by unanimous vote.)

**A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 22-191 be adopted and numbered Ord. No. 9507 as part of the Consent Agenda. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Felker

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- E. [BILL NO. 22-192](#) An Ordinance approving an agreement between the City of Lee's Summit, Missouri and the Mid-America Regional Council for the Little Blue River Watershed Feasibility Study - Phase Two, for an amount not to exceed \$344,998.00, and authorizing the Mayor to execute the same.  
(Note: First read by Council on September 13, 2022. Passed by unanimous vote.)

**A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 22-192 be adopted and numbered Ord. No. 9508 as part of the Consent Agenda. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Felker

- F. [BILL NO. 22-193](#) An Ordinance awarding the bid for Project No. 576322-7C-1 for the Stormwater Improvements: SE Hackamore Drive Project to Wiedenmann, Inc. in the amount of \$843,699.00, and authorizing the City Manager to execute an agreement for the same.  
(Note: First read by Council on September 13, 2022. Passed by unanimous vote.)

**A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 22-193 be adopted and numbered Ord. No. 9509 as part of the Consent Agenda. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Felker

- G. [BILL NO. 22-194](#) An Ordinance authorizing execution of an intergovernmental agreement by and between the City of Lee's Summit, Missouri and the Lee's Summit R-VII School District for School Resource Officers in the district's schools.  
(Note: First read by Council on September 13, 2022. Passed by unanimous vote.)

**A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 22-194 be adopted and numbered Ord. No. 9510 as part of the Consent Agenda. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Felker

- H. [BILL NO. 22-195](#) An Ordinance authorizing execution of a Memorandum of Understanding by and between the City of Lee's Summit, Missouri and the Lee's Summit R-7 School District for the DARE/IMPACT program.  
(Note: First read by Council on September 13, 2022. Passed by unanimous vote.)

**A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 22-195 be adopted and numbered Ord. No. 9511 as part of the Consent Agenda. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Felker

### 3. Council Roundtable

Councilmember Shields stated she attended the Lee's Summit Educational Foundation breakfast last week. She heard updates about what the school district is doing, including partnerships with the City such as the new programs at the airport. She also reminded everyone this weekend is Oktoberfest in downtown and she hopes everybody makes it out.

Councilmember Edson shared that last Friday the Public Works Department held their annual snow rodeo to help practice for the coming weather. Councilmembers Prier and Edson participated and drove snow plows. She then mentioned 18 months to 2 years ago Bailey Park was vandalized beyond recognition. The Parks Department has restored and updated it. It is now open now and is beautiful. She commended the Parks Board and the Parks Department for a job well done and stated it is a great addition to that part of town.

Mayor Baird welcomed new City Manager, Mark Dunning.

**4. Proclamations:**

- A. [2022-5109](#) Job One Week October 3-7, 2022

This Proclamation was presented.

**5. Presentations:**

- A. [2022-5151](#) Conceptual Economic Development Incentive Request - Land Clearance for Redevelopment Authority incentives for the Ellis Glen Residential and Office Project; Integrity Group Real Estate, applicant

City Council discussions included:

- Extraordinary costs for this project making incentives necessary-stormwater drainage
- Public improvement requests from the city
- Change to expected real estate taxes
- Process to move forward with this request
- Reliable information from Jackson County
- Rates per apartment
- Build costs vs. incentive request
- Detailed cost analysis, proforma, clawbacks and provisions
- Long-term property management company
- Rates for office space

**6. Public Hearings:**

- A. [2022-5121](#) Public Hearing: Application #PL2022-216 - Preliminary Development Plan - Macadoodles, 1499 SW Market Street; KC Blitz, applicant.  
(Note: This application is to be continued to November 1, 2022 per the applicant's request.)

**A motion was made by Councilmember DeMoro, seconded by Councilmember Prier, to continue this Public Hearing to November 1, 2022 per the applicant's request. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Felker

- B. [2022-5120](#) Public Hearing: Application #PL2022-192 - Rezoning from RP-2 to CBD and Preliminary Development Plan - Ellis Glen, 102-110 SW Market Street; MKEC Engineering, applicant.

Mr. Josh Johnson, AICP, Assistant Director of Plan Services, entered Exhibit A 1-19 into the record.

City Council discussions included:

- Number of parking spaces provided and the city requirement
- Clarify testimony for use of the alley
- Retention basin and existing garage
- Entrance/exit
- Surrounding zoning

Ms. Elizabeth Meyers spoke in opposition to this application. Her concern is access to her garage through the alley and she doesn't want her property value to go down. Lighting and noise from a rooftop garden are also a concern.

1) [BILL NO. 22-196](#)

An Ordinance approving Rezoning from District RP-2 (Planned Two-family Residential District) to CBD (Planned Central Business District) and a Preliminary Development Plan for land located at 102-110 SW Market Street, all in accordance with the provisions of Chapter 33 of the Unified Development Ordinance of the Code of Ordinances for the City of Lee's Summit, Missouri. (Note: First read by Council on September 20, 2022. Passed with unanimous vote.)

**ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Bill No. 22-196 be advanced to second reading. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Felker

C. [2022-5115](#)

Public Hearing: Application #PL2022-241 - Preliminary Development Plan - Lot 12 Streets of West Pryor, 1010 NW Pryor Road; Streets of West Pryor, LLC, applicant.

Josh Johnson, AICP, Assistant Director of Plan Services entered Exhibit A 1-19 into the record.

City Council discussions included:

- Skylights or solar panels
- Garage doors and fake garage doors
- Location of the restaurants in the project
- Logic for the buildings not facing Pryor
- Mural and painted lettering
- Take out pick up locations
- Fencing for alcohol on the patio

No one was present to speak in support of, or in opposition to, this application.

- 1) [BILL NO. 22-197](#) An Ordinance approving a Preliminary Development Plan on land located at 1010 NW Pryor Road in District PMIX, Lot 12, Streets of West Pryor, 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 September 20, 2022. Passed with unanimous vote.)

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Shields, that Bill No. 22-197 be advanced to second reading. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Felker

## 7. Resolutions:

- A. [RES. NO. 22-19](#) A Resolution granting the City Council's consent pursuant to City Charter Section 3.10(e) to the appointment of Assistant Prosecuting Attorneys for the prosecution of municipal violation of city ordinances before the Lee's Summit Municipal Court.

**ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Edson, that Resolution No. 22-19 be adopted. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Felker

## 8. Public Comments:

There were no Public Comments.

## 9. Committee Reports

There were no Committee Reports.

## 10. Council Comments:

Councilmember DeMoro asked if there is a date for the opening of Chipman Road underneath 50 Highway.

Councilmember Prier stated she listened to the Link to Lee's Summit podcast last night and heard them say the average person may not know why City

Council de-funded the LSEDC (Lee's Summit Economic Development Council). She explained her reasons for voting yes was due to the LSEDC not meeting the expectations set forth in the agreement and for their lack of transparency.

### 11. Staff Roundtable

Mr. Mark Dunning, City Manager, acknowledged money is not flowing to the LSEDC (Lee's Summit Economic Development Council) but the city continues to have a working relationship with them. Some of the performance standards set forth in the Public Service Agreement were not met and that is why the funding stopped however, city staff continues to work with them to find a path forward.

### 12. Adjournment

**Hearing no further business, Mayor Baird adjourned Regular Session No. 15 into Closed Session at 8:27 p.m.**

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, to go into Closed Session. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Felker

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](http://lsmo.legistar.com)"