



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

Tuesday, February 28, 2023

6:00 PM

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

REGULAR SESSION NO. 30

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, February 28, 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, February 27, 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

Mayor Baird called Regular Session No. 30 to order at 6:13 p.m.

- D. Roll Call

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

Absent: 1 - Councilmember Hillary Shields

1. Approval of Agenda

Prior to approval of the agenda, Mayor Baird read a statement, at the request of City Council, giving an update on the City of Lee's Summit's actions in opposition of the proposed landfill on 150 Highway.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, 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 Lopez
Councilmember Lovell
Councilmember Prier

Absent: 1 - Councilmember Shields

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Felker, to adopt the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

A. [2023-5395](#) Approval of City Council Action Letter from February 14, 2023.

A motion was made by Councilmember Hodges, seconded by Councilmember Felker, to approve the Action Letter dated February 14, 2023 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 Lopez
Councilmember Lovell
Councilmember Prier

Absent: 1 - Councilmember Shields

- B. [BILL NO. 23-039](#) An Ordinance authorizing participation in the Kansas City Regional Resource Sharing Agreement with the Regional Homeland Security Coordinating Committee (RHSCC) in coordination with the Mid-America Regional Council (MARC) to strengthen current working relationships and emergency preparedness between jurisdictions within the region especially during times of disaster, and further authorizing the City Manager to Execute the same by and on behalf of the City of Lee's Summit, Missouri.
(Note: First read by Council on February 14, 2023. Passed by unanimous vote.)

A motion was made by Councilmember Hodges, seconded by Councilmember Felker, that Bill No. 23-039 be adopted and numbered Ordinance No. 9614 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 Lopez
Councilmember Lovell
Councilmember Prier

Absent: 1 - Councilmember Shields

3. Mayor's Appointments:

- A. [2023-5443](#) Mayor's Appointment: Human Relations Commission - Saadia Mahmood, term to expire 7-06-23

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lopez, to approve Mayor's appointment of Saadia Mahmood to the Human Relations Commission. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

4. Council Roundtable

Councilmember Lovell shared he had the pleasure of attending his father's (Tom Lovell) induction into the Missouri Parks and Recreation Hall of Fame last week and he recognized Joe Snook, Lee's Summit Parks & Rec Administrator, for receiving the Missouri Parks & Rec Fellow award. Mr. Mark Dunning, City Manager, explained the Fellow award is the highest award the Missouri Parks & Rec can award to an Administrator for their years of dedication to the community, the state and the profession.

Councilmember Prier thanked Mayor Baird for the statement he read at the beginning of the meeting. She also thanked everyone at the Capitol that met with them last Tuesday. She went on to announce the Spring Open House in downtown Lee's Summit is this weekend, March 3rd and 4th and parade entries for the Emerald Isle parade are due by March 1st.

5. Public Hearings:

- A. [2023-5424](#) Public Hearing: Application #PL2022-405 - Preliminary Development Plan - Summer Moon Coffee, 699 NW Blue Parkway; Yaeger Architecture, applicant.

Exhibit A, List of Exhibits 1-17 were entered into the record.

City Council discussions included:

- Traffic flow
- Drive-Thru window times
- Parking

There were no speakers in favor of, or opposed to, this application.

- 1) [BILL NO. 23-040](#) An Ordinance approving a Preliminary Development Plan for Summer Moon Coffee on land located at 699 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.
(Note: First read by Council on February 28, 2023. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Hodges, that Bill No. 23-040 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 Lopez
Councilmember Lovell
Councilmember Prier

Absent: 1 - Councilmember Shields

6. Public Comments:

There were no Public Comments.

7. Presentations:

- A. [2023-5371](#) Presentation: Stormwater Utility Rate and Implementation Study, Council Workshop No. 1 of 3

City Council discussions included:

- Average impervious coverage rates
- Sales and property tax options
- Exemptions vs credits
- Appointment of stakeholders to the committee
- Time estimates-November ballot
- At large committee members
- Costs
- Existing metal pipe next to homes
- Silt management including trash and litter
- Comparator cities and their rates
- Ability for future rate adjustments
- Updated stormwater pipe materials

8. Resolutions:

- A. [RES. NO. 23-03](#) A Resolution sustaining the appeal and granting the requested relief of City staff's denial of the exterior renovation permit (Application PL2022-422) for the proposed façade renovations located at 6 SW 2nd Street within the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Resolution 23-03 be adopted. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

- B. [RES. NO. 23-04](#) A Resolution authorizing the submittal of an application for entry into the Federal Contract Tower Program for the Lee's Summit Municipal Airport. (BOAC 2/6/23 & PWC 2/13/23)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, that Resolution 23-04 be adopted. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

9. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 23-041](#)** An Ordinance amending Chapter 29, Traffic and Motor Vehicles, Article V, Stopping, Standing and Parking, Division 1, Generally of the Code of Ordinances of the City of Lee's Summit, Missouri, by amending Section 29-354 Stopping, Standing, Parking Prohibited in Specified Places. (PWC 2/13/23)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Felker, that Bill No. 23-041 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 23-041 be adopted and numbered Ordinance No. 9615. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

- B. [BILL NO. 23-042](#)** An Ordinance approving a cooperative agreement for funding operations of Operation Green Light Traffic Control System by and between the City of Lee's Summit, Missouri and the Mid-American Regional Council, and authorizing the Mayor to execute an agreement for the same. (PWC 2/13/23)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Hodges, that Bill No. 23-042 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Edson, that Bill No. 23-042 be adopted and numbered Ordinance No. 9616. The motion carried by the following vote:

City Council - Regular Session

Action Letter

February 28, 2023

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

Absent: 1 - Councilmember Shields

- C. [BILL NO. 23-043](#) An Ordinance approving Modification No. 3, 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 \$59,000.00, and authorizing the City Manager to execute an agreement for the same. (BOAC 2/6/23 & PWC 2/13/23)

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember DeMoro, that Bill No. 23-043 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Prier, seconded by Councilmember Edson, that Bill No. 23-043 be adopted and numbered Ordinance No. 9617. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

- D. [BILL NO. 23-044](#) An Ordinance approving a State Block Grant Agreement for eligible preliminary project costs towards the preparation of the Runway 11-29, Taxiway Bravo and Taxiway Charlie Reseal, Joint Seal and Remarketing project for the Lee's Summit Municipal Airport between the City of Lee's Summit, Missouri, and the Missouri Highways and Transportation Commission in the amount of \$59,000.00 and authorizing the Mayor to execute an agreement for the same. (BOAC 2/6/23 & PWC 2/13/23)

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember DeMoro, that Bill No. 23-044 be second read. The motion carried by the following vote:

City Council - Regular Session

Action Letter

February 28, 2023

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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Hodges, seconded by Councilmember Edson, that Bill No. 23-044 be adopted and numbered Bill No. 9618. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

- E. [BILL NO. 23-045](#) An Ordinance authorizing the execution of a Missouri Highways and Transportation Commission Airport Rescue State Block Grant Agreement by and between the City of Lee's Summit, Missouri and the Missouri Highways and Transportation Commission, granting federal funds in the amount of \$59,000 for airport operational and maintenance expenses and authorizing the Mayor to execute an agreement for the same. (BOAC 2/6/23 & PWC 2/13/23)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Lopez, that Bill No. 23-045 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Edson, that Bill No. 23-045 be adopted and numbered Ordinance No. 9619. The motion carried by the following vote:

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

City Council - Regular Session

Action Letter

February 28, 2023

Absent: 1 - Councilmember Shields

- F. [BILL NO. 23-046](#) An Ordinance approving Change Order No. 4 to the Agreement for the construction of Water Main Replacement: FY21 Project, Project No. 438-1, between the City of Lee's Summit, Missouri, and Wiedenmann, Inc. for an increase of \$88,332.93 for a revised agreement amount of \$4,096,487.30 and authorizing the City Manager to execute the same. (PWC 2/13/23)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 23-046 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Bill No. 23-046 be adopted and numbered Bill No. 9620. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

- G. [BILL NO. 23-047](#) An Ordinance approving Change Order No. 4 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 in the contract price of \$56,149.47 for a revised agreement amount of \$4,129,983.57 and authorizing the City Manager to execute the same. (PWC 2/13/23)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 23-047 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Hodges, that Bill No. 23-047 be adopted and numbered Ordinance No. 9621. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

- H. [BILL NO. 23-048](#)** An Ordinance approving the dual award of RFP 2023-039 to Prairie Industrial Group, LLC and Utila Safe Construction, LLC for on-call potholing (excavation) services for a one-year term with four possible one-year renewal options and authorizing the City Manager to execute an agreement for the same. (PWC 2/13/23)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Prier, that Bill No. 23-048 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Hodges, that Bill No. 23-048 be adopted and numbered Ordinance No. 9622. The motion carried by the following vote:

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

Absent: 1 - Councilmember Shields

10. Proposed Ordinances - First Reading:

- A. [BILL NO. 23-049](#)** An Ordinance approving a Development Agreement between Blackwell 55, LLC, Reserve at Blackwell, LLC, Residences at Blackwell, LLC, One Twenty, LLC, and the City of Lee's Summit, Missouri, for the Blackwell Mixed-Use Development. (Note: First read by Council on February 28, 2023.)

ACTION: A motion was made by Councilmember Lovell, seconded by Councilmember Edson, that Bill No. 23-049 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Lopez
Councilmember Lovell
Councilmember Prier

Nay: 2 - Councilmember Felker
Councilmember Hodges

Absent: 1 - Councilmember Shields

11. Committee Reports

Councilmember Felker reminded everyone the CIP (Capitol Improvement Plan) project list will be going through the public process and invited Councilmembers to submit names of projects for consideration.

12. Council Comments:

There were no Council Comments.

13. Staff Roundtable

Mr. Mark Dunning, City Manager, reported city staff have been giving numerous public information presentations to civic groups about the no tax increase bond issue and a webpage for sharing that information is nearing completion. He also shared that last Friday the R7 School District invited State Representatives and Senators to visit Summit Point Elementary School which is near the site of the proposed landfill. He shared the names of some attendees and stated the meeting went well. While at the Missouri Municipal League he attended a presentation by MoDOT (Missouri Department of Transportation). Trash and Right-Of-Way maintenance is a topic across the state and MoDOT is aware of it. The regional MoDOT Rep has said it is a staffing issue which is one of the reasons many see the state's anticipated raises are because they are having a hard time finding staff to fill those positions. Trash and Right-Of-Way maintenance are lower priorities on the states action items.

Mayor Baird thanked Mr. Dunning for going to Jefferson City with the Council. The Representatives were very accommodating and engaged.

Councilmember Felker asked when the 8% increase to state workers pay will go into effect and if it will it be statewide to include MoDOT.

Councilmember Prier thanked Jackson County for passing Resolution No. 21148 opposing the landfill.

14. Adjournment

Seeing no further business, Mayor Baird adjourned Regular Session No. 30 at 8:19 p.m. and called for a motion to go into Closed Session.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, to go into Closed Session. The motion carried by a unanimous 8-0 vote.

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"