



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

Tuesday, November 2, 2021

6:00 PM

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

*****AMENDED*** REGULAR SESSION NO. 48**

Notice is hereby given that the City Council for the City of Lee's Summit will meet in Regular Session on Tuesday, November 2, 2021 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, November 1, 2021, 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:

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- A. Invocation
- B. Pledge of Allegiance
- C. Call to Order

Mayor Baird called Regular Session No. 48 to order at 6:03 pm.

- D. Roll Call

Note: Councilmember Shields attended via Zoom

City Council - Regular Session

Action Letter

November 2, 2021

Present: 9 - Mayor Bill Baird
Councilmember Trish Carlyle
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Andrew Felker
Councilmember Diane Forte
Councilmember Bob Johnson
Councilmember Beto Lopez
Councilmember Hillary Shields

1. Approval of Agenda

ACTION: A motion was made by Councilmember Shields, seconded by Councilmember Felker, to approved the published amended agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, to approve the Consent Agenda (Items 2.A. - 2.D.). The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

A. [2021-4456](#) Approval of City Council Action Letter from October 19, 2021.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, to approve the October 19, 2021 Council Action Letter as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

B. [BILL NO. 21-207](#) An Ordinance accepting Final Plat entitled Hawthorn Ridge, 3rd Plat, Lots 160-204 and Tracts F, G & H as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on October 12, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 21-207 be adopted and numbered Ord. No. 9268 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- C. [BILL NO. 21-208](#)** An Ordinance approving a preliminary development plan for the proposed Summit Park Church building and parking lot expansion, 425 SW Oldham Parkway, in accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
(Note: First read by Council on October 19, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 21-208 be adopted and numbered Ord. No. 9269 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- D. [BILL NO. 21-221](#)** An Ordinance vacating portions of a certain easement located at 605 NW Redbud Dr in the city of Lee's Summit, Missouri.
(Note: First reading by Council. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 21-221 be adopted and numbered Ord. No. 9270 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

3. Council Roundtable

Councilmember Forte noted Summit Ice will open on November 12, 2021 weather permitting.

Mayor Pro Tem Lopez stated he enjoyed filling in for Mayor Baird on October 28th to host the Lee's Summit Rotary Club and the exchange group from Africa. They were able to meet with several city staff members and he felt it was a good experience for everyone.

Councilmember Edson asked Mayor Baird if there was a date for the Mayor's Christmas Tree Lighting yet.

Mayor Baird advised the Mayor's Christmas Tree Lighting ceremony will be held on the evening of November 19, 2021 and the theme is "Spirit of Community". He said he hopes everyone attends.

4. Proclamations:

- A. [2021-4415](#) Educational Theatre Month

This Proclamation was presented.

5. Public Hearings:

- A. [2021-4477](#) Public Hearing: Appeal of Exterior Renovation Permit decision for trash enclosure materials at 216-218 SE Douglas St.

Mr. Josh Johnson, Assistant Director of Plan Services, entered Exhibit A, 1-18 into the record.

Council discussion included:

Trex material popping when it begins to thaw after cold weather

How the material holds up over time

Material has improved over the years

How many businesses will be using it

Where will it be located and who owns that property

Future plans for these types of requests

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

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember DeMoro, that the Director's denial of the Exterior Renovation Permit be reversed. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- B. [2021-4452](#) Public Hearing: Petition to Remove the Summit Place Property from the Summit Fair Community Improvement District

Mr. David Bushek, Chief Council of Economic Development and Planning, entered Exhibits 1-3 into the record.

Council discussion included:

New boundaries

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

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 21-223](#) An Ordinance Approving the Petition to Remove Property From the Summit Fair Community Improvement District and Approving the Document Titled

Termination of Summit Place Cooperative Agreement.

(Note: First read by Council on November 2, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 21-223 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- 2) [BILL NO. 21-224](#) An Ordinance Approving the Document Titled Termination of TIF Contract For The Summit Place Tax Increment Financing Project.

(Note: First read by Council on November 2, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that Bill No. 21-224 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

- 3) [BILL NO. 21-225](#) An Ordinance Repealing Ordinance Numbers 7927 and 7928 and Terminating Redevelopment Projects 2A and 2B of the Lee's Summit East Amended And Restated Tax Increment Financing Plan.

(Note: First read by Council on November 2, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember DeMoro, that Bill No. 21-225 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

6. Public Comments:

There were no Public Comments.

7. Presentations:

- A. [2021-4463](#) Conceptual Economic Development Incentive Request - Chapter 100 sales tax exemption on construction materials and real property tax abatement for residential project, Griffin Riley applicant.

Council discussion included:

Commercial Square Footage
Impact to City Revenues
Sales Tax / Use Tax Exemptions
Revenue Diversion
Other Developments
Off Site Improvements
Sewer Lines
Pickleball Court
Sizes of units
Tax Certainties
Assessors Fair Market Value
Market Value
True Incentives
Costs
Construction Value
Total in Incentives
Tracking Comparables
Historical Multi Family Analysis
Market Value Per Door - Tax
Sewer / Downstream issue
Up Sizing Sewer (Improvements)
Amounts of PILOTS
55+ more in line with single family costs
Chapter 100 needs to be tweaked

This Presentation was presented.

- B. [2021-4458](#) Conceptual Economic Development Incentive Request - Chapter 100 sales tax exemption on construction materials and real property tax abatement for

industrial project, Scannell Properties applicant.

Council discussion included:

Tenants
Assessment
Property Tax Abatement
Salaries / Jobs
Retail / Light Industrial / Warehouse
Single Loaded / Double Loaded Building Sizes
Douglas Road Job Density
Fit for Lee's Summit
Other City comparisons
Work Force
Lease Terms
Project Area
Road Improvements

This Presentation was presented.

8. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 21-226](#) An Ordinance authorizing the First Amendment To Real Property and Tower Site Lease by and between the City of Lee's Summit, Missouri, and T-Mobile Central, LLC adjusting equipment mounting locations for telecommunication equipment installed on the City's water storage tower located at 1251 SE Ranson Road and authorizing the Mayor to enter into an agreement for the same. (PWC 10/11/21)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Felker, that Bill No. 21-226 be second read. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, that Bill No. 21-226 be adopted and numbered Ord. No. 9271. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

9. Proposed Ordinances - First Reading:

- A. [BILL NO. 21-227](#) An Ordinance accepting final plat entitled Hook Farms, 2nd Plat, Lots 100-178 and Tract I as a subdivision to the city of Lee's Summit, Missouri.
(Note: First read by Council on November 2, 2021. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Felker, seconded by Councilmember Shields, that Bill No. 21-227 be advanced to second reading. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Felker
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

10. Proposed Ordinances - Second Reading:

- A. [BILL NO. 21-209](#) An Ordinance approving a Preliminary Development Plan located at 710 SE Blue Parkway, proposed major automotive repair in district CP-2, 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 October 19, 2021.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Edson, that Bill No. 21-209 be adopted and numbered Ord. No. 9272. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Nay: 1 - Councilmember Forte

Absent: 1 - Councilmember Felker

- B. [BILL NO. 21-210](#) An Ordinance approving a Special Use Permit for major automotive repair in District CP-2 (Planned Community Commercial District), located at 710 SE Blue Parkway for a period of thirty (30) years, 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 October 19, 2021.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember DeMoro, that Bill No. 21-210 be adopted and numbered Ord. No. 9273. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Nay: 1 - Councilmember Forte

Absent: 1 - Councilmember Felker

- C. [BILL NO. 21-211](#) An Ordinance approving a rezoning from District CP-2 to District RLL for approximately 16.25 acres located at 4871 SW Raintree Parkway in accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
(Note: First read by Council on October 19, 2021.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Shields, that Bill No. 21-211 be adopted and numbered Ord. No. 9274. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Nay: 1 - Councilmember Forte

Absent: 1 - Councilmember Felker

- D. [BILL NO. 21-220](#) An Ordinance accepting final plat entitled Paragon Star, 4th Plat, Lots 5, 6, 7A-7C, and 8, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by Council on October 19, 2021. Passed by unanimous vote with abstention.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Shields, that Bill No. 21-220 be adopted and numbered Ord. No. 9275. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Absent: 1 - Councilmember Felker

- E. [BILL NO. 21-222](#) An Ordinance approving a license agreement between the City of Lee's Summit and the Lee's Summit R-7 School District for the installation and upsizing of a public sanitary sewer main on City property and easements for the Bailey Road Middle School and authorizing the Mayor to execute an agreement for the same.

(Note: First read by Council on October 19, 2021. Passed by unanimous vote with abstention.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 21-222 be adopted and numbered Ord. No. 9276. The motion carried by the following vote:

Aye: 8 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez
Councilmember Shields

Abstain: 1 - Councilmember Felker

11. Committee Reports

Councilmember Forte stated the Community and Economic Development Committee will meet on Wednesday, November 10, 2021 at 4 pm and they will be introduced to staff from the Development Services Department.

Councilmember Forte also noted the Park Board recognize their employees quarterly and she enjoyed being a part of that, they will also be doing a Public Outreach to get public input on future expansions. She advised they will not be meeting in November due to Thanksgiving, so their next meeting will be held in December.

Councilmember DeMoro advised the Public Works Committee will be meeting on Monday, November 8, 2021 and they will be introduced to staff from Water Utilities.

12. Council Comments:

Councilmember Forte stated she would like to have a longer presentation from the Commission for Diversity and Inclusion as there are several subcommittees as well. She would like the presentation to include information from them as well.

Mayor Baird advised the Commission will be presenting a snapshot of their needs in December and not a full report.

Councilmember Felker echoed Councilmember Forte's request and would like

more details on what the Commission is working on and what their needs are at this time.

After lengthy discussion, Council agreed they would like a broad report on the Commission's work and needs going forward but a full in depth long report is not necessary at this time.

13. Staff Roundtable

Mr. Steve Arbo, City Manager, advised Council that staff has been reviewing protocols on when a business is want to open in a zoning area that does not fit their business type. He and staff do not recall ever telling a business they could not proceed, but they are working to make sure that staff is clear on how to direct a business to move forward if they are attempting to open in an area that is not zoned for their type of business.

14. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 48 at 9:58 pm.

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"