

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

Thursday, September 20, 2018

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 11 *AMENDED*****

Preliminaries:

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

Mayor Baird called Regular Session No. 11 to order at 6:19 p.m.

- D. Roll Call

Present: 7 - Mayor Bill Baird
Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Bob Johnson
Councilmember Beto Lopez

Absent: 2 - Councilmember Craig Faith
Councilmember Diane Forte

1. Approval of Agenda

Mayor Baird announced that City Council meetings will be changing to Tuesday nights. Legislative and Work Sessions will begin at 6:00 p.m. and Closed Sessions would be upon adjournment of the Working Session on the second Tuesday of the month. If there is a need for a closed session on a legislative session evening, it will be posted for 6:00 p.m. and the open session for 6:30 p.m.

Councilmember Binney requested Item D be removed from the Consent Agenda. Seeing no objections, Mayor Baird directed the City Clerk to remove Item D from the Consent Agenda to be voted on separately.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, to approve the amended agenda as further amended. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, to approve the Consent Agenda as amended. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- A. [BILL NO. 18-137](#)** An Ordinance approving a Land Clearance for Redevelopment Authority redevelopment project, Kevin Higdon Construction project, pursuant to the provisions of the Land Clearance for Redevelopment Authority Law, Sections 99.300 to 99.660 RSMo.
(First Reading by Council on September 6, 2018. Passed by unanimous vote.)

A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, that Bill No. 18-137 be adopted and numbered Ordinance No. 8460 as part of the amended Consent Agenda. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- B. [BILL NO. 18-138](#)** An Ordinance approving a Land Clearance for Redevelopment Authority redevelopment project, MAR Building Solutions project, pursuant to the provisions of the Land Clearance for Redevelopment Authority Law, Sections 99.300 to 99.660 RSMo.
(First Reading by Council on September 6, 2018. Passed by unanimous vote.)

A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, that Bill No. 18-138 be adopted and numbered Ordinance No. 8461 as part of the amended Consent Agenda. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- C. [BILL NO. 18-148](#) An Ordinance authorizing the execution of a development agreement between Abundant Life Baptist Church of Lee's Summit and the City of Lee's Summit, Missouri for sidewalk improvement obligations relating to the plat Abundant Life Baptist Church Lot 1B development.
(First Reading by Council on September 6, 2018. Passed by unanimous vote.)

A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, that Bill No. 18-148 be adopted and numbered Ordinance No. 8462 as part of the amended Consent Agenda. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- D. [2018-2306](#) Approval of a Liquor License Type C1 for Glory MMA & Fitness, 750 NW Main Street.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Lopez, that the Liquor License for Glory MMA & Fitness be approved. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

3. Council Roundtable

Councilmember Edson announced that the Summit Fair Shopping Center has a First Friday's movie series. On Friday, October 5, 2018 at 7:15 p.m. in the parking lot behind the DSW store, they will be showing "Nightmare Before Christmas". They will have cookies, lemonade, and give aways for the kids. The kids are encouraged to wear their Halloween costumes.

Councilmember Carlyle thanked the Parks Administrator for communicating so well with her and a constituent regarding a light out in a park and a few other concerns.

Councilmember Binney congratulated Mayor Baird, Councilmember Edson and Councilmember DeMoro for attending the Missouri Municipal League conference. Councilmember Edson met the qualifications to become a Certified Municipal Official. Councilmember Edson added that Councilmember Binney is also a Certified Municipal Official. Mayor Baird congratulated both of them for the achievement.

Mayor Baird talked about the Missouri Municipal League Conference. He shared that a 5 year old girl was there trying to meet all of the Mayors in Missouri. He stated that there were about 70 Mayors in attendance out of the roughly 900 Mayor's in Missouri.

4. Presentations:

- A. [2018-2307](#) Request for Extension of Preliminary Development Plan application #PL2016-135 - Paragon Star.

Council discussions included but were not limited to:

The Village property did not have a Preliminary Development Plan, how does that get incorporated and back to City Council for review

What is the threshold for change from the PDP to the final plan before it comes back to City Council

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Lopez, to approve the request for an extension of Preliminary Development Plan for Paragon Star. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

5. Public Hearings:

- A. [2018-2177](#) Continued Public Hearing - Appl. #PL2018-081 - Preliminary Development Plan - Kessler View, generally located at the intersection of SW Kessler Drive and SW Fascination Drive; M-III Longview, LLC applicant.

(Note: This item was CONTINUED from August 23, 2018 per the applicant's request. This item was TABLED at the September 20, 2018 Council meeting.)

Exhibit A, List of exhibits 1-31 were entered into the record.

Council discussions included but were not limited to:

Do the boundaries of the Tax Increment Financing District include the lot that was formally going to be developed with townhouses

When is the appropriate time to make amendments to the TIF plan

Are there areas within the boundaries of the Tax Increment Finance Plan that are slated for housing

What is the length of the TIF

How will payments be made on Real Estate property taxes

Would any portion of the real estate taxes be available to the city's general fund to help pay for police, fire etc.

Request an update on the historic preservation/stabilization work

Does the applicant own the property in question for this PDP

Are there also EATs (Economic Activity Taxes) on this project

Are Economic Activity Taxes generated from daycare facilities

Asking to approve a PDP again but there isn't a real plan

Does staff have any reasons to not build Curry Road now

Lots 2 & 3 would come back with a new PDP

Great concerns about the stabilization before moving forward with this item

The renderings include townhomes that are no longer part of the plan

Will the current boundaries of the Tax Increment Financing District have to go back before the TIF Commission

Will any property taxes be paid to any political subdivisions from this district to be used for schools, libraries or mental health

Feel like this is being piece milled together and would like to table it until October 2

How long would it take to get the TIF Commission together to review.

Megan Day, spokesperson for Longview Alliance, spoke in opposition of the Kessler View PDP application. She stated that there are a number of development issues giving them serious concerns. Preliminary Development Plans have been approved, changed, and "watered down" to a point that they aren't a good fit for the area and there has been no public comment forum. Items on the Preliminary Development Plan are just place holders and no final designs have been shared. There is confusion about the pond rehabilitation and dam repair. She added that there seems to be a break down in the process because what is approved in the plans is not what is being delivered. They want development that will feed the TIF like upscale restaurants and day spas.

Ms. Geraldine Amato's comments were general in nature and regarded debt. Mayor Baird asked her to keep her comments to the application in public hearing. She voiced her opposition to the placement of Public Comments on the agenda and became argumentative. She was then escorted to her seat by a police officer.

The Developer spoke to the completion of Curry Road. He said it is a connectivity issue and not a capacity issue so from a traffic standpoint, it is not needed at the moment. Also, waiting to complete the road would preserve flexibility for further development on the site.

- 1) [BILL NO. 18-149](#) An Ordinance approving a preliminary development plan generally located at the intersection of SW Kessler Drive and SW Fascination Drive in District PMIX, proposed Kessler View, 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: This item was TABLED at the September 20, 2018 Council Meeting.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Edson, to table Bill No. 18-149 to a date certain October 2, 2018 and to reopen the Public Hearing at that time. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- B. [2018-2218](#) Continued Public Hearing - Appl. #PL2018-100 - Preliminary Development Plan - Reece Nichols, 222 SW Main St & 207 SW Market St; Engineering Solutions, LLC, applicant.

Before Mayor Baird opened the Public Hearing, Councilmember Binney disclosed a potential personal interest as described by the statute Section 610.450 (11) and (12). Mr. Brian Head, City Attorney, advised that under 1054-62 and 1054-54 statutes, it would be his opinion that it would be appropriate for Councilmember Binney to recuse himself from this discussion and vote due to the fact that he is a licensed realtor and his license is held with Reece and Nichols. Councilmember Binney recused himself and left the dais.

After the applicant's presentation, Mayor Baird closed the Public Hearing and reopened the Regular Session as requested by Mr. Brian Head, City Attorney, for further discussion regarding the need for Councilmember Binney to recuse himself from the discussion and vote on this matter. After further clarification, Mr. Head stated that he had reviewed the statute and there are exceptions that had not been previously read in and it was now his opinion that Councilmember Binney could fully participate in the discussion and vote on this item because his compensation would not be effected by the outcome of the vote.

Mayor Baird then closed the Regular Session and Re-opened the Public Hearing

for this application.

Exhibits A, Lists of exhibits 1-19 were entered into the record.

Council discussions included but were not limited to:

Did the City vacate an east-west easement in the alley

Utility easements

How would the north-south alley be effected

Elevation changes, currently below Main street elevation

Storm water

Mural

Does the stucco on the sides and window sizes meet Downtown design standards

Parking

How confident is staff that the second building will be built

Lighting in alley

Definition of Prescriptive Right-of-Way

Time restrictions for parking on the east side of Main Street

Posts set by the city on 20' Platted Alley

Sewer line on the south side of alley

Underground parking

Are both lots currently owned by the applicant

Drop off deliveries for existing business owners

Landscaping requirement tied to the occupancy of the Reece Nichols building if the second building doesn't get built.

The exact times the parking lot would open be to public use

Conversations with Downtown Lee's Summit Main Street

Would there be an in-house title company

Better vetted in Planning Commission

Central dumpster and who would pay for it

Loading zones

Adding sidewalks to each side of the alley

Developers and staff need to have more communication with existing business owners

Some of these issues should have been addressed in Planning Commission

Moving the entry to the proposed parking lot to the north side

Hope the Developer will consider adding planters or other greenery to the front of the building

Staff and the Developer need to work to improve the alley ways, both north/south and east/west

Mr. Dave Eams, Board President of Downtown Lee's Summit Main Street, spoke in favor of this application. They support this development and the only nagging concern is parking in downtown. Asked the City to look at a new parking study to get over the preception of a lack of parking in certain areas.

Mr. Keith Azel spoke in favor of this application. He noted that having a parking issue is a blessing because it means downtown is thriving. He added that if just 60 of the realtors eat lunch out 3 times a week is \$327,000.00 in sales a year which generates about \$28,000.00 in new sales tax revenue including the \$.01 CID.

Ms. Geraldine Amato spoke in opposition of this application. She believes that development is a waste of resources and adds to the increased rate of allergies.

Mr. Shane Vertassi, Business Owner, spoke in opposition of this application. His business has deliveries dropped off in the alley with doors that swing outward into the alley. He suggested making the alley one-way coming off of third street and turning a couple of parking spots in front of his business into a loading zone. He mentioned having an issue with the prescriptive easement and he cited safety concerns for pedestrians entering the alley from the existing businesses. He added that every plan they have seen has changed and what is being presented is not what was passed at the Planning Commission.

Ms. Theresa Keen, Director of Got Art Gallery, spoke in opposition of this application. Her business is a non-profit and they have a lot of children come in and out of their building. There is a proposed curb right outside of their door in the alley which would put children exiting her business right into traffic.

Mr. Bob Netterville, Owner of several buildings in the area, spoke in opposition of this application. He shares the safety concerns indicated by the others. He also reported his concerns regarding locations for the dumpsters currently used by the existing businesses.

Mr. Scott Modelbeck, Owner of the Bank Building, spoke in opposition of this application. His concern is with the large private parking lot. His business is similar in size to what is being proposed and has office and retail space. He asked if there is a strategy for downtown parking. He thinks it is confusing with some private and public lots.

Mr. Tim Ossman, Business Owner, spoke in opposition of this application. He also is concerned about their doors opening into the alley and he doesn't believe there is any other alley's in downtown that service a surface parking lot. He hopes that all business owners are being treated the same.

- 1) [AMENDED BILL NO. 18-150](#) An Ordinance approving a Preliminary Development Plan located at 222 SW Main St and 207 SW Market St, proposed Reece Nichols Real Estate Office in accordance with the provisions of Unified Development Ordinance, No. 5209,

for the City of Lee's Summit, Missouri.

(Note: This item was first read by Council on September 20, 2018 and passed by unanimous vote.)

Bill No. 18-150 was amended in Section 2 by adding the following 8 amendments:

1. A modification shall be granted to the maximum allowable 1.0 FAR in the CBD, to allow 1.12 FAR on Lot 2.
2. A modification shall be granted to the landscaping requirements of Article 14, to allow no landscaping for the development.
3. Approval of the surface parking lot on Lot 1 shall be included as part of this preliminary development plan. Configuration of the parking lot shall be subject to final design and engineering.
4. Approval of the two-story building with a 2,625 sq. ft. footprint depicted on Lot 1 shall not be included as part of the subject application. Development of the building shall require approval of a preliminary development plan under separate application.
5. Approval of the subject preliminary development plan shall include the reservation of the area depicting the two-story building on Lot 1 of the revised site plan dated September 14, 2018, for construction of a future building.
6. Islands shall be provided at the ends of the parking bays where they abutt the adjacent alley.
7. The east-west alley shall be designed to accommodate two-way traffic. The drive lanes of the divided portion of the alley shall be designed to be no greater than 14-feet wide. The undivided portion of the east-west alley shall be designed to be a minimum of 20-feet wide, but no greater than 24-feet wide.
8. Landscaping shall be installed per an approved landscape plan on Lot 1 if no building construction has begun, this condition shall be fulfilled prior to the occupancy of the building on Lot 2.

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Carlyle, that Bill No. 18-150 be advanced to second reading as amended. The motion carried by the following vote:

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

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Absent: 2 - Councilmember Faith
Councilmember Forte

- C. [2018-2295](#) Continued Appl. #PL2018-135 - REZONING from RP-3 to PMIX, Preliminary Development plan and Conceptual Development Plan - West Pryor, 300 NW Pryor Rd; City of Lee's Summit, applicant

Exhibit A List of exhibits 1-19 were entered into the record

Council discussions included but was not limited to:

The size of the proposed fire station building

The current size of Fire Stations No. 3

The street serving the new Fire Station would end up being a through street into the subdivision

How long would the new building service the Fire Department

Would the amount of space enable the City to have a rescue ambulance at Station 3

Does the plan include solar panels

- 1) [BILL NO. 18-151](#) An Ordinance approving a rezoning from District RP-3 to District PMIX, Preliminary Development Plan and Conceptual Plan located at 300 NW Pryor, proposed West Pryor Development in accordance with the provisions of Unified Development Ordinance, No. 5209, for the City of Lee's Summit, Missouri. (Note: This item was first read by Council on September 20, 2018 and passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember DeMoro, that Bill No. 18-151 be advanced to second reading. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- D. [2018-2301](#) Public Hearing for the Proposed 2018 Property Tax Levy for the City of Lee's Summit, Cass and Jackson Counties, Missouri, for the Calendar Year 2018.

There were no City Council discussions on this application.

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

6. Public Comments:

Mayor Baird started by saying that Public Comments are not required, it is a courtesy the City provides to the Public.

Ms. Geraldine Amato again reported that the wireless electronics in the room interfere with her ability to hear what the Mayor and Council are saying. She then shared her opinions on several items related to the Federal Government.

Mr. Dale Coy asked the City Council to consider whether moving Public Comments has changed current practice and enhances the transactions of Council business.

7. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 18-152](#) An Ordinance setting the Tax Levy for the Year 2018 for the City of Lee's Summit, Jackson and Cass Counties, Missouri (F&BC 8-6-18)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, that Bill No. 18-152 be second read. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, that Bill No. 18-152 be adopted and numbered Ordinance No. 8463. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- B. [BILL NO. 18-153](#) An Ordinance approving the award of RFP No. 2019-009 for medical services to Shawnee Mission Corporate Care based on the attached composite scoresheet and authorizing the City Manager to enter into and execute Agreement No. 2019-009 for the same by and on behalf of the City of Lee's Summit, Missouri. (F&BC 9-10-18)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Lopez, that Bill No. 18-153 be second read. The motion carried by the following vote:

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

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Absent: 2 - Councilmember Faith
Councilmember Forte

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Lopez, that Bill No. 18-153 be adopted and numbered Ordinance No. 8464. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- C. [BILL NO. 18-154](#)** An Ordinance approving the award of Bid No. 2018-069 for the purchase of ballistic vests and associated accessories for the Lee's Summit Police Department and authorizing the City Manager to enter into a contract in the form of a purchase order to Ed Roehr Safety Products Co. for the purchase of the same for an amount of \$53,025.00. (F&BC 9-10-18)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Carlyle, that Bill No. 18-154 be second read. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Carlyle, that Bill No. 18-154 be adopted and numbered Ordinance No. 8465. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- D. [BILL NO. 18-155](#)** 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 Program. (F&BC 9-10-18)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Carlyle, that Bill No. 18-155 be second read. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Carlyle, that Bill No. 18-155 be adopted and numbered Ordinance No. 8466. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- E. [BILL NO. 18-156](#) 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. (F&BC 9-10-18)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Carlyle, that Bill No. 18-156 be second read. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 18-156 be adopted and numbered Ordinance No. 8467. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

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- F. [BILL NO. 18-157](#) An Ordinance approving the execution of two grant agreements by and between the State of Missouri, Department of Transportation Traffic and Highway Safety Division and the City of Lee's Summit, Missouri for the Missouri Highway Safety Program. (F&BC 9-10-18)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Lopez, that Bill No. 18-157 be second read. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Lopez, that Bill No. 18-157 be adopted and numbered Ordinance No. 8468. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- G. [BILL NO. 18-158](#) An Ordinance approving the use of the Cooperative Contract for evaluation and rehabilitation of wastewater collection, LS Contract 2018-097, for main relining, manhole rehabilitation and tap repairs with Ace Pipe Cleaning, Inc. in the amount not to exceed \$1,500,000. (F&BC 9-10-18)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 18-158 be second read. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Carlyle, that Bill No. 18-158 be adopted and numbered Ordinance No. 8469. The motion carried by the following vote:

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Aye: 6 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Johnson
Councilmember Lopez

Nay: 1 - Councilmember Binney

Absent: 2 - Councilmember Faith
Councilmember Forte

8. Proposed Ordinances - First Reading:

- A. [BILL NO. 18-159](#) An Ordinance vacating a 100' x 100' permanent construction easement abutting Lots 539 and 540 of Eagle Creek, 12th Plat, in the City of Lee's Summit, Missouri.
(Note: This item was first read by Council on September 20, 2018 and passed by unanimous vote.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, that Bill No. 18-159 be advanced to second reading. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- B. [BILL NO. 18-160](#) An Ordinance accepting final plat entitled "Creekside at Raintree, Lots 1 thru 31 and Tracts A thru F", as a subdivision to the City of Lee's Summit, Missouri.
(Note: This item was first read by Council on September 20, 2018 and passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Lopez, that Bill No. 18-160 be advanced to second reading. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

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- C. [BILL NO. 18-161](#) An Ordinance approving Amendment No. 1 to the Memorandum of Understanding by and between the City of Lee's Summit, Missouri and PremierLife Real Estate Holdings, Inc. related to the acquisition of property by the City of Lee's Summit, Missouri from PremierLife Real Estate Holdings, Inc. for use as the location of a new Fire Station No. 3 generally located on NW Pryor Road in Lee's Summit, Missouri.
(Note: This item was first read by Council on September 20, 2018 and passed by unanimous vote.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Binney, that Bill No. 18-161 be advanced to second reading. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- D. [BILL NO. 18-162](#) An Ordinance approving a Real Estate Purchase and Sale Agreement by and between the City of Lee's Summit, Missouri and PremierLife Real Estate Holdings, Inc. for the purchase and sale of real property located generally on the west side of NW Pryor Road, between NW O'Brien Road and SW 1st Street, and authorizing the Mayor to execute any and all documents necessary and relevant to effectuate said transaction by and on behalf of the City.
(Note: This item was first read by Council on September 20, 2018 and passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Binney, that Bill No. 18-162 be advanced to second reading. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- E. [BILL NO. 18-163](#) An Ordinance approving Application #PL2018-088 - Amendment #67 to the Unified Development Ordinance (UDO) - Article 5 Zoning Districts, Article 8 Accessory Uses and Structures, Article 9 Uses Permitted with Conditions, and Article 10 Special Use Permits, to allow in-home massage therapy as a conditional use for a home occupation in the R-1 (Single-Family Residential) zoning district; City of Lee's Summit, applicant.
(Note: This item was first read by Council on September 20, 2018.)

City Council - Regular Session

Action Letter

September 20, 2018

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Carlyle, that Bill No. 18-163 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Johnson
Councilmember Lopez

Nay: 1 - Councilmember Binney

Absent: 2 - Councilmember Faith
Councilmember Forte

- F. [BILL NO. 18-164](#) An Ordinance approving the award of Bid No. 415 for the NW Commerce Drive Improvements Project to Lexeco, Inc. in the amount of \$820,378.70.
(Note: This item was first read by Council on September 20, 2018 and passed by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Lopez, that Bill No. 18-164 be advanced to second reading. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

- G. [BILL NO. 18-165](#) An Ordinance authorizing the execution of Modification No. 1 to agreement dated February 24, 2017 for Commerce Drive Improvements (RFQ No. 2017-305B) by and between the City of Lee's Summit, Missouri and Walter P. Moore, Inc., for a revised contract amount not to exceed \$148,110.00.
(Note: This item was first read by Council on September 20, 2018 and passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Carlyle, that Bill No. 18-165 be advanced to second reading. The motion carried by the following vote:

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

Absent: 2 - Councilmember Faith
Councilmember Forte

9. Proposed Ordinances - Second Reading:

- A. [BILL NO. 18-136](#) An Ordinance approving a preliminary development plan located at 300 NW Pryor Rd, proposed Woodside Ridge development in accordance with the provisions of Unified Development Ordinance, No. 5209, for the City of Lee's Summit.

(First Reading by Council on September 6, 2018.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Lopez, that Bill No. 18-136 be adopted and numbered ordinance No. 8470. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Johnson
Councilmember Lopez

Nay: 1 - Councilmember Binney

Absent: 2 - Councilmember Faith
Councilmember Forte

10. Committee Reports

Mayor Pro Tem Lopez announced that the next Community and Economic Development Committee meeting is scheduled for October 10, 2018.

Councilmember Carlyle stated that the next Rules Committee meeting is scheduled for October 4, 2018 but it will need to be rescheduled. Staff has scheduled a Public Hearing on that night for improvements to 3rd street due to time constraints. Councilmember Carlyle asked staff to look for a new date for the next Rule Committee meeting.

Mayor Pro Tem Lopez reminded Councilmembers that each Committee should have Vice Chairs and alternates assigned. They should be utilized, in the absence of the Chair, so meetings don't need to be cancelled. He asked staff to remind Committee members and alternates when the new meeting dates have been set.

11. Council Comments:

Mayor Baird stated that he would like to see the development process work more efficiently. He feels there was not enough collaboration and there is a need to reach out to each other more. He added that staff did a great job but there is a need to get public feedback earlier in the process. He suggested that Council could use a refresher of the design standards for downtown. In addition, the Planning Commission needs to do a better job so projects don't have to be vetted at the Council level. He then remarked that Downtown Main Street, or the Downtown CID, needs to get involved earlier and to be a part of the resolutions.

12. Staff Roundtable

Mr. Arbo, City Manager, advised that Staff will take another look at the one-way alley suggestion for the north/south alley and will bring back staff recommendations for further consideration.

13. Adjournment

There being no further business, Mayor Baird adjourned Regular Session No. 11 at 11:04 p.m.

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"