



The City of Lee's Summit

Final Agenda

City Council - Regular Session

Tuesday, October 2, 2018

6:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 12

Preliminaries:

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

1. Approval of Agenda

2. Approval of Consent Agenda:

Items on the Consent Agenda are routine business matters or proposed ordinances approved unanimously by the Council on First Reading. Consent agenda items may be removed by any Councilmember for discussion as part of the regular agenda.

A. [2018-2317](#) Approval of Action Letters from September 6, 13 & 20, 2018.

B. [2018-2344](#) Mayor's Appointments:

Health Care Foundation of Greater Kansas City Community Advisory Committee:
Appoint Carey Spain, to replace Robin McCain, term to expire 6-1-20.

Land Clearance Redevelopment Authority: Reappoint Mark White, term to
expire 9-1-22.

Parks and Recreation Board: Appoint Nicholas Walker, to replace Brian Hutchin,
term to expire 5-31-20.

- C. [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.)
Presenter: Joshua Johnson, AICP, Assistant Director of Plan Services
Shannon McGuire, Staff Planner
- D. [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.)
Presenter: Joshua Johnson, AICP, Assistant Director of Plan Services
Shannon McGuire, Staff Planner
- E. [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.)
Presenter: Joshua Johnson, AICP, Assistant Director of Plan Services
- F. [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.)
Presenter: Joshua Johnson, AICP, Assistant Director of Plan Services
- G. [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.)
Presenter: Assistant Chief Brian Austerman

- H. [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.)

Presenter: Assistant Chief Brian Austerman

- I. [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.)

Presenter: Micheal Park, P.E., City Traffic Engineer

- J. [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.)

Presenter: Michael Park, P.E., City Traffic Engineer

3. Council Roundtable

Council Roundtable is reserved for items of general interest, community announcements and other such information. Council may ask for clarification or give direction about agenda items or discuss items of an emerging nature.

4. Presentations:

- A. [2018-2302](#) New Longview Development progress status report.

Presenter: David Bushek, Chief Counsel of Economic Development and Planning
Corey Walker, Senior Vice President, Platform Ventures, Developer
Mark Dunning, Assistant City Manager

- B. [2018-2304](#) Presentation and consideration of Agreement for Release of Real Estate Purchase Option with Westcott Investment Group for The Grove development project.

Presenter: Mark Dunning, Assistant City Manager
David Bushek, Chief Counsel of Economic Development and Planning
Daren Fristoe, Westcott Investment Group

- 1) [BILL NO. 18-166](#) An Ordinance approving an Agreement for Release of Real Estate Purchase Option between the City of Lee's Summit and Westcott Investment Group, LLC.

Presenter: Mark Dunning, Assistant City Manager
David Bushek, Chief Counsel of Economic Development and Planning

5. Public Hearings:

Proposed ordinances considered after a public hearing will be read for the first time and forwarded to a future City Council meeting for second reading, unless deemed to be an emergency as defined in Sec. 3.13(f) of the Lee's Summit Charter. Five affirmative votes are required for approval of second reading.

- 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.)

Presenter: Shannon Buster -Applicant
Josh Johnson, Assistant Director of Planning Services -Staff

- 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.)

Presenter: Shannon Buster - Applicant
Joshua Johnson, AICP, Assistant Director of Plan Services - Staff

- B. [2018-2284](#) Continued Appl. #PL2018-108 - Preliminary Development Plan - Douglas Corners Lot 1B, 150 NE Tudor Rd; HG Consult, Inc., applicant

Presenter: Kevin Sterrett, HG Consult, applicant
Joshua Johnson, AICP, Assistant Director of Plan Services, staff

- 1) [BILL NO. 18-167](#) An Ordinance approving a Preliminary Development Plan located at 150 NE Tudor Road, proposed Douglas Corners Lot 1B development 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. This ordinance is related to item 2018-2284.

Proposed City Council Motion:

I move for a second reading of an Ordinance approving a Preliminary Development Plan located at 150 NE Tudor Road, proposed Douglas Corners Lot 1B development 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.

Presenter: Kevin Sterrett, HG Consult, applicant
Joshua Johnson, AICP, Assistant Director of Plan Services, staff

6. Public Comments:

Anyone wishing to address the Mayor and Council during Public Comments will be limited to 3 minutes. Each speaker must fill out a Public Comment Card. The Public Comment Cards are located at the entrance of Council Chambers. After completion, the card is to be given to the City Clerk. Please be concise with comments and respect the 3 minute time limit.

7. Resolutions:

- A. [RES. NO. 18-16](#) A Resolution setting the start time for City Council meetings.

[18-16](#)

Presenter: Brian Head, City Attorney

8. Proposed Ordinances Forwarded from Committee:

The following proposed ordinances were considered by a Council Committee and are presented to the Council for two readings and adoption.

- A. [BILL NO. 18-168](#) An Ordinance of the City Council of the City of Lee's Summit, Missouri accepting the grant award in the amount of \$450,000 from the U.S. Department of Justice, Office on Violence Against Women, for a collaboration between the City of Lee's Summit and Hope House, Inc. on community-defined solutions to violence against women. (F&BC 10-1-18)

Presenter: Chief Travis Forbes

- B. [BILL NO. 18-169](#) An Ordinance authorizing and directing the issuance of \$3,658,000.00 principal amount of General Obligation Bonds, Series 2018A, and authorizing certain other documents and actions by the City. (F&BC 10-1-18)

Presenter: Conrad Lamb, Finance Director

9. Proposed Ordinances - First Reading:

The proposed ordinances presented for first reading may include items with a previous hearing; an item brought directly to the City Council without a recommendation from a Council Committee; or, items forwarded from citizen Boards or Commissions. Five affirmative votes are required for approval of second reading.

- A. [BILL NO. 18-170](#) An Ordinance accepting final plat entitled "Arborwalk 10th Plat, Lots 242-308 Inclusive, and Tract A-10", as a subdivision to the City of Lee's Summit, Missouri.

Presenter: Nick Krier, Inspired Homes, applicant
Joshua Johnson, AICP, Assistant Director of Plan Services, staff

- B. [BILL NO. 18-171](#) An Ordinance vacating a portion of a certain sanitary sewer easement generally located at the southeast corner of SW Raintree Parkway and SW Raintree Drive for the proposed Creekside at Raintree residential subdivision in the City of Lee's Summit, Missouri.

Presenter: John P. Roberts, Landrock Development, LLC - applicant
Joshua Johnson, AICP, Assistant Director of Plan Services - staff

- C. [BILL NO. 18-172](#) An Ordinance authorizing award of Bid No. 463-35274C for the construction of Fire Station #3 to B. Dean Construction, LLC in the amount of \$5,517,612.00 and authorizing the City Manager to enter into an Agreement for the same by and on behalf of the City.

Presenter: Assistant Chief Brian Austerman

10. Proposed Ordinances - Second Reading:

The proposed Ordinances were advanced from First Reading without a unanimous vote of the City Council.

- A. [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.)

Presenter: Robert McKay, AICP, Director of Planning and Special Projects

11. Committee Reports

Committee chairs report on matters held in Committee.

12. Council Comments:

(NOTE: Total time for Council Comments will be limited to 5 minutes.)

13. Staff Roundtable

Staff Roundtable is reserved for items of general interest, community announcements and other such information; however, staff may ask for clarification or direction from the council related to items on the agenda or for items of an emergency nature for which insufficient time exists for adding to the agenda.

14. Adjournment

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"