

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

Thursday, May 3, 2018

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

Regular Session No. 2 - AMENDED

INVOCATION

PLEDGE OF ALLEGIANCE

CALL TO ORDER

Mayor Baird called Regular Session No. 2 to order at 6:27 p.m.

ROLL CALL

Present: 8 - Mayor Bill Baird
Councilmember Trish Carlyle
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Bob Johnson
Councilmember Beto Lopez

Absent: 1 - Councilmember Rob Binney

APPROVAL OF AGENDA

Mayor Baird amended the published agenda by switching Council Roundtable with Council Comments and moving the presentations after committee reports.

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

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

1. PUBLIC COMMENTS:

Ms. Teresa Vollenweider addressed the City Council regarding her concerns

with rezoning at 5261 NE Maybrook Rd; a request made by city staff to have all photos that are submitted to be date and time stamped; and research fees invoiced for a Sunshine request. Councilmember Johnson asked city staff to explain the cost of research for Sunshine requests and the need for photos to be date and time stamped. Staff provided the requested information.

Mrs. Geraldine Amoto, again shared her opinions on the state of the Republic; banks; and Freemasons. Mayor Baird asked her to clarify how she believes the City Council can help her with her issues. The Mayor also expressed his concern regarding some of the topics that she choose to discuss in front of Boy Scouts that were in attendance.

Mrs. Amy Killner spoke to the City Council regarding her concerns with children in the dog parks. She requested that 2 hours a day be reserved for adults only.

10. COUNCIL ROUNDTABLE:

(Mayor Baird moved Council Roundtable to agenda item number 2 during approval of the agenda.)

Councilmember Faith spoke about freedom of speech. He also announced that Saturday, May 5, the City of Independence is holding a buck day to celebrate President Harry S. Truman's birthday.

Councilmember Edson announced that Boy Scout Troop#42 is having their annual pancake and omelet breakfast Saturday, May 5, at Woods Chapel Community of Christ Church from 7:00 a.m. to 11:00 a.m.

Councilmember Johnson announced that there will be girls softball, boys baseball and soccer tournaments at Legacy Park the weekend of May 5-6.

Mayor Pro Tem Lopez spoke about his experience as a member of the City Council during the severe weather conditions on Wednesday night, May 3. He thanked Lee's Summit Public Safety personnel for their hard work and dedication.

Mayor Baird thanked Councilmembers and Mayor Pro Tem for their communication and making sure the council is getting off to a good start. He stated that he attended the Finance and Budget Committee meetings and was appreciative of the work put forth by staff. The next Finance and Budget meeting will be Monday, May 7.

3. APPROVAL OF CONSENT AGENDA:

Councilmember Johnson requested that agenda item D (Hazardous Waste permit for KC Dumpster Co.) be moved from Consent Agenda for questions. Mayor Baird directed the City Clerk to move agenda item D from the Consent Agenda.

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that the Consent Agenda be approved as amended. The motion carried by the following vote:

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

Absent: 1 - Councilmember Binney

A. 2018-2007 Approval of Action Letters from April 5, April 12 and April 19, 2018.

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that the Action Letters from April 5, April 12 and April 19 be approved as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Binney

B. 2018-2028 Mayor Pro Tempore Lopez City Council Committee and Liaison Appointments.

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that the City Council Committee/Liaison appointments be approved as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Binney

C. 2018-2012 Approval of change of managing officer for Quik Trip Store #162 at 801 SE M291 Highway, #183 at 1001 SW Blue Parkway, and #191 at 1450 NE M291 Highway.

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ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that the change of managing officer for Quick Trip Stores #162, #183 and #191 be approved as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Binney

- E. [BILL NO. 18-67](#) An Ordinance approving a Preliminary Development Plan requesting the removal of certain conditions from approval Ordinance No. 6066 for the Fairfield Woods Subdivision, in accordance with the provisions of Unified Development Ordinance No. 5209, for the City of Lee's Summit, Missouri. (Note: First reading on April 19, 2018. Passed by unanimous vote).

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 18-67 be adopted and numbered Ordinance No. 8384, as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Binney

- F. [BILL NO. 18-68](#) An Ordinance authorizing an amendment to permit the extension of the project time period from December 31, 2017 to June 30, 2018 of the State Block Agreement by and between the City of Lee's Summit, Missouri, and the Missouri Highways and Transportation Commission, granting state funds in the amount of \$9,372,772.00 to rehabilitate and strengthen runway 18-36, extend runway 18-36, extend runway 11-29; and runway 18-36 and 11-29 lighting improvements. (Note: First reading on April 19, 2018. Passed by unanimous vote).

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 18-68 be adopted and numbered Ordinance No. 8385, as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Binney

- G.** [BILL NO. 18-69](#) An Ordinance authorizing an amendment to permit the extension of the project time period from December 31, 2017 to December 31, 2018 of the execution of an Airport Aid Agreement by and between the City of Lee's Summit, Missouri, and the Missouri Highways and Transportation Commission, granting state funds in the amount of \$520,710.00 to rehabilitate and strengthen runway 18-36, extend runway 18-36, extend runway 11-29; and runway 18-36 and 11-29 lighting improvements.

(Note: First reading on April 19, 2018. Passed by unanimous vote).

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 18-69 be adopted and numbered Ordinance No. 8386, as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Binney

- D.** [2018-2025](#) Hazardous Materials Permit for KC Dumpster Co. located at 1280 SE Century Drive.

This agenda item was moved out of the consent agenda for questions by Mayor Baird. It was acted upon just before proclamations on the regular agenda.

Councilmember Johnson asked if hazardous waste will be stored on site or if the permit is for rentals. Staff provided the requested information.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, to approve this hazardous waste permit. The motion carried by the following vote:

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

4. PROCLAMATIONS:

- A. [2018-2011](#) May 2018 Bike and Walk Month

This Proclamation was presented.

- B. [2018-2022](#) May 2018 Building Safety Month

This Proclamation was presented.

- C. [2018-2023](#) Hammer Out Hunger Days May 3- 13, 2018

This Proclamation was presented.

6. RESOLUTIONS:

- A. [RES. NO. 18-05](#) A Resolution adopting the methodology for calculating the License Tax on building contractors relative to Section 28-179 of the Code of the City of Lee's Summit, Missouri and City of Lee's Summit Ordinance No. 4592.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that Resolution No. 18-05 be adopted. The motion carried by the following vote:

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

7. PROPOSED ORDINANCES - FIRST READING:

- A. [BILL NO. 18-73](#) An Ordinance approving the award of Bid No. 41732272 for the NE Gateway Drive, NE Delta School Road to NE Georgian Drive project to Freeman Concrete Construction, LLC in the amount of \$604,357.6
(Note: First reading on May 3, 2018. Passed by unanimous vote).

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Forte, that Bill No. 18-73 be advanced to second reading. The motion carried by the following vote:

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

8. PROPOSED ORDINANCES - SECOND READING:

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- A. [BILL NO. 18-70](#) An Ordinance authorizing the execution of a Development Agreement between Clayton Properties Group, Inc. dba Summit Homes and the City of Lee's Summit, Missouri for the Hawthorne Ridge Subdivision Development.
(Note: First reading by City Council on April 19, 2018.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Faith, that Bill No. 18-70 be adopted and numbered Ordinance No. 8387. The motion carried by the following vote:

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

- B. [BILL NO. 18-71](#) An Ordinance approving Award of RFQ 2018-302-1 to Terracon Consultants, Inc. for on-call yearly geotechnical construction, material testing and inspection services; a one-year contract with three possible one-year renewal options.
(Note: First reading by City Council on April 19, 2018.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 18-71 be adopted and numbered Ordinance No. 8388. The motion carried by the following vote:

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

- C. [BILL NO. 18-72](#) An Ordinance approving award of RFQ 2018-302-2 to Kansas City Testing and Engineering, LLC for on-call yearly geotechnical construction, material testing and inspection services; a one-year contract with three possible one-year renewal options.

(Note: First reading by City Council on April 19, 2018.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 18-72 be adopted and numbered Ordinance No. 8389. The motion carried by the following vote:

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

9. COMMITTEE REPORTS (Committee chairs report on matters held in Committee):

Mayor Baird stated that most Council Committees have not been meeting until new members can be appointed and new dates set. The Finance and Budget Committee has been meeting and discussing the FY 19-20 budget.

Councilmember Edson shared the next Finance and Budget Committee meeting is scheduled for Monday, May 7, 2018.

Councilmember Faith recognized Boy Scouts that were in attendance.

5. PRESENTATIONS:

- A. [2018-1992](#) Presentation of 2018 Citizen's Leadership Academy Graduation Certificates.

This Presentation was received and filed.

- B. [2018-1962](#) Presentation and review of City's adopted Economic Development Incentive Policy

Mayor Baird requested this subject be added to a future work session.

This Presentation was received and filed.

- C. [2018-2008](#) License Tax Review Committee Annual Report for FY2017

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember DeMoro, to request staff to prepare an ordinance to implement the License Tax Committees recommendation to increase license tax rates per their request and to also include in the ordinance the extension of SE Browning in the FY 2019 Capital Improvements Plan. The motion carried by the following vote:

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

2. COUNCIL COMMENTS:

Councilmember Johnson announced that the Finance and Budget Committee will meet on May 7, 2018 at 4:00 p.m.

Mayor Pro Tem Lopez thanked Councilmembers for working with him on committee assignments.

Councilmember Faith spoke about the License Tax Review Committee.

Councilmember Forte shared that communication regarding committee assignments was without controversy. She thought it was a good process.

11. STAFF ROUNDTABLE:

Mr. Steve Arbo, City Manager, reported that he spoke with Ms. Amy Killner regarding her concern with children at the dog parks. The Parks and Police Departments will work on this subject.

Mr. Arbo also invited the Mayor and Councilmembers to join him on a tour of city facilities at 3:00 p.m. on Thursday, May 10, 2018.

12. ADJOURNMENT

Mayor Baird adjourned Regular Session No. 2 at 8:28 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 Internet site at "www.cityofls.net".