

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

Thursday, July 26, 2018

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

**REGULAR SESSION NO. 7**

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**Preliminaries:**

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

**Rollcall**

**Present:** 9 - Mayor Bill Baird  
Councilmember Rob Binney  
Councilmember Trish Carlyle  
Councilmember Fred DeMoro  
Councilmember Phyllis Edson  
Councilmember Craig Faith  
Councilmember Diane Forte  
Councilmember Bob Johnson  
Councilmember Beto Lopez

- E. Approval of Agenda

**ACTION:**

Mayor Baird moved Council Roundtable to Item 1 and Council Comments to Item 11.

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

**AYE:**

Councilmember Lopez  
Councilmember Binney  
Councilmember Edson  
Councilmember Johnson  
Councilmember DeMoro

Councilmember Faith  
Councilmember Caryle  
Councilmember Forte  
Mayor Baird

This was approved.

## 11. Council Roundtable

Councilmember Faith noted John Knox Village Foundation held a fundraiser and Mayor Baird, MPT Lopez as well as Councilmembers Binney and Forte attended. The fundraiser was for a new ambulance for JKV and it was successful raising \$210,000 which covers the cost.

Councilmember Edson stated she got to see President Trump in Kansas City this week.

Councilmember Forte stated her daughter called to say she got an update on the meeting tonight and she felt this was a good idea and thanked Creative Services for their work. She also noted Fourth Friday is tomorrow night as well.

Mayor Baird noted there is also an artist reception here tomorrow night, Ivey Zoellers.

Councilmember Johnson said the Parks Board met and are looking to buy a facility at Longview for Parks use.

Councilmember Carlyle asked that Public Comments be kept PG and not include some of the items that have been mentioned previously.

Councilmember Binney stated there are 22 participants in the Fourth Friday and it has grown over the years and hopes everyone will take a chance to go and look around.

Mayor Baird stated he received an email from a citizen stating her daughter, Jackie Leslie, will be representing the USA in slow pitch softball in Canada.

Mayor Baird talked about his experience downtown recently and felt the small town feel as he sat and talked with citizens and enjoyed being able to visit with the people of Lee's Summit.

### 1. Public Comments:

Ms. Geraldine Amato spoke once again on her feelings on her beliefs of the fall of the Republic and how America is under the control of cartels and banks.

Mr. Keith Foster spoke regarding the lack of work on a detention basin, and he is worried about the rainy season being upon us and nothing being done. He is

asking the Council for help.

**3. Approval of Consent Agenda:**

- A. [BILL NO. 18-106](#) An ordinance approving a rezoning from District AG to District PMIX and Preliminary Development Plan located at 500 SE M-150 Highway, proposed Cobey Creek Development in accordance with the provisions of Unified Development Ordinance, No. 5209, for the City of Lee's Summit, Missouri. (Note: First Reading by Council on July 12, 2018, passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 18-106 be adopted and numbered Ord. No. 8423 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

**Nay:** 1 - Councilmember Binney

- B. [BILL NO. 18-107](#) An ordinance approving a Preliminary Development Plan located on Lot 18, Hearne's Addition in District RP-2, proposed Hearne's Addition, Lots 18A, 18B, and 18C in accordance with the provisions of Unified Development Ordinance, No. 5209, for the City of Lee's Summit, Missouri. (Note: First Reading by Council on July 12, 2018, passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 18-107 be adopted and numbered Ord. No. 8424 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

**Nay:** 1 - Councilmember Binney

- C. [BILL NO. 18-108](#) An ordinance approving a Preliminary Development Plan on land located at 760 NW Blue Parkway in District CP-2, proposed Spira Care in accordance with the provisions of the Unified Development Ordinance, No. 5209, for the City of Lee's Summit, Missouri. (Note: First Reading by Council on July 12, 2018, passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 18-108 be adopted and numbered Ord. No. 8425 as part of the Consent Agenda. The motion carried by the following vote:**

City Council - Regular Session

Action Letter

July 26, 2018

---

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

**Nay:** 1 - Councilmember Binney

**4. Proposed Ordinances Forwarded from Committee:**

- A. [BILL NO. 18-110](#) An ordinance authorizing the execution of an agreement by and between the City of Lee's Summit and the Pinetree Village Homeowners Association which serves as the controlling association of properties within the Pinetree Village Subdivision for funding of the Pinetree Stormwater Improvement Project. (PWC 7-17-18)

**ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 18-110 be second read. The motion carried by the following vote:**

**Aye:** 9 - Mayor Baird  
Councilmember Binney  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Faith  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez

**ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Forte, that Bill No. 18-110 be adopted and numbered Ord. No. 8426. The motion carried by the following vote:**

**Aye:** 9 - Mayor Baird  
Councilmember Binney  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Faith  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez

- B. [BILL NO. 18-111](#) An ordinance approving the award of Bid No. 324-18/19 (crack seal) for the Crack Seal 18/19 Program to Scodeller Construction, Inc. in the amount of \$131,950.00. (PWC 7-17-18)

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Binney, that Bill No. 18-111 be second read. The motion carried by the following vote:**

City Council - Regular Session

Action Letter

July 26, 2018

---

**Aye:** 9 - Mayor Baird  
Councilmember Binney  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Faith  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 18-111 be adopted and numbered Ord. No. 8427. The motion carried by the following vote:**

**Aye:** 9 - Mayor Baird  
Councilmember Binney  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Faith  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez

- C. [BILL NO. 18-112](#) An ordinance approving the award of Bid No. 324-18/19 (curb) for the Curb Repair 18/19 program to Phoenix Concrete & Underground, L.L.C. in the amount of \$1,529,802.48. (PWC 7-17-18)

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 18-112 be second read. The motion carried by the following vote:**

**Aye:** 9 - Mayor Baird  
Councilmember Binney  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Faith  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Binney, that Bill No. 18-112 be adopted and numbered Ord. No. 8428. The motion carried by the following vote:**

**Aye:** 9 - Mayor Baird  
Councilmember Binney  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Faith  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez

- D. [BILL NO. 18-113](#) An ordinance authorizing the execution of an agreement by and between the City of Lee's Summit, Missouri, and HDR Engineering Inc., in an amount not to exceed \$151,330 for engineering services related to sanitary sewer modeling,

City Council - Regular Session

Action Letter

July 26, 2018

---

hydraulic capacity and design services (RFQ NO. 2018-064). (PWC 7-17-18)

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Binney, that Bill No. 18-113 be second read. The motion carried by the following vote:**

**Aye:** 9 - Mayor Baird  
Councilmember Binney  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Faith  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Faith, that Bill No. 18-113 be adopted and numbered Ord. No. 8429. The motion carried by the following vote:**

**Aye:** 9 - Mayor Baird  
Councilmember Binney  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Faith  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez

## 5. Resolutions:

- A. [RES. NO. 18-11](#) A Resolution adopting the Amended City Council Schedule of Meetings for 2018. (Rules Committee 7-16-18)

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Lopez, that Resolution No. 18-11 be adopted. The motion carried by the following vote:**

**Aye:** 6 - Mayor Baird  
Councilmember Binney  
Councilmember Carlyle  
Councilmember Faith  
Councilmember Forte  
Councilmember Lopez

**Nay:** 3 - Councilmember DeMoro  
Councilmember Edson  
Councilmember Johnson

## 6. Emergency Ordinances:

- A. [BILL NO. 18-114](#) An ordinance authorizing the execution of an agreement by and between the City of Lee's Summit, Missouri and Accurate Controls, Inc., in a not to exceed amount of fifty-nine thousand seven hundred twenty-eight dollars and sixteen cents (\$59,728.16) for the purchase of equipment and installation of the same related to the surveillance system located within the City detention facility and containing an emergency clause.

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 18-114 be second read. The motion carried by the following vote:**

City Council - Regular Session

Action Letter

July 26, 2018

---

**Aye:** 9 - Mayor Baird  
Councilmember Binney  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Faith  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Carlyle, that Bill No. 18-114 be adopted and numbered Ord. No. 8430. The motion carried by the following vote:**

**Aye:** 9 - Mayor Baird  
Councilmember Binney  
Councilmember Carlyle  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Faith  
Councilmember Forte  
Councilmember Johnson  
Councilmember Lopez

**7. Presentations:**

**A. [2018-2165](#)** Conceptual Economic Development Incentive Request-Kevin Higdon  
Construction Land Clearance for Redevelopment Authority (LCRA) project, 1450  
SE Broadway Drive, Kevin Higdon Construction LLC applicant.

- Sales tax paid on materials in Lee's Summit instead of to job sites outside of Lee's Summit.
- 5 jobs would be created by this facility
- 100% abatement over 10 years. Vacant ground currently.
- LCRA Application has been sent, but this is the first step in the process.
- Abatement on building and improvements only - land not eligible
- Additional property would have additional buildings at a later date

**B. [2018-2166](#)** Conceptual Economic Development Incentive Request-MAR Building Solutions  
Land Clearance for Redevelopment Authority (LCRA) project, 1445 SE Broadway  
Drive, MAR Building Solutions applicant.

- 14 jobs created with this project
- Job creation is important
- Appreciates keeping business in Lee's Summit and encouraged to continue going through the LCRA process.
- Some office space on warehouse

**8. Public Hearings:**

City Council - Regular Session

Action Letter

July 26, 2018

---

- A. [2018-2129](#) Appl. #PL2018-078 - Special Use Permit renewal for automotive sales - Fenton Motors, 1001 SE Oldham Parkway; Farchmin Dicus, PC, applicant.

This Public Hearing - Sworn was approved.

- 1) [BILL NO. 18-115](#) An ordinance granting a Special Use Permit renewal for automotive sales in District CP-2 on land located at 1001 SE Oldham Parkway for a period of twenty (20) years, all in accordance with Article 10 within the Unified Development Ordinance, for the City of Lee's Summit, Missouri.

**ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Edson, that Bill No. 18-115 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

**Nay:** 1 - Councilmember Binney

**9. Proposed Ordinances - Second Reading:**

- A. [BILL NO. 18-109](#) An ordinance approving a tax increment financing funding agreement between the City of Lee's Summit, Missouri and Cityscape Residential or associated special purpose entity and authorizing the City Manager to execute said agreement on behalf of the City.  
(Note: First Reading by Council on July 12, 2018.)

**ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 18-109 be adopted and numbered Ord. No. 8431. The motion carried by the following vote:**

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

**Abstain:** 1 - Councilmember Edson

- B. [AMENDED BILL NO. 18-104](#) An ordinance approving a public service agreement by and between Velocity Lee's Summit, Inc. and the City of Lee's Summit, Missouri for services to be provided to the City and authorizing the City Manager to execute the same by and on behalf of the City. (CEDC 6/13/18)  
(Note: First Reading - and amended - by Council on July 12, 2018.)

**ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Amended Bill No. 18-104 be adopted and numbered Ord. No. 8432. The motion carried**



**by the following vote:**

- Aye:** 6 - Mayor Baird  
Councilmember Binney  
Councilmember Carlyle  
Councilmember Faith  
Councilmember Forte  
Councilmember Lopez
- Nay:** 3 - Councilmember DeMoro  
Councilmember Edson  
Councilmember Johnson

## 10. Committee Reports

Councilmember Carlyle stated the Rules Committee would meet on 8/7/18 at 6PM  
Councilmember Johnson noted the Finance and Budget Committee would meet on 8/6/18 at 5pm  
Councilmember Lopez stated the Community and Economic Development Committee would meet on 8/8/18 at 4pm

## 2. Council Comments:

Councilmember Edson asked Mayor Pro Tem Lopez to consider having the Rules Committee look at a formalizing New Council Orientation.

Councilmember Faith congratulated Specialist Terry Drehle on his retirement after 45 years of dedicated service to the citizens of Lee's Summit.

Councilmember Johnson stated the transfer station has been discussed for many years now. He was advised there would be no disruption of service to haulers and had advised two of his friends that are in that business of this. Now he is being told by these two individuals there will be a disruption in service. He hopes that staff will bring back a recommendation to the full Council in 2 weeks as requested. If not, he would like Council to deal with the matter instead.

Councilmember DeMoro also congratulated Fire Specialist Terry Drehle on his retirement.

Councilmember Forte recognized and congratulated MPO Wix on his retirement after 44 years. (Later corrected by Chief Forbes in Staff Roundtable as it is 33 years.)

Mayor Baird thanked the Rules Committee for their work on items recently presented to them. He wanted to clarify his request to be able to move items on the agenda. As an example, he would like to be able to put heavier items, where more staff and attorneys may need to be present, or items of high public interest, to the beginning of the agenda. He apologized for the confusion and hopes to see this move forward.

## 12. Staff Roundtable

City Council - Regular Session

Action Letter

July 26, 2018

---

Mr. Nick Edwards, Assistant City Manager, stated Chief Travis Forbes would like to recognize two officers that are retiring soon.

Chief Forbes noted that MPO Martin Wix will be retiring after 34 years with the Police Department. Also, MPO Rodger Bowers, SRO at Lee's Summit North will also be retiring after 31 years with the Police Department.

Mr. Brian Head, City Attorney, stated through his previous employment with the City of Joplin, he made many friends over the years one of which was Mr. David Brewer. He asked everyone to please keep Mr. Brewer and his wife in their prayers as they were recently killed in a motorcycle accident.

**13. Adjournment**

Being no further business, Mayor Baird adjourned Regular Session No. 7 at 8:25 p.m.

Unless determined otherwise by the Mayor and City Council, no new agenda items shall be considered after 11:00 p.m.

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