

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

Thursday, August 9, 2018

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

*****AMENDED*** REGULAR SESSION NO. 8**

Preliminaries:

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

Mayor Baird called Regular Session No. 8 to order at 6:42 p.m.

- D. Roll Call

Mayor Pro Tem Lopez arrived at 7:14 p.m.

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

Absent: 1 - Councilmember Beto Lopez

1. Approval of Agenda

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

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

Absent: 1 - Councilmember Lopez

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Edson, to approve the Consent Agenda. The motion carried by the following vote:

City Council - Regular Session

Action Letter

August 9, 2018

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

Absent: 1 - Councilmember Lopez

- A. [2018-2180](#) Approval of Action Letters from July 12, 19 and 26, 2018.

A motion was made by Councilmember Faith, seconded by Councilmember Edson, to approve the July 12, July 19 and July 26, 2018 Action Letters as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lopez

- B. [2018-2181](#) Approval of Liquor License Type G3 & S for The Farfalle Bistro, 318 SE Green Street

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Edson, to approve this Liquor License as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lopez

- C. [2018-2209](#) Mayor's Appointments:

Arts Council: Appoint Jody Fristoe and Christina Phillips, terms to expire 7-22-21.

Human Relations Commission: Appoint Evonne Medrano and Tony Meyer terms to 7-6-21.

Parks and Recreation Board: Reappoint Jim Huser, term to expire 5-31-21.

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Edson, to approve the Mayor's Appointments as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Lopez

3. Council Roundtable

Councilmember Binney wished his Mom a Happy Birthday.

Councilmember Faith expressed his appreciation to the constituents that serve on the many Boards, Committees and Commissions.

Councilmember Forte announced that Downtown Lee's Summit Main Street was showing the movie Jumanji in the court yard in front of City Hall at 9:00 p.m.

4. Public Hearings:

- A. [2018-2176](#) Continued Public Hearing - Application #PL2018-084 - Preliminary Development Plan and Application #PL2018-085 - Special Use Permit for indoor/outdoor storage facility - Extra Space Lee's Summit, 700 SE Oldham Ct.; WSKF Architects, Inc., applicant.

Discussions included but were not limited to:

- Location and direction of signage
- Verbiage on the signage - "No credit check" would not be desirable
- Location and proximity to 50 Hwy
- Aesthetics of buildings materials
- Location of buildings
- Landscaping and fencing
- Safety concerns including carbon monoxide build up in enclosed building

(Note: Mayor Pro Tem Lopez arrived at 7:14 p.m.)

- 1) [BILL NO. 18-116](#) An Ordinance approving a Preliminary Development Plan located on Lot 1 Oldham East Business Park in District CS, proposed Extra Space, Indoor/Outdoor Storage Facility 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 August 9, 2018.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember DeMoro, that Bill No. 18-116 be advanced to second reading. The motion carried by the following vote:

City Council - Regular Session

Action Letter

August 9, 2018

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

Nay: 1 - Councilmember Forte

- 2) [BILL NO. 18-117](#) An Ordinance approving a Special Use Permit for an indoor/outdoor storage facility in district CS on land located on Lot 1 Oldham East Business Park proposed Extra Space, all 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 August 9, 2018.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember DeMoro, that Bill No. 18-117 be advanced to second reading. The motion carried by the following vote:

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

Nay: 2 - Councilmember Binney
Councilmember Forte

- B. [2018-2196](#) Public Hearing for a Plan for an Industrial Development Project for Summit Residence II, LLC for the Summit Square II multi-family development project.

Discussions included but were not limited to:

- How many people moved into Lee's Summit to live in this developers last project
- Is there a commitment from the Developer for long term ownership
- How was the estimated tax calculated
- The fixed PILOT (Payment in Lieu of Taxes)
- The advantage for the Developer is sales tax exemption on construction materials
- Why incentivize multi-family dwellings when they seem to be doing fine without incentives.

Ms. Geraldine Amoto spoke regarding general financing and building in America. She then began arguing with Mayor Baird when she was asked to keep her comments to this specific Chapter 100 discussion. She was asked to leave the microphone when she continued to be argumentative and not speak on the matter at hand.

City Council - Regular Session

Action Letter

August 9, 2018

- 1) [BILL NO. 18-118](#) An Ordinance approving a plan for an Industrial Development Project for Summit Square Residence II, LLC; authorizing the City of Lee's Summit, Missouri to issue taxable Industrial Development Revenue Bonds in a principal amount not to exceed \$48,460,000; and authorizing certain documents and actions in connection therewith.

(NOTE: First Reading by Council on August 9, 2018.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember DeMoro, that Bill No. 18-118 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

- C. [2018-2152](#) Public Hearing - Appl. #PL2018-087 - Preliminary Development Plan - The Reserve at Stoney Creek subdivision pool, 1401 SW Stoney Brook Circle; Engineering Solutions, LLC, applicant.

Discussions included but were not limited to:

- Requested modifications
- What assurances does the City have that the roadway in the stream buffer zone won't negatively effect erosion
- Were the houses to the north of Stoney Brook Drive sold with the information that access to a future pool area would be directly behind them
- Will there be more erosion control in the Final Development Plan

- 1) [BILL NO. 18-120](#) An Ordinance approving a Preliminary Development Plan located at 1401 SW Stoney Brook Circle in District R-1, proposed The Reserve at Stoney Creek subdivision pool 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 August 9, 2018.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 18-120 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

5. Public Comments:

Mr. Dale Coy addressed the City Council regarding citizen engagement and the recodification that began in 2017. He requested updates on both topics.

Ms. Gilletti expressed her disappointment with the landscaping around Lee's Summit. She stated that MoDOT and the Railroad are the worst offenders.

Ms. Geraldine Amato once again expressed her beliefs on many topics related to the Federal Government. When her allotted time was up, she ended her comments by telling Mayor Baird to "shut up" and had to be escorted away from the microphone by police.

6. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 18-121](#) An ordinance approving an Intergovernmental Agreement by and between the City of Lee's Summit, Missouri, by and through the Lee's Summit Parks and Recreation Board and the Junior College District of Metropolitan Kansas City, Missouri for the purchase and sale of the Longview Recreation Center and authorizing the Mayor to execute the same by and on behalf of the City. (F&BC 8-6-18)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Carlyle, that Bill No. 18-121 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 Faith, seconded by Councilmember Carlyle, that Bill No. 18-121 be adopted and numbered Ordinance No.8433. 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. 18-122](#) An ordinance approving an Intergovernmental Agreement by and between the City of Lee's Summit, Missouri, by and through the Lee's Summit Parks and Recreation Board and the Junior College District of Metropolitan Kansas City, Missouri for the Use and Operations of the Longview Community Center and authorizing the Mayor to execute the same by and on behalf of the City. (F&BC

City Council - Regular Session

Action Letter

August 9, 2018

8-6-18)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, that Bill No. 18-122 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 Binney, seconded by Councilmember Carlyle, that Bill No. 18-122 be adopted and numbered Ordinance No. 8434. 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. 18-123](#) An Ordinance approving a Memorandum of Understanding by and between the Lee's Summit Parks and Recreation Board and the City of Lee's Summit, Missouri for the Inter-Fund Loan to finance the acquisition of the Longview Recreation Center by the Lee's Summit Parks and Recreation Board and approving Amendment No. 2 to the Budget for the Fiscal Year ending June 30, 2019, as adopted by Ordinance No. 8405, and authorizing the City Manager to take such actions as are necessary to implement the inter-fund loan terms approved herein subject to annual appropriations.
(F&BC 8-6-18)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that Bill No. 18-123 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 Forte, that Bill No. 18-123 be adopted and numbered Ordinance No. 8435. The motion carried by the following vote:

City Council - Regular Session

Action Letter

August 9, 2018

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

7. Proposed Ordinances - First Reading:

- A. [BILL NO. 18-119](#) An Ordinance authorizing the Cash Escrow Deposit Agreement guaranteeing the installation of subdivision improvements for the Hawthorne Ridge Subdivision by and between the City of Lee's Summit, Missouri and Clayton Properties Group, Inc. a Tennessee Corporation.

(NOTE: First Reading by Council on August 9, 2018.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Carlyle, that Bill No. 18-119 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

8. Proposed Ordinances - Second Reading:

- A. [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.

(Note: First reading by Council on July 26, 2018.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Carlyle, that Bill No. 18-115 be adopted and numbered Ordinance No. 8436. 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. Committee Reports

Mayor Pro Tem Lopez announced that the Community and Economic Development Committee did not meet in August, they will return in September.

10. Council Comments:

Councilmember Johnson asked Council to discuss affordable housing soon. He would like to see smaller affordable housing and the overlay ordinances may need to be changed. He also noted that the Sunshine Law does involve social outings and the Council is attending a baseball game with tickets provided by EDC (The Economic Development Council).

Councilmember Binney reported that he asked EDC if there is any value to the tickets they have received and was told that EDC is a sponsor and the tickets were complimentary tickets provided as part of their sponsorship package, they have no value.

Mayor Baird shared that he went to a Civic Roundtable and he reported that the Public Service Organizations are getting together to collaborate. He also announced that the Finance and Budget Committee has been talking about a possible Strategic Plan.

11. Staff Roundtable

Mr. Stephen Arbo, City Manager, confirmed that the social event has been posted for public review. He also said that the Finance and Budget Committee has asked staff to work with the Mayor to get the Citizens Strategic Plan on a City Council Work Session agenda.

Ms. Dena Mezger, Director of Public Works, reported that MoDOT has begun putting up traffic control on 470 Hwy at I-70. Monday, 470 Hwy will be one lane each way at I-70 and the on and off ramp loops will be closed until mid-September. MoDOT expects 75 minute delays.

12. Adjournment

There being no further business, Mayor Baird adjourned Regular Session No. 8 at 9:02 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"