



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

Thursday, March 16, 2017
6:15 PM
City Council Chambers
City Hall
220 SE Green Street
Lee's Summit, MO 64063
(816) 969-1000
REGULAR SESSION NO. 30

CALL TO ORDER

Mayor Rhoads called Regular Session No. 30 to order at 6:15 p.m.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

Councilmember Moreno was not present during Roll Call but arrived at 6:24 p.m.

Present: 7 - Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Chris Moreno
Councilmember Dave Mosby
Councilmember Diane Seif

Absent: 1 - Councilmember Phyllis Edson

APPROVAL OF AGENDA

COUNCIL ACTION: On motion of Councilmember Binney, second by Councilmember Forte, the Council voted unanimously (Councilmembers Edson & Moreno "Absent") to approve the published agenda.

1. PUBLIC COMMENTS:

Mr. Kent Reuter spoke in regards to Councilmember Moreno and his actions during the recall process and upcoming ballot measure for his recall.

Ms. Gladys Bratton spoke out against the behavior of Councilmember Mosby and feels he has violated the City Charter by publicly using his position as a Councilmember and speaking out against the proposed ballot issues for changes to the City Charter.

Ms. Melissa Clogston stated she has found herself disappointed with her current representation in District 4. She felt the citizens deserved better. She asked the Council to start working for the citizens again as they were elected to do.

2. COUNCIL COMMENTS:

Councilmember Mosby defended his First Amendment rights regarding comments on the Charter issues.

Councilmember Moreno responded to comments voiced during Public Comments.

Councilmember Binney stated the recent issue regarding Red Racks and citizens parking in their lot would not be assigned to a committee. Staff has looked at the situation and has confirmed that the owners of Red Racks do have a private lot and they are in accordance with all city and state laws. He hopes Red Racks will work with citizens to reduce the cost of the towing charges and/or not tow vehicles to Smithville, but the city has no legal right to intervene.

Councilmember Carlyle stated everyone Councilmember takes an "Oath of Office" at the beginning of their term. With this oath they voluntarily give up some of their rights to support the greater good of the city. She asked the Councilmembers that are taking a stand under their First Amendment rights to cease immediately.

3. APPROVAL OF CONSENT AGENDA:

MAYORS APPOINTMENTS:

A. [2017-1027](#) Mayor's Appointments:

Human Relation Commission: Appoint Terrence White, term to expire 7-6-19.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Seif, that the Mayor's Appointments be approved as part of the Consent Agenda. The motion carried by a unanimous vote (Councilmember Edson "Absent").

LIQUOR LICENSES:

B. [2017-1048](#) Liquor License for Lakewood Pub

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Seif, that this Liquor License be approved as part of the Consent Agenda. The motion carried by a unanimous vote (Councilmember Edson "Absent").

4. PROPOSED ORDINANCES:

A. [BILL NO. 17-62](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN SUMMIT VIEW FARMS DEVELOPMENT GROUP LLC AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR THE SUMMIT VIEW FARMS SUBDIVISION DEVELOPMENT.

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ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Seif, that Bill No. 17-62 be adopted and numbered Ord. No. 8114. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Absent: 1 - Councilmember Edson

Enactment No: Ord. No. 8114

- B.** [BILL NO.](#) AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "SUMMIT VIEW
[17-63](#) FARMS, AMENDED 1ST PLAT, LOTS 1-50 & TRACTS A-E", AS A
SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

ACTION: A motion was made by Councilmember Moreno, seconded by Councilmember Seif, that Bill No. 17-63 be adopted and numbered Ord. No. 8115. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Absent: 1 - Councilmember Edson

Enactment No: Ord. No. 8115

- C.** [BILL NO.](#) AN ORDINANCE AUTHORIZING THE WAIVER OF LEE'S SUMMIT HOUSING
[17-64](#) AUTHORITY'S PAYMENT IN LIEU OF TAXES FOR FISCAL YEAR ENDED
SEPTEMBER 30, 2016 IN THE AMOUNT OF \$33,874.16. (F&BC 3-6-17)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 17-64 be adopted and numbered Ord. No. 8116. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Absent: 1 - Councilmember Edson

Enactment No: Ord. No. 8116

- D.** [BILL NO.](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF AN
[17-65](#) INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF
LEE'S SUMMIT, MISSOURI, THROUGH THE LEE'S SUMMIT PARKS AND

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RECREATION BOARD, AND THE JUNIOR COLLEGE DISTRICT OF METROPOLITAN KANSAS CITY, MISSOURI TO ESTABLISH A SPONSORSHIP BY LEE'S SUMMIT PARKS AND RECREATION OF THE COMMON READ PROGRAM FOR 2017-2018 AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT EVIDENCING THE SAME BY AND ON BEHALF OF THE CITY OF LEE'S SUMMIT, MISSOURI. (F&BC 3-6-17)

ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Faith, that Bill No. 17-65 be adopted and numbered Ord. No. 8117. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Absent: 1 - Councilmember Edson

Enactment No: Ord. No. 8117

E. [BILL NO. 17-66](#) AN ORDINANCE APPROVING THE DUAL AWARD OF BID NO. 2017-066 FOR A ONE-YEAR CONTRACT WITH FOUR (4) POSSIBLE ONE-YEAR CONTRACT RENEWALS FOR EQUIPMENT RENTAL TO BLEDSOE'S RENTALS (CONTRACT NO. 2017-066-1) AND THE G.W. VAN KEPPEL CO. (CONTRACT NO. 2017-066-2) AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE THE SAME BY AND ON BEHALF OF THE CITY OF LEE'S SUMMIT, MISSOURI. (F&BC 3-6-17)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Seif, that Bill No. 17-66 be adopted and numbered Ord. No. 8118. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Absent: 1 - Councilmember Edson

Enactment No: Ord. No. 8118

F. [BILL NO. 17-67](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 2017-094 FOR A ONE YEAR CONTRACT WITH FOUR (4) POSSIBLE ONE YEAR RENEWALS FOR VETERINARY SERVICES FOR THE ANIMAL CONTROL DIVISION TO LEE'S SUMMIT ANIMAL HOSPITAL, P.C. AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SAME BY AND ON BEHALF OF THE CITY. (F&BC 3-6-17)

ACTION: A motion was made by Councilmember Moreno, seconded by Councilmember Seif, that Bill No. 17-67 be adopted and numbered Ord. No. 8119. The motion carried by

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the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Absent: 1 - Councilmember Edson

Enactment No: Ord. No. 8119

G. [BILL NO.
17-68](#)

AN ORDINANCE APPROVING THE SALE OF A VACANT LOT LEGALLY DESCRIBED AS LOT 9B, RITTER PLAZA LOT 9A AND LOT 9B, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI TO HB SUMMIT, LLC, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A TRANSFEREE AGREEMENT BETWEEN THE RITTER PLAZA, LLC, HB SUMMIT, LLC, AND THE CITY OF LEE'S SUMMIT. (F&BC 3-6-17)

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Binney, that Bill No. 17-68 be adopted and numbered Ord. No. 8120. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Absent: 1 - Councilmember Edson

Enactment No: Ord. No. 8120

H. [BILL NO.
17-69](#)

AN ORDINANCE APPROVING THE SECOND AMENDMENT TO THE TAX INCREMENT FINANCING CONTRACT BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND RITTER PLAZA, LLC FOR THE RITTER PLAZA TAX INCREMENT FINANCING PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THE SECOND AMENDMENT ON BEHALF OF THE CITY. (F&BC 3-6-17)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 17-69 be adopted and numbered Ord. No. 8121. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Absent: 1 - Councilmember Edson

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- I. [BILL NO. 17-70](#) AN ORDINANCE REPEALING PREVIOUS ORDINANCES RELATED TO THE SCHEDULE OF FEES AND CHARGES FOR THE CITY OF LEE'S SUMMIT AND ESTABLISHING THE CITY OF LEE'S SUMMIT SCHEDULE OF FEES AND CHARGES. (F&BC 3-6-17)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, tha Bill No. 17-70 be adopted and numbered Ord. No. 8122. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Absent: 1 - Councilmember Edson

Enactment No: Ord. No. 8122

- J. [BILL NO. 17-71](#) AN ORDINANCE APPROVING AN AGREEMENT FOR THE LEASE OF CITY CONDUIT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE LEE'S SUMMIT R-7 SCHOOL DISTRICT AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY. (F&BC 3-6-17)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Binney, that Bill No. 17-71 be adopted and numbered Ord. No. 8123. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Absent: 1 - Councilmember Edson

Enactment No: Ord. No. 8123

- K. [BILL NO. 17-72](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 2017-068 FOR A ONE-YEAR CONTRACT WITH FOUR (4) POSSIBLE ONE-YEAR CONTRACT RENEWALS FOR MISCELLANEOUS PARTS AND APPURTENANCES FOR THE WATER UTILITIES OPERATIONS DIVISION TO BLUE SPRINGS WINWATER AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE AN AGREEMENT FOR THE SAME WITH BLUE SPRINGS WINWATER BY AND ON BEHALF OF THE CITY OF LEE'S SUMMIT, MISSOURI. (F&BC 3-6-17)

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Seif, that Bill No. 17-72 be adopted and numbered Ord. No. 8124. The motion carried by the following vote:

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Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Absent: 1 - Councilmember Edson

Enactment No: Ord. No. 8124

5. PUBLIC HEARINGS (Sworn):

- A.** [2017-0997](#) PUBLIC HEARING - Appl. #PL2017-005 - REZONING from CP-2 to R-1 - approximately 16 acres located at the southeast corner of SW Raintree Dr and SW Raintree Pkwy for the proposed Creekside at Raintree; Landrock Development, LLC, applicant

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Binney, the Council voted unanimously (Councilmember Edson "Absent") to direct staff to present an ordinance Application #PL2017-005 - REZONING from CP-2 to R-1 - approximately 16 acres located at the southeast corner of SW Raintree Drive and SW Raintree Parkway for the proposed Creekside at Raintree; Landrock Development, LLC, applicant.

6. OTHER BUSINESS:

- A.** [BILL NO.](#) AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION
[17-73](#) FROM DISTRICT PLANNED COMMUNITY COMMERCIAL (CP-2) TO DISTRICT SINGLE-FAMILY RESIDENTIAL (R-1), APPROXIMATELY 16 ACRES LOCATED AT THE SOUTHEAST CORNER OF SW RAINTREE DR AND SW RAINTREE PKWY FOR THE PROPOSED CREEKSIDE AT RAINTREE, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 17-73 be adopted and numbered Ord. No. 8125. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Absent: 1 - Councilmember Edson

Enactment No: Ord. No. 8125

- B.** [BILL NO.](#) AN ORDINANCE APPROVING A TRANSFEREE AGREEMENT BETWEEN
[17-74](#) LEE'S SUMMIT COVENANT GROUP, LLC, AS THE OWNER AND NOGLE & BLACK, INC., AND JAMES AND GAYLE NOGLE AS THE BUYERS, AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR THE TRANSFER OF PROPERTY (OUTLOT INCLUDING JERSEY MIKE'S RESTAURANT) IN THE LEE'S SUMMIT

EAST (SUMMIT FAIR) TAX INCREMENT FINANCING REDEVELOPMENT
AREA.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Binney, that Bill No. 17-74 be adopted and numbered Ord. No. 8126. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Absent: 1 - Councilmember Edson

Enactment No: Ord. No. 8126

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

Councilmember Seif advised there would be a Rules Committee meeting on Monday, March 27th at 5:00 p.m.

8. COUNCIL ROUNDTABLE:

Councilmember Seif stated there would be a Chamber event on March 30, 2017 to help businesses to do business with the City and there would be two sessions to accomodate everyone. She asked Mr. Arbo to elaborate.

Mr. Steve Arbo, City Manager, advised the session would help businesses of all sizes navigate the procurement/purchasing process and assist them in being successful in doing business with the city. The hope is to help promote smaller businesses to do more business with the City.

Councilmember Moreno asked if a Private Investigator must have a business license with the City.

Mr. Ryan Elam, Director of Development Center, advised the state does not regulate the license, but a business license is required if they are doing business within the city limits. Mr. Conrad Lamb, Director of Finance, stated the Police Department will do the review for a Private Investigator license, but the Development Center would issue the business license if they are doing business within the city limits.

Councilmember Moreno asked staff about the possibility of meeting with residents that are close to the proposed new bridge on 5th Street.

Mr. Michael Park, City Traffic Engineer, advised this bridge has been conceptual for many years. It was recently approved by Council and they are just in the beginning stages of the design process. Staff will be meeting with residents that are closest to the construction area and there will be public involvement. He stated construction will no likely begin in

less than a year.

Councilmember Forte thanked Ms. Bratton for her time and volunteerism on the Charter Review Commission. She stated her appreciation to all citizens that volunteer their time and efforts for the betterment of the City.

Councilmember Binney thanked Mr. Tom Lovell, Director of Parks and Recreation, for his 38 years of service to the City and the Parks and Recreation Board. He has enjoyed working with him and seeing his many accomplishments. He congratulated him on his upcoming retirement that will take place before the next City Council meeting.

Councilmember Binney also asked Council to start doing better at representing the public and to appreciate their positions and City Councilmembers. He then quoted Stephen R. Covey, "Seek first to understand and then to be understood."

Mayor Rhoads reminded everyone that will be participating in the St. Patrick's Day activities to be careful and celebrate responsibly.

9. STAFF ROUNDTABLE:

Mr. Steve Arbo, City Manager, mirrored Councilmember Binney's comment regarding Mr. Lovell. He stated that he has appreciated the the working relationship he has had with Mr. Lovell and also congratulated him on his pending retirement.

ADJOURNMENT

Hearing no further business, Mayor Rhoads adjourned Regular Session No. 30 at 7:33 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".