

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

Tuesday, March 3, 2020

6:30 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

**REGULAR SESSION NO. 52**

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**Preliminaries:**

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

Mayor Baird called Regular Session No. 52 to order at 6:31 p.m.

- D. Roll Call

**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

**1. Approval of Agenda**

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, to approve the agenda as published. 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

## 2. Approval of Consent Agenda:

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Binney, to adopt the Consent Agenda. 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

**A. [2020-3313](#)** Approval of Action Letters from February 4th and 18th, 2020.

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Binney, to approve the Action Letters for February 4 and 18, 2020 as part of the Consent Agenda. 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. [2020-3355](#)** Mayor's Appointments:

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Binney, to approve Mayor's Appointments as part of the Consent Agenda. 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. [2020-3360](#)** Approval of Liquor Licenses G3 and S for Lakewood Local, 811 NE Lakewood Boulevard, Lee's Summit, MO 64064

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Binney, to approve the Liquor License for Lakewood Local as part of the Consent Agenda. 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. 20-39](#) An Ordinance authorizing the Execution of a Memorandum of Understanding by and between the City of Lee's Summit, Missouri, the Missouri Office of Administration and the Missouri State Highway Patrol regarding relocation of the Missouri Highway Patrol Troop A Headquarters to a new location in Lee's Summit, Missouri.  
(Note: First read by City Council on February 18, 2020. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Binney, that Bill No. 20-39 be adopted and numbered Ordinance No. 8832 as part of the Consent Agenda. 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

### 3. Council Roundtable

Councilmember Edson reported Lee's Summit North High School hosted the Greater Kansas City Regional FIRST Robotics competition. There were 36 robotics teams from around the region in attendance. Of those, 6 teams will advance to the International Championships in Houston in April. Team Titanium from Lee's Summit West High School is one of those advancing. She wished the students and faculty with Team Titanium all the best.

Councilmember Binney noted the Lee's Summit Education Foundation is hosting their annual Taste of Lee's Summit event Saturday evening; it is one of their largest Fundraisers of the year. He invited everyone to come out, sample different Lee's Summit restaurants and participate in the live and silent auctions. He also shared March 14, 2020 is Downtown Main Street's Emerald Isle Parade.

### 4. Proclamations:

- A.** [2020-3290](#) March for Meals Month 2020  
**This Proclamation was presented.**

- B. [2020-3337](#) Procurement Month

This Proclamation was presented.

5. Public Hearings:

- A. [2020-3317](#) Public Hearing: Application #PL2019-413 - Preliminary Development Plan - Culver's, 1275 SE Oldham Pkwy; Engineering Solutions, LLC, applicant.

Exhibit A, list of exhibits 1-20 were entered into the record.

City Council discussions included:

- Clarification of the location and the detention pond
- Location and length of the existing fence
- Grading of location, the natural grade from the fenceline will remain; a berm will not be added
- Tract A will only be a detention pond, no development will occur on that tract
- Additional area left for future development
- Height of existing fence
- Clarification of vinyl or wood and masonry shadowbox fence

There were no speakers in favor of, or opposed to, this application.

- 1) [BILL NO. 20-41](#) An Ordinance approving a preliminary development plan located at 1275 SE Oldham Parkway in District CP-2, proposed Culver's, 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: First reading by Council on March 3, 2020. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Edson, that Bill No. 20-41 be advanced to second reading.**

**ACTION: After some discussion, a motion was made by Councilmember Forte, seconded by Councilmember Lopez, that Bill No. 20-41 be amended in Section 2, Item 1, to require an 8 foot tall wooden fence, instead of the proposed 6 foot tall wooden fence. 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

**Away FT:** 1 - Councilmember Binney

**ACTION: After the approval of the amendment, Council voted on the original motion made by Councilmember Carlyle, seconded by Councilmember Edson, to advance Bill No. 20-41 to second reading as amended. 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

**Away FT:** 1 - Councilmember Binney

**6. Public Comments:**

There were no Public Comments.

**7. Resolutions:**

- A. [RES. NO. 20-06](#) A Resolution approving revisions to the City of Lee's Summit Encroachment Policy

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Lopez, to adopt Resolution No. 20-06. 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

**8. Presentations:**

- A. [2020-3324](#) Presentation and consideration of request to extend and increase the level of Land Clearance for Redevelopment Authority abatement for The Stanley Event Space, 308 SE Douglas Street; The Stanley Event Space, applicant.

City Council discussions included:

- Estimated tax vs. actual tax evaluation by the county
- Truing up of actual costs and not estimated value
- PILOT payment
- Extra-ordinary costs that improved public stormwater infrastructure

- 1) [BILL NO. 20-42](#) An Ordinance approving the Abatement Agreement for the Stanley Event Space Redevelopment Project.

(Note: First reading by Council on March 3, 2020.)

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Faith, that Bill No. 20-42 be advanced to second reading. The motion carried by the following vote:**

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

**Nay:** 1 - Councilmember Johnson

- B. [2020-3358](#) Presentation regarding the potential financial impact of the Cable Franchise Fee Bill

City Council discussions included:

- How much time is there to write a letter
- Seems to be a high priority in the legislature
- There are costs involved to own and maintain the city's right-of-way
- These utility companies put a value on the use of the public right-of-way, some base up to half of their stock value on the right-of-way they think they have

There was a consensus of the Council to authorize the Mayor to work with staff to draft a letter to the local legislators, as well as the Governor and Lieutenant Governor, about the harm this Bill could do.

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

- A. [BILL NO. 20-43](#) An Ordinance accepting final plat entitled The Reserve at Stoney Creek, 4th Plat, Lots 111-127 and Tract O, as a subdivision to the City of Lee's Summit, Missouri.

**ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Binney, that Bill No. 20-43 be advanced to second reading. 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. 20-44](#) An Ordinance accepting final plat entitled The Manor at Stoney Creek, 4th Plat, Lots 109-136, as a subdivision to the City of Lee's Summit, Missouri.

**ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 20-44 be advanced to second reading. The motion carried by the following vote:**

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

- C. [BILL NO. 20-45](#) An Ordinance accepting final plat entitled Main Orchard, Lots 1-6, as a subdivision to the City of Lee's Summit, Missouri.

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that Bill No. 20-45 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

- D. [BILL NO. 20-46](#) An Ordinance approving a non-exclusive utility easement in favor of Evergy Inc. for electric energy and communication purposes on land generally located at Summit Park, a facility owned and operated by the Lee's Summit Parks and Recreation Board, and authorizing the Mayor to execute the same by and on behalf of the City.

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Binney, that Bill No. 20-46 be advanced to second reading. 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

- E. [BILL NO. 20-47](#) An Ordinance approving a non-exclusive utility easement in favor of Evergy, Inc. for electric energy and communication purposes on land generally located at Howard Park, a facility owned and operated by the Lee's Summit Parks and Recreation Board, and authorizing the Mayor to execute the same by and on behalf of the City.

**ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Binney, that Bill No. 20-47 be advanced to second reading. 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

## 10. Committee Reports

Councilmember Carlyle announced there will be a Rules Committee meeting this Thursday, March 5, 2020 in the City Council Chambers.

Councilmember Johnson stated the Finance and Budget Committee will meet on Monday, March 9, 2020 at 5:30 p.m.

Councilmember Forte mentioned the Community and Economic Development Committee will be meeting Wednesday, March 11, 2020 at 4:00 p.m. in the City Council Chambers.

Councilmember Binney reported as the Parks and Recreation Liaison. The Parks Board adopted a Master Plan concept to begin the updates and improvements to Pleasant Lee Park this year.

Councilmember Johnson asked if there is going to be a pickleball court. Councilmember Binney replied they are going to remove the handball court in this rendition and add a multi-sport court that includes a pickleball court, a free throw lane and another small court. Councilmember Johnson then asked if the softball field is going to be rebuilt. Councilmember Binney responded he believes they are planning to update and refresh the softball field.

Councilmember Binney went on to announce Howard Park has a new site for a splash pad that will open around Memorial Day, as the weather allows. The construction at Summit Park has been behind schedule but they expect to open in April or May.

Mayor Baird stated Heartland Park was packed with people enjoying the trails.

## 11. Council Comments:

Councilmember Binney asked if Mr. Arbo, City Manager, had provided an answer to a question previously asked regarding the policy on City employees placing candidate signs in their yards. Mrs. Christal Weber, Assistant City Manager, stated she will follow-up with Mr. Arbo and e-mail that information to the Council.

Councilmember Johnson commented he was looking at campaign reports and



he has been concerned for the last two years about the involvement of money in local politics. He stated, after the election, the City Council should consider campaign contribution limits for city offices. Mayor Baird asked Councilmember Johnson if he had done any research on what other city's have done. Councilmember Johnson stated no he has not. Councilmember Carlyle suggested sending the topic to a committee.

Councilmember Binney gave kudos to the City Manager, staff, Senator Cierpoint, the Mayor, Councilmember Johnson and Councilmember Edson for working on the 291 and 50 Hwy Interchange improvements for several years. There were a lot of pieces that had to come together to make this happen. He said it is worth recognizing that staff, elected officials and the community partners are all working together for the good of the community in this situation.

Mayor Baird told the Council he appreciates their participation in the C4 Committees and the engagement they are having with the citizens on those committees.

## 12. Staff Roundtable

Mr. Steve Marsh, Chief Technology Officer, alerted the Mayor and City Council to a new method hackers are using to target high level officials. The hackers are doing research and directly targeting this community and others. Poor grammar and stilted english are telltale signs the e-mail is not legitimate.

Mrs. Christal Weber, Assistant City Manager, reported the City's Emergency Management Team, headed by Dan Manley in the Fire Department, has been participating in conference calls and planning on a regional level regarding influenza and the corona virus. The Jackson County Health Department has developed a dedicated page on their website for updated CDC information and local health information. That website address is:  
[www.jacohd.org/coronavirus](http://www.jacohd.org/coronavirus)

Mrs. Weber then reminded everyone there will not be any C4 (Ignite! Strategic Plan) meetings in March.

## 13. Adjournment

There being no further business, Mayor Baird adjourned Regular Session No. 52 at 8:20 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"