



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

Thursday, October 5, 2017

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 45

INVOCATION

PLEDGE OF ALLEGIANCE

CALL TO ORDER

Mayor Rhoads called the meeting to order at 6:15 p.m.

ROLL CALL

Present: 7 - Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Dave Mosby
Councilmember Fred DeMoro

Absent: 1 - Councilmember Diane Seif

APPROVAL OF AGENDA

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, to approved the posted agenda. The motion carried by the following vote:

Aye - Councilmember Binney
Councilmember Forte
Councilmember Edson
Councilmember Carlyle
Councilmember Mosy
Councilmember Faith
Councilmember DeMoro

Absent - Councilmember Seif

1. PUBLIC COMMENTS:

Ms. Geraldine Amato stated her opinion about the country regarding suicide epidemic, government mortality rates, fate of the republic, gun control and the Walmart in Raytown.

2. **COUNCIL COMMENTS:**

There were no Council Comments.

Mayor Rhoads recognized Boy Scout Troop 1054 that was in attendance.

3. **APPROVAL OF CONSENT AGENDA:**

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember DeMoro, that the Consent Agenda items be approved. The motion carried by the following vote:

**Aye - Councilmember Binney
Councilmember Forte
Councilmember Edson
Councilmember Carlyle
Councilmember Mosy
Councilmember Faith
Councilmember DeMoro**

Absent - Councilmember Seif

- A. [2017-1496](#) Approval of Action Letters from September 7 and 21, 2017.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember DeMoro, that the Action Letters for September 7 and 21, 2017 be approved. The motion carried by the following vote:

**Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro**

Absent: 1 - Councilmember Seif

- B. [BILL NO. 17-204](#) AN ORDINANCE VACATING DEDICATED RIGHTS-OF-WAY FOR ALL OF SE 23RD ST. AND SE REISS DR. LOCATED WITHIN THE PLAT OF REISS INDUSTRIAL PARK, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SE M-291 HWY. AND SE STUART RD. IN THE CITY OF LEE'S SUMMIT, MISSOURI.

(Note: First read by City Council on September 21, 2017.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember DeMoro, that Bill No. 17-204 be adopted and numbered Ord. No. 8248 as part of the Consent Agenda. The motion carried by the following vote:

**Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro**

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Absent: 1 - Councilmember Seif

- C.** [BILL NO.](#) AN ORDINANCE VACATING CERTAIN EASEMENTS LOCATED WITHIN THE
[17-206](#) PLAT OF REISS INDUSTRIAL PARK, GENERALLY LOCATED AT THE
 SOUTHEAST CORNER OF SE M-291 HWY. AND SE STUART RD. IN THE
 CITY OF LEE'S SUMMIT, MISSOURI.

(Note: First read by City Council on September 21, 2017.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember DeMoro, that Bill No. 17-206 be adopted and numbered Ord. No. 8249 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
 Councilmember Carlyle
 Councilmember Edson
 Councilmember Faith
 Councilmember Forte
 Councilmember Mosby
 Councilmember DeMoro

Absent: 1 - Councilmember Seif

- D.** [BILL NO.](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 2017-042-1-3C
[17-208](#) WATER UTILITIES SCADA SYSTEM IMPROVEMENTS TO SECOND SIGHT
 SYSTEMS LLC AND AUTHORIZING THE CITY MANAGER TO ENTER INTO
 AN AGREEMENT FOR THE SAME IN THE AMOUNT OF \$396,855.14.

(Note: First read by City Council on September 21, 2017.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember DeMoro, that Bill No. 17-208 be adopted and numbered Ord. No. 8250 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
 Councilmember Carlyle
 Councilmember Edson
 Councilmember Faith
 Councilmember Forte
 Councilmember Mosby
 Councilmember DeMoro

Absent: 1 - Councilmember Seif

- E.** [BILL NO.](#) AN ORDINANCE DETERMINING AND DECLARING THE NECESSITY OF
[17-210](#) ACQUIRING FOR PUBLIC USE CERTAIN PERMANENT EASEMENTS AND
 TEMPORARY CONSTRUCTION EASEMENTS FOR ROAD IMPROVEMENTS
 ASSOCIATED WITH THE WARD ROAD IMPROVEMENT PROJECT (COUNTY
 LINE ROAD TO 163RD ST); AUTHORIZING THE CITY MANAGER AND HIS
 DESIGNEES TO NEGOTIATE FOR THE PURPOSE OF ACQUIRING THE
 NECESSARY INTERESTS IN LAND; AND AUTHORIZING THE CITY
 ATTORNEY AND HIS DESIGNEES TO INSTITUTE CONDEMNATION
 PROCEEDINGS IF SUCH INTERESTS IN LAND CANNOT BE ACQUIRED BY
 PURCHASE THROUGH GOOD FAITH NEGOTIATIONS.

(Note: First read by City Council on September 21, 2017.)

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ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember DeMoro, that this Ordinance be adopted and numbered. Ord. No. 8251 The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

Absent: 1 - Councilmember Seif

4. PROCLAMATIONS:

A. [2017-1514](#) Fallen Law Enforcement Officers Proclamation

This Proclamation was read into the record.

B. [2017-1526](#) October Housing America Month Proclamation

This Proclamation was read into the record.

5. PROPOSED ORDINANCES FORWARDED FROM COMMITTEE:

A. [BILL NO.](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 2018-012 FOR A
[17-211](#) ONE YEAR CONTRACT WITH FOUR (4) POSSIBLE ONE YEAR RENEWALS
FOR THE PROVISION OF FERRIC CHLORIDE TO KEMIRA WATER
SOLUTIONS, INC., AND AUTHORIZING THE CITY MANAGER TO ENTER
INTO AN AGREEMENT FOR THE SAME BY AND ON BEHALF OF THE CITY.
(F&BC 9-18-17)

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Faith, that Bill No. 17-211 be second read. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

Absent: 1 - Councilmember Seif

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Binney, that Bill No. 17-211 be adopted and numbered Ord. No. 8252. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

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Absent: 1 - Councilmember Seif

- B.** [BILL NO.](#) AN ORDINANCE REPEALING THE CURRENT CITY OF LEE'S SUMMIT
[17-212](#) PURCHASING POLICY MANUAL AS ADOPTED BY RESOLUTION NO. 99-04
AND ADOPTING IN LIEU THEREOF A NEW POLICY ENTITLED THE CITY OF
LEE'S SUMMIT PROCUREMENT POLICY. (F&BC 9-18-17)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Carlyle, that Bill No. 17-212 be second read. The motion carried by the following vote:

Aye: 6 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

Nay: 1 - Councilmember Edson

Absent: 1 - Councilmember Seif

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Carlyle, that Bill No. 17-212 be adopted and numbered Ord. No. 8253. The motion carried by the following vote:

Aye: 5 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember DeMoro

Nay: 2 - Councilmember Edson
Councilmember Mosby

Absent: 1 - Councilmember Seif

- C.** [BILL NO.](#) AN ORDINANCE APPROVING AMENDMENT NO. 4 TO THE BUDGET FOR
[17-213](#) THE FISCAL YEAR ENDING JUNE 30, 2018, AS ADOPTED BY ORDINANCE
NO. 8162, BY REVISING THE AUTHORIZED PAY AND CLASSIFICATION
PLAN, AND BY REVISING THE AUTHORIZED BUDGET EXPENDITURES OF
THE CITY OF LEE'S SUMMIT, MISSOURI, WITH PARTIAL FUNDS TO BE
BUDGETED FOR AND PAYMENT TO BE ISSUED FROM THE GENERAL
FUND RESERVE BALANCE. (F&BC 9-18-17)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, that Bill No. 17-213 be second read. The motion carried by the following vote:

Aye: 6 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember DeMoro

Nay: 1 - Councilmember Mosby

Absent: 1 - Councilmember Seif

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember

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Edson, that Bill No. 17-213 be amended to have all funds come from the budget fund. The motion failed by the following vote:

Aye: 3 - Councilmember Edson
Councilmember Mosby
Councilmember DeMoro

Nay: 4 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte

Absent: 1 - Councilmember Seif

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Faith, that Bill No. 17-213 be adopted and numbered Ord. No. 8254. The motion carried by the following vote:

Aye: 6 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember DeMoro

Nay: 1 - Councilmember Mosby

Absent: 1 - Councilmember Seif

D. [BILL NO. 17-214](#) AN ORDINANCE APPROVING THE COOPERATIVE AGREEMENT FOR RECYCLING SERVICES BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE CITY OF KANSAS CITY, MISSOURI AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY OF LEE'S SUMMIT, MISSOURI. (F&BC 9-18-17)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 17-214 be second read. The motion carried by the following vote:

Aye: 6 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember DeMoro

Nay: 1 - Councilmember Mosby

Absent: 1 - Councilmember Seif

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 17-214 be adopted and numbered Ord. No. 8255. The motion carried by the following vote:

Aye: 6 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember DeMoro

Nay: 1 - Councilmember Mosby

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Absent: 1 - Councilmember Seif

- E.** [BILL NO.](#) AN ORDINANCE APPROVING THE CALENDAR YEAR 2018 EMPLOYEE
[17-215](#) BENEFIT PROGRAMS, APPROVING AGREEMENTS FOR SERVICES BY AND
BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND BLUE CROSS BLUE
SHIELD OF KANSAS CITY, VSP, THE STANDARD, NEW DIRECTIONS, TABEN
GROUP, THE HARTFORD, AND TRUSTMARK, AND AUTHORIZING THE
CITY MANAGER TO EXECUTE AGREEMENTS OR OTHER DOCUMENTS AS
NECESSARY TO ADMINISTER EMPLOYEE BENEFITS FOR CALENDAR YEAR
2018 BY AND ON BEHALF OF THE CITY. (F&BC 9-18-17)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Binney, that this Bill No. 17-215 be second read. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

Absent: 1 - Councilmember Seif

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Binney, that Bill No. 17-215 be adopted and numbered Ord. No. 8256. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

Absent: 1 - Councilmember Seif

6. RESOLUTIONS:

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that this be approved.[EN_NR] The motion carried by the following vote:

- A.** [RES. NO.](#) A RESOLUTION APPROVING THE LIST OF AUTHORIZED INSTITUTIONS
[17-13](#) FOR INVESTMENT BIDS. (F&BC 9-18-17)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Resolution No. 17-13 be adopted. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

Absent: 1 - Councilmember Seif

7. PUBLIC HEARINGS:

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- A. [2017-1461](#) Public Hearing - Appl. #PL2017-142 - Special Use Permit for a telecommunication tower - 465 SE Oldham Parkway; Skyway Towers, applicant.

This Public Hearing - Sworn was approved.

- 1) [BILL NO. 17-216](#) AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR TELECOMMUNICATIONS TOWER IN DISTRICT PI ON LAND LOCATED AT 465 SE OLDHAM PKWY, 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 Forte, that Bill No. 17-216 be advanced to second reading. The motion carried by the following vote:

Aye: 4 - Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte

Nay: 3 - Councilmember Binney
Councilmember Mosby
Councilmember DeMoro

Absent: 1 - Councilmember Seif

- B. [2017-1462](#) Public Hearing - Appl. #PL2017-143 - Preliminary Development Plan for a telecommunication tower - 465 SE Oldham Parkway; Skyway Towers, applicant.

This Public Hearing - Sworn was approved.

- 1) [BILL NO. 17-217](#) AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 465 SE OLDHAM PKWY, TELECOMMUNICATION TOWER, 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 DeMoro, seconded by Councilmember Forte, that this Ordinance be advanced to second reading. The motion carried by the following vote:

Aye: 4 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Forte

Nay: 3 - Councilmember Faith
Councilmember Mosby
Councilmember DeMoro

Absent: 1 - Councilmember Seif

- C. [2017-1498](#) Public Hearing - Appl. #PL2014-144 - Preliminary Development Plan - Kessler Ridge at New Longview, 2nd Plat, Lots 56-87, Tracts E-G, northeast corner of Longview Boulevard and Longview Road; Inspired Homes, LLC, applicant.
(Note: This Public Hearing has been remanded to the Planning Commission at the applicant's request in order to redesign a portion of the project in response to staff comments.)

This Public Hearing - Sworn was referred to the Planning Commission

8. **PROPOSED ORDINANCES - FIRST READING:**

- A. [BILL NO.](#)
[17-218](#) AN ORDINANCE APPROVING THE EXECUTION OF THE FUNDING/APPROVAL AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE 2017-2018 CDBG PROGRAM YEAR.

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Faith, that Bill No. 17-218 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

Absent: 1 - Councilmember Seif

9. **PROPOSED ORDINANCES - SECOND READING:**

- A. [BILL NO.](#)
[17-207](#) AN ORDINANCE APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, THE PINE TREE COMMUNITY IMPROVEMENT DISTRICT, AND NORTHERN STATES INVESTMENTS, LLC, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY.

(Note: First read by City Council on September 21, 2017.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 17-207 be adopted and numbered Ord. No. 8257. The motion carried by the following vote:

Aye: 6 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

Nay: 1 - Councilmember Edson

Absent: 1 - Councilmember Seif

- B. [BILL NO. 17-209](#) AN ORDINANCE APPROVING A FIRST AMENDMENT TO A PARKING LICENSE AGREEMENT WITH VOGUE CONDOMINIUMS OWNERS ASSOCIATION, INC. REDUCING THE NUMBER OF PARKING SPACES FOR WHICH THE CITY SHALL PAY A LICENSE FEE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY.
(Note: First read by City Council on September 21, 2017.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 17-209 be adopted and numbered Ord. No. 8258. The motion carried by the following vote:

Aye: 6 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember DeMoro

Nay: 1 - Councilmember Mosby

Absent: 1 - Councilmember Seif

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

Councilmember Carlyle advised the Rules Committee had worked on the Ethics policy and it will be presented to the full Council soon.

11. COUNCIL ROUNDTABLE:

Councilmember Faith asked if there had been an increase in mutual aid calls with Raytown due to recent circumstances. Chief Forbes advised there had not been.

Councilmember Edson asked for an update on the Compensation Study. Mr. Arbo advised they are still waiting for additional information from Springsted. Council feels that this should go back to a committee for review before presenting to full Council.

Councilmember thanked Chief Forbes for the recent "Coffee with Cops" event. He also thanked the hosts of the District 1 podcast.

12. STAFF ROUNDTABLE:

There was no Staff Roundtable.

13. ADJOURNMENT

Mayor Rhoads adjourned Regular Session No. 45 at 7:36 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".