



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

Tuesday, February 4, 2020

6:30 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 50

Preliminaries:

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

Mayor Baird Called Regular Session No. 50 to order at 6:34 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 Forte, seconded by Councilmember Edson, that to approve the agenda as published. 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

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember DeMoro, to approve 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

A. [2020-3248](#) Approval of Action Letters from January 7th, 14th and 21st, 2020.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember DeMoro, that the Action Letter be approved 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. [2020-3271](#) Mayor's Appointments:

Arts Council: Appoint Jennifer DeLuca, to replace Erik Crew, term to expire 7/22/22.

University of Missouri Jackson County Extension Council: Appoint Councilmember Fred DeMoro for a two-year term beginning Feb. 2020.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember DeMoro, that the Mayor's Appointments be approved 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. [2020-3251](#) Approval of the Upgrade for the Liquor Licenses from C1 & S to G1 & S for Paradise Park, 1021 NE Colbern Road, Lee's Summit, MO 64086

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember DeMoro, that this Liquor License be approved 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

- D. [BILL NO. 19-160](#) An Ordinance accepting final plat entitled Pergola Park, 4th Plat, Lots 81 thru 117 and Tracts N thru P, 8-4, 9-4 and 10-4, as a subdivision to the City of Lee's Summit, Missouri.

(Note: This Bill was first read on July 9, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember DeMoro, that Bill No. 19-160 be adopted and numbered Ord. No. 8811 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

3. Council Roundtable

Councilmember Forte congratulated the Kansas City Chiefs on their win at the Super Bowl. It is great win for the team, the coaches and the community.

Councilmember Edson noted March 7, 2020 Taste of Lee's Summit will be holding its annual event at 6:00 p.m. at the John Knox Pavilion. The funds made at this event are given back to the community.

Councilmember Faith thanked City staff that took time out of their lives during the Super Bowl in an attempt to help with the power outage that occurred just before kick-off. There isn't a lot the city can do in this even, but they were willing to give their time and assistance to get the power back on as quickly as possible

4. Proclamations:

- A. [2019-3130](#) Take Time To Be Kind Week - February 10 -16, 2020

This Proclamation was presented.

- B. [2020-3243](#) Engineers Week - February 17 - 21, 2020

This Proclamation was presented.

5. Public Hearings:

- A. [2020-3242](#) Public Hearing: Application #PL2019-380 - Preliminary Development Plan - Journey Church International expansion, 1551 and 1601 SW M-150 Hwy; Journey Church International, applicant.

Exhibit A, List of exhibits 1-19 were entered into the record.

Council Discussion:

- Metal Siding
- Low Density Residential - no opposition
- Turning Lanes
- Notice Area - 30 Neighbors advised and 3 attended the neighborhood meeting
- Bought property next to them, roads line up
- 2 Retention Ponds

No one spoke in favor of or opposition to of this application.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 20-22](#) An Ordinance approving a Preliminary Development Plan located at 1551 SW M-150 Hwy and 1601 SW M-150 Hwy in District AG, proposed Journey Church International, 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 February 4, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Faith, that Bill No. 20-22 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. [2020-3240](#) Public Hearing: Application #PL2019-397 - Vacation of Right-of-Way - an approximately 60' x 375' segment of right-of-way across 1601 SW M-150 Hwy; Journey Church International, applicant.

Exhibit A, List of Exhibits 1-12 were entered into the record.

- Intention for road to go West eventually

No one spoke in favor of or in opposition to this application.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 20-23](#) An Ordinance vacating an approximately 60' x 375' segment of Right-Of-Way across 1601 SW M-150 Hwy, in the City of Lee's Summit, Missouri.
(Note: First reading by Council on February 4, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Lopez, that Bill No. 20-23 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

- C. [2020-3241](#) Public Hearing: Application #PL2019-378 - Preliminary Development Plan - Mid-Continent Public Library, 1000 NE Colbern Rd; Mid-Continent Public Library, applicant.

Exhibit A, list of exhibits 1-19 were entered into the record.

Council Discussion:

- What year was this originally built - 1998
- Original library built -
- Why wasn't it redone first
- Logistics of the newer locations
- Rentals of rooms
- Cafe (coffee and snacks)
- Sales tax on rentals (not operated by library)
- Metal beams, exposed metal sides
- Outdoor seating areas

No one spoke in favor of or in opposition to this application.

This Public Hearing - Sworn was presented.

- 1) [BILL NO. 20-24](#) An Ordinance approving a Preliminary Development Plan located at 1000 NE Colbern Road in District CP-2, proposed Mid-Continent Public Library, 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 February 4, 2020.)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember DeMoro, that Bill No. 20-24 be advanced to second reading. 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

Nay: 1 - Councilmember Binney

6. Public Comments:

There were no Public Comments.

7. Resolutions:

- A. [RES. NO. 20-04](#) A Resolution authorizing the Mayor to appoint successor directors to the Pine Tree Community Improvement District.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, that Resolution No. 20-04 be adopted. 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. [RES. NO. 20-05](#) A Resolution adopting the 2020 Legislative Intergovernmental Program for the City of Lee's Summit, Missouri.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, that Resolution No. 20-05 be adopted. 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. [2020-3247](#) Presentation - Conceptual Economic Development Incentive Request - Southside Plaza Shopping Center Community Improvement District; Brain Dev. 3 LLC, applicant.

Council Discussion:

- Deterioration is extreme, structural engineer
- Proposed expenditure for CID
- Beautification projects

- Function of Ownership
- City Administrative Fee
- Board Members / Annual Report
- Average of CID's - 20 years
- Percentage of improvements is 29%, others have been 25.9%
- Approved expenses
- CID - taxable sales from that area only
- Increase in property taxes
- Phased approach, not pieced together
- Corridor - First Impressions along 50 Highway
- Renderings
- Aesthetics of buildings on corridor
- Soft costs

Council reached a consensus to bring the CID petition forward for consideration.

This Presentation was presented.

- 1) [BILL NO. 20-25](#) An Ordinance approving a Funding Agreement between the City of Lee's Summit, Missouri and Brain 3 Dev, LLC and authorizing the Mayor to execute said Agreement on behalf of the City.
(Note: First reading by Council on February 4, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Edson, that Bill No. 20-25 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

9. Proposed Ordinances - First Reading:

- A. [BILL NO. 20-26](#) An Ordinance vacating a certain easement located at 400 NW Chipman Road in the City of Lee's Summit, Missouri.
(Note: First reading by Council on February 4, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that Bill No. 20-26 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. Proposed Ordinances - Second Reading:

- A. [BILL NO. 19-161](#) An Ordinance accepting final plat entitled Goppert Acres, Lots 1A-1F & Tract A, as a subdivision to the City of Lee's Summit, Missouri.
(Note: Bill was first read by Council on July 9, 2019.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 19-161 be adopted and numbered Ord. No. 8812. 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. 20-10](#) An Ordinance vacating certain utility easements in the Streets of West Pryor development, generally located at the northwest corner of NW Pryor Road and NW Chipman Road, in the City of Lee's Summit, Missouri.
(Note: First reading by City Council was done on January 7, 2020. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 20-10 be adopted and numbered Ord. No. 8813. 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

11. Committee Reports

Councilmember Johnson noted there is a Finance & Budget Committee meeting next Monday (February 10, 2020) at 5:30 p.m.

Councilmember Faith stated the Public Works Committee met last night and storm water was discussed again. He also gave a shout out to snow crew for

their continued work through multiple snow events.

Councilmember Edson said she, Councilmember DeMoro, Councilmember Johnson and Steve Arbo, City Manager, went to Jefferson City last week. Mr. Arbo gave testimony regarding the cable franchise legislation. She feels the Bill has been killed after his testimony.

Mr. Arbo advised the State Legislators are trying to create an environment that is fair to all tech industries. Currently, legislation permits municipalities to collect a 5% franchise tax, but there is no collection of fees for data streaming. This creates an unfair competition between private industries because of different taxing guidelines. The Bill would reduce this tax from 5% to 1% of first \$20 per bill. That is equivalent to \$1.2 M to City each year. The Bill would also limit taxable items, removing current items currently taxed, would have an additional financial impact on the City. He hopes cities can work on creating a fair environment but not changing services that effect the general fund.

12. Council Comments:

Councilmember Johnson asked the Council to consider allowing citizens to put their house address on curb. He believes the Unified Development Ordinance (UDO) still prohibits this.

Councilmember Edson stated the City of Independence used to require this for public safety.

Councilmember Faith asked if Police or Fire had any opinions on this topic.

Mr. Jim Eden, Assistant Fire Chief noted this is considered vandalism. The Fire Code requires the numbers to be on the house and visible from the roadway.

The Council reached a consensus to have the Public Works Committee discuss this further.

13. Staff Roundtable

There was no Staff Roundtable.

14. Adjournment

Hearing no further business, Mayor Barid adjourned Regular Session No. 50 at 8:47 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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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"