



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

Thursday, August 18, 2016

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 10

CALL TO ORDER

Mayor Rhoads called Regular Session No. 10 to order at 6:27pm.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

This was approved.

Present: 8 - Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Chris Moreno
Councilmember Dave Mosby
Councilmember Diane Seif

APPROVAL OF AGENDA

ACTION: On motion of Councilmember Binney, second by Councilmember Forte, the Council voted unanimously to approved the published agenda.

A motion was made by Councilmember Binney, seconded by Councilmember Forte, that the agenda be approved as published. The motion carried unanimously.

1. PUBLIC COMMENTS:

Ms. Judy Schmoeger and Ms. Lori Rogers were in favor of the Tobacco 21 ordinance that is being presented to Council this evening.

2. COUNCIL COMMENTS:

There were no Council Comments.

3. APPROVAL OF CONSENT AGENDA:

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- A. [2016-0467](#) Mayor's Appointments

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Faith, that the Mayor's Appointments be approved as part of the Consent Agenda. The motion carried by a unanimous vote.

4. **PROPOSED ORDINANCES:**

- A. [BILL NO. 16-171](#) AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "SUMMIT ORCHARD, 1ST PLAT, LOTS 1-4 AND TRACT A", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 16-171 be adopted and numbered Ord. No. 7946. The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 7946

- B. [BILL NO. 16-172](#) AN ORDINANCE APPROVING THE CASH ESCROW DEPOSIT AGREEMENT GUARANTEEING INSTALLATION OF SUBDIVISION IMPROVEMENTS FOR THE SUMMIT ORCHARD, 1ST PLAT, LOTS 1-4 AND TRACT A SUBDIVISION BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND TOWNSEND SUMMIT, LLC.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Seif, that Bill No. 16-172 be adopted and numbered Ord. No. 7947. The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 7947

5. **PRESENTATIONS:**

- A. [2016-0449](#) Presentation on Show Me Heroes Program

Mr. Wayne Woodworth explained the purpose for the Show Me Heroes

Program, which is designed to develop a partnership between veterans and the City, including incentives for hiring a veteran and providing on-the-job training. Over 4900 employers across the state participate in the program. Mr. Arbo advised that the program had already been implemented in the City and pointed out that paramilitary positions in municipalities provide a great transition for former and current military personnel. The web site for the organization is www.showmeheroes.mo.gov

This Presentation was received and filed.

6. PUBLIC HEARINGS (Sworn):

- A. [2016-0369](#) Continued PUBLIC HEARING - Appl. #PL2016-097 - PRELIMINARY DEVELOPMENT PLAN - QuikTrip, 800 NE Woods Chapel Rd.; QuikTrip, applicant.
(Note: This item was continued from August 4, 2016 and August 18, 2016.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Seif, that this Public Hearing be continued to the September 1, 2016 Regular Session. The motion carried by a vote of 7 "aye", 0 "no", 1 "away from the table" (Councilmember Moreno).

7. OTHER BUSINESS:

- A. [BILL NO. 16-173](#) AN ORDINANCE AMENDING CHAPTER 17, CODE OF ORDINANCES BY REPEALING SECTION 17-4 IN ITS ENTIRETY AND ENACTING IN LIEU THEREOF A SECTION OF LIKE NUMBER AND SUBJECT MATTER ENTITLED "SALE OR DISTRIBUTION OF TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS OR VAPOR PRODUCTS TO THOSE UNDER THE AGE OF TWENTY-ONE; POSSESSION BY THOSE UNDER THE AGE OF EIGHTEEN" TO THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Faith, that Bill No. 16-173 be adopted and numbered Ord. No. 7948. The motion carried by the following vote:

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

Away FT: 1 - Councilmember Mosby

Enactment No: Ord. No. 7948

- B. [BILL NO. 16-174](#) AN ORDINANCE CALLING A SPECIAL ELECTION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

Assistant Fire Chief Brian Austerman provided information on the need for a

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new Station #3 and estimated costs.

ACTION: A motion was made by Councilmember Moreno, seconded by Councilmember Faith, that Bill No. 16-174 be adopted and numbered Ord. No. 7949. The motion carried by the following vote:

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

Nay: 1 - Councilmember Mosby

Enactment No: Ord. No. 7949

- C. [2016-0469](#) Request Seeking an Appeal to File a Development Application Pursuant to Resolution 16-05 in the Administrative Delay Area in proximity to South M-291 and 50 Highway

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Moreno, to authorize the waiver. The motion carried by a vote of 7 "aye", 1 "no" (Councilmember Binney).

- D. [2016-0444](#) Discussion of Performance and Financial Audits
(NOTE: This item was continued from August 11, 2016 per Council's request.)

Motion was made by Councilmember Forte, seconded by Councilmember Carlyle, to use Rubin Brown for an operation and forensic audit for the procurement process of the City.

The Council discussed this issue at some length. Councilmember Mosby distributed a two-page proposal entitled "2016 City Council Procurement Audit".

Councilmember Mosby moved for an AMENDMENT to the original motion to include the items listed on his sheet, with a change to the wording under "Minimum Auditor Criteria" to read: The auditors, i.e., individual auditors at Rubin Brown, shall not have previously worked with or for the city of LS. Motion was seconded by Councilmember Moreno. AMENDMENT PASSED on a vote of 5 "aye", 3 "no" (Councilmembers binney, Forte and Carlyle.

On the original motion made by Councilmember Forte, seconded by Councilmember Carlyle, with the approved amendment, the Council voted 5 "aye", 3 "no", to use Rubin Brown for an operational and forensic audit for the procurement process of the City, to include the provisions listed on the sheet submitted by Councilmember Mosby, entitled "2016 City Council Procurement Audit", as amended. (Councilmember Mosby's amendment is attached to the packet form for this item.)

Aye: 5 - Councilmember Edson
Councilmember Faith
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Nay: 3 - Councilmember Binney
Councilmember Carlyle
Councilmember Forte

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

Councilmember Mosby asked councilmembers to provide him with their visions for stormwater goals, to be discussed in the Public Works Committee meeting and then to City Council.

Councilmember Carlyle advised the next Budget Committee meeting will be on August 29th, due to the Labor Day holiday on September 5th.

Councilmember Seif noted the Rules Committee will meet on Monday at 5:00 p.m.

9. COUNCIL ROUNDTABLE:

- Councilmember Binney noticed this afternoon that the recycling bins at the schools were being removed due to increased costs from Deffenbaugh. He asked Staff to talk with Kansas City about the North Recycling Center on Lee's Summit Road. He suggested talking with HES to see if they would make recycling available. If not, how could be done with the North Recycling Center. Also, this might be the time to revisit a trash hauler contract, due to the many complaints about current service. He wondered if there was a public desire to select a hauler for the entire city, which may be the answer to the recycling problem, and he would be interested in public feedback.
- Councilmember Binney reminded the Council that e-mails were not the place to conduct business, only from the dais. If they wanted to take action or distribute information, that information should be brought to the meeting.
- Councilmember Moreno complimented the Police Department on a video running on the City's cable channel.
- Mayor Rhoads announced that the Fire Department obtained accreditation. This was a long process but worth the challenge. At the ceremony, there were amazing things said about the department and he felt the city should be extremely proud.

10. STAFF ROUNDTABLE:

11. ADJOURNMENT

There being no further business, Mayor Rhoads ADJOURNED the August 18, 2016, Regular Session No. 10 at 9:04 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".

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