



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

Thursday, February 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. 27 - AMENDED

CALL TO ORDER

Mayor Rhoads called Regular Session No. 27 to order at 6:21p.m.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: 1 - Councilmember Dave Mosby

APPROVAL OF AGENDA

COUNCIL ACTION: On motion of Councilmember Binney, second by Councilmember Carlyle, the Council voted unanimously (Councilmember Mosby "Absent") to approved the published Amended Agenda and adding Item 3.B. - Appointment of Alternate Committee Member - Finance and Budget Committee.

1. PUBLIC COMMENTS:

There were no Public Comments.

2. COUNCIL COMMENTS:

There were no Council Comments.

3. APPROVAL OF CONSENT AGENDA:

A. [2017-0948](#) Mayor's Appointments:

Human Relations Commission: Appoint Herman Watson to replace Kelli

Easley, term to expire 7-6-18.

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

- B. [2017-0992](#) Appointment of alternate committee member - Finance and Budget Committee

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Forte, that the Appointment of alternate committee member to the Finance and Budget Committee by the Mayor Pro Tempore be approved as part of the Consent Agenda. The motion carried by a unanimous vote (Councilmember Mosby "Absent").

4. **PROPOSED ORDINANCES:**

- A. [BILL NO. 17-41](#) AN ORDINANCE AUTHORIZING THE ACQUISITION OF CONSULTING SERVICES FROM TUSA CONSULTING SERVICES FOR THE PURPOSE OF JOINING THE METROPOLITAN AREA REGIONAL RADIO SYSTEM (MARRS) THROUGH A COOPERATIVE PURCHASING AGREEMENT WITH THE KANSAS CITY REGIONAL PURCHASING COOPERATIVE OF MID AMERICA REGIONAL COUNCIL AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS FOR THE SAME BY AND ON BEHALF OF THE CITY OF LEE'S SUMMIT, MISSOURI. (F&BC 2/6/17)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Seif, that Bill No. 17-41 be adopted and numbered Ord. No. 8095. The motion carried by the following vote:

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

Absent: 1 - Councilmember Mosby

Enactment No: Ord. No. 8095

- B. [BILL NO. 17-42](#) AN ORDINANCE APPROVING THE 2017 USAGE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, THROUGH THE LEE'S SUMMIT PARKS AND RECREATION BOARD AND JACKSON COUNTY PARKS AND RECREATION AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY. (F&BC 2/6/17)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Seif, that Bill No. 17-42 be adopted and numbered Ord. No. 8096. The motion carried by the following vote:

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

Absent: 1 - Councilmember Mosby

Enactment No: Ord. No. 8096

- C.** [BILL NO. 17-43](#) AN ORDINANCE APPROVING AMENDMENT NO. 8 TO THE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2017, AS ADOPTED BY ORDINANCE NO. 7894, BY REVISING THE AUTHORIZED BUDGET EXPENDITURES FOR THE CITY OF LEE'S SUMMIT, MISSOURI. (F&BC 2/6/17)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 17-43 be adopted and numbered Ord. No. 8097. The motion carried by the following vote:

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

Absent: 1 - Councilmember Mosby

Enactment No: Ord. No. 8097

- D.** [BILL NO. 17-44](#) AN ORDINANCE APPROVING AMENDMENT NO. 9 TO THE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2017, AS ADOPTED BY ORDINANCE NO. 7894, BY REVISING THE AUTHORIZED PAY AND CLASSIFICATION PLAN AND BY REVISING THE AUTHORIZED BUDGET EXPENDITURES OF THE CITY OF LEE'S SUMMIT, MISSOURI. (F&BC 2/6/17)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Seif, that Bill No. 17-44 be adopted and numbered Ord. No. 8098. The motion carried by the following vote:

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

Absent: 1 - Councilmember Mosby

Enactment No: Ord. No. 8098

- E.** [BILL NO. 17-45](#) AN ORDINANCE APPROVING A PUBLIC SERVICE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE DOWNTOWN LEE'S SUMMIT COMMUNITY IMPROVEMENT DISTRICT FOR TRASH

REMOVAL, SNOW REMOVAL, LANDSCAPE MAINTENANCE, AND BUDGET REVIEW SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY. (F&BC 2/6/17)

ACTION: A motion was made by Councilmember Moreno, seconded by Councilmember Binney, that Bill No. 17-45 be adopted and numbered Ord. No. 8099. The motion carried by the following vote:

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

Absent: 1 - Councilmember Mosby

Enactment No: Ord. No. 8099

5. PRESENTATIONS:

- A. [2017-0960](#) Presentation of the Strategic Planning Framework and Process

This item was moved to the end of the agenda. Due to time, Mayor Rhoads advised the item will be brought forward to a future meeting for full review and discussion. Mr. Arbo provided a short review of the framework and process, which matched goals with existing projects that support the goals. He passed out a document listing source documents and master plans that drive Staff's decision-making process.

Councilmember Seif asked that Mr. Arbo find out how many of the master plans have come through the present Council.

This Presentation was Future Council Consideration.

6. PUBLIC HEARINGS (Sworn):

- A. [2016-0501](#) CONTINUED PUBLIC HEARING - Appl. #PL2016-114 - PRELIMINARY DEVELOPMENT PLAN - approximately 7.11 acres located at the southeast corner of NW Blue Parkway and NW Colbern Road for the proposed Summit Village; Newmark Grubb Zimmer, applicant.

Mayor Rhoads closed the regular session and opened the public hearing at 6:52 p.m. He advised the Council there was a request for continuance on this public hearing.

COUNCIL ACTION: On motion of Councilmember Forte, second by Councilmember Seif, the Council voted unanimously (Councilmember Mosby "Absent") to CONTINUE this Public Hearing to a date certain of March 2, 2017.

- B. [2017-0901](#) PUBLIC HEARING - Appl. #PL2016-217 - PRELIMINARY DEVELOPMENT PLAN - Kansas City Motors, 704 and 708 SE Oldham Court; Kansas City Motors, LLC, applicant.

Mayor Rhoads closed the regular session, opened the public hearing at

6:53 p.m. and asked all those wishing to speak on this issue to be sworn in by the City Clerk.

Mr. Marv McFarlane, owner of Kansas City Motors, was present to discuss the application.

Mr. Hector Soto, Jr., Planning Division Manager, entered Exhibits 1-18 into the record and advised this would be a 4,000 square foot building on a little less than three acres. The primary use will be for motor sales. As shown on the plans, 140 parking spaces will be provided for display and customer and employee parking. Staff recommended approval, subject to three conditions.

Councilmember Moreno asked the applicant to install either a yield sign or a stop sign on his property for traffic accessing the road. Mr. McFarlane voluntarily agreed to this request.

Hearing no further testimony, Mayor Rhoads closed the public hearing at 7:06 p.m. and reconvened the regular session.

COUNCIL ACTION: On motion by Councilmember Carlyle, second by Councilmember Faith, the Council voted 5 "aye", 2 "no" (Councilmembers Binney and Moreno), 1 "absent" (Councilmember Mosby) to direct Staff to PRESENT AN ORDINANCE approving Application #PL2016-217 - PRELIMINARY DEVELOPMENT PLAN - Kansas City Motors, 704 and 708 SE Oldham Court; Kansas City Motors, LLC, applicant, subject to Staff's letter dated January 20, 2017, Items 1-3.

- C. [2017-0900](#) PUBLIC HEARING - Appl. #PL2016-218 - SPECIAL USE PERMIT for automotive sales - Kansas City Motors, 704 and 708 SE Oldham Court; Kansas City Motors, LLC, applicant.

At 7:11 p.m., Mayor Rhoads closed the regular session, opened the public hearing and asked all those wishing to give testimony to be sworn in by the City Clerk.

Mr. Hector Soto, Planning Division Manager, entered Exhibits 1-22 into the record. He advised the applicant was requesting approval for a 20-year special use permit, which was consistent with other permits approved by Council. Staff recommended approval, subject to one condition.

Hearing no further testimony, Mayor Rhoads closed the public hearing and reconvened the regular session at 7:21 p.m.

COUNCIL ACTION: On motion of Councilmember Binney, second by Councilmember Forte, the Council voted 5 "Aye", 2 "No" (Councilmembers Binney and Carlyle), 1 "Absent" (Councilmember Mosby) to direct staff to PRESENT AN ORDINANCE approving Application #PL2016-218 - SPECIAL USE PERMIT for automotive sales - Kansas City Motors, 704 and 708 SE Oldham Court; Kansas City Motors, LLC, applicant, subject to Item #1 and for a period of ten years.

7. OTHER BUSINESS:

- A.** [BILL NO.](#) AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON APPROXIMATELY 7.11 ACRES LOCATED AT THE SOUTHEAST CORNER OF NW BLUE PARKWAY AND NW COLBERN ROAD FOR THE PROPOSED SUMMIT VILLAGE, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

This proposed Bill No. 17-46 was continued to the 3/2/2017 City Council meeting.

- B.** [BILL NO.](#) AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 704 AND 708 SE OLDHAM COURT IN DISTRICT CS, PROPOSED KANSAS CITY MOTORS, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

COUNCIL ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 17-47 be adopted and numbered Ord. No. 8100. The motion carried by the following vote:

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

- Absent:** 1 - Councilmember Mosby

Enactment No: Ord. No. 8100

- C.** [BILL NO.](#) AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR AUTOMOTIVE SALES, KANSAS CITY MOTORS, IN DISTRICT CS (PLANNED COMMERCIAL SERVICES) ON LAND LOCATED AT 704 AND 708 SE OLDHAM COURT FOR A PERIOD OF TWENTY (20) YEARS, 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 Edson, seconded by Councilmember Seif, that Bill No. 17-48 be adopted, with the amendment to a ten-year special use permit, and numbered Ord. No. 8101. The motion carried by the following vote:

- Aye:** 5 - Councilmember Carlyle
 Councilmember Edson
 Councilmember Faith
 Councilmember Forte
 Councilmember Seif

- Nay:** 2 - Councilmember Binney
 Councilmember Moreno

- Absent:** 1 - Councilmember Mosby

Enactment No: Ord. No. 8101

- D. [BILL NO. 17-49](#) AN ORDINANCE APPROVING EXECUTION OF AN ATTESTATION OF FINANCIAL RESPONSIBILITY AND FOR THE REDESIGNATION OF THE CITY MANAGER AS "AUTHORIZED OFFICIAL" PERTAINING TO THE CITY'S STATUS AS A MEDICARE SUPPLIER.

ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Faith, that Bill No. 17-49 be adopted and numbered Ord. No. 8102. The motion carried by the following vote:

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

Absent: 1 - Councilmember Mosby

Enactment No: Ord. No. 8102

- E. [2017-0958](#) Conceptual Economic Development Incentive Request/Presentation - Pryor Lakes Mixed-Use Development; Pryor Crossing, LLC, Applicant

Ms. Sandra Watts with the White Goss Law Firm represented the developer. The Council discussed this issue extensively.

COUNCIL ACTION: On motion of Councilmember Seif, second by Councilmember Carlyle, the Council voted unanimously (Councilmember Mosby "absent") to direct the applicant and Staff to continue to prepare the economic development incentive request for formal consideration by the TIF Commission and City Council.

- F. [RES. NO. 17-04](#) A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE APPLICATION TO REQUEST APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR THE DEVELOPMENT OF PROPERTY LOCATED NORTHWEST OF THE INTERSECTION OF CHIPMAN ROAD AND PRYOR ROAD IN THE CITY OF LEE'S SUMMIT, MISSOURI.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Resolution No. 17-04 be adopted. The motion carried by a unanimous vote (Councilmember Mosby "Absent").

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

There were no Committee Reports.

9. **COUNCIL ROUNDTABLE:**

Councilmember Edson and Councilmember Binney discussed three new drop-off boxes that were recently installed around the City. These are for people to drop off unused prescription drugs so the drugs are not thrown away in the trash or down the drain.

Councilmember Binney attended the MML Legislative Conference and encouraged citizens to talk with legislators about municipalities retaining rights-of-way. He also suggested the Council revisit the use tax.

Councilmember Binney mentioned a couple of different health programs, which could be a benefit to the city. Councilmember Seif advised that the Health Education Advisory Board (HEAB) was involved in many of the educational programs and she thought perhaps they could provide a presentation to the Council. The three CPR classes scheduled for this weekend at the Gamber Center are filled up, which demonstrates the level of citizen involvement.

Councilmember Moreno asked if UBER was allowed within Lee's Summit. Chief Forbes stated that UBER is not authorized by current City ordinances; and, the State was reviewing the program. Ms. Beth Murano has been researching the subject and Mr. Arbo will ask her for a high-level presentation.

10. STAFF ROUNDTABLE:

11. ADJOURNMENT

There being no further business, Mayor Rhoads ADJOURNED the February 16, 2017, City Council Regular Session No. 27 at 9:35 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".