

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

Tuesday, November 13, 2018

6:30 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

**REGULAR SESSION NO. 15**

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**Preliminaries:**

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

Mayor Baird called Regular Session No. 15 to order at 7:39 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**

Mayor Baird amended the published agenda by removing items 8A and 8A(1), a presentation and the correlating Bill regarding a proposed pay and classification plan.

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

At the request of Councilmember Binney, Mayor Baird moved agenda item 2B, Bill No. 18-188, from the Consent Agenda to be voted on separately.

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Lopez, to approve the Consent Agenda as amended. 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.** [BILL NO. 18-181](#) An Ordinance approving a Preliminary Development Plan located at 2240 SE Blue Parkway in District CP-2, proposed East Lee's Summit Branch 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 City Council on November 6, 2018. Passed by unanimous vote.)

**A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 18-181 be adopted and numbered Ordinance No. 8501 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.** [BILL NO. 18-189](#) An Ordinance authorizing execution of a Public Service Agreement by and between the City of Lee's Summit, Missouri and the Junior College District of Metropolitan Kansas City, Missouri for support of the MCC-Longview Literary Festival and authorizing the Mayor to execute the same by and on behalf of the city. (NOTE: First reading by City Council on November 6, 2018. Passed by unanimous vote.)

**A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 18-189 be adopted and numbered Ordinance No. 8503 as part of the Consent Agenda. 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

- D.** [BILL NO. 18-190](#) An Ordinance authorizing execution of a Public Service Agreement by and between the City of Lee's Summit, Missouri and the Junior College District of Metropolitan Kansas City, Missouri for support of the MCC-Longview Campus Flights of Fancy Mega Kite Festival and authorizing the mayor to execute the same by and on behalf of the city. (NOTE: First reading by City Council on November 6, 2018. Passed by unanimous vote.)

**A motion was made by Councilmember Edson, seconded by Councilmember Lopez, that Bill No. 18-190 be adopted and numbered Ordinance No. 8504 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.** [BILL NO. 18-188](#) An Ordinance approving the First Amendment to Development Agreement between Parrot Properties, Inc. and the City of Lee's Summit, Missouri for the Village at View High Development. (NOTE: First reading by City Council on November 6, 2018. Passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, that Bill No. 18-188 be adopted and numbered Ordinance No. 8502 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 Faith invited everyone to attend a groundbreaking ceremony for the new Fire Station at the corner of Pryor Road and O'Brien Road on November 14, 2018 at 2:00 p.m.

Councilmember Binney announced that this is Global Entrepreneur Week and there are a series of events scattered around town. He also mentioned RecycleFest will be this Saturday, November 17, from 9:00 a.m. to noon, in the parking lot at City Hall.

Councilmember DeMoro commented on the ribbon cutting ceremony for Mid-States Distribution who is now occupying the old Toys-R-Us warehouse. He thanked them for coming to Lee's Summit.

Mayor Pro Tem Lopez also spoke about the Chamber of Commerce breakfast that morning for Entrepreneur Week. He stated he was very proud that there were a number of students from various public schools in the R-7 school district, and some of the private schools, that were represented. He was also proud that organizations the City Council support are working together for the better of the city.

Mayor Baird shared that at the ribbon cutting ceremony, Mid-States said they are a company that values relationships over transactions and that culture plays a big role in their success. They choose Lee's Summit because of the people and the culture here. He also reminded everyone the Mayor's Christmas Tree lighting ceremony is this Friday, November 16, 2018 in Howard Station Park from 7-9 p.m.

### 4. Public Comments:

Ms. Geraldine Amato addressed the City Council regarding human sexuality, criminal syndicates, masonic ritual murders, court proceedings as private commercial jurisdictions, and refugees.

### 5. Resolutions:

- A. [RES. NO. 18-19](#) A Resolution adopting the City Council schedule of meetings for 2019.

Mayor Baird amended the schedule of meetings by removing September 10 and adding September 24 due to the annual MML Conference scheduled September 8-1, 2019 in St. Charles, MO.

**ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, to adopt Resolution 18-19 as amended. 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

**6. Proposed Ordinances Forwarded from Committee:**

- A. [BILL NO. 18-191](#)** An Ordinance approving the Award of Bid No. 2019-031 for the acquisition of a Unitrends Data Back Up Solution from Alexander Open Systems, Inc. and authorizing the City Manager to enter into and execute an agreement for the same on behalf of the City of Lee's Summit, Missouri in the amount of \$137,156.22. (F&BC 11/5/18)

**ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember DeMoro, that Bill No. 18-191 be second read. 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

**ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 18-191 be adopted and numbered Ordinance No. 8505. 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. 18-192](#)** An Ordinance approving the use of a cooperative purchase agreement between Cooperating School Districts of Greater Kansas City, Inc. and Alexander Open Systems, Inc., contract # C062518, to purchase hardware, software, and services. (F&BC 11/5/18)

**ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Carlyle, that Bill No. 18-192 be second read. 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

**ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Lopez, that Bill No. 18-192 be adopted and numbered Ordinance No. 8506. 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. [BILL NO. 18-193](#) An Ordinance authorizing the Mayor to execute an Intergovernmental Agreement by and between the City of Lee's Summit, Missouri, by and through the Lee's Summit Parks and Recreation Board and Jackson County, Missouri for parking accomodations for the 2018 Trip the Light Fantastic Bike Ride. (F&BC 11/5/18)

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 18-193 be second read. 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

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 18-193 be adopted and numbered Ordinance No. 8507. The motion carried by the following vote:**

**Aye:** 8 - Mayor Baird  
Councilmember Binney  
Councilmember DeMoro  
Councilmember Edson  
Councilmember Faith  
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**Absent:** 1 - Councilmember Carlyle

- D. [BILL NO. 18-194](#) An Ordinance authorizing the Mayor to execute an Intergovernmental Agreement by and between the City of Lee's Summit, Missouri, by and through the Lee's Summit Parks and Recreation Board and the Mid Continent Public Library for Cultural Arts Programming entitled "A Christmas Carol." (F&BC 11/5/18)

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Faith, that Bill No. 18-194 be second read. 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

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Faith, that Bill No. 18-194 be adopted and numbered Ordinance No. 8508. 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. 18-195](#) An Ordinance amending the Schedule of Fees and Charges for the City of Lee's Summit to establish a credit card service fee for property tax payments and fees and charges for tax abatement incentives, administration of tax increment financing plans and special funding districts. (F&BC 11/5/18)

**ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Forte, that Bill No. 18-195 be second read. 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

**ACTION: A motion was made by Councilmember Faith, seconded by Councilmember DeMoro, that Bill No. 18-195 be adopted and numbered Ordinance No. 8509. 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

- F. [BILL NO. 18-196](#) An Ordinance approving Amendment No. 5 to the budget for the fiscal year ending June 30, 2019, as adopted by Ordinance No. 8405, by revising the authorized expenditures and full time equivalents for the City of Lee's Summit and establishing the annual budget for Fund 205 - Longview Community Center. (F&BC 11/5/18)

**ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 18-196 be second read. 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

**ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 18-196 be adopted and numbered Ordinance No. 8510. 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

## 7. Emergency Ordinances:

- A. [BILL NO. 18-197](#) An Ordinance authorizing the execution of Modification No. 2 to agreement dated July 14, 2017 (RFQ NO. 44112-D) for professional engineering services for Langsford Road Bridge Rehabilitation by and between the City of Lee's Summit, Missouri, and Bartlett & West, Inc., for a net increase of \$22,215.00 with a revised contract amount not to exceed \$386,530.50 and containing an emergency clause.

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Faith, that Bill No. 18-197 be second read. 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

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Faith, that Bill No. 18-197 be adopted and numbered Ordinance No. 8511. 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

## 8. Presentations:

- A. [2018-2421](#) Presentation on Proposed Pay and Classification Plan

**Note: This item was removed by Mayor Baird prior to approval of the agenda.**

- 1) [BILL NO. 18-198](#) An Ordinance approving amendment No. 6 to the budget for the fiscal year ending June 30, 2019, as adopted by Ordinance No. 8405, by revising the authorized expenditures for the City of Lee's Summit, Missouri and establishing a new pay and classification plan.  
(NOTE: First Reading by City Council on December 4, 2018. Passed by unanimous vote.)

**Note: This item was removed by Mayor Baird prior to approval of the agenda.**

## 9. Committee Reports

Mayor Pro Tem Lopez announced CEDC will meet Wednesday, November 14, 2018 at 4:00 p.m.

Mayor Baird reported the November 20, 2018 City Council meeting will be a joint Work Session with the Planning Commission.

## 10. Council Comments:

Councilmember Binney stated, since the legalization of medical marijuana passed, he would like for the Council to once again take up the conversations they were having with Lee's Summit Cares and also take up the issue of vaping in public places.

Councilmember Johnson concurred that discussions regarding medical marijuana needs to be addressed but he would like to see what State regulations will be first.

Mr. Brian Head, City Attorney, shared that the medical marijuana issue will effect many facets of the City from the Human Resources department to Planning and Zoning to business licenses and the Prosecutor. The Health Education Advisory Board brought forward 2 recommended Ordinances that the Council accepted but did not pass. A Resolution was passed stating the Council's opposition to the use of any form of marijuana. Proposition 2 has specific clauses that apply to the city, it allows the city to regulate time, place and manner but prohibits the city from out right prohibiting or enacting rules and regulations in such a way that it becomes unduly burdensome. Both of the ordinances that came from the Health Education Advisory Board are too restrictive. The one that is a prohibition can't be used at all but large portions of the one related to planning and zoning may be able to be utilized. Staff expects to bring forward a proposed Resolution at the next City Council meeting to put an administrative hold, on any type of application that would come to the city, on a temporary basis (180 days). Work will be done to ensure that any ordinances drafted be in line with state regulations. A short presentation and a Resolution will be presented for consideration at the joint work session with the Planning Commission.

Mayor Baird commented that sometimes the production, or growing, of marijuana can effect structures and citizens need to be kept safe. He asked staff to include in their presentation the reasons why Planning and Zoning need to be aware of the dangers that could come from people not taking care of their property. The Mayor went on to say that he is confident that with all of the talent and experience on the Council, they will be able to solve any issue that comes before them and will end the year strong.

#### **11. Staff Roundtable**

There were no items for Staff Roundtable.

#### **12. Adjournment**

The meeting was adjourned at 8:32 p.m. as Council voted to go into Closed Session.

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"