



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

Thursday, December 14, 2017

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

**REGULAR SESSION NO. 50 \*\*\*AMENDED\*\*\***

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INVOCATION

PLEDGE OF ALLEGIANCE

CALL TO ORDER

Mayor Rhoads called Regular Session No. 50 to order at 6:32 p.m.

ROLL CALL

**Present:** 8 - Councilmember Rob Binney  
Councilmember Trish Carlyle  
Councilmember Phyllis Edson  
Councilmember Craig Faith  
Councilmember Diane Forte  
Councilmember Dave Mosby  
Councilmember Diane Seif  
Councilmember Fred DeMoro

APPROVAL OF AGENDA

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Seif, to approve the Published Amended Agenda. The motion carried by the following vote:

Aye:

Councilmember DeMoro  
Councilmember Seif  
Councilmember Edson  
Councilmember Carlyle  
Councilmember Mosby  
Councilmember Binney  
Councilmember Faith  
Councilmember Forte

**1. PUBLIC COMMENTS:**

Mr. Jim McCoy from Jim's Tow Service expressed his concern over Bill No. 17-270 that awards a bid to Ron's Auto & Truck Towing, LLC.

Ms. Geraldine Amoto once again spoke about her feelings on the republic and her opinions on the state of the nation.

Mr. Ron Harvey of Ron's Auto & Truck Towing, LLC spoke about Bill No. 17-270 and being awarded this bid fairly.

**2. COUNCIL COMMENTS:**

Councilmember Binney stated he has asked the Rules Committee to reconsider the Ethics Policy and bring it back to Council before the April 3, 2018 deadline.

**3. APPROVAL OF CONSENT AGENDA:**

**A. [BILL NO. 17-252](#)**

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR IN HOME MASSAGE THERAPY IN DISTRICT R-1 ON LAND LOCATED AT 1508 SW 9TH STREET FOR A PERIOD OF TEN (10) YEARS, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

(Note: First Reading by City Council on December 7, 2017 and passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 17-252 be adopted and numbered Ord. No. 8296 as part of the Consent Agenda. The motion carried by the following vote:**

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

**B. [BILL NO. 17-253](#)**

AN ORDINANCE VACATING DEDICATED RIGHT-OF-WAY FOR A PORTION OF NW GREGORY BLVD, IN THE CITY OF LEE'S SUMMIT, MISSOURI.

(Note: First Reading by City Council on December 7, 2017 and passed by unanimous vote.)

**ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 17-253 be adopted and numbered Ord. No. 8297 as part of the Consent Agenda. The motion carried by the following vote:**

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

**4. PRESENTATIONS:**

Councilmember Binney absent at 8:20 p.m.

- A.** [2017-1629](#) Lee's Summit Economic Development Council (LSEDC) Quarterly Report - 3rd Quarter 2017

Councilmember Mosby absent at 8:35 p.m.

**This Presentation was received and filed.**

- B.** [2017-1647](#) Community Marketing update and activity report presentation

**This Presentation was received and filed.**

- C.** [2017-1641](#) Presentation of the Health Education Advisory Board

**This Presentation was received and filed.**

- D.** [2017-1714](#) Presentation & Request - HT Solutions Request for Issuance of Certificate of Occupancy prior to issuance of Final Acceptance of public infrastructure

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, to direct staff to waive the issuance of final acceptance prior to issuance of the full Certificate of Occupancy for the HT Solutions project located at 1440 SE Broadway Dr. and withhold the release of the sidewalk escrow until the public sidewalk is constructed and accepted or another building permit is issued for the property. The motion carried by the following vote:**

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

**Absent:** 1 - Councilmember Binney

- E.** [2017-1437](#) Presentation/Review and Discussion of Adopted Economic Development Incentive Policy and proposed amendments

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Seif, to direct staff to prepare an ordinance amending the City's Economic Development Incentive Policy as presented. The motion carried by the following vote:**

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**Aye:** 6 - Councilmember Carlyle  
Councilmember Edson  
Councilmember Faith  
Councilmember Forte  
Councilmember Seif  
Councilmember DeMoro

**Absent:** 2 - Councilmember Binney  
Councilmember Mosby

**5. RESOLUTIONS:**

- A. [RES. NO. 17-18](#)** A RESOLUTION REVISING THE INVESTMENT POLICY OF THE CITY OF LEE'S SUMMIT, MISSOURI. (F&BC 12-4-17)

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Resolution No. 17-18 be approved. The motion carried by the following vote:**

**Aye:** 6 - Councilmember Carlyle  
Councilmember Edson  
Councilmember Faith  
Councilmember Forte  
Councilmember Seif  
Councilmember DeMoro

**Absent:** 2 - Councilmember Binney  
Councilmember Mosby

**6. PROPOSED ORDINANCES FORWARDED FROM COMMITTEE:**

- A. [BILL NO. 17-266](#)** AN ORDINANCE APPROVING THE PURCHASE OF STRUCTURAL FIREFIGHTING GEAR IN AN AMOUNT NOT TO EXCEED \$76,000.00 AS PROVIDED FOR IN THE CITY'S PROCUREMENT POLICY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY. (F&BC 12-4-17)

**ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, that Bill No. 17-266 be second read. The motion carried by the following vote:**

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

**ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Faith, that Bill No. 17-266 be adopted and numbered Ord. No. 8298. The motion carried by the following vote:**

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

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- B. [BILL NO. 17-267](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 2017-130 FOR TWO ONE-YEAR CONTRACTS WITH THREE (3) POSSIBLE ONE-YEAR CONTRACT RENEWALS FOR COMPOUND WATER METERS TO HD SUPPLY AND DISPLACEMENT WATER METERS TO MIDWEST METER FOR THE WATER UTILITIES DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE AN AGREEMENT FOR THE SAME WITH HD SUPPLY AND MIDWEST METER BY AND ON BEHALF OF THE CITY OF LEE'S SUMMIT, MISSOURI. (F&BC 12-4-17)

**ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Seif, that Bill No. 17-267 be second read. The motion carried by the following vote:**

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

**ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Seif, that Bill No. 17-267 be adopted and numbered Ord. No. 8299. The motion carried by the following vote:**

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

- C. [BILL NO. 17-269](#) AN ORDINANCE APPROVING THE SALE OF AN IMPROVED LOT LEGALLY DESCRIBED AS LOT 9B, RITTER PLAZA LOT 9A AND LOT 9B, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, FROM HB SUMMIT, LLC, TO VEREIT REAL ESTATE, L.P., AND AUTHORIZATION TO ENTER INTO A TRANSFEREE AGREEMENT BETWEEN VEREIT REAL ESTATE, L.P., HB SUMMIT, LLC, AND THE CITY OF LEE'S SUMMIT. (F&BC 12-4-17)

**ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Binney, that Bill No. 17-269 be second read. The motion carried by the following vote:**

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

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

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Seif, that Bill No. 17-269 be adopted and numbered Ord. No. 8300. The motion carried by the following vote:

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

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

- A.** [AMENDED BILL NO. 17-270](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 2018-001 FOR A YEARLY TERM FOR CITY ORDERED TOW SERVICES TO RON'S AUTO & TRUCK TOWING, LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY.

(F&BC 12-4-17)

(Note: First Read by Council on December 14, 2017.)

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Binney, that Bill No. 12-270 be advanced to second reading.**

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Faith, to Amend Bill No. 17-270 by limiting the bid to one year without the renewal option. The motion carried by the following vote:**

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

**Nay:** 3 - Councilmember Edson  
Councilmember Mosby  
Councilmember DeMoro

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Binney, that Bill No. 17-270 be advanced to second reading as amended. The motion carried by the following vote:**

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

**Nay:** 3 - Councilmember Edson  
Councilmember Mosby  
Councilmember DeMoro

- B.** [BILL NO. 17-271](#) AN ORDINANCE AUTHORIZING THE CREATION OF A COMMUNITY FOUNDATION TO BE KNOWN AS THE CITY OF LEE'S SUMMIT COMMUNITY FOUNDATION; AND APPROVING THE BYLAWS OF THE SAME. (F&BC 12-4-17)

(Note: First Read by Council on December 14, 2017.)

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember**

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Faith, that Bill No. 17-271 be advanced to second reading. The motion carried by the following vote:

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

- C. [BILL NO. 17-272](#) AN ORDINANCE AUTHORIZING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN TOWNSEND SUMMIT, LLC AND THE CITY OF LEE'S SUMMIT, MISSOURI FOR THE SUMMIT ORCHARD DEVELOPMENT.

(Note: First Read by Council on December 14, 2017.)

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Faith, that Bill No. 17-272 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 Seif  
Councilmember DeMoro

Nay: 1 - Councilmember Mosby

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

- A. [BILL NO. 17-251](#) AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR AN INDOOR STORAGE FACILITY IN DISTRICT PI ON LAND LOCATED AT 1410 NE DOUGLAS STREET, PROPOSED OAKVIEW STORAGE, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

(Note: First Reading by City Council on December 7, 2017.)

**ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Forte, that Bill No. 17-251 be adopted and numbered Ord. No. 8301. The motion carried by the following vote:**

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

Nay: 2 - Councilmember Binney  
Councilmember Edson

- B. [BILL NO. 17-242](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN PARROT PROPERTIES, INC., A MISSOURI





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the following vote:

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

- F. [BILL NO. 17-257](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND HDR ENGINEERING INC., IN THE AMOUNT OF \$152,365 FOR PROFESSIONAL ENGINEERING SERVICES FOR FACILITIES ASSET MANAGEMENT PLAN (RFQ NO. 2017-142).

(Note: First Reading by City Council on December 7, 2017.)

**ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Seif, that Bill No. 17-257 be adopted and numbered Ord. No. 8306. The motion carried by the following vote:**

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

- G. [BILL NO. 17-259](#) AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "WINTERSET VALLEY, 11TH PLAT, LOTS 1392A, 1411 THRU 1434 & TRACT A11", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

(Note: First Reading by City Council on December 7, 2017.)

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 17-259 be adopted and numbered Ord. No. 8307. The motion carried by the following vote:**

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

- H. [BILL NO. 17-260](#) AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "MILL CREEK OF SUMMIT MILL, 7th PLAT, TRACT U", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

(Note: First Reading by City Council on December 7, 2017.)

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Faith, that Bill No. 17-260 be adopted and numbered Ord. No. 8308. The motion carried**

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by the following vote:

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

- I. [BILL NO. 17-261](#) AN ORDINANCE AUTHORIZING THE ISSUANCE OF SPECIAL OBLIGATION TAX INCREMENT AND SPECIAL DISTRICT REFUNDING AND IMPROVEMENT BONDS (SUMMIT FAIR PROJECT), SERIES 2017 OF THE CITY OF LEE'S SUMMIT, MISSOURI, AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE BONDS.

(Note: First Reading by City Council on December 7, 2017.)

**ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Faith, that Bill No. 17-261 be adopted and numbered Ord. No. 8309. The motion carried by the following vote:**

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

**Nay:** 1 - Councilmember Mosby

- J. [BILL NO. 17-262](#) AN ORDINANCE APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, THE 740 NW BLUE PARKWAY COMMUNITY IMPROVEMENT DISTRICT AND 740 PARKWAY INVESTORS, LLC, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY.

(Note: First Reading by City Council on December 7, 2017.)

**ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Seif, that Bill No. 17-262 be adopted and numbered Ord. No. 8310. The motion carried by the following vote:**

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

**Nay:** 1 - Councilmember Edson

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

Councilmember Faith stated the Public Works Committee would be meeting on December 19, 2017 at 5:30 pm and would be discussing the 2017 CIP Sales Tax

Prioritization of Projects and Programs. He stated this would be a great time for public participation and dialogue.

Councilmember Forte noted the Community and Economic Development Committee (CEDC) met last night and she felt they are moving along well with several items that have been in the committee for a very long time. She stated the next meeting will be January 10, 2018.

**10. COUNCIL ROUNDTABLE:**

Councilmember Carlyle noted a new attraction has been created in Lee's Summit. MoDOT left a porta-potty behind after completing the Blackwell Interchange. Residents in the area put up lights and a sign noting it is the "Lee's Summit Magic Potty". People have been bringing donations for Lee's Summit Social Services and it is now noted at the second largest attraction in Lee's Summit following behind the "Magic Tree".

Mayor Rhoades advised there will be a ribbon cutting for the new Water Facility tomorrow, Friday, December 15, 2017 at 1:30 p.m.

**11. STAFF ROUNDTABLE:**

There was no Staff Roundtable.

**12. ADJOURNMENT**

Hearing no further business, Mayor Rhoads adjourned Regular Session No. 50 at 9:08 pm.

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](http://www.cityofls.net)".