

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

Tuesday, April 16, 2019

6:30 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 26

Preliminaries:

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

Mayor Baird called Regular Session No. 26 to order at 6:47 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 DeMoro, seconded by Councilmember Forte, 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. Council Roundtable

Councilmember Forte stated that she and the Mayor and other Councilmembers attended the Teacher of the Year presentation and there was such a large number of teachers that the community is fortunate to have in the school district and the city. The Teacher of the Year is Blake Little, a basketball coach from Lee's Summit High School.

Mayor Pro Tem Lopez commented that he was honored to have participated in the final session of the Lee's Summit Citizens Leadership Academy at their mock City Council meeting. He commended staff for the hard work and effort they put into the academy and he was honored there was a large group of citizens that volunteered to take part in this 6 week program and they learned about how city government works. He noted there was great talent among the volunteers.

Mayor Baird added that Mrs. Trisha Fowler-Arcuri, City Clerk, leads the Citizens Leadership Academy program and the reviews from the class were incredible, appreciative and grateful. He then mentioned there was a Council Retreat a couple of weeks ago and they are pushing forward with the next steps for the Strategic Planning. There is an environmental scan that is online at LSIgnite.net. There is also a draft Vision Statement with outcomes and critical factors. The City Council went through the 164 page report from the Citizen engagement discussions and categorized them into priorities. The next step is to figure out how to achieve these outcomes. He asked the strategists in the community to come forward on April 24 from 6:30 - 8:00 pm at the Missouri Innovation Campus and on April 25 from 11:30 - 1:30 at the Stanley in Downtown Lee's Summit to help figure out how to achieve these outcomes because "these were your ideas and this is our future".

Councilmember Edson shared that early this morning the robotics teams from each of the 3 Lee's Summit High Schools headed to Houston for the very first World Champion Robotics competition. She wished them all great luck and a safe trip home. She then stated the Lee's Summit Fire Department had their annual awards ceremony this past Saturday and several from the council were in attendance. She added that is such a great ceremony, it is so humbling to hear the stories of the men and women of the Lee's Summit Fire Department and the things they have done for the citizens of this city. It was a great ceremony and she appreciated attending.

Councilmember Faith stated that he would be remiss if he didn't mention his personal experiences in his career in Public Safety during National Public Safety Telecommunications week. The Telecommunicators and Dispatchers have saved his life many times and pulled him out of jams. He wished them a happy week, safety and peace in their job as they face a lot everyday and they are the

true First Responders.

Councilmember Binney announced the Young Eagles program, which is a program of the Experimental Aircraft Association at the Lee's Summit Airport, has their free flights for youth ages 8-17 at 8:30 a.m. on Saturday, April 20, 2019. Also, the Bunny Hop will be happening in Downtown Lee's Summit in front of City Hall this weekend. The Sweep the Summit event will be held on April 27, 2019 where 3 parks will be cleaned up by community volunteers. He added that if you can't make this official event you can still clean up your own park. Lastly, the Tour De Lakes bike run will be on June 22, 2019. This event will have about a thousand riders in Lee's Summit and he challenged any Councilmembers that would like to join him for this bike ride.

3. Proclamations:

- A. [2019-2659](#) May 2019 Building Safety Month

This Proclamation was presented.

- B. [2019-2662](#) April 2019 General Aviation Appreciation Month

Mr. John Ohrazda, Airport Manager, announced the Annual Airport Open House will be held June 22, 2019.

This Proclamation was presented.

- C. [2019-2692](#) April 14-20, 2019 - National Public Safety Telecommunicators Week

This Proclamation was presented.

4. Presentations:

- A. [2019-2696](#) Presentation - 2nd and Douglas Tax Increment Financing Plan and 2nd and Douglas Land Clearance for Redevelopment, Redevelopment Plan, 114 SE Douglas Street; DTLS Apartments, LLC, applicant

Council had very lengthy discussions that included:

- How does the TIF law in Kansas compare to the TIF law in Missouri
- What year the TIF law in Kansas was enacted
- Not all multi-family units are net positive revenue suppliers to the school district
- Concern about reallocation of existing sales taxes
- Job creation
- How did a TIF become part of the discussion for building a private garage structure
- Are first floor parking structures with apartments above more economic to build
- Will renters be charged for parking spaces
- Reallocation of existing property taxes
- Clarification of demolition costs
- Clarification of LCRA
- Amounts to the school district and city after termination of the TIF
- No bonds or general funds
- Property Tax Revenues

Public Comments Included:

- Student Enrollment
- School Finances
- Property Values
- New Jobs
- New Residents / Shoppers
- Walkable Community
- Density
- Saving Church
- Sewers
- Using TIF / Tax abatement
- Traffic

This Presentation was presented.

- 1) [BILL NO. 19-88](#) An Ordinance approving the 2nd and Douglas Tax Increment Financing Plan and establishing a Redevelopment Area for the plan.
(NOTE: First reading by City Council on April 16, 2019.)

Public comment for TIF and LCRA:

Mr. Paul James spoke in favor of this application. Former Superintendent of public schools and member of the church. Enrollment issue is mute, financial current there is no tax revenue, assessed at a million dollars, vibrancy of the community, fits the downtown master plan.

Ms. Angela Lampton-Turner, downtown resident. There will be a ripple effect,lock doctor, Camerons, Quality project, save the church.

Ms. Mabelle Rife, Chair of Density project makes sense.

Ms. Kathy Smith, gave the history of downtown since 1985.

Mr. Rod Stit, spoke regarding density and increasing jobs.

Mr. John Beaudoin, spoke regarding the incentive policy.

Mr. JR Buckner, former board member for Downtown Lee's Summit Main Street, spoke regarding employers moving businesses to be near employees

Ms. Kayla Buckner, Church utilities will be disconnected on June

Mr. Josh Edwards, spoke regarding owns 3 businesses in the community, employees 30 in downtown.

Mr. Michelle Signet De Solubert spoke regarding suggested if the project doesn't go through plan B should be the city redevelop the property

Mr. Seth Allen, spoke regarding, relocated to LS 5 years ago due to the exciting things that were happening here. Would be irresponsible of the city to overlook this project.

Mr. Steve Parker has lived here since 1966. Blue Springs downtown compared to LS downtown. He went to church there.

Ms. Teresa Terry, moved to LS last May from Waldo.

Mr. Nick Swearngin former Councilmember, owns a barber shop in downtown.

Spoke in opposition:

Mr. Michael Matthews his home has been blighted and he isn't

Ms. Janette - will change the dynamics of downtown. Current residents will be driven out of downtown.

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Forte, that Bill No. 19-88 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Lopez

Nay: 3 - Councilmember DeMoro
Councilmember Edson
Councilmember Johnson

- 2) [AMENDED BILL NO. 19-89](#) An Ordinance approving the Redevelopment Project for the 2nd and Douglas Tax Increment Financing Plan and activating the collection of tax increment financing revenues therein.

(NOTE: First reading by City Council on April 16, 2019.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, that Bill No. 19-89 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Nay: 2 - Councilmember DeMoro
Councilmember Edson

- 3) [BILL NO. 19-50](#) An Ordinance approving a Preliminary Development Plan located at 114 SE Douglas Street in District CBD, proposed DTLS Apartments 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 April 16, 2019.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 19-50 be advanced to second reading. The motion carried by the following vote:

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Aye: 8 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Nay: 1 - Councilmember Edson

- 4) [BILL NO. 19-90](#) An Ordinance approving the 2nd and Douglas LCRA Redevelopment Plan.
(NOTE: First reading by City Council on April 16, 2019.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Binney, that Bill No. 19-90 be advanced to second reading. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Lopez

Nay: 3 - Councilmember DeMoro
Councilmember Edson
Councilmember Johnson

5. Public Hearings:

- A. [2019-2539](#) Public Hearing: Application #PL2018-222 - Rezoning from CP-2 to PI and Preliminary Development Plan - Storage Mart 156, 3924 and 3930 SW Raintree Drive; New TGK-KC, LLC, applicant.
(NOTE: This item has been CONTINUED to a date uncertain at staff's request.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that the Public Hearing for Application #PL2018-222 for Storage Mart 156 be tabled. 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. [2019-2540](#) Public Hearing: Application #PL2018-220 - Special Use Permit for an indoor/outdoor mini-warehouse storage facility - Storage Mart, 3924 and 3930 SW Raintree Drive; New TGK-KC, LLC, applicant.
(NOTE: This item has been CONTINUED to a date uncertain at staff's request.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, that this Public Hearing Application #PL 2018-220 for Storage Mart be tabled. 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

6. Public Comments:

Mr. Keith Foster, Bill No. 19-91 North Park Village - The work is not complete on the first plat. No ground cover on retention basin. How can a second plat be passed when the first plat isn't finished yet.

7. Proposed Ordinances - First Reading:

- A.** [BILL NO. 19-91](#) An Ordinance accepting final plat entitled "North Park Village, 2nd Plat, Lots 53-93 & Tract F", as a subdivision to the City of Lee's Summit, Missouri.
(NOTE: First reading by City Council on April 16, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 19-91 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.** [BILL NO. 19-92](#) An Ordinance approving the use of Contract No. 2019-014 for concrete flat work, curb installation, and street repair services to remove, replace and seal the concrete drive apron on south side shop area and reseal the concrete apron on the north side shop area of the maintenance facility for an amount not to exceed \$110,000.00 and authorizing the City Manager to execute the same by and on behalf of the City.
(NOTE: First reading by City Council on April 16, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Carlyle, that Bill No. 19-92 be advanced to second reading. 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

- C.** [BILL NO. 19-93](#) An Ordinance approving the award of Bid No. 2019-040 for service and maintenance of generators for a one-year term with up to four, one-year renewals to Central Power Systems and Services, LLC (Contract No. 2019-040-1) and to Greenwood Energy Solutions, LLC dba Smart Power Services (Contract No. 2019-040-2) and authorizing the City Manager to enter into and execute agreements for the same by and on behalf of the City of Lee's Summit, Missouri.
(NOTE: First reading by City Council on April 16, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 19-93 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

- D.** [BILL NO. 19-94](#) An Ordinance approving Amendment No. 9 to the Budget for the fiscal year ending June 30, 2019 as adopted by Ordinance No. 8405, by establishing a new Pay and Classification Plan.
(NOTE: First reading by City Council on April 16, 2019.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No.19-94 be advanced to second reading. 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

- E. [BILL NO. 19-95](#) An Ordinance amending Section 5.7 of the Procurement Policy for the City of Lee's Summit, Missouri to correct a scrivener's error and inadvertent omission. (NOTE: First reading by City Council on April 16, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Carlyle, that Bill No. 19-95 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

- F. [BILL NO. 19-96](#) An Ordinance amending Ordinance No. 8578, determining and declaring the necessity of acquiring for public use certain permanent right-of-way, permanent easements and temporary construction easements for road improvements associated with the 3rd Street Improvement Project (Pryor Road to Murray Road) in Lee's Summit, Missouri, by condemnation. (NOTE: First reading by City Council on April 16, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, that Bill No. 19-96 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

8. Committee Reports

Mayor Pro Tem Lopez stated the next Community and Economic Development Committee meeting will be held on May 8.

Councilmember Johnson noted that the City Manager will present his budget to the Finance and Budget Committee, this Thursday, April 18 at 5:00 p.m. Also, next Monday there will be another Finance meeting at 5:30 p.m. to have the start of presentations by department heads and the week after that will be the remainder of department heads. He summarized, there are three Finance and Budget Committee meetings between Thursday night and the end of the month.

9. Council Comments:

Mayor Pro Tem Lopez stated that projects like tonight and all the dialogue that was had tonight overall he is proud of the comments of Council. He knows they will not always agree, but feels respect is always there. He stated he was not proud of how business was conducted at the TIF Commission meeting. He is hopeful that moving forward there can be some direct dialogue with the Mayor and City Council to prevent this from happening again as this is not the message we want to send as a City. The conduct and the demeanor of some of the Commissioners towards the private developer should not be acceptable in our community.

Councilmember Edson there was a Public Works contract recently to fix portions of Hook Road and Councilmember Binney had mentioned he would like to see more of Hook Road fixed through Monarch View but unfortunately that went into Kansas City. She noted that she and Mayor Pro Tem Lopez have been dealing with a similar issue in their part of town with Lee's Summit Road that is in Kansas City and Lee's Summit can't do anything with it; and, View High Drive over in District 2 is also having issues and is also in Kansas City. They met with the City Manager to discuss this issue and the option of annexing these roads.

Mayor Pro Tem Lopez said there are other parts of the City that are having similar issues such as parts that are in Cass County.

Councilmember Edson just wanted to have staff look into this and look at possible costs. Councilmember Forte would like to see this go to a committee for review before the Council reviews. Councilmember Faith stated he was looking to have this type of discussion in the Public Works Committee on how to solve some of these issues by working with other government entities.

Mayor Baird asked to be updated and educated on this topic and kept up-to-date on these issues so that he can assist and reinforce what Council is saying.

Mr. Mark Dunning, Assistant City Manager, stated this would be best placed with the Public Works Committee so that he can be discussed. The matter can then be brought to the Mayor for review and placed on a future Council meeting agenda.

Councilmember Binney stated this is a slippery slope as it could cause further issues with other projects with other entities.

Councilmember Johnson stated he agreed with this topic being assigned to the Public Works Committee by Mayor Pro Tem Lopez. He also agreed to go back and watch the TIF Commission meeting for review of their demeanor.

Councilmember Forte recognized Downtown Lee's Summit Main Street has received their accreditation.

Councilmember Faith stated Mayor Pro Tem Lopez has approved the previous topic of moving forward to the Public Works Committee. This meeting will be held on

Tuesday, April 23 at 5:00 p.m.

Councilmember DeMoro stated the meeting Finance and Budget Committee was showing up as being held on April 23. This will be updated.

10. Staff Roundtable

Mr. Mark Dunning, Assistant City Manager, stated that the Council should have the City Manager's Performance Review and Department Operational Status and recommendations. This is to be provided annually per the Code of Ordinances.

He also stated Saturday, April 13, 2019 was a great day for the City. RecycleFest was a huge success, the Citizen's Leadership Academy, and Glenda Masters with the Cultural Arts "Best of Missouri Hands" activities. It was well received by many citizens and kudos to all the staff that took their Saturday to come here and make all those events happen. It made him very proud to be part of this organization.

11. Adjournment

There being no further business, Mayor Baird adjourned Regular Session No. 26 at 10:51 p.m.

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"