



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

Thursday, April 20, 2017

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 33

CALL TO ORDER

Mayor Rhoads called the April 20, 2017, Regular Session No. 33 of the Lee's Summit City Council to order at 6:25 p.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 Dave Mosby
Councilmember Diane Seif

APPROVAL OF AGENDA

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that the agenda be approved as published. The motion carried by a unanimous vote.

1. PUBLIC COMMENTS:

Mr. Keith Foster and Mr. Kevin Foster, 1051 NE Todd George Road, were present to discuss the North Park Village subdivision, which is adjacent to their family property. The Fosters have provided easements and have tried to work with the developer. Specifically, they were concerned about encroachment of the dam onto their property. This evening, the developer provided assurance that they will work with the Fosters and the encroachment onto their property would not extend any farther. Mr. Keith Foster asked the developer for guarantees and was told they could not pull building permits until the problems were resolved. Mr. Kevin Foster stated if the final plat is approved, the City will be accepting work not in compliance with City Codes and he asked that the plat be denied.

Mr. Dale Coy, 1420 Valley Force Drive, discussed three items: 1) paper advertisers thrown in yards and driveways; 2) the absence of the City channel on Google Fiber; and, 3) winter storm operations, more specifically "real time" data for snow removal, such as the program used by Overland Park.

2. COUNCIL COMMENTS:

There were no Council comments.

3. APPROVAL OF CONSENT AGENDA:

MAYORS APPOINTMENTS:

- A. [2017-1129](#) Mayor's Appointments:
Planning Commission: Reappoint Fred DeMoro and Colene Roberts, terms to expire 4-15-21.

Water Utilities Advisory Board: Reappoint Mike Atcheson and Roger Tilling, terms to expire 3-1-20.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, that this Appointment be approved. The motion carried by a unanimous vote.

4. PROPOSED ORDINANCES:

- A. [BILL NO. 17-76](#) AN ORDINANCE APPROVING THE CASH ESCROW DEPOSIT AGREEMENT GUARANTEEING THE INSTALLATION OF SUBDIVISION IMPROVEMENTS FOR NORTH PARK VILLAGE, LOTS 1-52 & TRACTS A-E SUBDIVISION BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND CMH PARKS, INC. A TENNESSEE CORPORATION, D/B/A SUMMIT CUSTOM HOMES.

The bill was read for the first time by Councilmember Forte, who moved for second reading. Motion was seconded by Councilmember Binney.

DISCUSSION: Council asked Staff for an update on the issues brought up by the Fosters during Public Comments. Mr. Mark Dunning, Asst. City Manager, explained the concern at the last meeting was that a slope of a detention basin was across the property line. The developer's engineer felt the toe of that basin could be cut off and the integrity of the basin could still be maintained. This proposal was reviewed by City engineers and approved. With this plan, the encroachment goes away. This solution does meet the City's Design Standards and Guidelines.

Councilmember Mosby stated the e-mails between the property owner and the developer today were testy. He did not want to move forward with something that was not acceptable to both parties. He suggested a continuance to allow the two parties to work together. They will be one-inch apart, right on the property line.

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Mr. Keith Foster stated the design submitted last night was not acceptable but tonight the developer told him they could make it work. He did not want to hold up the development but wanted to make sure the improvements are done in accordance with City Design Standards. Mr. Kevin Foster added the developer had not worked with them. Tonight was the first face-to-face discussion in quite some time.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Mosby, that Bill No. 17-76 be CONTINUED to the May 4, 2017, City Council Regular Session. The motion carried by a unanimous vote.

- B.** [BILL NO. 17-77](#) AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "NORTH PARK VILLAGE, 1ST PLAT, LOTS 1-52 & TRACTS A-E", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Mosby, that Bill No. 17-77 be CONTINUED to the May 4, 2017, City Council Regular Session. The motion carried by a unanimous vote.

- C.** [BILL NO. 17-89](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 40632472 FOR BRIDGE MAINTENANCE FY17 TO PCI ROADS, LLC AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SAME IN THE AMOUNT OF \$343,327.65.

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Forte, that Bill No. 17-89 be adopted and numbered Ord. No. 8138. The motion carried by the following vote:

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

Enactment No: Ord. No. 8138

- D.** [BILL NO. 17-90](#) AN ORDINANCE AMENDING CHAPTER 29; TRAFFIC AND MOTOR VEHICLES, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI, BY REVISING APPENDIX B; SCHEDULE OF STOPPING, STANDING AND PARKING RESTRICTIONS, FOR CERTAIN STREETS AND SEGMENTS OF STREETS LOCATED IN THE CITY OF LEE'S SUMMIT.

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Seif, that Bill No. 17-90 be adopted and numbered Ord. No. 8139. The motion carried by the following vote:

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

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Enactment No: Ord. No. 8139

- E. [BILL NO. 17-91](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT AND THE PARK RIDGE COMMUNITY IMPROVEMENT DISTRICT WHICH SERVES AS THE PROPERTY OWNERS ASSOCIATION FOR THE 3rd AND 4th PLATS FOR ADDITIONAL AND UPGRADED STREET LIGHTING WITHIN THE PARK RIDGE SUBDIVISION.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 17-91 be adopted and numbered Ord. No. 8140. The motion carried by the following vote:

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

Enactment No: Ord. No. 8140

- F. [BILL NO. 17-92](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT AND THE PARK RIDGE COMMUNITY IMPROVEMENT DISTRICT WHICH SERVES AS THE PROPERTY OWNERS ASSOCIATION FOR THE 5th PLAT FOR ADDITIONAL AND UPGRADED STREET LIGHTING WITHIN THE PARK RIDGE SUBDIVISION.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Seif, that Bill No. 17-92 be adopted and numbered Ord. No. 8141. The motion carried by the following vote:

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

Enactment No: Ord. No. 8141

- G. [BILL NO. 17-93](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF ADDENDUM NO. 1 TO AN AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND BURNS AND MCDONNELL ENGINEERING COMPANY, INC. FOR THE COMPLETION AND REPORTING OF THE CEDAR CREEK BASINS 16 AND 20 PRIVATE I&I PILOT STUDY IN THE AMOUNT OF \$55,719.00 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE AN AGREEMENT FOR THE SAME WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC. BY AND ON BEHALF OF THE CITY OF LEE'S SUMMIT, MISSOURI.

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ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Binney, that Bill No. 17-93 be adopted and numbered Ord. No. 8142. The motion carried by the following vote:

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

Enactment No: Ord. No. 8142

5. PRESENTATIONS:

- A. [2017-1071](#) Presentation of 2017 Citizens Leadership Academy Participants.

Ms. Denise Chisum, City Clerk, presented Mr. Kevin Wood, the 2017 Mayor of the City of Mock, who discussed the group's positive Citizens Leadership Academy experience. This year, there were 22 participants who met seven Saturdays from January through April. The last session was a Mock City Council meeting where participants filled the roles of Mayor, Councilmembers and City Staff. Members of the 2017 Citizens Leadership Academy were presented to Mayor and Council and received certificates for their participation in the program.

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

Councilmembers advised of upcoming committee meetings.

7. COUNCIL ROUNDTABLE:

Councilmember Binney brought up the issue mentioned in Public Comments regarding advertisers being thrown in yards and driveways. Deputy City Attorney Jackie Heanue advised the Law Department previously reviewed this issue and provided a memo, which she will redistribute. This is a Free Speech issue. Councilmember Mosby remembered this issue from 2010 and thought something happened because the advertisers stopped. Ms. Heanue stated they will review and update the earlier memo, if necessary.

Councilmember Binney also reminded the Council of the Recycle Fest scheduled for April 29th. Councilmember Edson added April 29th will also be Drug Take-Back day. Flyers will soon be circulated with the slogan "Can't Flush This".

8. STAFF ROUNDTABLE:

- A. [2017-1130](#) Distribution of City's 2016 Annual Report

Mr. Arbo distributed his annual report for 2016. There were two recommendations for audit: Municipal Court Operations and Phase 3 of the Records Management Audit.

B. [2017-1118](#) CONTINUED DISCUSSION OF STRATEGIC PLANNING FRAMEWORK AND
PROCESS, STEP 1

Mr. Steve Marsh, Chief Technology Officer for ITS, and Ms. Dena Mezger, Director of Public Works, reviewed their program alignment with the current Strategic Planning Framework and Council goals.

Mr. Marsh also updated the Council on the progress with Google Fiber. He has not heard from them since January, although he has attempted to contact them on numerous occasions. Councilmember Binney asked if there was an exit strategy if something were to happen with Google. Mr. Marsh was uncertain and stated he would review the contract with Law to see where Google is not in compliance. Councilmember Binney encouraged them to look at alternatives.

ADJOURNMENT

There being no further business, Mayor Rhoads ADJOURNED the April 20, 2017, Regular Session No. 33 of the Lee's Summit City Council at 8:24 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".