



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

Thursday, May 19, 2016

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

**REGULAR SESSION NO. 3 (AMENDED)**

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CALL TO ORDER

Mayor Rhoads called Regular Session No. 3 to order at 6:40 p.m.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

**Present:** 6 - Councilmember Rob Binney  
Councilmember Trish Carlyle  
Councilmember Phyllis Edson  
Councilmember Diane Forte  
Councilmember Chris Moreno  
Councilmember Diane Seif

**Absent:** 2 - Councilmember Craig Faith  
Councilmember Dave Mosby

APPROVAL OF AGENDA

**On motion of Councilmember Binney, second by Councilmember Forte, the Council voted unanimously to approved the posted amended agenda.**

**1. PUBLIC COMMENTS:**

There were no Public Comments.

**2. COUNCIL COMMENTS:**

Councilmember Moreno stated he had received several messages regarding the inaction of WCA trash service. He hopes the Council and staff will continue to work on a resolution for the citizens.

**3. PUBLIC HEARINGS (Sworn):**

- A. [2016-0203](#)** PUBLIC HEARING - Appl. #PL2016-039 - PRELIMINARY DEVELOPMENT PLAN - Summit Orchards, 701 NW Ward Road; Townsend Summit, LLC, applicant

**COUNCIL ACTION:** On motion of Councilmember Binney, second by Councilmember Seif, the Council voted unanimously (Councilmembers Mosby and Faith "Absent") to direct staff to present an ordinance approving Application #2016-039, Preliminary Development Plan, Summit Orchards, 701 NW Ward Road; Townsend Summit, LLC, applicant, subject to staff letters dated May 19, 2016, Items 1-12.

**4. PUBLIC HEARINGS (Legislative):**

- A. [2016-0219](#) Public Hearing for the Second Amendment to the Chapter 353 Redevelopment Plan for the Blue Parkway and Colbern Road Redevelopment Area

**COUNCIL ACTION:** On motion of Councilmember Binney, second by Councilmember Forte, the Council voted unanimously (Councilmembers Mosby and Faith "Absent") to direct staff to present an Ordinance approving documents related to the transfer of property within the Blue Parkway and Colbern Road Redevelopment area to Saint Luke's East Hospital and authorizing other actions in connection with said transfer of property.

- B. [2016-0207](#) Public Hearing: Proposed FY17 Annual Budget

**COUNCIL ACTION:** On motion of Councilmember Forte, second by Councilmember Seif, the Council voted unanimously (Councilmembers Mosby and Faith "Absent") to direct staff to draft an ordinance adopting the proposed fiscal year 2016-2017 annual budget.

- C. [2016-0240](#) Public Hearing for a Plan for an Industrial Development Project for Summit Residence, LLC for the Summit Square Apartment Project

**COUNCIL ACTION:** On motion of Councilmember Binney, second by Councilmember Forte, the Council voted unanimously (Councilmembers Mosby and Faith "Absent") to direct staff to present an ordinance approving a plan for an industrial development project for Summit Residence, LLC, a Missouri Limited Liability Company, consisting of the construction and improvement of a commercial facility for the company; authorizing the City of Lee's Summit, Missouri to issue its taxable industrial development revenue bonds (Summit Square Apartments project), Series 2016, in a principal amount not to exceed \$36,000,000 to finance the costs of such project; authorizing and approving certain documents; and authorizing certain other actions in connection with the issuance of the bonds.

**\*\*Note:** Correction of name in ordinance to "Summit Square Residence, LLC, a Delaware Limited Liability Company" \*\*

**5. OTHER BUSINESS:**

- A. [BILL NO. 16-108](#) AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 701 NW WARD ROAD, SUMMIT ORCHARDS, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

**ACTION:** A motion was made by Councilmember Edson, seconded by Councilmember Seif, that this Ordinance be adopted and numbered. Ord. No. 7885 The motion carried by the following vote:

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**Aye:** 6 - Councilmember Binney  
Councilmember Carlyle  
Councilmember Edson  
Councilmember Forte  
Councilmember Moreno  
Councilmember Seif

**Absent:** 2 - Councilmember Faith  
Councilmember Mosby

Enactment No: Ord. No. 7896

- B.**     [BILL NO.](#)     AN ORDINANCE APPROVING DOCUMENTS RELATED TO THE TRANSFER  
[16-109](#)           OF PROPERTY WITHIN THE BLUE PARKWAY AND COLBERN ROAD  
REDEVELOPMENT AREA TO SAINT LUKE'S EAST HOSPITAL AND  
AUTHORIZING OTHER ACTIONS IN CONNECTION WITH SAID TRANSFER  
OF PROPERTY.

**ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Seif, that this Ordinance be adopted and numbered. Ord. No. 7886 The motion carried by the following vote:**

**Aye:** 6 - Councilmember Binney  
Councilmember Carlyle  
Councilmember Edson  
Councilmember Forte  
Councilmember Moreno  
Councilmember Seif

**Absent:** 2 - Councilmember Faith  
Councilmember Mosby

Enactment No: Ord. No. 7897

- C.**     [BILL NO.](#)     AN ORDINANCE ACKNOWLEDGING AND APPROVING THE  
[16-110](#)           RE-ACCREDITATION AGREEMENT BY AND BETWEEN THE CITY OF LEE'S  
SUMMIT, MISSOURI AND ACCREDITATION COUNCIL OF THE APWA, A  
DIVISION OF THE AMERICAN PUBLIC WORKS ASSOCIATION, FOR THE  
PURPOSE OF ENGAGING IN A RE-ACCREDITATION PROCESS FOR THE  
CITY OF LEE'S SUMMIT PUBLIC WORKS DEPARTMENT AND  
AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME.

**ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Seif, that this Ordinance be adopted and numbered. Ord. No. 7887 The motion carried by the following vote:**

**Aye:** 6 - Councilmember Binney  
Councilmember Carlyle  
Councilmember Edson  
Councilmember Forte  
Councilmember Moreno  
Councilmember Seif

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**Absent:** 2 - Councilmember Faith  
Councilmember Mosby

Enactment No: Ord. No. 7898

- D.**      [BILL NO.](#)      AN ORDINANCE ACCEPTING FINAL PLAT "PARK RIDGE , 5TH PLAT, LOTS  
[16-111](#)                      244 THRU 289 AND TRACTS A5 THRU F5", AS A SUBDIVISION TO THE  
CITY OF LEE'S SUMMIT

**ACTION: A motion was made by Councilmember Moreno, seconded by Councilmember Seif, that this Ordinance be adopted and numbered.Ord. No. 7888 The motion carried by the following vote:**

**Aye:** 6 - Councilmember Binney  
Councilmember Carlyle  
Councilmember Edson  
Councilmember Forte  
Councilmember Moreno  
Councilmember Seif

**Absent:** 2 - Councilmember Faith  
Councilmember Mosby

Enactment No: Ord. No. 7899

- E.**      [BILL NO.](#)      AN ORDINANCE APPROVING A PLAN FOR AN INDUSTRIAL DEVELOPMENT  
[16-112](#)                      PROJECT FOR SUMMIT SQUARE RESIDENCE, LLC, A DELAWARE LIMITED  
LIABILITY COMPANY, CONSISTING OF THE CONSTRUCTION AND  
IMPROVEMENT OF A COMMERCIAL FACILITY FOR THE COMPANY;  
AUTHORIZING THE CITY OF LEE'S SUMMIT, MISSOURI TO ISSUE ITS  
TAXABLE INDUSTRIAL DEVELOPMENT REVENUE BONDS (SUMMIT  
SQUARE APARTMENTS PROJECT), SERIES 2016, IN A PRINCIPAL AMOUNT  
NOT TO EXCEED \$36,000,000 TO FINANCE THE COSTS OF SUCH  
PROJECT; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS; AND  
AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE  
ISSUANCE OF THE BONDS.

**ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Seif, that this Ordinance be adopted and numbered.Ord. No. 7889 The motion carried by the following vote:**

**Aye:** 6 - Councilmember Binney  
Councilmember Carlyle  
Councilmember Edson  
Councilmember Forte  
Councilmember Moreno  
Councilmember Seif

**Absent:** 2 - Councilmember Faith  
Councilmember Mosby

Enactment No: Ord. No. 7900

- F. [BILL NO.](#)  
[16-113](#) AN ORDINANCE APPROVING THE ASSIGNMENT AND FIRST AMENDED AND RESTATED DEVELOPMENT AGREEMENT TO PROMOTE ECONOMIC DEVELOPMENT ACTIVITIES AND THE SECOND AMENDED TO OPTION AGREEMENT, BOTH BEING BY AND BETWEEN EXERGONIX, INC., WESTCOTT INVESTMENT GROUP, LLC., AND THE CITY OF LEE'S SUMMIT AND PERTAINING TO THE SAME SUBJECT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY OF LEE'S SUMMIT, MISSOURI.

**ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Forte, that this Other Business - Ordinance be adopted and numbered. Ord. No. 7890 The motion carried by the following vote:**

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

**Nay:** 1 - Councilmember Binney

**Absent:** 2 - Councilmember Faith  
Councilmember Mosby

Enactment No: Ord. No. 7901

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

There were no Committee Reports.

7. **COUNCIL ROUNDTABLE:**

Councilmember Binney asked for an update on legislating trash haulers.

Mr. Brian Head, City Attorney, advised the city cannot govern trash haulers as they are private businesses. It is possible to enact minimum standards, but there is no way for the city to enforce regulations. He suggested citizens switch to a different carrier if they are unhappy with their current service.

Councilmember Binney thanked the Public Works Department for their hard work on the Big Truck and Equipment Show that was held in the City Hall Plaza last Saturday, May 14. He felt it was a huge success and enjoyed his time at the show.

Councilmember Binney reminded the public of the upcoming Open House at the Lee's Summit Airport on Saturday, June 19th. This will be another exciting opportunity for citizens.

Councilmember Binney congratulated Mrs. Dena Mezger on her achievement of earning the designation of one of the Top 10 Public Works officials in the United States.

Councilmember Binney thanked Councilmember Forte for the update on projects from the Communications Task Force, but asked that more specific information be provided on the topics within the update.

Councilmember Moreno asked that staff work on performance standards regarding trash

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haulers. The Council did not agree to directing staff to do so as this is a private company matter and cannot be enforced by city staff.

Councilmember Edson thanked the Fire Department for their work and dedication to the Fire Ops 101 class. She learned a lot from them and it made her appreciate their hard work even more.

8. **STAFF ROUNDTABLE:**

There was no Staff Roundtable.

9. **ADJOURNMENT**

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)".