



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

Tuesday, November 6, 2018

6:30 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 14

Preliminaries:

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

Mayor Baird called Regular Session No. 14 to order at 6:40 p.m.

- D. Roll Call

Present: 8 - Mayor Bill Baird
Councilmember Rob Binney
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Bob Johnson
Councilmember Beto Lopez

Absent: 1 - Councilmember Trish Carlyle

1. Approval of Agenda

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Faith, to approve the agenda as published. The motion carried by the following vote:

Aye - 8
Councilmemeber Binney
Councilmember Faith
Councilmember Edson
Councilmember Lopez
Councilmember Johnson
Councilmember Forte
Councilmember DeMoro
Mayor Baird

Absent - 1
Councilmember Carlyle

2. Approval of Consent Agenda:

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, to approve the Consent Agenda. The motion carried by the following vote:

- A. [2018-2384](#) Approval of Action Letters from October 2 and 16, 2018. (The October 9, 2018 Work Session was cancelled.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, to approve the Action Letters from October 2 and 16, 2018 as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

- B. [2018-2380](#) Mayor's Appointments:
Historic Preservation Commission: Appoint Michel Seignette de Kerobet and Douglas Horn, terms to expire 5-1-20.

Industrial Development Authority: Reappoint Don Beaman and Rick Viar, terms to expire 11-4-24.

Land Clearance Redevelopment Authority: Appoint Todd Haynes, term to expire 9-1-21 and Gary Fruits, term to expire 9-1-22.

Public Safety Advisory Board: Appoint Ken Carter to replace Drayton Riley, term to expire 5-1-22.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that the Mayor's Appointments be approved as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

- C. [2018-2379](#) El Rancho name change to Carmen's Cantina & Mexican Grill located at 547 SE Melody Lane, currently holding Types G3 and S liquor licenses.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that this Liquor License be approved as part of the Consent Agenda. The motion carried by the

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following vote:

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

Absent: 1 - Councilmember Carlyle

- D. [BILL NO. 18-178](#) An Ordinance approving a preliminary development plan located at 227 and 235 NW Executive Way in district PO, proposed Developing Potential 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.
(First reading by City Council on October 16, 2018. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 18-178 be adopted and numbered. Ord. No. 8492 as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

- E. [BILL NO. 18-179](#) An Ordinance determining and declaring the necessity of acquiring for public use certain Permanent Easements and Temporary Construction Easements for road improvements associated with the Jefferson Street Improvement Project (Oldham Pkwy to Persels Road); authorizing the City Manager and his designees to negotiate for the purpose of acquiring the necessary interests in land, and authorizing the City Attorney and his designees to institute condemnation proceedings if such interests in land cannot be acquired by purchase through good faith negotiations.
(First reading by City Council on October 16, 2018. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 18-179 be adopted and numbered Ord. No. 8493 as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

- F. [BILL NO. 18-180](#) An Ordinance authorizing the execution of an interlocal governmental agreement between the City of Lee's Summit and Cass County Public Water Supply District No. 3 relating to the construction by Lee's Summit of a project for its use and part of a new water line for Cass County Water Supply District No. 3's use and shared use of easement areas.
(First reading by City Council on October 16, 2018. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 18-180 be adopted and numbered Ord. No. 8494 as part of the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

3. Council Roundtable

Councilmember Faith shared that on Friday, October 26, there was a ribbon cutting ceremony at Lea McKeighan Park for the new ice-skating rink. On Saturday, October 27, he attended a practice exercise, hosted by the Fire Department, to find out how long it would take to evacuate a burning bus. He gave kudos to many Fire Department personnel. October 27 was also the St. Luke's Boo Ball which raised money to buy software for advanced detection of certain types of strokes. Councilmember Faith then announced the arrival of his 6th grandchild who was born today, November 6, 2018.

Councilmember Edson welcomed a boy scout from Troop 42, Colin Meyer.

Councilmember Forte mentioned that Lee's Summit Cares provided a panel on Positive Parenting Practices for Teens. She felt it was very helpful and insightful.

Councilmember Johnson remarked that the ice skating rink is a great facility.

Mayor Pro Tem Lopez noted there are 5 Lee's Summit public school districts and

Blue Springs is one of those districts. He reported the Blue Springs South Girls Softball team won state and of the 12 girls on the roster, half are Lee's Summit residents and started at the Lee's Summit Softball Association.

Councilmember Binney commented that Lee's Summit North is still in the football playoffs. Last week the Missouri Municipal League had the Westgate Regional meeting at the new facilities in Raymore. It was a good evening spent with others in Municipal Government from the area. He also invited everyone to come to downtown Lee's Summit on Saturday, November 10 from noon to 1:30 for the re-established Veterans Day Parade organized by the VFW Post 5789. Also, the Lee's Summit Historical Society will be having an interesting collaboration at their museum from 5:30 to 7:30 p.m. on November 10 that will provide a great and fun history lesson on Order No. 11.

Mayor Baird shared that Mayor Rhoads was roasted on October 23 and it was a very fun event. Mayor Rhoads and his wife, Mary, are such fantastic people, many of the speakers found it hard to roast him, and instead roasted people in the audience. He then announced that Lee's Summit will be the official "Hometown of the Holiday Season". The Mayor's Christmas Tree Lighting will be held on Friday, November 16 with a special guest, Karolyn Grimes, who played Zuzu in "Its a Wonderful Life".

4. Public Comments:

Ms. Geraldine Amato addressed the Council with her beliefs that the Masonic Lodge and the Scottish Rite have strong holds in New Mexico and Missouri.

5. Proclamations:

- A. [2018-2369](#) November 2018 Educational Theatre Month

This Proclamation was read into the record.

6. Presentations:

- A. [2018-2340](#) Introduction to LS Connect
- City Council discussions included:
- Date for launch
 - Strategic Plan and Citizen engagement
 - Most artistic report of a concern, award
 - Emergency reporting through the app
 - Contact information for urgent button

This Presentation was received and filed.

7. Resolutions:

- A. [RES. NO. 18-18](#) A Resolution adopting a statement of common purpose emphasizing government innovation and collaborative problem solving.

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ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Resolution No. 18-18 be adopted. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Nay: 1 - Councilmember Binney

Absent: 1 - Councilmember Carlyle

8. Public Hearings:

- A. [2018-2176](#) Remanded Appl. #PL2018-084 and Appl. #2018-085 - Preliminary Development Plan and Special Use Permit for indoor climate controlled storage facility - Extra Space Lee's Summit, 700 SE Oldham Court; Hernly Associates, Inc., applicant.

Exhibit A, list of exhibits 1-24 were entered into the record.

Staff Note: A protest petition was filed but failed to meet minimum requirements.

City Council discussions included:

- Elevators
- Size and type of trees, loose their leaves
- Zoning of property to the east
- No access to Oldham Parkway
- Ingress and Egress
- Stormwater retention basin
- Amendment
- Variances
- Floor Area ratio
- Roof lines
- Traffic Study
- Private or Public street, other access
- Size of the building
- Parking
- Has the applicant built other storage units this large

Mr. Chris Maddox and Mr. Dennis Cline spoke in opposition to this application.

This Public Hearing - Sworn was denied.

- 1) [BILL NO. 18-116](#) An Ordinance approving a Preliminary Development Plan located on Lot 1 Oldham East Business Park in District CS, proposed Extra Space, indoor climate controlled mini-warehouse storage facility 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.

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ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Johnson, that Bill No. 18-116 be advanced to second reading. The motion failed by the following vote:

Aye: 2 - Councilmember Binney
Councilmember Johnson

Nay: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Lopez

Absent: 1 - Councilmember Carlyle

- 2) [BILL NO. 18-117](#) An Ordinance approving a Special Use Permit for an indoor climate controlled mini-warehouse storage facility in District CS on land located on Lot 1 Oldham East Business Park proposed Extra Space, all 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.

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Lopez, that Bill No. 18-117 be advanced to second reading. The motion failed by the following vote:

Aye: 1 - Councilmember Johnson

Nay: 7 - Mayor Baird
Councilmember Binney
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Lopez

Absent: 1 - Councilmember Carlyle

- B. [2018-2299](#) Continued Appl. #PL2018-145 - Preliminary Development Plan - East Lee's Summit Branch Library, 2240 SE Blue Parkway; Mid Continent Public Library, applicant.

Exhibit A, list of exhibits 1-20 were entered into the record.

City Council discussions included:

- Buffer
- Traffic counts
- Signage

There were no speakers for, or against, this application.

This Public Hearing - Sworn was read into the record.

- 1) [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.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, that Bill No. 18-181 be advanced to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

9. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 18-182](#) An Ordinance authorizing the execution of a Missouri Highways and Transportation Commission Amendment No. 6 to State Block Grant Agreement by and between the City of Lee's Summit, Missouri, and the Missouri Highways and Transportation Commission, granting additional federal funds in the amount of \$72,760.00 for land acquisition for Runway 18-36 Extension at the Lee's Summit Municipal Airport. (PWC 10/23/18)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Forte, that Bill No. 18-182 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Binney, that Bill No. 18-182 be adopted and numbered Ord. No. 8495. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

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- B. [BILL NO. 18-183](#) An Ordinance authorizing the execution of a Missouri Highways and Transportation Commission Sixth Supplemental Agreement to Airport Aid Agreement by and between the City of Lee's Summit, Missouri, and the Missouri Highways and Transportation Commission, Granting Additional funds in the amount of \$4,042.00 which is equal to fifty percent (50%) of the additional match for the sponsor's State Block Grant for project No. 11-109A-2 for land acquisition for Runway 18-36 Extension at the Lee's Summit Municipal Airport. (PWC 10/23/18)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember DeMoro, that Bill No. 18-183 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Faith, that Bill No. 18-183 be adopted and numbered Ord. No. 8496. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

- C. [BILL NO. 18-184](#) An Ordinance authorizing the execution of Modification No. 2 to the agreement with George Butler Associates, Inc. for Professional Engineering Services for SW Jefferson St. (Persels Rd to Oldham Pkwy)(RFQ No. 419-32272) in the amount of \$18,448 for a revised not to exceed contract amount of \$318,400.00. (PWC 10/23/18)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember DeMoro, that Bill No. 18-184 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

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ACTION: A motion was made by Councilmember Faith, seconded by Councilmember DeMoro, that Bill No. 18-184 be adopted and numbered Ord. No. 8497. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

- D. [BILL NO. 18-185](#) An Ordinance authorizing execution of Modification No. 11 to the agreement with Crawford, Murphy and Tilly, Inc. for on-call engineering services for the Municipal Airport (RFQ 2015-300) not to exceed maximum payment of \$25,590.00 for the boundary survey, zoning plats and Strother Road vacation plats. (BOAC 10/08/18, PWC 10/23/18)

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Faith, that Bill No. 18-185 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

ACTION: A motion was made by Councilmember Johnson, seconded by Councilmember Faith, that Bill No. 18-185 be adopted and numbered Ord. No. 8498. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

- E. [BILL NO. 18-186](#) An Ordinance authorizing the execution of addendum number 5 to an agreement by and between the City of Lee's Summit, Missouri and Olsson Associates Engineering, Inc. for the services related to Tudor Road Pump Station Odor Control in the amount of \$107,500 and authorizing the City Manager to enter into same.

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(PWC 10/23/18)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 18-186 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 18-186 be adopted and numbered Ord. No. 8499. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

- F. [BILL NO. 18-187](#) An Ordinance authorizing an agreement by and between the City of Lee's Summit and Wiedenmann Construction, Inc. for Repair Services for Water, Wastewater & Stormwater Infrastructure for Water Utilities and Public Works Operations Division based on annual budget funding and the rates reflected in the attached bid tabulation and authorizing the City Manager to enter into the same. (PWC 10/23/18)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 18-187 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 18-187 be adopted and numbered Ord. No. 8500. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

10. Proposed Ordinances - First Reading:

- A. [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 Edson, seconded by Councilmember Forte, that Bill No. 18-188 be advanced to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

- B. [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.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 18-189 be advanced to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

- C. [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.)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Johnson, that Bill No. 18-190 be advanced to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Carlyle

11. Committee Reports

Mayor Pro Tem Lopez advised the next Community and Economic Development Committee is scheduled for Wednesday, November 14 at 4:00 p.m.

Councilmember Johnson noted the Finance and Budget Committee discussed the City's bonding capacity and it will be discussed with the full Council at a later date.

Mayor Baird reminded Council that there will be a joint Work Session with the Planning Commission on November 20.

12. Council Comments:

Councilmember Johnson asked about the multi-family units and a recent public hearing that had been postponed. He asked when citizens would have an opportunity to be a part of these conversations. Mr. Bob McKay, Director of Planning & Special Projects, advised there is a small group neighborhood meeting scheduled and two additional open houses will be held at the Gamber Center on December 3 and 10, the public is encouraged to attend. The public hearing to consider the Comprehensive Plan amendments has been scheduled for January 10 with the Planning Commission.

Councilmember Binney inquired about other areas in the city without a designated land use and if a development can still occur if a use has not yet been designated.

Councilmember Edson would like to review the strategic plan and comprehensive plan as a whole. She asked about a specific area, near the Airport, and when citizen in-put would be.

Mayor Baird stated he would still like to see better vetting done at the Planning Commission. He would also like to limit the public hearings at the Council level to only new information and not repeat testimony made at the Planning Commission.

13. Staff Roundtable

Mr. Mark Dunning, Assistant City Manager, announced the City's new website was launched on October 31. Staff hopes this new website will be easier for citizens to find information.

14. Adjournment

The meeting was adjourned at 9:52 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"