



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

Thursday, June 15, 2017

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 38

CALL TO ORDER

Mayor Rhoads called the June 15, 2017, Lee's Summit City Council Regular Session No. 38 to order at 6:17 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 Diane Seif
Councilmember Fred DeMoro

Absent: 1 - Councilmember Dave Mosby

APPROVAL OF AGENDA

On motion of Councilmember Binney, second by Councilmember Faith, the Council voted unanimously (Councilmember Mosby "absent") to approve the agenda as published.

This was approved.

1. PUBLIC COMMENTS:

There were no comments from the public.

2. COUNCIL COMMENTS:

No comments were voiced by the Council.

3. APPROVAL OF CONSENT AGENDA:

- A.** [2017-1256](#) Approval of Type G3 & S Liquor License for Mackenzie's Pub, 320 SW Blue Parkway (new owner).

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ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that this Liquor License be approved. The motion carried by a unanimous vote (Councilmember Mosby "absent").

- B. [2017-1268](#) Approval of change in managing officer for Fiorella's Jack Stack BBQ, maintaining a Type G3 & S liquor license.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that this Liquor License be approved. The motion carried by a unanimous vote (Councilmember Mosby "absent").

4. **PROPOSED ORDINANCES:**

- A. [BILL NO. 17-129](#) AN ORDINANCE ACCEPTING THE DEDICATION OF RIGHT-OF-WAY FOR NW ROSEMARY COURT.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Seif, that Bill No. 17-129 be adopted and numbered Ord. No. 8180. The motion carried by the following vote:

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

Absent: 1 - Councilmember Mosby

- B. [BILL NO. 17-130](#) AN ORDINANCE AUTHORIZING A SETTLEMENT AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT AND KANSAS CITY POWER & LIGHT FOR RESOLUTION OF DISPUTED ELECTRIC FRANCHISE TAX RECEIPTS AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT BY AND ON BEHALF OF THE CITY.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 17-130 be adopted and numbered Ord. No. 8181. The motion carried by the following vote:

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

Absent: 1 - Councilmember Mosby

- C. [BILL NO. 17-131](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 2017-041 FOR A ONE-YEAR CONTRACT WITH FOUR (4) POSSIBLE ONE-YEAR CONTRACT RENEWALS FOR COURT SECURITY PERSONNEL TO HOMELAND SECURITY PROTECTIVE SERVICES, (CONTRACT NO. 2017-041) AND AUTHORIZING THE CITY MANAGER TO ENTER INTO SAID CONTRACT FOR THE SAME BY AND ON BEHALF OF THE CITY OF LEE'S SUMMIT, MISSOURI. (F&BC 5/8/17)

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DISCUSSION: Councilmember Binney questioned the bidding and awarding process used in this item. Mr. Ben Calia, Procurement Contract Services Manager, advised this bid was conducted through the Procurement Department. Mr. Conrad Lamb, Finance Director, supervised the Municipal Court at that time and he reviewed the requirements with Court staff.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Seif, that Bill No. 17-131 be adopted and numbered Ord. No. 8182. The motion carried by the following vote:

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

Nay: 1 - Councilmember Binney

Absent: 1 - Councilmember Mosby

- D.** [BILL NO.](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 2017-099 FOR
[17-132](#) PLUMBING SERVICES AS A YEARLY CONTRACT TO MECHANICAL PIPING,
 LLC BASED ON ATTACHED BID TABULATION AND AUTHORIZING THE
 CITY MANAGER TO ENTER INTO AND EXECUTE CONTRACT NO. 2017-099
 FOR THE SAME BY AND ON BEHALF OF THE CITY OF LEE'S SUMMIT
 MISSOURI. (F&BC 6/5/17)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Forte, that Bill No. 17-132 be adopted and numbered Ord. No. 8183. The motion carried by the following vote:

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

Absent: 1 - Councilmember Mosby

- E.** [BILL NO.](#) AN ORDINANCE APPROVING MODIFICATION NO. 6 TO AGREEMENT NO.
[17-133](#) 2012-002 WITH TOSHIBA BUSINESS SOLUTIONS TO REMOVE AND
 REPLACE ONE (1) MULTIFUNCTION DEVICE IN THE TREASURY DIVISION
 OF FINANCE AND ADD ONE (1) NEW MULTIFUNCTION DEVICE TO THE
 FINANCE DEPARTMENT AND ONE (1) NEW MULTIFUNCTION DEVICE TO
 THE ADMINISTRATION DEPARTMENT - CREATIVE SERVICES DIVISION
 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND
 ON BEHALF OF THE CITY. (F&BC 6/5/17)

ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Carlyle, that Bill No. 17-133 be adopted and numbered Ord. No. 8184. The motion carried by the following vote:

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

Absent: 1 - Councilmember Mosby

- F.** [BILL NO. 17-134](#) AN ORDINANCE APPROVING AWARD OF RFP 2017-110 TO THE NOVAK CONSULTING GROUP, INC. FOR A HUMAN RESOURCES DEPARTMENT ASSESSMENT FOR A ONE-YEAR CONTRACT AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH NOVAK CONSULTING GROUP, INC. BY AND ON BEHALF OF THE CITY. (F&BC 6/5/17)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Seif, that Bill No. 17-134 be adopted and numbered Ord. No. 8185. The motion carried by the following vote:

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

Absent: 1 - Councilmember Mosby

- G.** [BILL NO. 17-135](#) AN ORDINANCE APPROVING THE FIBER OPTIC LEASE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE REORGANIZED SCHOOL DISTRICT NO. 7 AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY. (F&BC 6/5/17)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember DeMoro, that Bill No. 17-135 be adopted and numbered Ord. No. 8186. The motion carried by the following vote:

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

Absent: 1 - Councilmember Mosby

- H.** [BILL NO. 17-136](#) AN ORDINANCE APPROVING THE FY2018 PROPERTY AND LIABILITY INSURANCE PROGRAM AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH CNA INSURANCE, ONE BEACON INSURANCE, AND PHYSICIANS PROFESSIONAL INDEMNITY ASSOCIATION FOR THE PROCUREMENT OF PROPERTY AND LIABILITY INSURANCE COVERAGE FOR FY2018. (F&BC 6/5/17)

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ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Seif, that Bill No. 17-136 be adopted and numbered Ord. No. 8187. The motion carried by the following vote:

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

Absent: 1 - Councilmember Mosby

5. OTHER BUSINESS:

- A.** [2017-1263](#) Zachary Burton - Lee's Summit High School Student, Solar Presentation and request

Mr. Zachary Burton, a Senior at Lee's Summit High School, presented his proposal to place solar panels at the Lee's Summit Animal Shelter facility. Also present was Mr. Williamson with MC Power who stated the proposed panels would cost between \$25,000 to \$35,000 for a turn-key solution, which would be recouped within five to seven years with the benefit of a Federal tax credit or nine to eleven years without the tax credit.

In answer to a question from the Council, Ms. Dena Mezger, City Engineer, stated the City would have no concerns because there was enough separation between buildings. Staff actually had quite a bit of interest in this proposal.

The Council appreciated Mr. Burton's suggestion and presentation, reaching a consensus to begin the process of placing solar panels at the Animal Shelter facility.

This Presentation was received and filed.

- B.** [BILL NO. 17-137](#) AN ORDINANCE APPROVING CHANGE ORDER #1 - WITH PCi ROADS, LLC FOR THE BRIDGE MAINTENANCE FY17 PROJECT, AN INCREASE OF \$105,089.40 AND AN ADDITIONAL 43 CALENDAR DAYS FOR A REVISED CONTRACT PRICE OF \$448,417.05 AND 103 CALENDAR DAYS TO REACH SUBSTANTIAL COMPLETION.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that Bill No. 17-137 be adopted and numbered Ord. No. 8188. The motion carried by the following vote:

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

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Absent: 1 - Councilmember Mosby

- C. [2017-1269](#) Conceptual Economic Development Incentive Request/Presentation - Pine Tree Plaza; NSI Investments LLC, Applicant

Mr. Trent Overhue, owner of the Pine Tree shopping center located on the northwest corner of Jefferson Street and 350 Highway, presented a conceptual rendering of his proposed rehabilitation of the parcel. Short-term, they were proposing a CID to carry through to the next phase.

Mr. Mark Dunning, Asst. City Manager, has worked with the property owner. This would be a blighted CID with a \$9.3-million investment. In future Council consideration, the PDP would align with the CIP. Mr. Arbo added the developer felt there was not a market for redevelopment at this time, which is why he is choosing to rehabilitate the property. With the improvements to the interchange, the City hopes to eventually see redevelopment in these quadrants. The rendering depicts a good-looking facade, which will probably hold for ten to fifteen years, at which time the market could have changed.

Mr. Overhue noted the CID would not cost the City. At this time, the remaining tenants are not generating sales tax, so he is looking for tenants for the vacant spaces and has two tenants confirmed.

Councilmember Binney could agree with all the improvements except the roof. Councilmember Forte noted this center has looked bad for awhile but was unsure about rehabilitating instead of redeveloping.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, to direct the applicant and Staff to continue to prepare teh economic development incentive request for formal consideration by the City Council. Motion passed unanimously.

- D. [BILL NO. 17-138](#) AN ORDINANCE APPROVING A FUNDING AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND NSI INVESTMENTS LLC AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 17-138 be adopted and numbered Ord. No. 8189. The motion carried by the following vote:

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

Absent: 1 - Councilmember Mosby

- E. [2017-1224](#) Presentation of the Compensation and Benefit Study

Following a short break, Mayor Rhoads reconvened the regular session at 7:45 p.m.

Mr. TL Cox with Springstead presented their report on the compensation and benefit study.

This Presentation was received and filed.

- F. [2017-1262](#) Presentation of Fire Department's Accreditation process.

A written report was presented to the Council by inclusion in the Council packet.

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Forte, to ACCEPT the Fire Accreditation Report for information purposes, with a presentation at a July meeting. The motion carried by a unanimous vote.

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

Councilmember Binney encouraged committee chairs to report on pending meeting dates.

7. **COUNCIL ROUNDTABLE:**

Councilmember Binney attended the MML Elected Officials conference, along with Councilmembers Edson and DeMoro. They received good information.

Councilmember Faith advised that on Tuesday at 1:30 p.m. at the John Knox Village pavilion, John Knox Village residents will recognize public safety personnel, including the LS Police Department, LS Fire Department and JKV Public Safety.

8. **STAFF ROUNDTABLE:**

Per request from Mr. Arbo, Asst. Fire Chief Jim Eden and Police Chief Travis Forbes provided a report on fireworks activities and regulations.

9. **ADJOURNMENT**

There being no further business, Mayor Rhoads ADJOURNED the June 15, 2017, Lee's Summit City Council Regular Session No. 38 at 9:41 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".