



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

Thursday, May 12, 2016

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 2

CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE
ROLL CALL

Present: 9 - Mayor Randall L. Rhoads
Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Chris Moreno
Councilmember Dave Mosby
Councilmember Diane Seif

APPROVAL OF AGENDA

A motion was made that the agenda be amended to add RECONSIDERATION OF ORDINANCE NO 7876 under Other Business as Item 8.E. Motion passed unanimously.

1. PUBLIC COMMENTS:

A licensed professional counselor and substance abuse specialist, and an assistant counselor, were present to speak against the legalization of marijuana in Missouri. Mr. Ron Baker, a former Science teacher in Lee's Summit, also spoke against marijuana and on the topic of keeping kids safe.

Mrs. Teresa Fick voiced her opinion in support of legalizing marijuana and also about her neighbor's pool that is making her yard swampy.

2. COUNCIL COMMENTS:

3. APPROVAL OF CONSENT AGENDA:

A. MAYORS APPOINTMENTS:

This matter was approved

[2016-0166](#)

Mayor's Appointments:

Jackson County Board of Equalization: Reappoint Lance Dillenschneider, term to expire 5-12-17.

Public Safety Advisory Board: Reappoint Drayton Riley and Dorothy Hedrick, terms to expire 5-1-19.

Parks and Recreation Board: Reappoint Hope Davis, Melinda Aulenbach and Lawrence Bivens, terms to expire 5-31-19.

B. LIQUOR LICENSES:

This matter was approved

[2016-0163](#)

Approval of Type G-3 and S Liquor License for Siki Japanese Restaurant, 601 NW Blue Parkway, 64063.

4. PROPOSED ORDINANCES:

A.

[BILL NO.](#)

[16-104](#)

AN ORDINANCE APPROVING A FIXED BASE OPERATOR AGREEMENT WITH MJ AVIATION INNOVATIONS, LLC FOR THE LEASE OF "HANGAR P" AT THE LEE'S SUMMIT MUNICIPAL AIRPORT FOR THE PURPOSE OF PERFORMING SERVICES AS A FIXED BASE OPERATOR (FBO) AND AUTHORIZING THE CITY MANAGER TO ENTER INTO THE SAME WITH MJ AVIATION INNOVATIONS, LLC FOR A PERIOD OF ONE YEAR.

Bill No. 16-104 was adopted and numbered 7881.

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 7881

B.

[BILL NO.](#)

[16-105](#)

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE OFFICE OF STATE COURTS ADMINISTRATOR FOR THE ESTABLISHMENT OF A WIDE AREA NETWORK (WAN) DATA CONNECTION TO INCREASE EFFICIENCY OF THE CASE MANAGEMENT SOFTWARE.

Bill No. 16-105 was adopted and numbered 7882.

City Council Regular Session

Action Letter

May 12, 2016

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 7882

- C.** [BILL NO.](#) AN ORDINANCE AUTHORIZING THE ISSUANCE OF TAXABLE INDUSTRIAL
[16-106](#) DEVELOPMENT REVENUE BONDS, IN A PRINCIPAL AMOUNT NOT TO
EXCEED \$6,500,000, TO PAY THE COSTS OF AN INDUSTRIAL
DEVELOPMENT PROJECT FOR KC SUMMIT TECHNOLOGY LLC, A
DELAWARE LIMITED LIABILITY COMPANY; AUTHORIZING AND
APPROVING CERTAIN DOCUMENTS; AND AUTHORIZING CERTAIN OTHER
ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

Bill No. 16-106 was approved and numbered 7883.

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 7883

5. RESOLUTIONS:

- A.** [RES. NO.](#) A RESOLUTION APPROVING THE SUMMIT FAIR COMMUNITY
[16-11](#) IMPROVEMENT DISTRICT BUDGET FOR FISCAL YEAR ENDING JUNE 30,
2017

Res. No. 16-11 was adopted.

6. PROCLAMATIONS:

- A.** [2016-0137](#) Proclamation for Public Works Week

Mayor Rhoads read a proclamation announcing Public Works Week and
presented the proclamation to the Public Works Department.

This Proclamation was read into the record.

7. PRESENTATIONS:

- A.** [2016-0158](#) PRESENTATION of 2016 Citizens Leadership Academy

Denise Chisum, City Clerk, presented the participants in the 2016 Citizens
Leadership Academy and reviewed the program.

- B. [2016-0175](#) A presentation from LS Cares in their mission to reduce marijuana related problems.

Monica Meeks with LS CARES and Michael Dieker, a pharmacist with Lee's Summit Medical Center, provided information on their mission to keep marijuana use from being legalized.

Councilmember Seif has served as liaison for LS CARES for the last year. She would like to see the Council consider a resolution in support of LS CARES stand on the issue of legalizing marijuana for medical use.

Councilmember Binney understood the concerns but felt the Council should be provided additional information, perhaps research other cities, and the Council should determine if this is a quality issue or something pharmacies are backing. There are people who need relief. If legislation is going to be anything of substance, perhaps the Council should consider an ordinance. Councilmember Faith agreed that the regulation must be specific, especially for the Police.

Motion was made by Councilmember Binney, seconded by Councilmember Seif, to direct Staff to present a resolution regarding LS CARES Keep Missouri Kids Safe.

8. **OTHER BUSINESS:**

- A. [2016-0167](#) The 2016-17 CDBG Annual Action Plan

Heping Zahn, Assistant Director of Planning Services, advised the Council that a public hearing was held by the Council Community and Economic Development Committee (CEDC) about a month ago and recommended adoption of the program to the Council, per Staff's recommendations.

Councilmember Seif would like to see full funding for Lea Haven and Duncan Estates.

Motion to direct Staff to PRESENT AN ORDINANCE for the CDBG annual action plan.

- B. [BILL NO. 16-107](#) AN ORDINANCE APPROVING THE CITY OF LEE'S SUMMIT ENTITLEMENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2016-2017 ANNUAL ACTION PLAN.

Bill No. 16-107 was approved and numbered 7884.

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

Enactment No: Ord. No. 7884

- C. [2016-0196](#) Presentation & Discussion - Land Clearance for Redevelopment Authority (LCRA) application & request, Minsky's Pizza, 1251 NE Rice Road

Mark Dunning, Asst. City Manager, Development Services & Communications, explained this request was to allow Minsky's Pizza to obtain building permits before going through the LCRA (Land Clearance for Redevelopment Authority) process. A provision in the City's Incentive Policy prohibits consideration of a business that has applied for building permits. Prior to closing on the new property, Mr. Parker engaged a design professional. His understanding was that he needed to close on the property before consideration by the LCRA.

The abatement being requested was 100% for five years, between \$57,000 to \$60,000 over a ten-year period.

Steve Parker explained his family has owned Minsky's since 2003 and this will be the third location. They potentially will add a second store on 150 highway in the future. In his opinion, staying on M-291 Highway was important for this store because of clientele. The lease on the existing location expires September 30th. The condition of the subject property was poor, due to an out-of-town landlord. Mr. Parker will be investing over \$1-million into the center and will meet with neighbors to discuss concerns, since there were a number of noise complaints with the previous tenants. Mr. Parker understood the risk that the LCRA and the Council may not approve the application.

With no objections, Mr. Arbo advised that Staff will proceed, as requested by the applicant.

RECONSIDERATION of Ordinance No. 7876

Councilmember Seif moved for reconsideration of Ordinance No. 7876. Motion was seconded by Councilmember Edson.

DISCUSSION: The applicant invited District 3 councilmembers to view the site. There is a slope from Victoria Drive to the property. the fence will be built off the curb, so with the rise in elevation, there will be about two feet of fall from the asphalt to the fence, an eight foot drop. He felt strongly that the stored product will be kept below grade and kept organized. A six-foot fence will provide the necessary blockage. The cost between a six and an eight foot fence would be doubled, or about \$10,000.

Councilmember Binney noted the application was for a special use permit because the ordinance requires a certain look. Although he looked at the property and would prefer an eight foot fence, he did not want to get lost for two feet.

The motion to reconsider Ordinance No. 7876 passed unanimously.

Councilmember Seif read the heading for Ordinance No. 7876, amended the height of the fence from eight feet to six 6 feet. Motion was seconded by Councilmember Mosby and passed unanimously.

Councilmember Seif read the amended heading for the second time and moved for adoption. Motion was seconded by Councilmember Carlyle and passed unanimously by roll call vote.

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Moreno
Councilmember Mosby
Councilmember Seif

D. Election of Mayor Pro Tempore

Mayor Rhoads reminded the Council that Councilmember Binney and Councilmember Seif were nominated for Mayor Pro Tempore, so he requested a vote on each nomination.

Councilmember Moreno moved to have open discussion to allow each nominee an opportunity to speak and then have each councilmember explain their vote to clear up concerns about politics. MOTION DIED for lack of second.

Those voting in favor of the nomination for Councilmember Seif:
Councilmembers Edson, Seif, Faith, Moreno

Those voting in favor of the nomination for Councilmember Binney:
Councilmembers Binney, Forte, Mosby, Carlyle

There being a tie in the vote on the nominations for Mayor Pro Tempore, Mayor Rhoads voted in favor of Councilmember Binney.

Councilmember Binney was elected to serve a one-year term as Mayor Pro Tempore.

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

Councilmember Forte passed out information on the Communication Committee.

Councilmember Binney advised that the Arts Council was discussing a public arts policy. They will give direction to the Council regarding what is typical of artists.

10. **COUNCIL ROUNDTABLE:**

Councilmember Forte stated she had a great year serving as Mayor Pro Tem. She wished Councilmember Binney well.

Councilmember Faith attended the Lee's Summit Symphony performance on Saturday, as well as the DARE graduation. He commended Officer Hicks on the graduation. Also, he felt the Citizens Leadership Academy was a wonderful program, which compliments the Chamber's Leadership Academy. He looked forward to working with future classes as a councilmember.

Councilmember Moreno received an e-mail expressing appreciation for Animal Control Officer Roger Watts. Also, he mentioned a talent show at Highland Park and expressed appreciation to Abundant Life church to allowing them to hold the show there.

Councilmember Binney thanked Councilmember Forte for her service as Mayor Pro Tem. She brought some changes and positive interactions to the role, which were

City Council Regular Session

Action Letter

May 12, 2016

beneficial to the community. He will be meeting with each of the Councilmembers regarding committee assignments.

11. STAFF ROUNDTABLE:

12. ADJOURNMENT

There being no further business, Mayor Rhoads ADJOURNED the May 12, 2016, City Council Regular Session No. 1 at 9:18 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".