



**The City of Lee's Summit**  
**Final Agenda**  
**City Council - Regular Session**

Thursday, July 27, 2017

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

**AMENDED - REGULAR SESSION NO. 40**

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INVOCATION

PLEDGE OF ALLEGIANCE

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

**1. PUBLIC COMMENTS:**

*(NOTE: Total time for Public Comments will be limited to 10 minutes.)*

**2. COUNCIL COMMENTS:**

*(NOTE: Total time for Council Comments will be limited to 5 minutes.)*

**3. APPROVAL OF CONSENT AGENDA:**

*Items on the Consent Agenda are routine business matters; were previously discussed in a Council Committee and carry a recommendation for approval; or, proposed ordinances approved unanimously by the Council on First Reading. Consent agenda items may be removed by any Councilmember for discussion as part of the regular agenda.*

- A. [BILL NO. 17-144](#)** AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 300 SW BLUE PARKWAY IN DISTRICT PMIX, PROPOSED PINE TREE PLAZA RENOVATIONS, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

*(NOTE: First Reading - July 13, 2017.)*

- B.**     [BILL NO.](#)     AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON  
[17-145](#)           LAND LOCATED AT THE SOUTHWEST CORNER OF SE SHENANDOAH DR.  
AND SE BATTERY DR. IN DISTRICT CP-2, PROPOSED BLOOM LIVING, ALL IN  
ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT  
ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.  
(NOTE: First Reading - July 13, 2017.)
- C.**     [BILL NO.](#)     AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A SENIOR  
[17-146](#)           INDEPENDENT LIVING FACILITY, BLOOM LIVING, IN DISTRICT CP-2  
(PLANNED COMMUNITY COMMERCIAL) ON LAND LOCATED AT THE  
SOUTHWEST CORNER OF SE SHENANDOAH DR. AND SE BATTERY DR. FOR A  
PERIOD OF THIRTY (30) YEARS, ALL IN ACCORDANCE WITH ARTICLE 10  
WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S  
SUMMIT, MISSOURI.  
(NOTE: First Reading - July 13, 2017.)
- D.**     [BILL NO.](#)     AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON  
[17-147](#)           LAND LOCATED AT 4101 NE LAKEWOOD WAY IN DISTRICT PMIX,  
PROPOSED COLEMAN EQUIPMENT, ALL IN ACCORDANCE WITH THE  
PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE  
CITY OF LEE'S SUMMIT, MISSOURI.  
(NOTE: First Reading - July 13, 2017.)
- E.**     [BILL NO.](#)     AN ORDINANCE APPROVING A LAND CLEARANCE FOR REDEVELOPMENT  
[17-154](#)           AUTHORITY REDEVELOPMENT PROJECT, COLEMAN EQUIPMENT,  
PURSUANT TO THE PROVISIONS OF THE LAND CLEARANCE FOR  
REDEVELOPMENT AUTHORITY LAW, SECTIONS 99.300 TO 99.660 RSMo.  
(NOTE: First Reading - July 13, 2017.)
- F.**     [BILL NO.](#)     AN ORDINANCE VACATING TWO BLANKET WATER LINE EASEMENTS  
[17-150](#)           GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SE M-291 HWY. & SE  
BAILEY RD. IN THE CITY OF LEE'S SUMMIT, MISSOURI.  
(NOTE: First Reading - July 13, 2017.)
- G.**     [BILL NO.](#)     AN ORDINANCE VACATING A CERTAIN STORM DRAINAGE EASEMENT  
[17-151](#)           GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SE M-291 HWY. & SE  
BAILEY RD. IN THE CITY OF LEE'S SUMMIT, MISSOURI.  
(NOTE: First Reading - July 13, 2017.)

- H. [BILL NO. 17-153](#) AN ORDINANCE APPROVING AMENDMENT NO. 1 TO PARKING LOT FACILITY USE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE JUNIOR COLLEGE DISTRICT OF METROPOLITAN KANSAS CITY (A/K/A METROPOLITAN COMMUNITY COLLEGE) AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY.  
(NOTE: First Reading - July 13, 2017.)

**4. PRESENTATIONS:**

- A. [2017-1399](#) Conceptual Economic Development Incentive Request/Presentation - 740 NW Blue Parkway Redevelopment Project; 740 Parkway Investors, LLC Applicant.

**5. RESOLUTIONS:**

- A. [RES. NO. 17-11](#) A RESOLUTION ACKNOWLEDGING THE PROGRAM AGREEMENT BY AND BETWEEN MISSOURI MAIN STREET CONNECTION AND DOWNTOWN LEE'S SUMMIT MAIN STREET FOR CONTINUED IMPLEMENTATION OF THE "MAIN STREET APPROACH" IN LEE'S SUMMIT, MISSOURI TO PROMOTE REVITALIZATION OF THE DESIGNATED DOWNTOWN MAIN STREET AREA OF THE COMMUNITY AS AN ACCREDITED TIER PROGRAM.

**6. PROPOSED ORDINANCES FORWARDED FROM COMMITTEE:**

*The following proposed ordinances were considered by a Council Committee and are presented to the Council for two readings and adoption.*

- A. [BILL NO. 17-155](#) AN ORDINANCE APPROVING AMENDMENT NO. 1 TO THE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2018, AS ADOPTED BY ORDINANCE NO. 8162, BY REVISING THE AUTHORIZED BUDGET EXPENDITURES OF THE CITY OF LEE'S SUMMIT, MISSOURI WITH FUNDS TO BE BUDGETED FOR AND PAYMENT TO BE ISSUED IN FY2018 FROM THE GENERAL FUND RESERVE BALANCE. (F&BC 7-10-17)
- B. [BILL NO. 17-156](#) AN ORDINANCE AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, GENERAL PROVISIONS ENACTING TWO NEW SECTIONS, SECTION 1-14, ENFORCEMENT; ATTORNEY'S FEES AND SECTION 1-15, VIOLATION; REMEDIES; UNAUTHORIZED HOLDOVER TO PROVIDE FOR THE RECOVERY OF ATTORNEYS' FEES AND COSTS IN ALL ENFORCEMENT ACTIONS BROUGHT BY THE CITY AND FURTHER PROVIDE FOR REMEDIES IN THE EVENT OF A HOLDOVER TENANT OR USER OF CITY FACILITIES. (F&BC 7-10-17).

- C. [BILL NO. 17-157](#) AN ORDINANCE AMENDING CHAPTER 1 OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI BY AMENDING SECTION 1-2, DEFINITIONS AND RULES OF CONSTRUCTION, TO PROVIDE THAT THE INTERPRETATION AND ENFORCEMENT OF ORDINANCES ARE TO BE COMPLIANT WITH CHANGES IN FEDERAL OR STATE LAW. (F&BC 7-10-17)
- D. [BILL NO. 17-158](#) AN ORDINANCE APPROVING THE SOLE SOURCE ANNUAL MAINTENANCE CONTRACT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE TRANE COMPANY FOR HVAC MAINTENANCE SERVICES FOR THE POLICE AND COURT FACILITY FOR A PERIOD OF ONE YEAR IN THE AMOUNT OF \$57,880.00 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO THE SAME BY AND ON BEHALF OF THE CITY. (F&BC 7-10-17)
- E. [BILL NO. 17-159](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 324-17/18 FOR THE CRACK SEAL 17/18 PROGRAM TO SCODELLER CONSTRUCTION INC. AND AUTHORIZING THE CITY MANAGER TO ENTER INTO TO AN AGREEMENT FOR THE SAME IN THE AMOUNT OF \$197,400.00. (PWC 7/18/17)
- F. [BILL NO. 17-160](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF AN EASEMENT AGREEMENT BETWEEN THE LEE'S SUMMIT R-VII SCHOOL DISTRICT AND THE CITY OF LEE'S SUMMIT, MISSOURI. (PWC 7/18/17)
- G. [BILL NO. 17-161](#) AN ORDINANCE AUTHORIZING EXECUTION OF A MUNICIPAL AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR CONSTRUCTION AND MAINTENANCE ACTIVITIES RELATED TO THE PUBLIC IMPROVEMENT PROJECT DESIGNATED AS ROUTE 150 AT THE INTERSECTION OF ARBORLAKE DRIVE/STONEY CREEK DRIVE, JOB J4S3201, WITHIN THE CITY LIMITS OF LEE'S SUMMIT, MISSOURI. (PWC 7/18/17)
- H. [BILL NO. 17-162](#) AN ORDINANCE AWARDED RFQ NO. 2017-069 FOR DESIGN, ARCHITECTURAL AND ENGINEERING SERVICES FOR A NEW FIRE STATION NO. 3 TO WILLIAMS SPURGEON KUHL & FRESHNOCK ARCHITECTS, INC. AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR SAME WITH WILLIAMS SPURGEON KUHL & FRESHNOCK ARCHITECTS, INC. IN AN AMOUNT NOT TO EXCEED \$333,300.00 (RFQ. NO. 2017-069). (PWC 7/18/17)
- I. [BILL NO. 17-163](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 43631483 & 43731483 FOR THE WATER MAIN REPLACEMENT - FY17, LOCATED ON 50 HWY FROM BLACKWELL ROAD TO SMART ROAD AND FROM SMART ROAD TO HARRIS ROAD TO MILES EXCAVATING INC AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SAME IN THE AMOUNT OF \$623,225.18. (PWC 7/18/17)

- J. [BILL NO. 17-164](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 324-17/18 (curb) FOR THE CURB REPAIR 17/18 PROGRAM TO PHOENIX CONCRETE & UNDERGROUND L.L.C. AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SAME IN THE AMOUNT OF \$1,572,051.54. (PWC 7/18/17)
- K. [BILL NO. 17-165](#) AN ORDINANCE APPROVING CHANGE ORDER #8 TO THE CONTRACT WITH MIDWEST HEAVY CONSTRUCTION, L.L.C. FOR THE JEFFERSON STREET IMPROVEMENTS PROJECT, AN INCREASE OF 50 CALENDAR DAYS FOR A TOTAL OF 758 CALENDAR DAYS TO REACH SUBSTANTIAL COMPLETION AND 788 CALENDAR DAYS TO REACH FINAL COMPLETION. (PWC 7/18/17)

### 7. **EMERGENCY ORDINANCES:**

*The following proposed ordinances meet the criteria included in Sec. 3.13(f) of the Lee's Summit Charter for Emergency ordinances and are presented for two readings in this meeting. Six affirmative votes are required for approval of second reading.*

- A. [BILL NO. 17-166](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF TWO LICENSES AND SEVEN EASEMENTS BETWEEN THE TRI-COUNTY WATER AUTHORITY AND THE CITY OF LEE'S SUMMIT, MISSOURI FOR CONSTRUCTION OF A MAIN WATER LINE; AND CONTAINING AN EMERGENCY CLAUSE.

### 8. **PUBLIC HEARINGS (Sworn):**

*Proposed ordinances considered after a public hearing will be read for the first time and forwarded to a future City Council meeting for second reading, unless deemed to be an emergency as defined in Sec. 3.13(f) of the Lee's Summit Charter. Five affirmative votes are required for approval of second reading.*

- A. [2017-1116](#) PUBLIC HEARING - Appl. #PL2017-121 - UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT #62 - Article 8 Accessory Uses and Structures, revision to the regulations for photo studios as in-home occupations; City of Lee's Summit, applicant.
- 1) [BILL NO. 17-167](#) AN ORDINANCE APPROVING APPLICATION #PL2017-121 - AMENDMENT #62 TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO) - ARTICLE 8 ACCESSORY USES AND STRUCTURES - PERMITTING PHOTOGRAPHIC STUDIOS AS HOME OCCUPATIONS; CITY OF LEE'S SUMMIT, APPLICANT.
- B. [2017-1325](#) PUBLIC HEARING - Appl. #PL2017-102 - SPECIAL USE PERMIT for swimming pool lights - 4140 NE Dick Howser Dr; Lakewood Property Owners Association, applicant.
- 1) [BILL NO. 17-168](#) AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR SWIMMING POOL LIGHTS IN DISTRICT R-1 ON LAND LOCATED AT 4140 NE DICK HOWSER DR FOR A PERIOD OF 10 YEARS, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

**9. PROPOSED ORDINANCES - FIRST READING:**

*The proposed ordinances presented for first reading may include items with a previous hearing; an item brought directly to the City Council without a recommendation from a Council Committee; or, items forwarded from citizen Boards or Commissions. Five affirmative votes are required for approval of second reading.*

- A. [BILL NO.](#) [17-169](#) AN ORDINANCE VACATING A CERTAIN STORM DRAINAGE EASEMENT AND A CERTAIN SURFACE DRAINAGE EASEMENT BOTH LOCATED AT 1601 NW BLUE PKWY IN THE CITY OF LEE'S SUMMIT, MISSOURI.
- B. [BILL NO.](#) [17-170](#) AN ORDINANCE VACATING A CERTAIN SANITARY SEWER EASEMENT LOCATED AT 600 SE OLDHAM PKWY IN THE CITY OF LEE'S SUMMIT, MISSOURI.
- C. [BILL NO.](#) [17-171](#) AN ORDINANCE APPROVING THE CITY OF LEE'S SUMMIT ENTITLEMENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2017-2018 ANNUAL ACTION PLAN.
- D. [BILL NO.](#) [17-172](#) AN ORDINANCE APPROVING A FUNDING AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND 740 PARKWAY INVESTORS, LLC, A MISSOURI LIMITED LIABILITY COMPANY.
- E. [BILL NO.](#) [17-173](#) AN ORDINANCE APPROVING THE NORTH GATEWAY MONUMENT SUPPLEMENTAL FUNDING AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, THE LEE'S SUMMIT MISSOURI MUNICIPAL BUILDING AUTHORITY, INC. AND THE INDUSTRIAL DEVELOPMENT AUTHORITY OF LEE'S SUMMIT, AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY, AND RATIFYING THE CITY'S ORIGINAL CONTRIBUTION TO THE NORTH GATEWAY MONUMENT PROJECT.
- F. [BILL NO.](#) [17-174](#) AN ORDINANCE AUTHORIZING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY OF \$14,575,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS, SERIES 2017A OF THE CITY OF LEE'S SUMMIT, MISSOURI, AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.

**10. PROPOSED ORDINANCES - SECOND READING:**

*The proposed Ordinances were advanced from First Reading without a unanimous vote of the City Council.*

- A. [BILL NO.](#) [17-143](#) AN ORDINANCE GRANTING A SPECIAL USE PERMIT RENEWAL FOR A TELECOMMUNICATIONS TOWER IN DISTRICT AG (AGRICULTURAL) ON LAND LOCATED AT 2140 NW LOWENSTEIN DRIVE, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI. (NOTE: First Reading - July 13, 2017.)

- B. [BILL NO.](#) AN ORDINANCE APPROVING THE PETITION FOR AND ESTABLISHING THE  
[17-149](#) PINE TREE COMMUNITY IMPROVEMENT DISTRICT.  
(NOTE: First Reading - July 13, 2017.)

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

12. **COUNCIL ROUNDTABLE:**

13. **STAFF ROUNDTABLE:**

14. **ADJOURNMENT**

*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 Internet site at "www.cityofls.net".