

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

Tuesday, May 14, 2019

6:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

*****AMENDED*** WORK SESSION NO. 10**

****JOINT MEETING WITH THE PLANNING COMMISSION****

Preliminaries:

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

Mayor Baird called the joint meeting with the Planning Commission, Amended Work Session No. 10, to order at 6:09 p.m.

- D. Roll Call

Present: 9 - Mayor Bill Baird
Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Bob Johnson
Councilmember Beto Lopez

1. Approval of Agenda

Councilmember asked if it was appropriate for legislative matters to be discussed and voted on at a Work Session.

Mr. Steve Arbo, City Manager, advised the first three Tuesdays of each month are set to discuss legislative matters. However, it has been the intent to keep most of the legislative matters on the Regular Session agendas, but with the flexibility of the Work Sessions to time up items in a timely fashion.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, to approve the published Amended Agenda for Work Session No. 10. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

2. Approval of Consent Agenda:

- A. [2019-2770](#) Mayor's Appointments:
Housing Authority: Reappoint Dr. Kabat, term to expire 5-4-23.

Jackson County Board of Equalization: Reappoint Doug Bates as the City of Lee's Summit representative, term to expire 5-31-20.

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

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- B. [BILL NO. 19-106](#) An Ordinance accepting final plat entitled "Oakview, Lots 1-5", as a subdivision to the city of Lee's Summit, Missouri.
(Note: First reading by City Council on May 7, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Faith, that Bill No. 19-106 be adopted and numbered Ord. No. 8630 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

City Council - Work Session

Action Letter

May 14, 2019

- C. [BILL NO. 19-107](#) An Ordinance approving the award of Bid No. 79801-18C for the Pinetree Village Stormwater Improvements Project to Blue Nile Contractors, Inc. in the amount of \$618,458.36 and authorizing the City Manager to enter into an agreement for the same.

(Note: First reading by City Council on May 7, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Faith, that Bill No. 19-107 be adopted and numbered Ord. No. 8631 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

- D. [BILL NO. 19-108](#) An Ordinance Authorizing Execution Of Two Intergovernmental Agreement By And Between The City Of Lee's Summit, Missouri And The Junior College District Of Metropolitan Kansas City, Missouri Aka Metropolitan Community College (MCC) For Use Of The Precision Driving Course.

(Note: First reading by City Council on May 7, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Faith, that Bill No. 19-108 be adopted and numbered Ord. No. 8632 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 9 - Mayor Baird
Councilmember Binney
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

3. Council Roundtable

Councilmember DeMoro congratulated all of the Lee's Summit graduates. There were 529 candidates from Lee's Summit West, 441 from Lee's Summit High School and 491 from Lee's Summit North. He wished them all the best in the future.

Mayor Baird noted his daughter graduated from UCM with a degree in Finance this past week.

Councilmember Forte stated that Councilmember Johnson accidentally hit her vehicle after the CEDC meeting last week. She said his insurance and agent have both been very easy to work with. Councilmember Faith joked that John Knox Village has senior driving courses.

Mayor Baird thanked the Planning Commissioners for attending.

4. Public Comments:

Ms. Monica Meeks, LS Cares, spoke regarding recent drug take back and the upcoming marijuana legislation. She asked Council to consider all necessary steps to keep the citizens, especially the youth, of Lee's Summit safe from the effects of this legislation.

Mr. Charlie Johnson, owner of Landmark II, also voice his concerns over the marijuana legislation and the effects that drugs have on people, citing several instances of crime he felt were drug related. He also asked Council to be deliberate in their discussions on the upcoming marijuana legislation.

5. Presentations:

A. [2019-2756](#) Implementation of Items Discussed at the Joint City Council - Planning Commission Meeting from November 20, 2018

Planning Commission and City Council discussions included:

-Euclidean Zoning Philosophy vs. Planned Zoning, Euclidean Zoning would eliminate Preliminary Develop Plans and Public Hearings. Lee's Summit has Planned Zoning and has two Public Hearings although only one is required by law.

-Variances allow council to look at each project, and parcel individually; there should be more public education on this topic.

-If the Planning Commission doesn't have enough votes to recommend a project for approval, they should make the opposite motion to recommend it for denial the same night. If there is a tie on both, a motion for continuance could be appropriate. A motion to continue, or for denial, shall include the reason it was not recommended for approval.

-The Comprehensive Plan as a reason for denial.

-Annual Training for Planning Commissioners.

-Public Hearing notices sent to Homeowner Associations in addition to homeowners.

-Additional mailing requirements could increase of the cost of the development process for the Developer.

-There was a consensus of Commissioners, and Councilmembers, that the mailing radius for Public Notices should be increased to 300 feet.

-Size of Public Hearing signs - restrictions of political signs and cost

-There was a consensus of Commissioners, and Councilmembers, that the size of Public Notice signs should be increased to 24 x 24. The material should be sturdier and the formatting changed. Suggested language was:

New Development

Public Hearing

Date

Website

-The new format of the staff letter is good, it includes why modifications are being requested.

-Discussion on public comments at Public Hearings at Planning Commission meetings and if they should be allowed to be duplicated at Public Hearings at City Council meetings. Councilmembers are already aware of testimony at Planning Commission meetings, however, they may have additional questions. Also, Commissioners are appointed, not elected, and some constituents may want to testify in front of their elected officials.

- B. [2019-2757](#) A discussion on staff's proposal for zoning regulations related to medical marijuana.

Councilmember Johnson left at the break between the joint meeting with the Planning Commission and the discussion on marijuana legislation.

City Council discussions included:

- How extraction is done
- Growing marijuana in Missouri is illegal
- Vaping and edibles
- State Law vs. Federal Law - is there a statement from the Federal Government or case law
- Restrictions for the hours, or days, dispensaries are allowed to be open
- Buffer between extraction sites and residential. Extraction is very dangerous and should not be in, or near, residential buildings
- They will be cash only operations
- History of home labs in Lee's Summit
- Land uses and would they be approved administratively
- ISO ratings
- Best practices making sure to compare to other suburban type areas
- Missouri's Law is different than Colorado's Law, Colorado has an opt out clause.
- Staff will bring an Anti-vaping ordinance for Council consideration

- C. [2019-2761](#) Presentation and discussion of 2019 No Tax Increase Bond Initiatives

City Council discussions included:

- Current bonding capacity
- Number of bond issues on the ballot
- Number of calls have increase for curb replacement
- Residents would need to understand that \$5 Million would only replace 37 miles of curb so not all curbs would be replaced
- Some areas of town don't have curbs or gutters
- The amount of curb replacement Public Works can get done in a year
- Other funding options
- Combine curb replacement with stormwater solutions
- Longer term Strategic Plan

City Council - Work Session

Action Letter

May 14, 2019

- 1.) [BILL NO. 19-110](#) An Ordinance Calling an Election to Authorize the Issuance of General Obligation Bonds for the City of Lee's Summit, Missouri, Related to Public Safety.

(Note: First reading by City Council on May 14, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Faith, that Bill No. 19-110 be advanced to second reading. The motion carried by the following vote:

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

Absent: 1 - Councilmember Johnson

- 2.) [BILL NO. 19-111](#) An Ordinance Calling an Election to Authorize the Issuance of General Obligation Bonds for the City of Lee's Summit, Missouri, Related to Curb Replacements and Improvements.

ACTION: Motion was made by Councilmember DeMoro to advance Bill No. 19-111 to second reading. Motion failed for lack of second.

6. Resolutions:

- A. [RES. NO. 19-06](#) A Resolution authorizing the Mayor to appoint a successor director to replace Conrad Lamb to the I-470 and View High Community Improvement District.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, to adopt Res. No. 19-06. The motion carried by the following vote:

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

Absent: 1 - Councilmember Johnson

- B. [RES. NO. 19-07](#) A Resolution authorizing the Mayor to appoint a successor director to replace Conrad Lamb to the Highway 50 & Todd George Community Improvement District.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, to adopt Res. No. 19-07. The motion carried by the following vote:

City Council - Work Session

Action Letter

May 14, 2019

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

Absent: 1 - Councilmember Johnson

- C. [RES. NO. 19-08](#) A Resolution authorizing the Mayor to appoint a member to the Board of Directors of the Southwest I-470 Transportation Development District to replace Conrad Lamb.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Faith, to adopt Res. No. 19-08. The motion carried by the following vote:

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

Absent: 1 - Councilmember Johnson

7. Proposed Ordinances - Second Reading:

- A. [BILL NO. 19-109](#) An Ordinance authorizing the award of RFP No. 2019-067 for custodial services for a one-year term with up to four, one-year renewals to H2O Window Cleaning, LLC (Agreement No. 2019-067-1) and Max10, LLC dba Top Brass Building Services (Agreement No. 2019-067-2) and authorizing the City Manager to enter into and execute agreements for the same by and on behalf of the City of Lee's Summit, Missouri.
(Note: First reading by City Council on May 7, 2019.)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Forte, that Bill No. 19-109 be adopted and numbered Ord. No. 8633. The motion carried by the following vote:

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

Absent: 1 - Councilmember Johnson

8. Committee Reports

Councilmember Carlyle noted the Finance and Budget Committee would be meeting next Monday, May 20th.

9. Council Comments:

Mayor Baird thanked Council, Planning Commission members and staff for the good meeting and discussion tonight. He felt a lot was accomplished and the air was cleared between Council and the Planning Commission. He stated he feels that things will continue to improve as they move forward.

10. Staff Roundtable

Mr. Steve Arbo, City Manager, thanked Ryan Elam, Josh Johnson and David Bushek for their hard work in their presentations and making this meeting with the Planning Commission a success.

Mr. Arbo also noted the Big Truck & Equipment Show will be held this Saturday, May 18th from 10am - 2pm. He invited everyone to come out and see the equipment and meet employees of the Public Works Department.

Mr. Ryan Elam invited Mayor and Council to the Development Center on Thursday, May 16, from 11:30am - 1pm for the Open House to celebrate Building Safety Month.

11. Adjournment

Hearing no further business, Mayor Baird adjourned Work Session No. 10 at 9:53p.m.

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"