



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

Thursday, January 12, 2017

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

**REGULAR SESSION NO. 23**

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CALL TO ORDER

Mayor Rhoads called the January 12, 2017 Regular Session No. 23 to order at 6:15 p.m. Assistant City Manager Christal Weber was present on behalf of City Manager Steve Arbo.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

**Present:** 8 - 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

**COUNCIL ACTION:** On motion of Councilmember Binney, second by Councilmember Forte, the Council voted unanimously to approved the published agenda.

**1. PUBLIC COMMENTS:**

Ms. Christine Bushyhead, representing the Lee's Summit Economic Development Council, requested expansion of the CIP Sales Tax ballot to include the words, "and other capital improvements projects". She noted the possibility of unforeseen needs within the next 15 years that would require funding and the EDC Board was concerned about limiting the projects in this election for sales tax renewal.

2. **COUNCIL COMMENTS:**

There were no Council Comments.

3. **PUBLIC HEARINGS (Sworn):**

- A. [2016-0830](#) Public Hearing - Plan for an Industrial Development Project for M150 Echelon Land Development LLC, for the Residences at Echelon Multi-family Project.

Mayor Rhoads closed the regular session at 6:22 p.m. and opened the public hearing.

Mr. Evan Fitts represented Echelon Land Development and discussed the application. Mr. Mark Dunning, Assistant City Manager, reviewed the proposed revisions to the PILOTs schedule.

Following extensive discussion, Mayor Rhoads closed the public hearing at 6:38 p.m. and reconvened the regular session. Additional discussion ensued and Mayor Rhoads again closed the regular session at 6:45 p.m. and reopened the public hearing for further questions from the Council to the applicant and Mr. Dunning regarding the PILOTs. Mayor Rhoads closed the public hearing at 6:50 p.m. and reconvened the regular session.

**COUNCIL ACTION:** A motion was made by Councilmember Forte, seconded by Councilmember Faith, that an ordinance approving a plan for an Industrial Development Project for M150 Echelon Land Development, LLC, a Missouri Limited Liability Company, consisting of the construction and improvement of a commercial facility for the company; authorizing the City of Lee's Summit, Missouri to issue its Taxable Industrial Development Revenue Bonds (Residences at Echelon Project), Series 2017, in a principal amount not to exceed \$27,000,000 to finance the costs of such project; authorizing and approving certain documents; and authorizing certain other actions in connection with the issuance of bonds. The motion carried with 5 "Aye" and 2 "No" (Councilmembers Binney and Edson) votes.

4. **OTHER BUSINESS:**

- A. [BILL NO. 17-15](#) AN ORDINANCE APPROVING A PLAN FOR AN INDUSTRIAL DEVELOPMENT PROJECT FOR M150 ECHELON LAND DEVELOPMENT, LLC, A MISSOURI LIMITED LIABILITY COMPANY, CONSISTING OF THE CONSTRUCTION AND IMPROVEMENT OF A COMMERCIAL FACILITY FOR THE COMPANY; AUTHORIZING THE CITY OF LEE'S SUMMIT, MISSOURI TO ISSUE ITS TAXABLE INDUSTRIAL DEVELOPMENT REVENUE BONDS (RESIDENCES AT ECHELON PROJECT), SERIES 2017, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$27,000,000 TO FINANCE THE COSTS OF SUCH PROJECT; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS.

BILL NO. 17-15 was read for the first time by Councilmember Carlyle, who moved for second reading; motion was seconded by Councilmember Forte.

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Motion was made by Councilmember Moreno, seconded by Councilmember Mosby, to **AMEND** the ordinance to change the PILOTs from \$1,051 per unit to \$935 per unit. Council voted 2 “yes” (Councilmembers Moreno and Mosby), 6 “no”, to approve the amendment. **MOTION FAILED.**

On the motion for second reading, the Council voted 6 “yes” (Councilmembers Seif, Forte, Mosby, Carlyle, Faith and Moreno), 2 “no” (Councilmembers Binney and Edson). **MOTION PASSED.**

The ordinance was read for the second time by Councilmember Carlyle, who moved for approval and motion was seconded by Councilmember Forte.

Motion was made by Councilmember Faith, seconded by Councilmember Mosby, to **AMEND** the schedule for the PILOTs from \$1,052 to \$993 per unit. **MOTION PASSED** on a vote of 5 “aye” (Councilmembers Seif, Forte, Mosby, Faith and Moreno), 3 “no” (Councilmembers Binney, Edson and Carlyle).

**COUNCIL ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 17-15 be adopted AS AMENDED and numbered Ord. No. 8069. The motion carried by the following vote:**

**Aye:** 5 - Councilmember Faith  
Councilmember Forte  
Councilmember Moreno  
Councilmember Mosby  
Councilmember Seif

**Nay:** 3 - Councilmember Binney  
Councilmember Carlyle  
Councilmember Edson

Enactment No: Ord. No. 8069

**B.**      [2016-0804](#)      Final Recommendations on CIP Sales Tax Renewal (PWC 12/19/16)

Ms. Dena Mezger, Director of Public Works, presented the proposed recommendations from the Public Works Committee for the Capital Improvements Projects (CIP) Sales Tax, calling for an election on the April 4, 2017, ballot. After the presentation and extensive discussion, Mayor Rhoads asked for the reading of Bill No. 17-16.

**This Presentation was approved.**

**C.**      [BILL NO. 17-16](#)

AN ORDINANCE CALLING AN ELECTION FOR APRIL 4, 2017, IN THE CITY OF LEE’S SUMMIT, MISSOURI, A CONSTITUTIONAL CHARTER CITY, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF SAID CITY THE QUESTION OF WHETHER TO CONTINUE TO IMPOSE A CAPITAL IMPROVEMENTS SALES TAX OF ONE-HALF OF ONE PERCENT (1/2 OF 1%) FOR THE PURPOSE OF FUNDING CAPITAL IMPROVEMENTS WHICH MAY INCLUDE THE DESIGN, CONSTRUCTION, REPAIR AND MAINTENANCE OF STREETS, ROADS, BRIDGES, AND ADDITIONAL PROJECTS RELATED TO STORMWATER, TRANSPORTATION AND TRANSPORTATION-RELATED IMPROVEMENTS AND THE ACQUISITION OF NECESSARY RIGHTS-OF-WAY

AND OTHER PROPERTY INTERESTS AND WHICH MAY INCLUDE THE RETIREMENT OF DEBT UNDER PREVIOUSLY AUTHORIZED BONDED INDEBTEDNESS; PRESCRIBING THE FORM OF QUESTION TO BE USED AND PROVIDING THAT NOTICE OF SAID ELECTION BE GIVEN AND SAID ELECTION BE HELD IN ACCORDANCE WITH ALL APPLICABLE MISSOURI LAW.

BILL NO. 17-16 was read for the first time by Councilmember Mosby, who moved for second reading. Motion was seconded by Councilmember Edson.

Motion was made by Councilmember Carlyle, seconded by Councilmember Forte, to **AMEND** the ordinance to include the phrase "...other capital improvements..." in the ballot language and to amend the ordinance heading by adding the phrase "...and/or other capital improvements". Following discussion, the Council voted 3 "aye" (Councilmembers Forte, Carlyle and Faith", 5 "no" (Councilmembers Binney, Edson, Seif, Mosby and Moreno), to amend the ordinance. **MOTION FAILED.**

**COUNCIL ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Seif, that Bill No. 17-16 be adopted and numbered Ord. No. 8070. The motion carried by the following vote:**

**Aye:** 7 - Councilmember Binney  
Councilmember Carlyle  
Councilmember Edson  
Councilmember Faith  
Councilmember Moreno  
Councilmember Mosby  
Councilmember Seif

**Nay:** 1 - Councilmember Forte

Enactment No: Ord. No. 8070

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

Councilmember Mosby sent a list outlining items the Public Works Committee will be considering.

Councilmember Seif noted the Rules Committee will be meeting on January 23rd.

**6. COUNCIL ROUNDTABLE:**

Councilmember Faith asked if the extensive changes to the Missouri Criminal Code were in a summary form and available to the public. Major John Boenker advised he will be working on this and will report back to the Council.

Councilmember Moreno thought the Police Department did an excellent job of placing "Tobacco 21" signs and communicating the new law.

Councilmember Binney attended State inaugural events in Jefferson City.

He was aware of at least two Lee's Summit residents who received the Governor's "Missouri Heroes" honor, which recognizes citizens who have made an impact on peoples' lives. Those two residents were Kristen Merrill and Councilmember Craig Faith.

Councilmember Binney was concerned about the adoption of Ordinance No. 8069, which he feels sets a precedent to incentivize residential properties.

Councilmember Faith noted the Chamber Gala scheduled for Saturday has been postponed due to the forecast for an ice storm.

**7. STAFF ROUNDTABLE:**

Ms. Weber advised the first Citizens Leadership Academy session, scheduled for Saturday, has been moved to January 21st due to the impending ice storm.

**8. ADJOURNMENT**

There being no further business, Mayor Rhoads ADJOURNED the January 12, 2017, City Council Regular Session No. 23 at 9:05 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](http://www.cityofls.net)".