



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

Thursday, May 4, 2017
6:15 PM
City Council Chambers
City Hall
220 SE Green Street
Lee's Summit, MO 64063
(816) 969-1000
REGULAR SESSION NO. 34

CALL TO ORDER

Mayor Rhoads called the May 4, 2017, Regular Session No. 34 of the Lee's Summit City Council to order at 6:15 p.m.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: 6 - Councilmember Trish Carlyle
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Dave Mosby
Councilmember Diane Seif

Absent: 1 - Councilmember Rob Binney

APPROVAL OF AGENDA

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

1. PUBLIC COMMENTS:

Various members of the audience spoke against or in favor of Councilmember Forte regarding the findings of the Missouri Ethics Commission.

A representative from Summit Homes addressed the issue of North Park Village, a new subdivision they are constructing, and requested the Council pass the two ordinances listed on the agenda.

2. COUNCIL COMMENTS:

Councilmember Seif stated the decision of the Missouri Ethics Commission

did not involve the recall of Councilmember Moreno. There is a mechanism to be followed by the Council, which will occur on May 11th.

3. APPROVAL OF CONSENT AGENDA:

MAYORS APPOINTMENTS:

- A. [2017-1162](#) Mayor's Appointment of Mayor Pro Tempore

Mayor Rhoads pointed out the Charter does not require Council approval of his appointment of Mayor Pro Tem. He informed the Council that he is appointing Councilmember Binney for a one-year term.

4. PROPOSED ORDINANCES:

- A. [BILL NO. 17-76](#) AN ORDINANCE APPROVING THE CASH ESCROW DEPOSIT AGREEMENT GUARANTEEING THE INSTALLATION OF SUBDIVISION IMPROVEMENTS FOR NORTH PARK VILLAGE, LOTS 1-52 & TRACTS A-E SUBDIVISION BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND CMH PARKS, INC. A TENNESSEE CORPORATION, D/B/A SUMMIT CUSTOM HOMES.

ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Edson, that Bill No. 17-76 be adopted and numbered Ord. No. 8143. The motion carried by the following vote:

Aye: 5 - Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Seif

Nay: 1 - Councilmember Mosby

Absent: 1 - Councilmember Binney

Enactment No: Ord. No. 8143

- B. [BILL NO. 17-77](#) AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "NORTH PARK VILLAGE, 1ST PLAT, LOTS 1-52 & TRACTS A-E", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Seif, that Bill No. 17-77 be adopted and numbered Ord. No. 8144. The motion carried by the following vote:

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

Absent: 1 - Councilmember Binney

Enactment No: Ord. No. 8144

- C. [BILL NO. 17-94](#) AN ORDINANCE APPROVING A FACILITY USE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE JUNIOR COLLEGE DISTRICT OF METROPOLITAN KANSAS CITY, MISSOURI (A/K/A

City Council - Regular Session

Action Letter

May 4, 2017

METROPOLITAN COMMUNITY COLLEGE) FOR THE USE OF A PARKING FACILITY FOR THE 2017 TOUR DE LAKES BIKE RIDE AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY.

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Carlyle, that Bill No. 17-94 be adopted and numbered Ord. No. 8145. The motion carried by the following vote:

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

Absent: 1 - Councilmember Binney

Enactment No: Ord. No. 8145

- D.** [BILL NO. 17-95](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF THE 2017 COMBAT DRUG COMMISSION DARE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND JACKSON COUNTY, MISSOURI.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Seif, that Bill No. 17-95 be adopted and numbered Ord. No. 8146. The motion carried by the following vote:

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

Absent: 1 - Councilmember Binney

Enactment No: Ord. No. 8146

- E.** [BILL NO. 17-96](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 2017-107 PURCHASE AND MAINTENANCE SERVICES FOR VxRAIL HYPERCONVERGED INFRASTRUCTURE TO ALEXANDER OPEN SYSTEMS (AOS) AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SAME IN THE AMOUNT OF \$427,297.88. (F&BC 4-24-17)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No.17-96 be adopted and numbered.Ord. No. 8147 The motion carried by the following vote:

Aye: 5 - Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Seif

Nay: 1 - Councilmember Mosby

Absent: 1 - Councilmember Binney

Enactment No: Ord. No. 8147

- F. [BILL NO. 17-97](#) AN ORDINANCE APPROVING AMENDMENT NO. 10 TO THE BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2017, AS ADOPTED BY ORDINANCE NO. 7894, BY REVISING THE AUTHORIZED PAY AND CLASSIFICATION PLAN (F&BC 4-24-17)

ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Faith, that Bill No. 17-97 be adopted and numbered Ord. No. 8148. The motion carried by the following vote:

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

Absent: 1 - Councilmember Binney

Enactment No: Ord. No. 8148

5. **RESOLUTIONS:**

- A. [RES. NO. 17-06](#) A RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION BONDS OF THE CITY OF LEE'S SUMMIT, MISSOURI

Res. No. 17-06 was read by the City Clerk.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Faith, that Res. No. 17-06 be adopted. The motion carried by a unanimous vote.

6. **PROCLAMATIONS:**

- A. [2017-1102](#) May Bike & Walk Month

Mayor presented the proclamation to Dr. Ed Kraemer and Mr. Jarrod Gravatt, members of the Livable Streets Advisory Board.

- B. [2017-1131](#) Proclamation for National Historic Preservation Month

A proclamation was read by Mayor Rhoads and handed to Mr. Martin Owens with the Historic Preservation Commission.

- C. [2017-1153](#) May 2017 Building Safety Month

Members of the Development Center received the proclamation for Building Safety Month, read by Mayor Rhoads.

- D. [2017-1167](#) National Public Works Week

Representatives from the Public Works and Water Utilities Departments received the proclamation from Mayor Rhoads.

- E. [2017-1168](#) National Drinking Water Week May 7 -13, 2017

A proclamation designating May 7-13 as National Drinking Water Week was read by Mayor Rhoads and presented to members of the Water Utilities Department.

7. **PRESENTATIONS:**

- A. [2017-1172](#) 2017 Drug Take Back Presentation

Ms. Emma Wise, a student at Lee's Summit West High School, along with Ms. Monica Meeks and Ms. Rachel Segobia from LS CARES, provided information on the Drug Take Back and "Can't Flush This" campaigns.

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

- A. [2017-1123](#) PUBLIC HEARING - Appl. #PL2017-033 - REZONING from CP-2 to R-1 and PRELIMINARY DEVELOPMENT PLAN - approximately 9 acres located on the east side of SW Raintree Pkwy approximately 1/3 mile south of SW Raintree Dr.; Chad & Joann Potter, applicant

Mayor Rhoads closed the Regular Session at 7:05 and opened the public hearing. Those wishing to give testimony during this public hearing were sworn in by the City Clerk.

Mr. William Neds with HDR, 3741 NE Troon Drive, represented the applicant. This request was to rezone approximately nine acres located east of SW Raintree Parkway from a CP-2 zoning to R-1 residential. The property owners wish to build a single-family home on the lot.

Mr. Hector Soto, Planning Division Manager, entered Exhibits 1-19 into the record. He stated this request was in compliance with the 2005 Comprehensive Plan and compatible with recent a zoning to the north for the Raintree subdivision. An easement will be required for a drive, since the property is landlocked. Staff recommended approval with one condition.

Hearing no further testimony, Mayor Rhoads closed the public hearing at 7:10 p.m. and reconvened the regular session.

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Edson, that the requested rezoning be approved, subject to Staff's letter dated April 7, 2017, and Condition #1. The motion carried by a unanimous vote (Councilmember Binney "absent").

9. **OTHER BUSINESS:**

- A. [BILL NO. 17-98](#) AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM CP-2 TO R-1 ON APPROXIMATELY 9 ACRES LOCATED ON THE EAST SIDE OF SW RAIN TREE PKWY APPROXIMATELY 1/3 MILE SOUTH OF SW RAIN TREE DR. FOR THE PROPOSED POTTER LOT 1 SUBDIVISION, AND APPROVING A PRELIMINARY DEVELOPMENT PLAN, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No.17-98 be adopted and numbered Ord. No. 8149. The motion carried by

the following vote:

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

Absent: 1 - Councilmember Binney

Enactment No: Ord. No. 8149

- B.** [2017-1113](#) Presentation - Second Amendment to I-470 Business and Technology Tax Increment Financing Plan and First Amendment to the Tax Increment Financing Contract

Mr. Rich Wood with Gilmore and Bell reviewed the history of this TIF (Tax Increment Financing) project. This amendment was to revise the budget to reduce the cost by removing a \$5-million line item for construction of the Strother Interchange TDD. The cost will be reduced from \$8,072,000 to \$4,101,764. A hearing was held by the TIF Commission on April 4th and they unanimously recommended approval.

Mr. Bill Moore, attorney for the applicant, and Mr. Jay Burchfield, developer, provided presentations.

- C.** [BILL NO. 17-99](#) AN ORDINANCE APPROVING A SECOND AMENDMENT TO THE I-470 BUSINESS AND TECHNOLOGY TAX INCREMENT FINANCING PLAN AND A FIRST AMENDMENT TO TAX INCREMENT FINANCING CONTRACT.

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Edson, that Bill No. 17-99 be adopted and numbered Ord. No. 8150. The motion carried by the following vote:

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

Absent: 1 - Councilmember Binney

Enactment No: Ord. No. 8150

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

The F&BC is scheduled to meet on Monday and CEDC on Wednesday.

11. COUNCIL ROUNDTABLE:

Mayor Rhoads mentioned the groundbreaking for the interchange improvements at 291 South and 50 Highway. There will be some lane closures and other obstructions for the next few months.

12. STAFF ROUNDTABLE:

- A. [2017-1157](#) CONTINUED DISCUSSION OF STRATEGIC PLANNING FRAMEWORK AND PROCESS, STEP 1

NOTE: Mayor Rhoads called for a five minute break and the meeting was reconvened at 7:35 p.m. Councilmember Forte now absent.

Chief Poeschl presented information from the Fire Department regarding the Strategic Plan. He also mentioned a recent notice received concerning the ISO (Insurance Services Office) rating for Lee's Summit, which will change to a Class 2/2X from the current rating of Class 3, which has been in effect since 2012.

- B. [2017-1160](#) DISCUSSION OF NEXT STEPS FOR STRATEGIC PLANNING FRAMEWORK AND PROCESS, STEPS 2 AND 3

With the presentation this evening, Mr. Arbo advised that Staff has completed their reports to the Mayor and Council on the Strategic Plan. Future agendas will include programs and other issues that still need to be completed to fulfill the goals set by the Council for Staff.

ADJOURNMENT

There being no further business, Mayor Rhoads ADJOURNED the May 4, 2017, City Council Regular Session No. 34 at 8:15 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".