



## The City of Lee's Summit

### Final Agenda

#### City Council - Regular Session

Thursday, June 7, 2018

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

**REGULAR SESSION NO. 4 \*\*\*AMENDED\*\*\***

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#### **Preliminaries:**

- A. Invocation
- B. Pledge of Allegiance
- C. Call to Order
- D. Roll Call
- E. Approval of Agenda

#### **1. Public Comments:**

*Anyone wishing to address the Mayor and Council during Public Comments will be limited to 3 minutes. Each speaker must fill out a Public Comment Card. The Public Comment Cards are located at the entrance of Council Chambers. After completion, the card is to be given to the City Clerk. Please be concise with comments and respect the 3 minute time limit.*

#### **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. [2018-2054](#) Approval of Action Letters from May 3, May 10 and May 17, 2018.

- B. [2018-2071](#)** Mayor's Appointments:  
Housing Authority: Appoint Tameka Bryant to replace Nick Swearngin, and reappoint Emmet Pierson, Jr., terms to expire 5-4-22.  
Industrial Development Authority: Appoint John Elkin to replace Gene Gamber, term to expire 11-4-20.  
Jackson County Board of Equalization: Appoint Doug Bates, term to expire 5-31-19.  
Parks and Recreation Board: Appoint Jim Huser to replace Steve Hardin and Casey Crawford to replace Hope Davis, and reappoint Tyler Morehead and Nancy Kelley terms to expire 5-31-21.  
Planning Commission: Appoint Jake Loveless to replace Beto Lopez, term to expire 4-15-20.  
Public Safety Advisory Board: Appoint Fred Delibero to replace Jack Volz, reappoint Kenneth Davis and Fred Pickard, terms to expire 5-1-21.
- C. [2018-2056](#)** Approval of a Type G1 & S Liquor License for Hand In Glove, 6 SW 3rd Street
- D. [2018-1938](#)** Approval of change in Managing Officer for La Fuente #3, 899 SW LeMans Lane
- E. [2018-2069](#)** Approval of change of Managing Officer for HyVee East, 301 NE Rice Road; HyVee Gas #2, 1201 SW 3rd Street; HyVee West, 310 SW Ward Road; and, HyVee Gas #1, 920 E. Langsford Road.
- F. [2018-2095](#)** Change in Liquor License Type for Grains & Taps (by adding A1 to the existing licenses of Typess G3 & S), 10 SW 3rd Street.
- G. [2018-2096](#)** Change in Liquor License for Headquarters (by adding Type B1 and B3 to the current G1 & S license), 127 SE 3rd Street.
- H. [2018-2097](#)** Change in Liquor License for Smoke Brewery Company (by adding addition Type S Liquor License to the current Type G3 & A1) , 209 SE Main Street.
- I. [BILL NO. 18-61](#)** An ordinance granting a change in zoning classification from district Agricultural (AG) to district Residential Large Lot (RLL), approximately 3.85 acres located at 5261 NE Maybrook Road, all in accordance with the provisions of the Unified Development Ordinance No. 5209 for the City of Lee's Summit, Missouri. (Note: First reading on May 17, 2018. Passed by unanimous vote).
- J. [BILL NO. 18-77](#)** An ordinance approving a Preliminary Development Plan located at 1000 SE Century Drive in District CP-2, proposed McCarthy Chevrolet Automotive Service and Sales Facility in accordance with the provisions of the Unified Development Ordinance No. 5209, for the City of Lee's Summit, Missouri. (Note: First reading on May 17, 2018. Passed by unanimous vote as amended).

- K. [BILL NO. 18-78](#) An ordinance granting a Special Use Permit for major automotive repair and automotive sales in District CP-2 on land located at 1000 SE Century Drive for a period of thirteen and a half (13.5) years, all in accordance with Article 10 within the Unified Development Ordinance, for the City of Lee's Summit, Missouri. (Note: First reading on May 17, 2018. Passed by unanimous vote).
- L. [BILL NO. 18-80](#) An ordinance vacating a certain fire access easement located on Lots 6, 7 and Tract B of the Fairfield Woods Subdivision in the City of Lee's Summit, Missouri. (Note: First reading May 17, 2018. Passed by unanimous vote).
- M. [BILL NO. 18-81](#) An ordinance amending Section 28-179 of the Code of Ordinances of the City of Lee's Summit by Revising the Tax Rates by Land Use Category for Calculation of the License Tax on Building Contractors. (Note: First reading on May 17, 2018. Passed by unanimous vote).
- N. [BILL NO. 18-82](#) An ordinance approving a funding agreement between the City of Lee's Summit, Missouri and Summit Orchards Partners, LLC, for the proposed Summit Orchards Community Improvement District and authorizing the City Manager to execute said agreement on behalf of the City. (Note: First reading on May 17, 2018. Passed by unanimous vote).
- O. [BILL NO. 18-83](#) An ordinance approving the award of Bid No. 324-18/19 (Surface Seal) for the Surface Seal 18/19 program to Vance Brothers Inc. and authorizing the City Manager to enter into the agreement for the same in the amount of \$1,035,886.42. (Note: First reading on May 17, 2018. Passed by unanimous vote).
- P. [BILL NO. 18-84](#) An ordinance approving the award of Bid No. 324-18/19 (Overlay) for the Mill & Overlay 18/19 program to Ideker, Inc. and authorizing the City Manager to enter into the agreement for the same in the amount of \$2,735,916.58. (Note: First reading on May 17, 2018. Passed by unanimous vote).

#### 4. Proclamations:

- A. [2018-2073](#) National Flag Week

#### 5. Presentations:

- A. [2018-1779](#) Lee's Summit CARES "State of the Youth" Presentation

**Presenter:** Lee's Summit CARES Youth Advisory Board students under the direction of Rachel Segobia, Executive Director.

#### 6. Resolutions:

- A. [RES. NO. 18-08](#) A resolution adopting the FY2019 - FY2023 Capital Improvement Plan (CIP) in accordance with the City of Lee's Summit Charter.

**Presenter:** Michael Anderson, Construction Manager

- B. [RES. NO. 18-09](#) A resolution authorizing the Mayor to appoint successor directors to the I-470 Community Improvement District.  
**Presenter:** Mark Dunning, Assistant City Manager

## 7. Public Hearings:

*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. [2018-2035](#) Public Hearing - Application #PL2018-042 - Rezoning from R-1 to AG - 3530 SW Pryor Road; Paula Diehl, applicant.  
**Presenter:** Josh Johnson, Assistant Director of Planning Services
- 1) [BILL NO. 18-85](#) An ordinance approving a Rezoning from District R-1 to District AG located at 3530 SW Pryor Road in accordance with the provisions of Unified Development Ordinance No. 5209 for the City of Lee's Summit, Missouri.  
**Presenter:** Josh Johnson, Assistant Director of Planning Services
- B. [2018-2036](#) Continued Public Hearing - Application #PL2018-033 - Rezoning from PI to CP-2 and Preliminary Development Plan - Oakview Storage Development Phase II, 1410 NE Douglas Street; Oakview Capital Partners, LLC, applicant.  
**Presenter:** Josh Johnson, Assistant Director of Planning Services
- 1) [BILL NO. 18-86](#) An ordinance approving a Rezoning from District PI to District CP-2 and Preliminary Development Plan located at 1410 NE Douglas Street, proposed Oakview Storage Development Phase II in accordance with the provisions of the Unified Development Ordinance No. 5209, for the City of Lee's Summit, Missouri.  
**Presenter:** Josh Johnson, Assistant Director of Plan Services
- C. [2018-2087](#) Public Hearing - Summit Orchards Community Improvement District; Summit Orchards Partners LLC, applicant  
**Presenter:** Mark Dunning, Assistant City Manager  
David Bushek, Gilmore & Bell, P.C. - City's Economic Development Counsel  
Ferdinand Niemann IV, Summit Orchards Partners, LLC  
David Christie, Summit Orchards Partners, LLC
- 1) [BILL NO. 18-87](#) An Ordinance approving the petition for establishment of the Summit Orchards Community Improvement District.  
**Presenter:** Mark Dunning, Assistant City Manager
- D. [2018-2089](#) Public Hearing: Appropriating the budget of the City of Lee's Summit, Missouri, for the Fiscal Year ending June 30, 2019.  
**Presenter:** Steve Arbo, City Manager

- 1) [BILL NO. 18-88](#) An ordinance approving, adopting and appropriating the Budget of the City of Lee's Summit, Missouri, for the Fiscal Year ending June 30, 2019. (F&BC 5-21-18)

**Presenter:** Stephen Arbo, City Manager

## 8. 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. 18-89](#) An ordinance authorizing the execution of a Development Agreement between Whispering Woods Land, LLC, a Missouri Limited Liability Corporation and the City of Lee's Summit, Missouri.

**Presenter:** Mike Weisenborn, Project Manager

- B. [BILL NO. 18-90](#) An ordinance approving the procurement of Excess Workers Compensation Coverage from Midwest Employers Casualty Company for Fiscal Year 2019 and authorizing the City Manager to execute agreements and other documents necessary for said insurance coverage. (F&BC 6/4/18)

**Presenter:** Jackie McCormick Heanue, Interim Director of Human Resources

- C. [BILL NO. 18-91](#) An ordinance approving the FY2019 Property and Liability Insurance Program, authorizing the City Manager to enter into agreements with CNA Insurance, One Beacon Insurance, Physicians Professional Indemnity Association, Traveler's Insurance and Thomas McGee, I.C. for the procurement of property and liability insurance coverage and related services for FY2019, and authorizing the City Attorney to approve individual claim expenses and/or settlements in amounts not to exceed \$20,000.00 per claim. (F&BC 6-4-18)

**Presenter:** Jackie McCormick Heanue, Interim Director of Human Resources

## 9. Proposed Ordinances - Second Reading:

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

- A. [BILL NO. 18-76](#) An ordinance granting a Special Use Permit for a Telecommunication Tower in District AG on land located at 5740 NE Lakewood Way, all in accordance with Article 10 within the Unified Development Ordinance, for the City of Lee's Summit, Missouri. (Note: First reading by City Council on May 17, 2018).

**Presenter:** Josh Johnson, Assistant Director of Planning Services

## 10. Committee Reports

*Committee chairs report on matters held in Committee.*

## 11. Council Roundtable

*Council Roundtable is reserved for items of general interest, community announcements and other such information. Council may ask for clarification or give direction about agenda items or discuss items of an emerging nature.*

## 12. Staff Roundtable

*Staff Roundtable is reserved for items of general interest, community announcements and other such information; however, staff may ask for clarification or direction from the council related to items on the agenda or for items of an emergency nature for which insufficient time exists for adding to the agenda.*

### **13. 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 Legislative Information Center website at "[lsmo.legistar.com](http://lsmo.legistar.com)"