

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

Tuesday, November 5, 2019

6:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 41

Preliminaries:

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

Mayor Baird called Regular Session No. 41 to order at 6:04 p.m.

- D. Roll Call

Councilmember Carlyle arrived at 6:20 p.m.

Councilmember Binney arrived at 6:52 p.m.

Present: 6 - Mayor Bill Baird
Councilmember Fred DeMoro
Councilmember Phyllis Edson
Councilmember Diane Forte
Councilmember Bob Johnson
Councilmember Beto Lopez

Absent: 3 - Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Craig Faith

1. Approval of Agenda

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Edson, to approve the agenda as published. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 3 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith

2. Approval of Consent Agenda:

- A. [2019-3096](#) Approval of Action Letters from October 1st, 8th and 15th, 2019.

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, to approve the Action Letters as part of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 3 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith

- B. [BILL NO. 19-216](#) An Ordinance accepting final plat entitled Princeton, Lots 1 and 2, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First read by City Council on September 17, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 19-216 be adopted and numbered Ordinance No. 8755 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 3 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith

- C. [BILL NO. 19-223](#) An Ordinance approving an amended and restated plan for an Industrial Development Project for Village at View High, approving the issuance of an additional \$6,500,000 of Industrial Development Revenue Bonds for the Project, and approving the amendment of certain documents in connection therewith.
(Note: First reading by Council on October 15, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 19-223 be adopted and numbered Ordinance No. 8756 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

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Absent: 3 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith

- D. [BILL NO. 19-240](#) An Ordinance accepting Final Plat entitled Summit View Farms 3rd Plat, Lots 51-74 and Tract C, as a subdivision to the City of Lee's Summit, Missouri.
(Note: First reading by Council on October 15, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that Bill No. 19-240 be adopted and numbered Ordinance No. 8757 as part of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 3 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith

- E. [2019-3110](#) A Hazardous Materials Permit for the City of Lee's Summit Fuel Station located at 805 N. Main Street.

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that this Hazardous Materials Permit be approved as part of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 3 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith

- F. [2019-3109](#) Approval of Liquor License H for All A'Bloom Flowers and Gifts, 5 SE 3rd Street, Lee's Summit, MO 64063

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Forte, that this Liquor License be approved as part of the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 3 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith

3. Council Roundtable

Mayor Pro Tem Lopez recognized a local Girls Softball Team (Blue Springs School in Lee's Summit city limits) has won back to back softball titles for the State of Missouri. He also noted his daughter was on the team as a Senior this year.

Councilmember Forte stated Lee's Summit Cares had their annual State of the Youth presentation at Bridge Space on Monday, November 4th, 2019. She enjoyed hearing what youths from Lee's Summit do in their community.

4. Proclamations:

- A. [2019-3038](#) November 2019 Educational Theatre Month

This Proclamation was presented.

5. Resolutions:

- A. [RES. NO. 19-14](#) A Resolution authorizing the filing of an application with the Missouri Department of Natural Resources, State Revolving Fund Program for grants under the Missouri Clean Water Law (Section 644, RSMo.).

ACTION: A motion was made by Councilmember Lopez, seconded by Councilmember Edson, that Resolution No. 19-14 be adopted. The motion carried by the following vote:

Aye: 6 - Mayor Baird
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 3 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith

6. Public Hearings:

- A. [2019-3075](#) Public Hearing: Application #PL2019-233 - Preliminary Development Plan - Wendy's, 711 SE M-291 Hwy; NPC International, Inc., applicant

Exhibit A, list of exhibits 1-17, were entered into the record.

City Council discussions included:

-Entrance/exit from a side street instead of 291 incase MoDOT were to put in a median making it a right in/right out.

There were no speakers in favor of, or opposed to, this application.

- 1) [BILL NO. 19-242](#) An Ordinance approving a Preliminary Development Plan located at 711 SE M-291 Hwy in District CP-2, proposed Wendy's in accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
(Note: First reading by Council on November 5, 2019. Passed by unanimous

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vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Lopez, that Bill No. 19-242 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Binney
Councilmember Faith

- B.** [2019-3076](#) Public Hearing: Application #PL2019-246 - Preliminary Development Plan - DCI Lee's Summit, 2001 NW Shamrock Ave; Dialysis Clinic, Inc., applicant.

Exhibit A, list of exhibits 1-19, were entered into the record.

City Council discussions included:

-Shared driveway with the Fire Department.

There were no speakers in favor of, or opposed to, this application.

- 1)** [BILL NO. 19-243](#) An Ordinance approving a Preliminary Development Plan located at 2001 NW Shamrock Ave in District PMIX, Proposed Dialysis Clinic, INC. In accordance with the provisions of Chapter 33, the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
(Note: First reading by Council on November 5, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Forte, that Bill No. 19-243 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Binney
Councilmember Faith

- C.** [2019-3077](#) Public Hearing: Application #PL2019-255 - Rezoning from AG, RP-1, CP-2, PI and PMIX to AZ - Lee's Summit Airport, 2751 NE Douglas St; City of Lee's Summit, applicant.

Exhibit A, list of exhibits 1-16, were entered into the record

City Council discussions included:

-Homeowners on the east side of Douglas

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- A dinner at the airport
- Properties on the other side of Strother and the Oppenhiemer property
- Would this allow for other services

There were no speakers in favor of, or opposed to, this application.

- 1) [BILL NO. 19-244](#) An Ordinance approving a rezoning from Districts AG, RP-1, CP-2, PI and PMIX to AZ for approximately 553.633 acres located at 2751 NE Douglas St, Lee's Summit Airport in accordance with the provisions of Chapter 33, The Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.

(Note: First reading by Council on November 5, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Lopez, that Bill No. 19-244 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Absent: 2 - Councilmember Binney
Councilmember Faith

- D. [2019-3078](#) Public Hearing: Application #PL2019-261 - Vacation of Right-Of-Way - unused right-of-way on Lee's Summit Airport property, 2751 NE Douglas St; City of Lee's Summit, applicant.

Exhibit A, list of exhibits 1-16, were entered into the record.

There were no questions from City Council and no speakers in favor of, or opposed to, this application.

- 1) [BILL NO. 19-245](#) An Ordinance vacating dedicated rights-of-way for a portions of NE Strother RD, NE Douglas RD, NE Hagan RD and NE Leinweber RD., located at 2751 NE Douglas ST, in the City of Lee's Summit, Missouri.

(Note: First reading by Council on November 5, 2019. Passed by unanimous vote.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 19-245 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Mayor Baird
Councilmember Carlyle
Councilmember DeMoro
Councilmember Edson
Councilmember Forte
Councilmember Johnson
Councilmember Lopez

Away FT: 1 - Councilmember Binney

Absent: 1 - Councilmember Faith

7. Public Comments:

Mr. Wayne Pearson addressed the City Council regarding traffic, speeding and vulgar language towards him and his kids on Mulberry. He would like assistance and guidance from the city to help with the issue.

8. Proposed Ordinances Forwarded from Committee:

- A. [BILL NO. 19-246](#) An Ordinance repealing the current City of Lee' Summit Procurement Policy, as adopted by Ordinance No. 8253, and adopting in lieu thereof a new policy entitled Procurement Policy for the City of Lee's Summit, Missouri. (F&BC 10-14-19)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 19-246 be second read. The motion carried by the following vote:

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

Absent: 1 - Councilmember Faith

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Binney, that Bill No. 19-246 be adopted and numbered Ordinance No. 8758. The motion carried by the following vote:

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

Absent: 1 - Councilmember Faith

9. Proposed Ordinances - Second Reading:

- A. [BILL NO. 19-241](#) An Ordinance vacating a certain utility and cross access easement located at 3924 & 3930 SW Raintree Drive in the City of Lee's Summit, Missouri.
(Note: First reading by Council on October 15, 2019.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 19-241 be adopted and numbered Ordinance No. 8759. The motion carried by the following vote:

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

Absent: 1 - Councilmember Faith

10. Committee Reports

Councilmember Johnson reminded everyone there will be a Finance and Budget Committee meeting on Monday, November 11, 2019 at 5:30 p.m.

Councilmember Carlyle noted there will be a Rules Committee meeting on Wednesday, November 6, 2019 at 6:00 p.m.

Councilmember Binney announced the approval of a grant from MARC (Mid-America Regional Council) for the purchase roll off containers for the south recycling center which is approximately 90 days from reopening. Staff is still pursuing an opportunity to reopen the North Recycling Center.

11. Council Comments:

Councilmember Binney reminded Council the area at 50 Highway and 291 doesn't need more traffic until the realignment project is complete. He asked when Council will get an update on the Market Pavilion discussion.

Mayor Baird spoke in regards to the C4 committees. He would like to have the process completed in 5 months and the proposed Kick-Off date is November 25.

12. Staff Roundtable

Mr. Mark Dunning, Assistant City Manger, announced Saturday, November 9th the City is hosting RecycleFest. This year it has been moved to the Maintenance Facility on Hamblin Road. It will be open 9:00 a.m. to noon.

13. Adjournment

Hearing no further business, Mayor Baird adjourned Regular Session No. 41 at 7:25 p.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"