



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

Thursday, October 19, 2017

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 46

INVOCATION

PLEDGE OF ALLEGIANCE

CALL TO ORDER

Mayor Rhoads called Regular Session NO. 46 to order at 6:15 p.m.

ROLL CALL

Councilmember Edson absent from Roll Call. Arrived at 6:55 p.m.

Present: 8 - Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Dave Mosby
Councilmember Diane Seif
Councilmember Fred DeMoro

APPROVAL OF AGENDA

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

7 Aye - Councilmember Faith
Councilmember Forte
Councilmember Carlyle
Councilmember Mosby
Councilmember Binney
Councilmember DeMoro
Councilmember Seif

1 Absent - Councilmember Edson

1. PUBLIC COMMENTS:

Ms. Gladys Bratton thanked Councilmember Mosby for reopening the discussion and his vote on the recycling issue. She also provided statements on positions and pay classifications from the City Managers 2017 Annual Report. She asked Council to examine how and where the budget is being spent and review further before amending the budget again.

Ms. Susan Coffman stated LS Cares and the LS Police Department are having an event to discuss teenage mental health on November 1st at 6:30 p.m. there will be many mental health professionals at the event as well.

Ms. Geraldine Amato shared her views on the current status of the Republic and the downfall of this nation.

2. COUNCIL COMMENTS:

There were no Council Comments.

3. APPROVAL OF CONSENT AGENDA:

- A. [2017-1573](#) Approval of a Type B3 Liquor License for Wine Wisp Imports, LLC., 2605 SE Winchester Drive.

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

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember Seif
Councilmember DeMoro

Absent: 1 - Councilmember Edson

- B. [2017-1596](#) Approval of Type G1 & S Liquor License for Headquarters, 127 SE 3rd Street.(Formerly Baristo)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that this Liquor License be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember Seif
Councilmember DeMoro

Absent: 1 - Councilmember Edson

4. PROPOSED ORDINANCES FORWARDED FROM COMMITTEE:

- A.** [BILL NO.](#) AN ORDINANCE APPROVING THE AWARD OF RFP NO. 2017-122 FOR A
[17-219](#) YEARLY AGREEMENT WITH FOUR POSSIBLE ONE-YEAR RENEWALS FOR
 AVIATION FUEL SERVICES FOR THE AVIATION DIVISION OF PUBLIC
 WORKS TO AVFUEL CORPORATION FOR AN AMOUNT NOT TO EXCEED
 \$686,354.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE
 SAME BY AND ON BEHALF OF THE CITY. (F&BC 10-2-17)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Carlyle, that Bill No. 17-219 be second read. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
 Councilmember Carlyle
 Councilmember Faith
 Councilmember Forte
 Councilmember Mosby
 Councilmember Seif
 Councilmember DeMoro

Absent: 1 - Councilmember Edson

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Carlyle, that Bill No. 17-219 be adopted and numbered Ord. No. 8259. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
 Councilmember Carlyle
 Councilmember Faith
 Councilmember Forte
 Councilmember Mosby
 Councilmember Seif
 Councilmember DeMoro

Absent: 1 - Councilmember Edson

- B.** [BILL NO.](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF AN
[17-220](#) INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF
 LEE'S SUMMIT, MISSOURI AND THE LEE'S SUMMIT R-7 SCHOOL DISTRICT
 FOR DONATION OF A ROBOT TO THE SCHOOL DISTRICT'S ROBOTICS
 CENTER. (F&BC 10-2-17)

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Carlyle, that Bill No. 17-220 be second read. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
 Councilmember Carlyle
 Councilmember Faith
 Councilmember Forte
 Councilmember Mosby
 Councilmember Seif
 Councilmember DeMoro

Absent: 1 - Councilmember Edson

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Carlyle, that Bill No. 17-220 be adopted and numbered Ord. No. 8260. The motion carried by the following vote:

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Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember Seif
Councilmember DeMoro

Absent: 1 - Councilmember Edson

- C.** [BILL NO. 17-221](#) AN ORDINANCE APPROVING A PUBLIC SERVICE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE DOWNTOWN LEE'S SUMMIT COMMUNITY IMPROVEMENT DISTRICT FOR ENHANCED PUBLIC AREA MAINTENANCE SERVICES, INCLUDING BUT NOT LIMITED TO, LITTER CONTROL, WEED ABATEMENT, SIDEWALK CLEANING, BY AND BETWEEN THE DOWNTOWN LEE'S SUMMIT COMMUNITY IMPROVEMENT DISTRICT AND THE CITY OF LEE'S SUMMIT, MISSOURI. (F&BC 10-2-17)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Faith, that Bill No. 17-221 be second read. The motion carried by the following vote:

Aye: 6 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Seif
Councilmember DeMoro

Nay: 1 - Councilmember Mosby

Absent: 1 - Councilmember Edson

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Faith, that Bill No. 17-221 be adopted and numbered Ord. No. 8261. The motion carried by the following vote:

Aye: 6 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Seif
Councilmember DeMoro

Nay: 1 - Councilmember Mosby

Absent: 1 - Councilmember Edson

- D.** [BILL NO. 17-222](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 2018-005 FOR THE PURCHASE OF ONE (1) NEW 2017 AERO SPECIALTIES JETGO 600MTI-RJ GROUND POWER UNIT (GPU) FOR THE LEE'S SUMMIT MUNICIPAL AIRPORT TO AERO SPECIALTIES AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT IN THE FORM OF A PURCHASE ORDER FOR THE SAME IN THE GRAND TOTAL AMOUNT OF \$40,900.00. (F&BC 10-2-17)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember

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Carlyle, that Bill No. 17-222 be second read. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember Seif
Councilmember DeMoro

Absent: 1 - Councilmember Edson

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that Bill No. 17-222 be adopted and numbered Ord. No. 8262. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember Seif
Councilmember DeMoro

Absent: 1 - Councilmember Edson

5. PRESENTATIONS:

Councilmember Edson present at 6:55 p.m.

Present: 9 - Mayor Randy Rhoads
Councilmember Rob Binney
Councilmember Trish Carlyle
Councilmember Phyllis Edson
Councilmember Craig Faith
Councilmember Diane Forte
Councilmember Dave Mosby
Councilmember Diane Seif
Councilmember Fred DeMoro

- A.** [2017-1427](#) Review of the Human Resources Assessment by the Novak Consulting Group

This Presentation was received and filed.

6. PUBLIC HEARINGS:

- A.** [2017-1490](#) PUBLIC HEARING - 740 NW Blue Parkway Community Improvement District; 740 Parkway Investors, LLC, Applicant

This Public Hearing - Legislative was received and filed.

- 1)** [BILL NO. 17-223](#) AN ORDINANCE APPROVING THE PETITION FOR ESTABLISHMENT OF THE 740 NW BLUE PARKWAY COMMUNITY IMPROVEMENT DISTRICT.
(Note: First reading by City Council on October 19, 2017.)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Bill No. 17-223 be advanced to second reading. The motion carried by the

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following vote:

Aye: 6 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Seif
Councilmember DeMoro

Nay: 2 - Councilmember Edson
Councilmember Mosby

- B.** [2017-1380](#) PUBLIC HEARING - Application #PL2017-176 - Conceptual Development Plan - West Pryor Village - Generally Bounded by I-470 on the north, NW Pryor Road on the east, and NW Lowenstein Drive on the southwest; City of Lee's Summit Applicant.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Mosby, that this application be remanded back to the Planning Commission to present a proposal that stays within the boundaries of the property that was rezoned for this project. The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember Seif
Councilmember DeMoro

- 1)** [BILL NO. 17-224](#) AN ORDINANCE APPROVING APPLICATION #PL2017-176 - CONCEPTUAL DEVELOPMENT PLAN, WEST PRYOR VILLAGE, GENERALLY BOUNDED BY I-470 ON THE NORTH, NW PRYOR ROAD ON THE EAST, AND NW LOWENSTEIN DRIVE ON THE SOUTHWEST ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

This Ordinance - Public Hearing was withdrawn.

- C.** [2017-1515](#) Continued Appl. #PL2017-153 - REZONING from AG to PI and Appl. #PL2017-166 - PRELIMINARY DEVELOPMENT PLAN - Tailor Made Landing, 1600 SE Hamblen Rd; Nolte & Associates, applicant

This Public Hearing - Sworn was received and filed.

- 1)** [BILL NO. 17-225](#) AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM AG TO PI ON APPROXIMATELY 8.3 ACRES LOCATED AT 1600 SE HAMBLEN ROAD FOR THE PROPOSED TAILORMADE LANDING DEVELOPMENT, AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR TAILORMADE LANDING, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE NO. 5209 FOR THE

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(Note: First reading by City Council on October 19, 2017.)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Binney, that Bill No. 17-225 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

Absent: 1 - Councilmember Seif

- D. [2017-1516](#) Appl. #PL2017-164 - PRELIMINARY DEVELOPMENT PLAN - 740 NW Blue Pkwy Restaurant Sites, 740 NW Blue Pkwy; Drake Development, LLC, applicant

This Public Hearing - Sworn was received and filed.

- 1) [BILL NO. 17-226](#) AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 740 NW BLUE PKWY IN DISTRICT CP-2, PROPOSED 740 NW BLUE PKWY RESTAURANT SITES, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

(Note: First reading by City Council on October 19, 2017.)

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Carlyle, that Bill No. 17-226 be advanced to second reading. The motion carried by the following vote:

Aye: 8 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember Seif
Councilmember DeMoro

- E. [2017-1571](#) Continued PUBLIC HEARING - Appl. #PL2017-167 - PRELIMINARY DEVELOPMENT PLAN - Village at View High, 2nd Plat, Lots 4-45 and Tracts B-E; Engineering Solutions, LLC, applicant

This Public Hearing - Sworn was received and filed.

- 1) [BILL NO. 17-227](#) AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND GENERALLY LOCATED AT THE NE CORNER OF SW VIEW HIGH DRIVE AND SW 3RD STREET IN DISTRICT PMIX, PROPOSED VILLAGE AT

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VIEW HIGH, 2ND PLAT, LOTS 4-45 AN TRACT B-E, ALL IN ACCORDANCE WITH THE PROVISIONS OF UNIFIED DEVELOPMENT ORDINANCE, NO. 5209, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

(Note: First reading by City Council on October 19, 2017.)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Faith, that Bill No. 17-227 be advanced to second reading. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

Absent: 1 - Councilmember Seif

F. [2017-1509](#) Land Clearance for Redevelopment Authority - 5-Year Public Hearing

This Public Hearing - Legislative was received and filed.

7. **PROPOSED ORDINANCES - SECOND READING:**

A. [BILL NO. 17-216](#) AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR TELECOMMUNICATIONS TOWER IN DISTRICT PI ON LAND LOCATED AT 465 SE OLDHAM PKWY, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

Mayor Rhoads closed the Regular Session and reopened the Closed Session to get further testimony regarding the failure of a monopole tower. The applicant provided additional testimony regarding this. He asked the Council to reconsider the ordinance be continued to another date for full council to vote.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Faith, that Bill No. 17-216 be continued to December 7, 2017 per the applicants request. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

Absent: 1 - Councilmember Seif

B. [BILL NO. 17-217](#) AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 465 SE OLDHAM PKWY, TELECOMMUNICATION TOWER, 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 Binney, seconded by Councilmember Faith, that Bill No. 17-216 be continued to December 7, 2017 per the applicants request. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

Absent: 1 - Councilmember Seif

- C. [BILL NO. 17-218](#) AN ORDINANCE APPROVING THE EXECUTION OF THE FUNDING/APPROVAL AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE 2017-2018 CDBG PROGRAM YEAR.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, that Bill No. 17-218 be adopted and numbered Ord. No. 8265. The motion carried by the following vote:

Aye: 7 - Councilmember Binney
Councilmember Carlyle
Councilmember Edson
Councilmember Faith
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

Absent: 1 - Councilmember Seif

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

There were no Committee Reports.

9. **COUNCIL ROUNDTABLE:**

There was no Council Roundtable.

10. **STAFF ROUNDTABLE:**

There was no Staff Roundtable.

11. **ADJOURNMENT**

Hearing no further business, Mayor Rhoads adjourned Regular Session No. 46 at 9:55 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".