



The City of Lee's Summit

Final Agenda

City Council - Regular Session

Tuesday, April 2, 2019

6:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 25

Preliminaries:

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

1. Approval of Agenda

2. Approval of Consent Agenda:

Items on the Consent Agenda are routine business matters 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. [2019-2673](#) Mayor's Appointments:
Board of Aeronautic Commissioners - Appoint Kirk Fletcher, term to expire 9-14-22.
Water Utilities Advisory Board - Reappoint Kay Ford, term to expire 3-1-22.
- B. [2019-2647](#) Approval of Action Letters from March 5th and 19th, 2019
- C. [2019-2646](#) Approval of Liquor Licenses G3 and S for new owner of Big Whiskey's, 860 NW Blue Pkwy Suite 101, Lee's Summit, MO 64081
- D. [BILL NO. 19-62](#) An Ordinance authorizing the execution of an intergovernmental contract for transit services by and between the City of Lee's Summit, Missouri and the Kansas City Area Transportation Authority (KCATA) and commitment of Federal Transit Administration Section 5307 Formula Funds to the KCATA for transit service and capital expenses.
(NOTE: First Reading by Council on March 19, 2019. Passed by unanimous vote.)

Presenter: Michael Park, PE, PTOE, City Traffic Engineer

3. 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.

4. 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. [2019-2636](#) Public Hearing: Application #PL2019-005 - Rezoning from CP-2 to AG - Summit Waves, 619 SW Jefferson Street; City of Lee's Summit, applicant.
- Presenter:** Josh Johnson, AICP, Asst. Director of Plan Services
- 1) [BILL NO. 19-63](#) An Ordinance approving a Rezoning from District CP-2 to District AG located at 619 SW Jefferson Street, in accordance with the provisions of Chapter 33, of the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
- Presenter:** Josh Johnson, AICP, Asst. Director of Plan Services
- B. [2019-2634](#) Public Hearing: Application #PL2019-017 - Preliminary Development Plan and Application #PL2019-018 - Special Use Permit for assisted living facility - Lee's Summit Senior Living Facility, generally located at the southeast corner of SE Ranson Road and SE Oldham Parkway; O'Reilly Development Co., applicant.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Scott Auman, Applicant
- 1) [BILL NO. 19-64](#) An Ordinance approving a Preliminary Development Plan located generally at the southeast corner of SE Ranson Road and SE Oldham Parkway in District CP-2, proposed Lee's Summit Senior Living Facility in accordance with the provisions of Chapter 33, of The Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Scott Auman, Applicant
- 2) [BILL NO. 19-65](#) An Ordinance approving a Special Use Permit for an assisted living facility generally located at the southeast corner of SE Ranson Road and SE Oldham Parkway in District CP-2, proposed Lee's Summit Senior Living Facility all in accordance with the provisions of Chapter 33, of The Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Scott Auman, Applicant
- C. [2019-2637](#) Public Hearing: Application #PL2019-019 - Preliminary Development Plan - Lakewood Business Park, Lot 35, 4101 NE Port Drive; Sallee Development, applicant.
- Presenter:** Josh Johnson, AICP, Asst. Director of Plan Services

- 1) [BILL NO. 19-66](#) An Ordinance approving a Preliminary Development Plan located at 4101 NE Port Drive in District PMIX, proposed Lakewood Business Park Lot 35 in accordance with the provisions of Chapter 33, of the Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
- Presenter:** Josh Johnson, AICP, Asst. Director of Plan Services
- D. [2019-2635](#) Public Hearing: Application #PL2019-022 - Preliminary Development Plan and Application #PL2019-021 - Special Use Permit for indoor climate-controlled storage facility - Extra Space Lee's Summit, 700 SE Oldham Court; Hernly Associates, Inc., applicant.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Stan Hernly, Applicant
- 1) [BILL NO. 19-67](#) An Ordinance approving a Preliminary Development Plan located on Lot 1 Oldham East Business Park in District CS, proposed Extra Space, indoor climate controlled storage facility in accordance with the provisions of Chapter 33, of The Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Stan Hernly, Applicant
- 2) [BILL NO. 19-68](#) An Ordinance approving a Special Use Permit for an indoor climate controlled storage facility in District CS on land located on Lot 1, Oldham East Business Park in District CS, proposed Extra Space, all in accordance with the provisions of Chapter 33, of The Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Stan Hernly, Applicant
- E. [2019-2653](#) Public Hearing: Application #PL2019-090 - Preliminary Development Plan - MC Power Tracker, 4043 NE Lakewood Way; MC Power Companies, Inc., applicant.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Jeremy Merz, Applicant
- 1) [BILL NO. 19-69](#) An Ordinance approving a Preliminary Development Plan located at 4043 NE Lakewood Way in District PMIX for a ground-mounted solar array in accordance with the provisions of Chapter 33, of The Unified Development Ordinance of Lee's Summit Code of Ordinances, for the City of Lee's Summit, Missouri.
- Presenter:** Josh Johnson, AICP, Assistant Director of Plan Services
Jeremy Merz, Applicant

5. 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.

6. Presentations:

- A. [2019-2617](#) Presentation - Amendments to New Longview Tax Increment Financing Plan Redevelopment Project Areas

Presenter: David Bushek, Chief Counsel of Economic Development & Planning

- B. [2019-2655](#) Presentation: Lee's Summit Senior Living Facility - Conceptual Economic Development Incentive Request, O'Reilly Development LLC, Applicant

Presenter: Mark Dunning, Assistant City Manager
Denise Heintz, Director of Operations & Development, O'Reilly Development Company, LLC
Shawn Whitney, Partner, Spencer Fane
Adlai Groves, Associate, Spencer Fane

7. Proposed Ordinances Forwarded from Committee:

The following proposed ordinances were considered by a Council Committee and are presented to the Council for two readings and adoption.

- A. [BILL NO. 19-70](#) An Ordinance approving the award of Bid No. 495 for the Lee's Summit Refueling Station to MEGA Industries Corporation in the amount of \$448,232.00, and authorizing the City Manager to enter into an agreement for the same. (PWC 3/26/19)

Presenter: Dena Mezger, P.E., Director of Public Works

- B. [BILL NO. 19-71](#) An Ordinance authorizing the award of Bid No. 54832272-1C for the Streambank Stabilization Projects to Tasco LLC in the amount of \$341,525.00, and authorizing the City Manager to enter into an agreement for the same. (PWC 3/26/19)

Presenter: Dena Mezger, P.E., Director of Public Works

- C. [BILL NO. 19-72](#) An Ordinance awarding Bid No. 418-322-72 Hook Road Shoulders - Arthur Drive to Ward Road to J.M. Fahey Construction Company in the amount of \$1,399,234.50 and authorizing the City Manager to enter into an agreement for the same. (PWC 3/26/19)

Presenter: Dena Mezger, P.E., Director of Public Works

- D. [BILL NO. 19-73](#) An Ordinance awarding Bid No. 40252086-2 for the Landfill Closure Construction to Phillips Hardy, Inc. in the amount of \$3,561,261.50 and authorizing the City Manager to enter into an agreement for the same. (PWC 3/26/19)

Presenter: Dena Mezger, P.E., Director of Public Works

- E. [BILL NO. 19-74](#) An Ordinance authorizing execution of Modification No. 5 to On-Call agreement for Environmental Professional Engineering Services yearly contract with Stearns, Conrad, and Schmidt, Consulting Engineers, Inc., dba SCS Engineers (Original RFQ No. 2017-307, Renewal 2017-307/R1) for Landfill Closure Construction oversight, testing, documentation, and observation for a not to exceed cost of \$427,800.00, and authorizing the City Manager to enter into an agreement for the same. (PWC 3/26/19)

Presenter: Dena Mezger, P.E., Director of Public Works

- F. [BILL NO. 19-75](#) An Ordinance authorizing the execution of an agreement with KC Dumpster Company, LLC., RFP 2019-032 for public disposal area services at the Resource Recovery Park and authorizing the City Manager to enter into an agreement for the same. (PWC 3/26/19)

Presenter: Chris Bussen, Solid Waste Superintendent

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. 19-76](#) An Ordinance approving the Second Amendment to the New Longview Tax Increment Financing Plan.

Presenter: David Bushek, Chief Counsel of Economic Development & Planning

- B. [BILL NO. 19-77](#) An Ordinance approving Redevelopment Project C1 for the New Longview Tax Increment Financing Plan and activating the collection of Tax Increment Financing revenues therein.

Presenter: David Bushek, Chief Counsel of Economic Development & Planning

- C. [BILL NO. 19-78](#) An Ordinance approving Redevelopment Project C2 for the New Longview Tax Increment Financing Plan and activating the collection of Tax Increment Financing revenues therein

Presenter: David Bushek, Chief Counsel of Economic Development & Planning

- D. [BILL NO. 19-79](#) An Ordinance approving Redevelopment Project F1 for the New Longview Tax Increment Financing Plan and activating the collection of Tax Increment Financing revenues therein.

Presenter: David Bushek, Chief Counsel of Economic Development & Planning

- E. [BILL NO. 19-80](#) An Ordinance approving Redevelopment Project F2 for the New Longview Tax Increment Financing Plan and activating the collection of Tax Increment Financing revenues therein.

Presenter: David Bushek, Chief Counsel of Economic Development & Planning

- F. [BILL NO. 19-81](#) An Ordinance to correct the Legal Description of Redevelopment Project G for the New Longview Tax Increment Financing Plan

Presenter: David Bushek, Chief Counsel of Economic Development & Planning

- G. [BILL NO. 19-82](#) An Ordinance approving Redevelopment Project H1 for the New Longview Tax Increment Financing Plan and activating the collection of Tax Increment Financing revenues therein.

Presenter: David Bushek, Chief Counsel of Economic Development & Planning

- H. [BILL NO. 19-83](#) An Ordinance approving Redevelopment Project H2 for the New Longview Tax Increment Financing Plan and activating the collection of Tax Increment Financing revenues therein
Presenter: David Bushek, Chief Counsel of Economic Development & Planning
- I. [BILL NO. 19-84](#) An Ordinance approving Redevelopment Project J1 for the New Longview Tax Increment Financing Plan and activating the collection of Tax Increment Financing revenues therein.
Presenter: David Bushek, Chief Counsel of Economic Development & Planning
- J. [BILL NO. 19-85](#) An Ordinance approving Redevelopment Project J2 for the New Longview Tax Increment Financing Plan and activating the collection of Tax Increment Financing revenues therein.
Presenter: David Bushek, Chief Counsel of Economic Development & Planning
- K. [BILL NO. 19-86](#) An Ordinance approving the Real Estate Sales Contract for the sale of City property to Dahmer Brothers Investment, LLC.
Presenter: Mark Dunning, Assistant City Manager
- L. [BILL NO. 19-87](#) An Ordinance amending Ordinance No. 8493, determining and declaring the necessity of acquiring for public use certain permanent right-of-way, permanent easements and temporary construction easements for road improvements associated with the Jefferson Street Improvement Project (Oldham Parkway to Persels Road) by condemnation; and providing an easement of access to Jefferson Street for property owned by Timothy Reiss over adjacent property owned by the City.
Presenter: Brian W. Head, City Attorney

9. Proposed Ordinances - Second Reading:

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

- A. [BILL NO. 15-226](#) An Ordinance approving Redevelopment Project B for the New Longview Tax Increment Financing Plan and activating the collection of Tax Increment Financing revenues therein.
(Note: This had first reading on December 17, 2015.)
Presenter: David Bushek, Chief Counsel of Economic Development & Planning

10. Committee Reports

Committee chairs report on matters held in Committee.

11. Council Comments:

(NOTE: Total time for Council Comments will be limited to 5 minutes.)

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"