



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

Thursday, June 1, 2017
6:15 PM
City Council Chambers
City Hall
220 SE Green Street
Lee's Summit, MO 64063
(816) 969-1000
REGULAR SESSION NO. 37

CALL TO ORDER

Mayor Rhoads called the June 1, 2017, Regular Session No. 37 of the Lee's Summit City Council to order at 6:15 p.m.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Mayor Rhoads received a request to move Item #3.E. Mayor Pro Tempore's Committee Appointments, to Other Business.

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Seif, that the agenda be approved, removing Item 3.E. from the Consent Agenda. The motion carried by a unanimous vote.

Aye: 5 - Councilmember Edson
Councilmember Faith
Councilmember Mosby
Councilmember Seif
Councilmember DeMoro

Nay: 3 - Councilmember Binney
Councilmember Carlyle
Councilmember Forte

1. PUBLIC COMMENTS:

Ms. Gladys Bratton addressed the Council regarding the proposed budget. She was concerned about the employee positions and whether those positions were necessary.

Mr. Ken Sessa thanked the Planning Commission and Public Works Committee for amending the Capital Improvements Plan (CIP) by removing the proposed bridge on 5th Street Terrace.

2. COUNCIL COMMENTS:

Councilmember Carlyle, who chaired the Finance and Budget Committee, appreciated the questions from Ms. Bratton and assured her that the committee thoroughly reviewed all the proposals. She felt the committee performed their due diligence on the budget.

3. APPROVAL OF CONSENT AGENDA:

A. [2017-1218](#)

Mayor's Appointments:

Beautification Commission: Appoint Tanya Forbes, term to expire 7-22-19.

Park Board: Reappoint Marly McMillen and Brian Hutchin, and appoint Michael Bowles, terms to expire 5-31-20.

Planning Commission: Appoint Carla Dial, to replace Fred Delibero, term to expire 4-15-19.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Mayor's Appointments be approved. The motion carried by unanimous vote.

B. [2017-1192](#)

Approval of Action Letters from May 4, 11, 18, 2017.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that the Action Letter approved. The motion carried by unanimous vote.

C. [2017-1236](#)

Approval of change in managing officer for Spin Neopolitan Pizza, 1808D NW Chipman Road.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that the Liquor Licenses be approved. The motion carried by unanimous vote.

D. [2017-1237](#)

Approval of a Type G3 & S liquor license for Wally's Grill & Bar, 837 SW Lemans Lane.

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

E. [2017-1248](#)

Mayor Pro Tempore's Committee Appointments

This item was moved to the end of the agenda. Councilmember Mosby asked why there were only three members on some committees and why there was not a liaison appointed for some boards and commissions. Councilmember Binney explained there were no provisions requiring four members on a committee and the rationale for his appointments was the workload. The Legislative Committee has a very light workload. In the beginning, the Rules Committee was not meant to be a full-time committee

but only meet when necessary. This past committee had a heavy workload reviewing changes directed by the Charter amendments. Councilmember Mosby felt having four members on a committee was important but realized the Mayor Pro Tem could appoint another member at a later date.

Regarding the lack of liaisons to the Market Center of Ideas, Lee's Summit Social Services and the Health Education Advisory Board, Councilmember Binney thought the liaison did not contribute to those boards and omitting a liaison lightened the workload for councilmembers. Those organizations have the ability to reach out to the Mayor Pro Tem if there is something that the Council needs to consider.

The Communications Task Force was put in place to assist with the Creative Services Center, which has been established. Councilmember Binney appreciated the work of the task force but felt their assignment was complete.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, to approve the Mayor Pro Tempore's appointments. The motion passed on a vote of 7 'aye', 1 'no' (Councilmember Mosby) .

4. PROPOSED ORDINANCES:

- A. [BILL NO. 17-110](#) AN ORDINANCE APPROVING, ADOPTING AND APPROPRIATING THE BUDGET OF THE CITY OF LEE'S SUMMIT, MISSOURI, FOR THE FISCAL YEAR ENDING JUNE 30, 2018.

Councilmember Mosby thought the issues voiced by Ms. Bratton during Public Comments had some merit and he suggested the new Budget Committee review the proposed budget.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that BILL NO. 17-110 be adopted and numbered Ord. No. 8162. The motion carried by the following vote:

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

Nay: 2 - Councilmember Edson
Councilmember Mosby

Enactment No: Ord. No. 8162

- B. [BILL NO. 17-113](#) AN ORDINANCE AMENDING CHAPTER 2. ADMINISTRATION, SECTION 2-60.21-RULE 2.1. ORDER OF BUSINESS, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI, IN COMPLIANCE WITH THE CITY CHARTER, SECOND AMENDED, APPROVED APRIL 4, 2017. (Rules 5/22/17)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Seif, that BILL NO. 17-113 be adopted and numbered Ord. No. 8163. 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

Enactment No: Ord. No. 8163

- C. [BILL NO. 17-114](#) AN ORDINANCE AMENDING CHAPTER 2. ADMINISTRATION, ARTICLE II. COUNCIL, DIVISION 3. STANDING COMMITTEES, SECTIONS 2-51 OF THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT FOR THE PURPOSE OF EXPANDING THE ROLE OF THE ALTERNATE FOR A PERIOD OF ONE YEAR. (Rules 5/22/17)

Motion was made by Councilmember Edson, seconded by Councilmember Seif for a second reading.

DISCUSSION: Councilmember Binney was not sure why the alternate would be needed if there were a quorum, so he stated his intention to vote "no". Councilmember Carlyle did not think this amendment met the intended outcome. Mr. Head pointed out this ordinance would be in place for a year and, if not amended permanently, the provisions would revert to what is currently in the ordinance. Councilmember Forte thought the existing ordinance did not need to be modified. Councilmember Seif responded if the alternate took the time to attend, sometimes on a moment's notice, they should be able to vote.

The Council voted 5 "aye", 3 "no", by voice vote, on the motion for second reading.

ROLL CALL:

<i>Councilmember Seif</i>	<i>Aye</i>	<i>Councilmember Carlyle</i>	<i>No</i>
<i>Councilmember DeMoro</i>	<i>Aye</i>	<i>Councilmember Edson</i>	<i>Aye</i>
<i>Councilmember Mosby</i>	<i>Aye</i>	<i>Councilmember Forte</i>	<i>No</i>
<i>Councilmember Binney</i>	<i>No</i>	<i>Councilmember Faith</i>	<i>Aye</i>

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Seif, that BILL NO. 17-114 be adopted and numbered Ord. No. 8164. The motion carried by the following vote:

City Council - Regular Session

Action Letter

June 1, 2017

Aye: 5 - Councilmember Edson
Councilmember Faith
Councilmember Mosby
Councilmember Seif
Councilmember DeMoro

Nay: 3 - Councilmember Binney
Councilmember Carlyle
Councilmember Forte

Enactment No: Ord. No. 8164

- D.** [BILL NO. 17-115](#) AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR LAND SURVEYING SERVICES IN THE AMOUNT OF \$24,005.00 FOR THE HOOK ROAD SHOULDER IMPROVEMENT PROJECT PURSUANT TO THE ON-CALL AGREEMENT FOR LAND SURVEYING SERVICES YEARLY CONTRACT (RENEWAL NO. 2017-302-1) BETWEEN ANDERSON SURVEY COMPANY, INC. AND THE CITY OF LEE'S SUMMIT, MISSOURI. (PWC 5/16/17)

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Edson, that BILL NO. 17-115 be adopted and numbered Ord. No. 8165. 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

Enactment No: Ord. No. 8165

- E.** [BILL NO. 17-116](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 423-322-72C FOR THE TODD GEORGE PARKWAY SHOULDER IMPROVEMENTS - COLBERN ROAD TO WOODS CHAPEL TO J.M. FAHEY CONSTRUCTION COMPANY AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SAME IN THE AMOUNT OF \$1,107,695.10. (PWC 5/16/17)

ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Edson, that BILL NO. 17-116 be adopted and numbered Ord. No. 8166. 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

Enactment No: Ord. No. 8166

- F. [BILL NO. 17-117](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 324-17/18 (Surface Seal) FOR THE SURFACE SEAL 17/18 PROGRAM TO VANCE BROTHERS INC. AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SAME IN THE AMOUNT OF \$973,308.32. (PWC 5/16/17)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Seif, that BILL NO. 17-117 be adopted and numbered Ord. No. 8167. 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

Enactment No: Ord. No. 8167

- G. [BILL NO. 17-118](#) AN ORDINANCE APPROVING THE AWARD OF BID NO. 324-17/18 (Overlay) FOR THE MILL & OVERLAY PROGRAM TO SUPERIOR BOWEN ASPHALT COMPANY, L.L.C. AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SAME IN THE AMOUNT OF \$2,748,399.64. (PWC 5/16/17)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that BILL NO. 17-118 be adopted and numbered Ord. No. 8168. 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

Enactment No: Ord. No. 8168

- H. [BILL NO. 17-119](#) AN ORDINANCE APPROVING AWARD OF RFQ 2017-307 TO STEARNS, CONRAD AND SCHMIDT, CONSULTING ENGINEERS, INC. DBA SCS ENGINEERS, FOR A ONE YEAR CONTRACT WITH TWO POSSIBLE ONE-YEAR RENEWAL OPTIONS FOR ON-CALL YEARLY ENVIRONMENTAL PROFESSIONAL ENGINEERING SERVICES AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SAME. (PWC 5/16/17)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Seif, that BILL NO. 17-119 be adopted and numbered Ord. No. 8169. The motion carried by the following vote:

City Council - Regular Session

Action Letter

June 1, 2017

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

Enactment No: Ord. No. 8169

- I. [BILL NO. 17-120](#) AN ORDINANCE AUTHORIZING EXECUTION OF MODIFICATION NO. 1 TO THE ON-CALL AGREEMENT FOR ENVIRONMENTAL PROFESSIONAL ENGINEERING SERVICES WITH STEARNS, CONRAD AND SCHMIDT, CONSULTING ENGINEERS, INC. DBA SCS ENGINEERS (RFQ NO. 2017-307), FOR A NOT TO EXCEED COST OF \$85,000.00, FOR ANNUAL TASKS ASSOCIATED WITH THE RESOURCE RECOVERY PARK, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SAME. (PWC 5/16/17)

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Carlyle, that BILL NO. 17-120 be adopted and numbered Ord. No. 8170. 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

Enactment No: Ord. No. 8170

- J. [BILL NO. 17-121](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF MODIFICATION NO. 1 TO THE AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES WITH BARTLETT & WEST INC., FOR THE LANGSFORD ROAD BRIDGE REHABILITATION (RFQ NO. 44112-D) IN THE AMOUNT OF \$76,874.50 FOR A REVISED CONTRACT AMOUNT OF \$364,315.50, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SAME. (PWC 5/16/17)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Seif, that BILL NO. 17-121 be adopted and numbered Ord. No. 8171. 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

City Council - Regular Session

Action Letter

June 1, 2017

Enactment No: Ord. No. 8171

- K. [BILL NO. 17-122](#) AN ORDINANCE APPROVING A PUBLIC SERVICE AGREEMENT BY AND BETWEEN LEE'S SUMMIT CHAMBER OF COMMERCE, INC. AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR MARKETING SERVICES TO BE PROVIDED TO THE CITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY. (F&BC 4/17/17)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Seif, that BILL NO. 17-122 be adopted and numbered. Ord. No. 8172 The motion carried by the following vote:

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

Away FT: 1 - Councilmember Forte

Enactment No: Ord. No. 8172

- L. [BILL NO. 17-123](#) AN ORDINANCE APPROVING A PUBLIC SERVICE AGREEMENT BY AND BETWEEN LEE'S SUMMIT CHAMBER OF COMMERCE, INC. AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR TOURISM SERVICES TO BE PROVIDED TO THE CITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY. (F&BC 4/17/17)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Seif, that BILL NO. 17-123 be adopted and numbered Ord. No. 8173. The motion passed by the following vote:

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

Away FT: 1 - Councilmember Forte

Enactment No:

- M. [BILL NO. 17-124](#) AN ORDINANCE APPROVING A PUBLIC SERVICE AGREEMENT BY AND BETWEEN DOWNTOWN LEE'S SUMMIT MAIN STREET AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR SERVICES TO BE PROVIDED TO THE CITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY. (F&BC 4/17/17)

ACTION: A motion was made by Councilmember Seif, seconded by Councilmember Carlyle, that this Ordinance be adopted and numbered. Ord. No. 8174 The motion carried by the following vote:

City Council - Regular Session

Action Letter

June 1, 2017

Aye: 5 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Seif
Councilmember DeMoro

Nay: 2 - Councilmember Edson
Councilmember Mosby

Away FT: 1 - Councilmember Forte

Enactment No: Ord. No. 8173

N. [BILL NO. 17-125](#) AN ORDINANCE APPROVING A PUBLIC SERVICE AGREEMENT BY AND BETWEEN LEE'S SUMMIT ECONOMIC DEVELOPMENT COUNCIL. AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR SERVICES TO BE PROVIDED TO THE CITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY. (F&BC 4/17/17)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Seif, that BILL NO. 17-125 be adopted and numbered Ord. No. 8175. The motion carried by the following vote:

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

Away FT: 1 - Councilmember Forte

Enactment No: Ord. No. 8175

5. RESOLUTIONS:

A. [RES. NO. 17-09](#) A RESOLUTION OF SUPPORT FOR THE JACKSON COUNTY, MISSOURI ENVIRONMENTAL HEALTH DIVISION PUBLIC AQUATIC VENUE REGULATIONS AND INSPECTION PROGRAM. (CEDC 5/10/17)

There was a question from the Council about how to be certain the amount to be charged remains the same. Mr. Mark Dunning, Assistant City Manager, advised the Resolution was written with proposed language from the County. A lady from Jackson County was present and assured the Council this issue would be before the Jackson County Legislature next week, with the recommended fee of \$150. Councilmember Binney noted the JC Health Department does a lot on a very small budget. Also, the HOAs are barely scraping by on a small budget. He was not in favor of the resolution at this time.

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Seif, that Res. No. 17-09 be adopted. The motion carried by the following vote:

City Council - Regular Session

Action Letter

June 1, 2017

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

Nay: 2 - Councilmember Binney
Councilmember Forte

- B.** [RES. NO. 17-10](#) A RESOLUTION ADOPTING THE FY2018 - FY2022 CAPITAL IMPROVEMENT PLAN (CIP) IN ACCORDANCE WITH THE CITY OF LEE'S SUMMIT CHARTER. (PWC 5/16/17)

Motion was made by Councilmember Binney, seconded by Councilmember Carlyle, to adopt Res. No. 17-10.

DISCUSSION: Mr. Mike Anderson, Senior Staff Engineer, explained the CIP attached to this Resolution was the same one originally presented to the Public Works Committee and Planning Commission.

Motion was made by Councilmember Binney, seconded by Councilmember Mosby, to AMEND the resolution by removing the 5th Street Terrace Bridge project and replace this project with the Ward Road from Tudor Road to NW Blue Parkway project. MOTION PASSED unanimously.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, that Res. No. 17-10 be adopted, as amended. The motion carried by a unanimous vote.

6. PROCLAMATIONS:

- A.** [2017-1242](#) Proclamation honoring June 14, 2017, as National Flag Day and the week of June 12, 2017, as National Flag Week.

Mayor Rhoads presented the proclamation.

7. PUBLIC HEARINGS (Sworn):

- A.** [2016-0806](#) Continued PUBLIC HEARING - Appl. #PL2016-185 - SPECIAL USE PERMIT renewal for a telecommunication tower - 2750 NW Clifford Rd; American Tower Asset Sub, LLC, applicant.
(NOTE: This item was CONTINUED from April 6th and May 18th, 2017 per the applicant's request and is to be CONTINUED to July 13, 2017, per the applicant's request.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that this Public Hearing be continued to the City Council Regular Session on July 13, 2017, with the stipulation that no more continuances be granted. The motion carried by a vote of 5 "aye", 0 "no", 3 "Away From the Table" (Councilmembers Edson, Carlyle and DeMoro).

- B.** [2016-0688](#) Continued PUBLIC HEARING - Appl. #PL2016-190 - SPECIAL USE PERMIT renewal for telecommunication towers - 2140 NW Lowenstein Dr.;

American Tower Asset Sub II, LLC, applicant.

(NOTE: This item was CONTINUED from April 6th and May 18th, 2017 per the applicant's request. This item is to be CONTINUED to July 13, 2017 per the applicant's request.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Forte, that this Public Hearing be continued to the City Council Regular Session on July 13, 2017, with the stipulation that no more continuances be granted. The motion carried by a vote of 6 "aye", 0 "no", 2 "Away From the Table" (Councilmembers Edson and DeMoro).

- C. [2017-1199](#) PUBLIC HEARING - Appl. #PL2017-064 - PRELIMINARY DEVELOPMENT PLAN - Weber Carpet, 1016 SE Blue Pkwy; Weber Carpet, applicant.

Mayor Rhoads closed the public hearing at 7:40 p.m., opened the public hearing and asked all those who wished to speak to be sworn in by the City Clerk.

Mr. Jason Reece with Focus Architecture represented the applicant and explained the project. A new rendering of the south side of the building was provided, showing four inserts with block contrasting and added canopies, to address the aesthetic concerns for this 95-foot-long wall.

Mr. Hector Soto, Jr., Planning Division Manager, entered Exhibits 1-21 into the record, which were accepted by Mayor Rhoads. Additionally, Exhibit #22, the updated rendering submitted by the architect, was entered into the record. He mentioned the applicant's plan showed 29 parking spaces, instead of the 35 required by the UDO.

Hearing no further testimony, Mayor Rhoads closed the public hearing at 7:55 p.m. but immediately reopened for further questions from the Council.

Councilmember Mosby was concerned about the fencing on the north side of the property, abutting residential, since there will be about 6" between the proposed fence and existing residential fence. Mr. Reece explained the fence was planned for the north property line because of storm water issues. The homeowner was not opposed to the fence being located on his property.

Councilmember Rhoads closed the public hearing for the second time at 7:57 p.m. and reconvened the regular session.

Motion was made by Councilmember Carlyle, seconded by Councilmember Forte, to direct Staff to draft an ordinance.

AMENDMENT: Councilmember Binney moved to AMEND the motion to require development to be in accordance with Staff's recommendations in a letter dated May 5, 2017, with Items 1, 2 and 4, deleting Item 3, which

allowed the 29 parking spaces instead of the required 35 spaces.

The Council voted 6 "aye", 2 "no" (Councilmember Carlyle and Mosby) on the motion to amend. MOTION PASSED.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that Staff be directed to present an ordinance to approve this application, as amended. The motion carried by a vote of 7 "aye", 1 "no" (Councilmember Mosby).

- D. [2017-1193](#) PUBLIC HEARING - Appl. #PL2016-219 - REZONING from AG to R-1 and PRELIMINARY DEVELOPMENT PLAN - Whispering Woods, approximately 76 acres generally located at the northeast corner of SW Pryor Rd and SW Hook Rd; Whispering Woods Land, LLC, applicant.
(NOTE: This item was CONTINUED from May 18, 2017, per the applicant's request.)

Mayor Rhoads closed the public hearing at 8:00 p.m., opened the public hearing and asked all those who wished to speak to be sworn in by the City Clerk.

Ms. Angie Ripley and Mr. Rick Fry were present for the application and provided a presentation.

Mr. Hector Soto, Jr., Planning Division Manager, entered Exhibits 1-30 into the record. Since there were no changes from the original plan, Staff was available to answer questions.

There was discussion about the floodplain and Mr. Fry assured the Council none of the lots would be in the floodplain.

Mr. Bruce Closterman, 1722 SW Hook Road, asked the Council to consider different options for the subdivision pool location, due to noise.

Hearing no further testimony, Mayor Rhoads closed the public hearing at 8:30 p.m. and reconvened the regular session.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Faith, to direct Staff to PRESENT AN ORDINANCE. The motion carried by unanimous vote.

8. **OTHER BUSINESS:**

- A. [BILL NO. 17-126](#) AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND LOCATED AT 1016 SE BLUE PARKWAY IN DISTRICT CP-2, PROPOSED WEBER CARPET, 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. 16-126 be adopted, as amended by removing Item #3 from Section 2 of the ordinance, and numbered Ord. No. 8176. The motion carried by the following vote:

City Council - Regular Session

Action Letter

June 1, 2017

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

Nay: 1 - Councilmember Mosby

Enactment No: Ord. No. 8176

B. [BILL NO.
17-107](#)

AN ORDINANCE GRANTING A CHANGE IN ZONING CLASSIFICATION FROM AG TO R-1 ON APPROXIMATELY 76 ACRES GENERALLY LOCATED AT THE NORTHEAST CORNER OF SW PRYOR RD. AND SW HOOK RD. FOR THE PROPOSED WHISPERING WOODS RESIDENTIAL SUBDIVISION, AND APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR WHISPERING WOODS SUBDIVISION, 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 Faith, seconded by Councilmember Seif, that BILL NO. 17-107 be adopted and numbered Ord. No. 8177. 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

Enactment No: Ord. No. 8177

C. [BILL NO.
17-127](#)

AN ORDINANCE AUTHORIZING AN AMENDMENT TO PERMIT THE EXTENSION OF THE PROJECT TIME PERIOD FROM OCTOBER 15, 2016 TO DECEMBER 30, 2017 OF THE STATE BLOCK AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION, GRANTING STATE FUNDS IN THE AMOUNT OF \$6,807,158.00 FOR RUNWAY 18-36 EXTENSION PREGRADING AT THE LEE'S SUMMIT MUNICIPAL AIRPORT.

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Carlyle, that BILL NO. 17-127 be adopted and numbered Ord. No. 8178. 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

Enactment No: Ord. No. 8178

- D. [BILL NO. 17-128](#) AN ORDINANCE AUTHORIZING AN AMENDMENT TO PERMIT THE EXTENSION OF THE PROJECT TIME PERIOD FROM OCTOBER 15, 2016 TO DECEMBER 30, 2017 OF THE AIRPORT AID AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION, GRANTING STATE FUNDS IN THE AMOUNT OF \$378,175.00 FOR RUNWAY 18-36 EXTENSION PREGRADING AT THE LEE'S SUMMIT MUNICIPAL AIRPORT.

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Forte, that BILL NO. 17-138 be adopted and numbered Ord. No. 8179. 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

Enactment No: Ord. No. 8179

- E. [2017-1235](#) Presentation - Lee's Summit Economic Development Council (LSEDC)
Quarterly Report - 1st Quarter 2017

Mr. Rick McDowell with the Lee's Summit Economic Development Council presented their quarterly report.

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

Councilmember Binney encouraged the new chairs to find the best day and time possible for meetings so the new committee members will be available. He also questioned whether Thursday was the best evening for Council meetings.

10. **COUNCIL ROUNDTABLE:**

Councilmember Binney reported on the Bi-State Commission meeting he attended last night and stated the group was looking for ways to move forward.

Councilmember Binney noted the most recent Parks Board meeting was the last for long-time member Paula Belser. He thanked her for many years of service.

Councilmember Forte urged the Council to support this weekend's Downtown Days.

Councilmember Faith addressed the statements from Public Comments this evening regarding the budget. All jobs in the City are there so things get

done. These were astute observations on Ms. Bratton's part but the committee did discussion all of these.

Mayor Rhoads reminded councilmembers there will not be a meeting next week.

11. STAFF ROUNDTABLE:

Mr. Arbo explained there is a pay equity system in play to make sure the value of a position is equivalent with the pay. In the next few weeks, Staff will be making a report on the equity in the market to attract and retain employees. The City does not assign pay levels "willy-nilly" but makes comparisons to the job market.

12. ADJOURNMENT

There being no further business, Mayor Rhoads ADJOURNED the June 1, 2017, Regular Session No. 37 at 9:10 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".