



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

Thursday, January 18, 2018

6:15 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

*****AMENDED*** REGULAR SESSION NO. 54**

INVOCATION

PLEDGE OF ALLEGIANCE

CALL TO ORDER

Mayor Rhoads called Regular Session No. 54 to order at 6:17 p.m.

ROLL CALL

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

APPROVAL OF AGENDA

Mayor Rhoads amended the agenda by removing Item 4.E. as it was placed on the agenda in error.

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Binney, to approve the Published Amended Agenda with the amendment to remove Item 4.E. The motion carried by the following vote:

Aye:

Councilmember Faith
Councilmember Binney
Councilmember Edson
Councilmember Carlyle
Councilmember Mosby

Councilmember DeMoro
Councilmember Forte
Councilmember Seif

1. PUBLIC COMMENTS:

Ms. Geraldine Amato gave her opinion on the fall of the United States again.

Ms. Gladys Bratton thanked Council for not passing the Comp Study but she was concerned over the request to give \$5M to "fix" the issue. She feels the turn-over of employees is due to lack of leadership and direction. She stated she thinks more could be done inside the organization beyond increasing pay to retain employment.

2. COUNCIL COMMENTS:

Councilmember Binney advised the Finance and Budget Committee will have a Special Session on Wednesday, January 24, 2018 at 6:00 p.m. to discuss the financial model and sustainability of using \$5 from the Reserve Fund as directed by Council.

3. APPROVAL OF CONSENT AGENDA:

- A. [2018-1771](#) Approval of Liquor License Type "G1" and "S" for Pinot's Palette, 970 NW Blue Parkway, Ste. B.

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

- B. [BILL NO. 18-01](#) AN ORDINANCE VACATING DEDICATED RIGHT-OF-WAY FOR A PORTION OF NE TODD GEORGE ROAD LOCATED APPROXIMATELY 90 FEET NORTH OF THE INTERSECTION OF NE WALL ST AND NE COUNTY PARK ROAD. WITHIN THE CITY OF LEE'S SUMMIT, MISSOURI.

(NOTE: First reading by City Council on January 4, 2018 and approved unanimously.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, that Bill No. 18-01 be adopted and numbered Ord. No. 8323 as part of the Consent Agenda. The motion carried by the following vote:

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

C. [BILL NO.](#)
[18-02](#)

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN ON LAND GENERALLY LOCATED AT THE NE CORNER OF SW LONGVIEW BOULEVARD AND SW LONGVIEW ROAD IN DISTRICT PMIX, PROPOSED KESSLER RIDGE AT NEW LONGVIEW, 2ND PLAT, LOTS 56-87, TRACTS E-G, 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 January 4, 2018 and approved unanimously.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, that Bill No. 18-02 be adopted and numbered Ord. No. 8324 as part of the Consent Agenda. 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

D. [BILL NO.](#)
[18-03](#)

AN ORDINANCE APPROVING THE 2018 FACILITY USAGE AGREEMENT BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, THROUGH THE LEE'S SUMMIT PARKS AND RECREATION BOARD AND JACKSON COUNTY PARKS AND RECREATION FOR THE USE OF CITY FACILITIES AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY.
(NOTE: First reading by City Council on January 4, 2018 and approved unanimously.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, that Bill No. 18-03 be adopted and numbered Ord. No. 8325 as part of the Consent Agenda. 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

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- E. [BILL NO.
18-04](#) AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "SIENA AT LONGVIEW, 4TH PLAT, LOTS 216A-218A, 224A & 320-328", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.
(NOTE: First reading by City Council on January 4, 2018 and approved unanimously.)

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember DeMoro, tha Bill No. 18-04 be adopted and numbered Ord. No. 8326 as part of the Consent Agenda. 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

4. **PROPOSED ORDINANCES FORWARDED FROM COMMITTEE:**

- A. [BILL NO.
18-05](#) AN ORDINANCE APPROVING THE EXECUTION OF A PUBLIC SERVICE AGREEMENT BY AND BETWEEN VELOCITY LEE'S SUMMIT, INC. AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR SERVICES TO BE PROVIDED TO THE CITY. (F&BC 11-6-17)

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember Binney, that Bill No. 18-05 be second read. The motion failed by the following vote:

Aye: 3 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith

Nay: 4 - Councilmember Edson
Councilmember Forte
Councilmember Mosby
Councilmember DeMoro

Abstain: 1 - Councilmember Seif

- B. [BILL NO.
18-06](#) AN ORDINANCE APPROVING THE SCHEDULE OF FUEL DISCOUNTS FOR FUEL SALES AT THE LEE'S SUMMIT MUNICIPAL AIRPORT. (F&BC 1-8-18)

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember Seif, that Bill No. 18-06 be second read. 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

ACTION: A motion was made by Councilmember Edson, seconded by Councilmember DeMoro, that Bill No. 18-06 be adopted and numbered Ord. No. 8328. The motion carried by the following vote:

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

ACTION: A motion was made by Councilmember Binney, seconded by Councilmember Seif, that Bill No. 18-08 be adopted and numbered Ord. No. 8330. 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.** [BILL NO. 18-09](#) AN ORDINANCE AUTHORIZING THE EXECUTION OF A COOPERATIVE AGREEMENT FOR FUNDING OPERATIONS OF OPERATION GREEN LIGHT TRAFFIC CONTROL SYSTEM BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI, AND THE MID-AMERICA REGIONAL COUNCIL. (PWC 11-21-17)

Note: This item was placed on the agenda in error. It has since been removed from the agenda and will not be considered.

This Ordinance was withdrawn.

5. EMERGENCY ORDINANCES:

- A.** [BILL NO. 18-11](#) AN ORDINANCE PROVIDING FOR AN ELECTION OF MUNICIPAL OFFICERS BY VOTERS IN THE CITY OF LEE'S SUMMIT, MISSOURI, AT THE GENERAL ELECTION TO BE HELD ON APRIL 3, 2018, AND PROVIDING THAT NOTICE OF SAID ELECTION BE GIVEN, CONTAINING AN EMERGENCY CLAUSE.

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember Seif, that Bill No. 18-11 be second read. 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

ACTION: A motion was made by Councilmember Faith, seconded by Councilmember DeMoro, that Bill No. 18-11 be adopted and numbered Ord. No. 8331. The motion carried by the following vote:

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

6. PRESENTATIONS:

- A.** [2018-1778](#) Presentation and consideration of an update to the City's Right-of-way Code

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Seif, to direct staff to prepare an ordinance updating the City's Right-Of-Way Code. 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

- B.** [2017-1748](#) Paragon Star - Presentation of I-470 Western Gateway Transportation Development District proposal

This Presentation was received and filed.

7. RESOLUTIONS:

- A.** [RES. NO. 18-01](#) A RESOLUTION SUPPORTING THE FORMATION OF THE I-470 WESTERN GATEWAY TRANSPORTATION DEVELOPMENT DISTRICT.

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Seif, that Resolution No. 18-01 be approved as amended. The motion carried by the following vote:

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

Nay: 3 - Councilmember Edson
Councilmember Mosby
Councilmember DeMoro

ACTION: A motion was made by Councilmember Forte, seconded by Councilmember Seif, that this Resolution be approved with the following amendment.

1. Delete references to Jackson County, Missouri

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2. Regarding Exhibit A - Revise legal description to delete the legal description and inclusion of Parcel No. 51-900-03-06-00-0-00-000, Happy Valley Properties, LLC, owner, which is the 5.32 acres parcel with house off Chipman Road

3. Regarding Exhibit B – Revise boundary map to reflect deleted property

4. Regarding Exhibit C – Transportation Projects – delete shared trail, revise reference to parking lots, and revise related Exhibit C location map.

The motion carried by the following vote:

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

Abstain: 1 - Councilmember DeMoro

ACTION: A motion was made by Councilmember Mosby, seconded by Councilmember Edson, that Resolution No. 18-01 be approved as amended by the following:

1. Remove TDD funding for fill for floodplain on private property from the project list.
2. Remove TDD funding for landscaping on private property from the project list.
3. Remove TDD funding for parking lots on private property from the project list.
4. Remove TDD funding for parking garage on private property from the project list.
5. Remove TDD funding for architect and engineering cost for private property enhancements from the project list.

The motion failed by the following vote:

Aye: 3 - Councilmember Edson
Councilmember Mosby
Councilmember DeMoro

Nay: 5 - Councilmember Binney
Councilmember Carlyle
Councilmember Faith
Councilmember Forte
Councilmember Seif

8. PROPOSED ORDINANCES - FIRST READING:

- A. [BILL NO. 18-10](#) AN ORDINANCE VACATING A CERTAIN EASEMENT LOCATED LOTS 217, 224, AND 291 OF THE SIENA AT LONGVIEW SUBDIVISION IN THE CITY OF LEE'S SUMMIT, MISSOURI.

(Note: First reading by Council on January 18, 2018 and approved by unanimous vote.)

ACTION: A motion was made by Councilmember DeMoro, seconded by Councilmember Seif, that Bill No. 18-10 be advanced for 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

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

Councilmember Binney restated the Finance and Budget Committee will have a Special Meeting this Wednesday, January 24, 2018 at 6:00 p.m.

Councilmember Carlyle advised the Rules Committee will be meeting on Thursday, January 25, 2018 at 5:30 p.m. and they would be reviewing the proposed Ethics policy again and invited other Councilmember and the public to come to give some input into the process.

10. **COUNCIL ROUNDTABLE:**

Councilmember Binney asked what the reasons could be for abstaining on votes and if there were rules listed in Robert's Rules of Order regarding abstaining from a vote.

Mr. Brian Head, City Attorney, advised the most common reason to abstain is for legal reasons, but there are no rules established by this Council on abstaining from any vote.

Councilmember Binney stated he hoped the members of Velocity and other entrepreneurs do not feel the Council is opposed to these types of projects. He felt there should have been more discussion and he also hopes this can be reviewed and Velocity can come back with more support.

Councilmember Forte was disappointed that the Finance and Budget Committee did not provide more guidance to Velocity and discuss the amount they were asking for. She felt this should have been better vetted at the committee level.

11. **STAFF ROUNDTABLE:**

Mrs. Christal Kliewer Weber, Assistant City Manager, invited Council to come to the Meet and Greet of the new Citizen's Leadership Academy attendee's on Saturday, January 20, 2018 from 8:00 - 8:30 a.m. here at City Hall.

12. **ADJOURNMENT**

Hearing no further business, Mayor Rhoads adjourned Regular Session No. 54 at 8:43 p.m.

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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".