

The City of Lee's Summit
Action Letter - Final
Community and Economic Development Committee

Wednesday, November 13, 2019

4:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

1. Call to Order

Chairperson Forte called the meeting to order at 4:14 pm.

2. Roll Call

Present: 4 - Chairperson Diane Forte
Vice Chair Fred DeMoro
Councilmember Beto Lopez
Planning Commissioner Donnie Funk

Absent: 1 - Councilmember Craig Faith

3. Approval of Agenda

ACTION: A motion was made by Vice Chair DeMoro, seconded by Councilmember Lopez, to approve the November 13, 2019 Community and Economic Development Committee meeting agenda. The motion carried by a unanimous vote.

4. Public Comments

No public comments.

5. Business

- A. [2019-3074](#) Approval of the September 11, 2019 Community and Economic Development Committee minutes.

ACTION: A motion was made by Vice Chair DeMoro, seconded by Councilmember Lopez, to approve the September 11, 2019, Community and Economic Development Committee minutes. The motion carried by a unanimous vote.

- B. [2019-3081](#) Discussion: Kiosks for commercial parking lots.

Josh Johnson, AICP, Assistant Director - Development Services stated staff has done research to provide additional information regarding ice houses in commercial parking lots. Currently, the City does not allow these types of structures. Issues for consideration include:

- Parking and circulation - don't want to create an overload to current sites
- Architecture of the structure - what does the structure look like as it relates to existing buildings on site
- Placement of utilities - have to look at case by case, install meters
- Drainage - need to look at individual sites to determine if sufficient drainage is present

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- Size limitations - size of building would impact the site and traffic flow in area

In other cities, these type of requests are more administrative in nature and do not require a public hearing. A final development plan would make sense for these type of requests. Mr. Johnson provided photos of different types of icehouses and made a recommendation the architecture of the icehouse should match the main building on site to maintain compatibility and limit negative impacts. In the past, these requests are prohibited due to the Unified Development Ordinance (UDO). Therefore, to approve these requests would require an amendment to the UDO. However, staff is willing to create an ordinance to take to the Planning Commission for review if directed by this committee.

Public Comments

Lisa Norris, 1301 NE Oakwood Dr., Lee's Summit, Missouri, stated she agrees with staff's comments on size limitations. Their icehouses are about 350 sq. ft. (the size of a parking space). She added they try to locate their icehouses in areas that already have good traffic flow and ample parking. She believes the icehouses also attract patrons to locations where shopping is diminishing which would benefit other businesses at those locations. She understands staff's recommendation on compatible architecture and is willing to follow their suggestions. Their icehouses consume about 20 gallons of water a day and is cleaner than the water they put in it. They are willing to work with staff on any drainage issues and have a French drain at their location in Pleasant Hill, Missouri.

Mayor Pro Tem Lopez stated he is not ready to make a decision on this item and does not think it is ready to move forward to the city council for final vote. He prefers staff vet the topic more, take it to the Planning Commission for review and then bring it back to the CEDC for additional discussion before taking it the City Council.

Vice Chair DeMoro thinks staff should draft an ordinance since the applicant is in agreement with staff's recommendations and take to the planning commission.

Mark Dunning added staff has only done preliminary research on this topic and would need to examine it more thoroughly prior to drafting an ordinance and bringing it to this committee for review.

The committee agreed staff should proceed with additional research and bring the topic back for further discussion at a future CEDC meeting.

This Discussion Item was read into the record.

C. [TMP-1429](#) Public Hearing: City of Lee's Summit 2020-2024 Consolidated Plan (Draft) of the Community Development Block Grant Program

At 4:40 p.m. Chair Forte closed the regular session closed and opened the public hearing. Those wishing to speak were sworn-in.

Mr. Heping Zhan, Assistant Director of Planning & Special Projects, reviewed the process for the 2020-2024 CDBG Program and explained this is an annual entitlement program funded by the U.S. Department of Housing and Urban Development (HUD) comprised of three national objectives:

1. Benefit low-to-moderate income persons (LMI)
2. Address slums or blight; or,
3. Address a particularly urgent community need (disaster response)

The HUD CDBG program focuses on the needs of the low-to-moderate income population, needs of the homeless and persons with special needs. As part of the funding program, HUD requires entitlement communities to prepare and adopt a five-year consolidated plan (broken into three components consisting of a strategic plan, implementation and evaluation), a

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citizen participation plan and an annual action plan.

Mr. Zhan explained staff incorporated information obtained from the Citizens Strategic Plan process and the ETC Institute fair housing survey completed earlier in the year to have statistically valid results for this program. He also noted there was little participation for the public open house meetings.

The next step is the 30-day public review and comments (currently underway) and the public hearing.

Chair Forte asked about the public review and comments and Mr. Zhan replied the city places a legal notice in the Lee's Summit Tribune and advertised it on the City's website. The public may comment by phone, email or respond in writing.

Councilmember DeMoro asked how staff obtained the public demographics from the surveys. Mr. Zhan stated staff targeted lower appraised homes and public assisted apartments.

Mr. Zhan stated based on the needs and priorities identified, the goals for the 2020-2024 Consolidated Plan include:

1. Basic Needs (food, clothing, services, etc.) of LMI (High)
2. Residential Repairs/Rehab for LMI/Affordable Housing (High)
3. Services for Mental Health/Substance Abuse, Domestic Violence (High)
4. Sidewalk Improvement in Older Neighborhoods (Low)
5. Solutions for Public Transit/Transportation (Low)
6. Improved Availability of Useful Public Information (Low)

Mr. Zhan completed his presentation and asked for questions.

Mayor Pro Tem Lopez asked about the timeline for the program. Mr. Zhan stated the target date for the consolidation plan and public participation is December 2019. If the City Council adopts the plan in December. The consolidated plan timeline would start in January 2020 and end in May 2020.

Chair Forte stated there may be additional public feedback with the LS Ignite process which may need to be included. Mr. Zhan agreed there is still time to include additional public comments.

Hearing no public comments Chair Forte closed the public hearing.

A motion was made by Vice Chair DeMoro seconded by Mayor Pro Tem Lopez, to recommend City Council approval by ordinance for the City of Lee's Summit 2020-2024 Consolidated Plan of the Community Development Block Grant Program and Amended Citizen Participation Plan. The motion carried unanimously.

ACTION: A motion was made by Vice Chair DeMoro, seconded by Councilmember Lopez, that this Ordinance be recommended for approval by the City Council - Regular Session, due back by 11/19/2019 The motion carried by a unanimous vote.

D. [2019-3125](#) Discussion on alternative approaches to the Minor Home Repair Program

Amy Hugunin, Admin. Manager for Development Services, stated the City's Minor Home Repair program has been administered by City staff since 1995. Because home repairs continue to be a top need for the community and there remains a strong public desire to continue utilizing these funds, staff is re-evaluating the Minor Home Repair Program and looking for alternative methods to make a larger impact on the community.

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Truman Heritage Habitat for Humanity (THHH) operates a home preservation program similar to the City's program but they have more resources to oversee and fund their program.

Ms. Christina Leaky, President/CEO of Truman Heritage Habitat for Humanity provided background information on their home preservation model. They are an affiliate of the eastern Jackson County area using volunteers and families wanting to be homeowners.

There program has been in place since 2013 and funded through partnerships with local governments (Raytown and Independence) and would like to expand to Lee's Summit.

They receive funding from the communities (CDBG funds, general funds, etc.), corporate partners (Spire, Evergy), private funds (Home Depot), and donations. The City of Independence was their first home preservation partner and have provided approximately \$100,000 per year through CDBG funding for the Truman Heritage Habitat for Humanity program for homeowner projects.

Truman Heritage Habitat for Humanity bases their program on:

1. Need for housing
2. Ability to pay
3. Willingness to partner (10 hours of sweat equity)

They also utilize volunteer labor and material donations to lower the cost of repairs and construction. They are a licensed general contractor and have a construction team of skilled workers on site for the projects.

Currently, THHH is funding between 20-25 critical home repair projects and about 15-20 weatherization projects and has a waiting list of 40 - 50 people. She is not certain how many on the waiting list are from Lee's Summit but without a funding source they typically tell them there is not much they can offer until funds become available.

THHH can design their programs to address the needs of the community. Most programs provide assistance in the \$3,000-5,000 range. About 90% of the THHH applicants are senior citizens and THHH makes their focus on home preservation so those individuals can age in place to maintain their quality of life.

THHH also offers a veterans initiative with Home Depot and Habitat International and work with veteran agencies to identify those in need.

Ms. Hugunin provided a comparison of services and costs offered by the City (Minor Home Repair) and THHH.

She said the typical cost of repairs for the city per project is around \$10,000 compared to \$3,000-5,000 for THHH by utilizing volunteers and material donations. The cost of staff time for the City is between 30 - 40%, while THHH would use 20% of the funds to run the program. For comparison, if the City allocated \$100,000 to the program, it would only allocate for about 10 home repairs, while THHH would be able to fund between 16-26 repairs with the same funding.

There are benefits to the applicant/homeowners including

- No longer require three bids
- Increased number of repairs
- Repairs completed faster
- Communication (communicate directly with THHH)
- Volunteering (homeowner can help work on their project)
- Certificate of Completion (homeowner will still have authority to certify work has been completed to their satisfaction)

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- Warranty (Habitat will correct any defects in work due to defective materials and/or workmanship for a period of up to one year)

Ms. Hugunin provided a timeline for the CDBG application process for the Program Year 2020. If approved by the City Council, there is the potential of starting the program in July or August 2020. She ended by saying THHH would need to apply for CDBG funds each year and staff will have the opportunity at that time to evaluate their program performance and determine if it is meeting the needs of the Lee's Summit community.

CM DeMoro asked is there a monetary buy-in for the applicant. Ms. Leaky responded they typically like a monetary buy-in, which is an unsecured promissory note, zero interest loan. They cap the repayment of \$5000, for up to seven years to keep payment within an affordable standard for the homeowner. The average payment is \$50 per month. Currently there is 90% of homeowners who pay ahead or on time. These funds help cover some of the funding gaps in the program to keep it affordable.

She added the weatherization program utilizes the sweat equity for the owners buy-in.

Councilmember DeMoro member asked what happens if the homeowner defaults. Ms. Leaky said they make an effort to collect by letter. They do write off some loans to bad debt and in the past three years, they have written off six notes. However, THHH offers a 20% discount to homeowners who pay off loan in advance.

Councilmember DeMoro asked for examples of sweat equity. Ms. Leaky responded homeowners can assist with the repairs or they can make lunch for the volunteers, volunteer at ReStore, or work from home to write thank you notes or make phone calls to donors.

Ms. Leaky added there are a significant number of churches and businesses in Lee's Summit who support THHH through volunteerism. But they are having to leave Lee's Summit to do so.

Mayor Pro Tem Lopez asked if the city supported THHH would the resources remain in Lee's Summit.

Ms. Leaky replied an additional benefit would be getting additional funding from other grantees (state and federal) to use for programs.

Staff was looking for direction/support from the committee. There was consensus to support.

This Discussion Item was read into the record.

E. [SUBSTITUTED BILL NO. 19-265](#)

An Ordinance amending Chapter 19 Parks and Recreation of the Code of Ordinances of the City of Lee's Summit dealing generally with incorporating new definitions and modifying existing definitions, and amending language related to curfew in parks and as well as language regarding the prohibition of animals at the municipal pool. (CEDC 11/13/19)

Ms. Jackie McCormick Heanue, Supt. of Legal Services & Human Resource Parks and Recreation, explained with the move of the Beautification Commission to the Cultural Arts Division, parks staff wanted to make modifications to the code. The Park Board reviewed the modifications and approved bringing to the Community and Economic Development Committee.

These modifications include moving the Tree Board responsibilities to the Public Works Division, addressing issues relating to ebikes, self-propelled vehicles, curfews in the parks for youth activities and pooch parties at Summit Waves.

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In response to Councilmember DeMoro question about which governing body does the Beautification Commission make recommendations, Ms. McCormick Heanue stated moving forward the Beautification Commission would need to make recommendations to the City Council.

A motion was made by Mayor Pro Tem Lopez seconded by Chair DeMoro, to recommend City Council approval of the an Ordinance amending Chapter 19 Parks and Recreation of the Code of Ordinances of the City of Lee's Summit dealing generally with removing references to the Beautification Commission and Tree Board, incorporating new definitions and modifying existing definitions, and amending language related to curfew in parks and as well as language regarding the prohibition of animals a the municipal pool. The motion carried unanimously.

A motion was made by Councilmember Lopez, seconded by Vice Chair DeMoro, that this Bill No 19-265 was recommended for approval to the City Council - Regular Session, due back on 11/19/2019 The motion carried unanimously.

F. [2019-3067](#) City Support for Amendments to the Missouri Community Improvement District (CID) Act Regarding Location of CID-Funded Public Improvements.

Mr. David Bushek, Chief Counsel of Economic Development and Planning, stated this item is for presentation only.

The Missouri Community Improvement District Act (CID Act) contains the restriction that all public improvements funded by a CID must be physically located within the geographic boundaries of the CID. This has caused numerous problems for CIDs throughout the state including:

It creates problems with achieving a validly signed CID petition.

- Many CID-funded public improvements are streets and associated improvements (utilities, stormwater features, curbs and gutters) that are located at the perimeter of a project that uses a CID. As a result, the boundaries of the CID must be expanded beyond the project boundaries and across the street to geographically include the improvements within the CID area.
- This shape of the CID brings property owners into the CID area that are not connected with the project, because persons who own property adjacent to a street actually own fee title to the land under the street to the centerline of the street.
- A valid CID petition must be signed by more than 50% per capita (headcount) and more than 50% measured by assessed value of all properties within the proposed CID area. The unintended consequence of adding adjacent streets is that it also adds property owners to the CID area. This artificially makes it more difficult to achieve the 50% per capita (headcount) requirement to file a valid CID petition.
- This has caused developers to take extraordinary and artificial steps in order to meet the 50% per capita (headcount) signing requirement. For example, in a CID that would have only one property owner, adding an adjacent street might bring in two additional property owners who are located across the street. To meet the 50% per capital signing requirement, developer creates two new small parcels within the project which are owned by entities that are controlled by developer, in order to have a majority of the property owners by headcount (3 of 5) sign the CID petition so it can be filed with the City.

It can create jurisdictional problems which require extraordinary measures to solve.

- Restricting CID public improvements to include only improvements within the geographic boundaries of the CID can cause unintended jurisdictional issues in certain situations.
- The Paragon Star project includes a CID and a transportation development district (TDD). The boundaries of the CID are limited to the property located in the City of Lee's Summit. Certain streets and parking lots being constructed for the Paragon Star project will be located in Kansas City. It was the City's original intention to have the CID own and maintain all of the streets and parking lots for the project. However, since certain streets and parking lots are outside Lee's Summit and therefore outside the CID boundaries, we had to take special measures to have the TDD own and pay for maintenance of the streets and parking lots that are in Kansas City. This split in the maintenance responsibilities between the CID and TDD also requires special contract provisions to coordinate for maintenance work. All of these special measures would not be needed if the CID could fund improvements that are outside its boundaries but which benefit the CID area.

Mr. Bushek added there is a growing concern regarding this constriction in that very soon this could potentially affect two very large tracts of property (4,000 acres) located in the City (one in the north and one in the south).

Staff will be working with the City's lobbyist to form a coalition of cities to advance the CID amendment.

This Discussion Item was read into the record.

G. [2019-3082](#) Discussion - City Hall Parking Garage Lighting

Mark Dunning, Assistant City Manager, stated there have been some safety concerns regarding the lighting in the City Hall Parking Garage. Staff is replacing several light bulbs with more efficient LED lightbulbs as they burn out. The original bulbs are 150 watt, metal halide bulbs and the replacement LED bulbs only require 18 watts of electricity to operate at similar light level outputs.

The City is also upgrading the security cameras in the garage including those in the stairwells on all levels. The cameras will cover all portions of the garage and footage will be stored for 30 days. In addition, license plate readers are being installed and the project will be underway this month.

Chair Forte stated she has heard comments from others, that the parking garage is too dark at night.

Councilmember DeMoro asked if the security cameras were monitored or if there is a motion detector in use after hours. Mr. Dunning stated the cameras will not be monitored, but the data will be stored. Also, the lighting is being improved to assist with the camera footage.

Councilmember DeMoro asked if the license plate reader information was going to be stored. Mr. Dunning replied yes, the two systems (camera and license plate reader) will be integrated and the information stored together.

Mayor Pro Tem Lopez agrees the upgrades will be helpful. He asked if panic buttons were being installed and is there a record of any illegal incidents in the garage.

Mr. Dunning replied there are code blue buttons at each level of the garage and he is not aware of any incidents involving physical harm occurring in the garage. However, there has been some unwanted activity in which the individuals were confronted and asked to discontinue. He also stated the police department patrols the garage after working hours.

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This Discussion Item was read into the record.

H. [2019-3079](#) Status update on 4th & Main Street City downtown parking lot

Mark Dunning, Assistant City Manager, provided the committee with an update on this location stating in August of 2018 the City acquired property located at SE 4th and SE Main Streets. The property is approximately 1/2 acre in size and is being planned for a surface parking lot for downtown parking on a temporary basis. The City's Public Works Department is designing the parking lot improvements and a Phase 2 environmental site assessment is being performed. The Public Works Department anticipates bidding the parking lot improvement project during the winter 2019-2020 with a proposed construction completion of spring of 2020. Although not fully designed at this time, the City anticipates the parking lot will accommodate 38 additional parking spaces.

This Discussion Item was read into the record.

6. Roundtable

There was no roundtable discussion.

7. Adjournment

Chair Forte stated the next meeting of the Community Economic and Development Committee meeting will be on Wednesday, December 11, 2019 at 4:00 p.m.

The meeting adjourned at 6:17 p.m.

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