



LEE'S SUMMIT PARKS AND RECREATION BOARD AD HOC ORDINANCE COMMITTEE MEETING MINUTES

CITY OF LEE'S SUMMIT, MISSOURI

DATE:	May 30, 2019	TIME:	5:30 PM	PLACE:	Parks and Recreation Conference Room
Ad Hoc Committee Members Present:		Ad Hoc Committee Members Absent:		Staff Present:	Other Guests:
Lawrence Bivins, Treasurer		None		Joe Snook	None
Casey Crawford				Jackie McCormick Heanue	
Samantha Shepard					
AGENDA ITEM	DISCUSSION (Findings/Conclusions)				RECOMMENDATIONS/ ACTIONS
Review of Proposed Modifications to Chapter 19 – Parks and Recreation of the City of Lee’s Summit Code of Ordinances	<p>Mr. Snook began the meeting by introducing the purpose of the Ad Hoc Committee, and explained because the City Council recently moved responsibilities associated with the Beautification Commission back to the Administration Department of the City, modifications were needed to the Parks and Recreation Chapter of the City’s Code of Ordinances. Staff believes there are some other adjustments that need to be made to the Chapter and recommends proposing to the City Council a complete package of changes at once.</p> <p>Mr. Snook and Ms. McCormick Heanue prepared a summary of the proposed changes to the Ordinance and the reasons for the proposed changes. In addition to the removal of responsibilities associated with the Beautification Commission and Tree Board, staff is proposing new language be added to the code to address the use of Other Power Driven Mobility Devices (OPDMD’s) which are required to be allowed by the Americans with Disabilities Act (ADA). Also proposed was language to address the use of E-Bikes within the City’s parks system. Finally, two provisions were proposed to allow exceptions to current code provisions related to curfew and use of the City’s public pool, which will accommodate existing events and activities which are allowed in the parks system and will eliminate inadvertent code violations.</p> <p>The Committee members engaged in a lengthy discussion regarding the provisions related to use of E-Bikes within the parks system. The current code prohibits any type of motorized vehicle, which would include an E-Bike. A number of questions were asked, and the merits of allowing E-Bikes in the LSPR system was debated, along with restrictions of other types of motorized vehicles, including children’s scooters, Power Wheels, and other similar equipment. Mr. Snook and Ms. McCormick Heanue explained staff’s proposal was to allow Type 1 and 3 E-Bikes within the LSPR system, because they require at least some physical intervention to operate and are not fully self propelled vehicles. Mr. Snook noted to the Committee that while the current Ordinance is very restrictive and is law, the Police Department is not actively patrolling parks looking for offenders of this provision, and generally LSPR staff enforces these provisions, relying on law enforcement in the event an individual refuses to comply with LSPR staff directives. Mr. Snook also noted the Kansas City Metro Parks and Recreation Director’s Association has engaged in a lengthy discussion and debate on this topic and has prepared a set of recommendations/positions consistent with staff’s recommendation. He also indicated the interconnectivity between and among jurisdictions is of increasing importance to LSPR, especially with the opening of the Rock Island Trail.</p> <p>The Committee questioned the prohibition of Type 2 E-Bikes, which have the capacity to propel themselves without any physical intervention. Mr. Snook indicated this was a recommendation of the KCMPRDA after research, and,</p>				



	<p>additionally, in Mr. Snook's research of bike shops in the area, none even sell Type 2 E-Bikes, finding they are much more prevalent in Europe than the United States. The Committee also questioned whether the ordinance was intended to prohibit the use of "vehicles" like small children's scooters and the like. Mr. Snook explained the ordinance as it currently stands has been in force for some time and the intent may be different from the technology which exists today.</p> <p>The Committee requested staff rework the proposed language to expand the use of self propelled vehicles while still enforcing the requirement that physical intervention be utilized.</p> <p>The Committee agreed with the proposed revisions to address the OPDMD/ADA issues, and further agreed with staff's recommended changes to the curfew and municipal pool sections of the ordinance. Mr. Crawford suggested changing the words "state law" to "Missouri law." Ms. McCormick Heanue will make the adjustment.</p> <p>Mr. Snook also introduced the discussion of smoking in parks. Currently, there is a "No Tobacco" rule in force for all parks properties and facilities. It is not codified in the Parks and Recreation chapter of the code of ordinances, nor is it included in the City's Clean Air Act. Mr. Snook invited the Committee to discuss the possibility of incorporating the no tobacco rule into the ordinances, as many other municipalities have done, or to continue to enforce the regulations via rule. He also noted vaping had become an increased topic of discussion which the Committee or the Board as a whole may want to consider. He noted the current City Council does appear to be supportive of restrictions on smoking, vaping, and marijuana. Ms. Shepard noted vaping is happening on parks facilities, and particularly at Legacy Park ballfields currently. Mr. Bivins asked whether there was any thought on what pushback LSPR would receive if we asked individuals to stop vaping, and Mr. Crawford followed up with an inquiry as to whether there has been an established correlation between vaping and secondhand smoke. Mr. Snook reported there has been no evidence he has seen establishing a correlation at this time. Ms. Shepard noted she would generally be supportive of taking vaping and smoking forward as an ordinance for consideration.</p> <p>The Committee ultimately determined to take the topic of vaping for further discussion to the full Park Board, and to recommend LSPR continue its' tobacco policy enforcement as a rule instead of an ordinance.</p> <p>Ms. McCormick Heanue will propose modified language regarding the definition of "operate" as it pertains to self-propelled vehicles to the Committee via e-mail for consideration. Upon e-mail consensus being achieved, a packet item will be prepared for the Park Board's July 2019 meeting containing all proposed revisions as discussed and amended at today's meeting.</p>	
MEETING ADJOURNMENT		
There being no further business before the Board, the May 30, 2019 Ad Hoc Ordinance Committee Meeting of the Park Board was adjourned at 6:20pm.		