

MINUTES OF THE MISSION CITY COUNCIL MEETING, AUGUST 17, 2016

The Mission City Council met in regular session at Mission City Hall on Wednesday, August 17, 2016. The meeting was called to order by Mayor Schowengerdt. The following councilmembers were present: Ron Appletoft, Tom Geraghty, Suzie Gibbs, Kristin Inman, Debbie Kring, Pat Quinn, Arcie Rothrock, Nick Schlossmacher.

CONSENT AGENDA

Moved by Gibbs, seconded by Kring to approve the Consent Agenda, item 3a through 3e.

- 3a. Minutes of the July 20, 2016 City Council Meeting
- 3b. Janitorial Services Contract
- 3c. Selection of Voting Delegates for LKM and NLC Annual Business Meetings
- 3d. Temporary CMB Permit - Johnny's BBQ, Battle of the Brisket Event
- 3e. Table and Chair Replacement at Sylvester Powell, Jr. Community Center

Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher.

Motion carried.

ACTION ITEMS

Planning Commission

Revised Preliminary Site Plan, The Gateway Project, Case #16-03

Ms. Murray stated that this site was rezoned in 2006, and it is currently zoned MXD. The developer has an approved site plan for the project, but has submitted this revised plan that has significant changes, therefore requiring a recommendation from the Planning Commission and approval by Council. The Planning Commission, at their July 25, 2016 meeting, voted 9-0 to recommend approval of the case with 28 recommended conditions to the City Council.

Tom Valenti, Gateway Developers, stated that he is seeking Council's endorsement of the Planning Commission's recommendation. His current plan is similar to the last one that was approved, but the significant difference is the addition of apartments on top of the large store. He stated the plan includes 74 apartments above the large store, a 200 room hotel (has an agreement with Aloft), an extended stay hotel with 50 rooms, one level of retail along Roeland Drive and Johnson Drive with apartments above, a three-level parking structure, and an office building if a tenant for 50% or more of the building can be secured before construction begins. He also provided additional details

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on the plan, and stated that it does meet the MXD zoning as required. He discussed the independent restaurants to be included in the hotel, fitness center and outdoor pool that will be available to the apartments and hotel, and the sidewalks, walking paths, and boardwalk that will be an extension of the Rock Creek Trail. The parking garage will be screened so residents are not looking at parked cars, and there will not be apartments near the loading docks. He stated that the project will be constructed in one phase over 18-24 months. Mr. Valenti also discussed security that will be provided for the area (24 x 7 security patrols, video surveillance, keycard access to apartments) and the litter policing that will include sweeping three times per day for six months, and then an evaluation of what level of litter control is needed. He again stated that the project conforms with the MXD zoning and that the apartments added above the large store make this project unique.

Mayor Schowengerdt asked for comments from the public. The following comments were provided:

- Barbara Porro, Mission resident, stated that she lives on 60th Terrace and is very concerned with the traffic this proposed development will bring. She also objects to the proposed Walmart on the site being open 24 hours a day and feels there will be excessive crime. The development is out of place.
- Josh Sturgis, Mission resident, referenced a recent article from Bloomberg News related to crime statistics at Tulsa, OK Walmart stores. He listed various statistics in the article, discussed his concerns with crime at the Roeland Park Walmart, and stated that he is opposed to subsidizing security for Walmart. He does not feel it is “responsible” for Mission to bring a Walmart to our city, feels the store will look like a prison, and they will leave the community “when their incentives are up.” He is glad to see Planet Fitness is coming to the former Hobby Lobby site, and stated that Walmart will not bring new jobs to Mission and will “decimate” the small businesses along Johnson Drive. He also expressed his concerns with apartments above Walmart and the office building that may or may not be built. He does not feel the current plan is a good one and suggested just planting grass at the site.
- Kay Wessel, Mission resident, stated that an Aloft hotel would be a great asset to the area. She stated that Mr. Valenti has attempted to bring a variety of businesses to the project, and discussed the area’s demographics and the role they play in this. She stated that she does not love or hate Walmart, and feels some are opposed to this store due to the clientele. She also feels stores being open 24 hours is an asset, noting Planet Fitness, as they make the area safer with more people out in the community throughout the day. She also discussed

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the proposed development at 95th and Metcalf that will include a Lowe's. She would like to "be able to buy a spool of thread in Mission" and stated that we need a reality check. She wants to see something built on the site.

- Kim Donoway, Mission resident, stated that she is a resident, business owner, and landlord and expressed her concerns with "corporate welfare." She stated that other businesses in Mission do not get any help, and believes the community voted against Walmart years ago. She questioned who will pay for the additional police presence she believes will be needed at Walmart. She also stated that this development has been a 'fiasco' for 10 years and does not feel the developer knows what he is doing. She will not support "corporate welfare with servitude in India and China."
- Stuart Smith, Mission resident, stated that Walmart is "viscous" in their dealings and Mission should be ready "to deal with it."
- Brian Dowd, Mission resident, stated that he believes there is a loophole in the zoning code and the Planning Commission "bought it." He knows the Planning Commission recommended this two times, but he does not feel it meets the zoning as the large box store is not connected to others buildingd.
- Reen Drussell, Mission resident, encouraged Council to read the Bloomberg News article as she believes it "tells all" if Walmart were to come to Mission. She feels the zoning does not allow for a big box store and that the Planning Commission should be ashamed of their recommendation. She stated that no residents want Walmart, and that she lived in a small town where businesses were hurt when a Walmart came to the community. She does not believe the Walmart can be made "upscale" and wants Mr. Valenti to put his promises in writing.

Moved by Quinn, seconded by Gibbs to approve Case #16-03 Revised Preliminary Site Plan for The Gateway Project with the conditions recommended by the Planning Commission. Councilmember Quinn stated that he appreciates the public comments and stated that tonight the Council is not voting on Walmart or any other store, only the recommendation from the Planning Commission. He stated that Council must decide if this plan meets our ordinance, and that the Planning Commission voted unanimously that this plan meets the MXD zoning. He agrees. He stated that this plan with the exception for the Walmart store is diverse and meets the spirit of mixed use development. He reminded Council that this is not a vote on whether or not they like the plan or trust the developer, but whether it can proceed in the process. No tax incentives are being considered at this time, and Council can vote to uphold the Planning Commission's recommendation and still deny incentives at a later date. Councilmember Gibbs stated that she appreciates Ms. Wessell's comments, and noted

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that all malls are now being bulldozed. Mr. Valenti has tried to develop this site for 10 years and saying that no one wants a Walmart is not true. She has heard from many that they want something built on the site. She feel that many have shopped at Walmart at some time, and when Target came to Mission many commented that it would “wipe out” small businesses on Johnson Drive, but that did not happen. She discussed the proposed apartments above the large store stating that there are similar developments in Washington, Oregon, etc. She has seen apartments above a grocery. This is a new era and an Aloft hotel would be a great addition. She supports the Planning Commission’s vote of 9-0 to recommend approval. Voting AYE: Gibbs, Quinn. NAY: Appletoft, Geraghty, Inman, Kring, Rothrock, Schlossmacher. **Motion failed.**

Moved by Geraghty, seconded by Kring to reject the recommendation of approval by the Planning Commission of Case #16-03 Revised Preliminary Site Plan for the Gateway Project and deny approval of the preliminary site plan. Voting AYE: Appletoft, Geraghty, Inman, Kring, Quinn, Rothrock, Schlossmacher. NAY: Gibbs. **Motion carried.**

Mayor Schowengerdt thanked the public for their comments, and let them know that they may stay for the remainder of the meeting or if they would like to leave, now is a good time.

FINANCE & ADMINISTRATION COMMITTEE

2017 Budget Resolution

Councilmember Appletoft stated that there will be six motions tonight to approve the 2017 Budget. Work on the 2017 Budget began in early March and Council held eight meetings and a public hearing in association with the proposed budget. He thanked staff and Council for their work in preparing the budget. He stated that the 2017 Budget Resolution outlines the policies for the upcoming budget year, and that a motion will be made to direct staff to proceed with soliciting bids for new phone and camera systems for City facilities. There will also be two separate motions to approve the 2017 Budget for both Rock Creek Drainage Districts.

Moved by Appletoft, seconded by Kring to approve a resolution establishing budget policies for Budget Year 2017 for the City of Mission, Kansas, Rock Creek Drainage District #1, and Rock Creek Drainage District #2. There was no discussion on this item. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

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Resolution Adopting 2017-2021 CIP

Moved by Appletoft, seconded by Kring to approve a resolution adopting the 2017-2021 Community Investment Program for the City of Mission, Kansas. There was no discussion on this item. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

Adoption of 2017 Budget - City of Mission

Moved by Appletoft, seconded by Kring to adopt the City of Mission 2017 Budget as published, with an estimated total mill rate of 18.225 and a stormwater utility fee of \$28 per ERU per month. There was no discussion on this item. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

Moved by Appletoft, seconded by Kring to authorize staff to proceed to solicit quotes for Council review to replace the telephone and security camera systems at all City facilities. There was no discussion on this item. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

Adoption of 2017 Budget - Rock Creek Storm Drainage District No. 1

Moved by Appletoft, seconded by Kring to adopt the 2017 Budget for Rock Creek Drainage District No. 1 with an estimated mill rate of 10.5 mills. There was no discussion on this item. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

Adoption of 2017 Budget - Rock Creek Storm Drainage District No. 2

Moved by Appletoft, seconded by Kring to adopt the 2017 Budget for Rock Creek Drainage District No. 2 with an estimated mill rate of 10.5 mills. There was no discussion on this item. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

COMMUNITY DEVELOPMENT COMMITTEE

Scope of Services with GBA for Rock Creek Channel Improvements (Nall to Roeland Drive)

Councilmember Rothrock reported that the Rock Creek Channel between Roeland Drive and the floodwall at Mission Bowl has not yet been improved and there are ongoing concerns with erosion in this area. The two most significant areas of concern

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are adjacent to the Mission Bank parking lot and behind several homes on W. 60th Terrace. GBA has provided a scope and fee for conceptual design of improvements to the channel. The proposal would develop and evaluate both long term and short term solutions, and is the first step in exploring whether the County sotrmwater funds might be available to assist with improvements.

Moved by Rothrock, seconded by Gibbs to approve the proposal from GBA for conceptual design of drainage and slope improvements to the Rock Creek Channel between Nall Avenue and Roeland Drive in an amount not to exceed \$31,500. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

NEW BUSINESS

Consolidated Fire District No. 2 Street Solicitation Application to Benefit MDA

Moved by Rothrock, seconded by Kring to approve a Street Solicitation Application for Consolidated Fire District No. 2 and IAFF 1371 to conduct a “boot block” on September 2-5, 2016. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

MAYOR’S REPORT

Mayor Schowengerdt did not make a report.

CITY ADMINISTRATOR’S REPORT

Ms. Smith stated thanked Council for the many hours they worked on the 2017 Budget and asked that they stay following the meeting to sign the required paperwork for submission to the County. She reported that with school back in session, the outdoor pool has reduced hours and the season will end with the annual Pool Party for Pooches. City Hall will be closed Monday, September 5th for Labor Day. There will be a CIP bus tour scheduled for Council on Wednesday, September 14, 2016.

ADJOURNMENT

Moved by Geraghty, seconded by Quinn to adjourn the meeting at 7:50 p.m. All present voted AYE. **Motion carried.**

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Respectfully submitted by Martha M. Sumrall, City Clerk.

Steve Schowengerdt, Mayor

Martha M. Sumrall, City Clerk