CITY OF MISSION, KANSAS

FINANCE & ADMINISTRATION COMMITTEE

WEDNESDAY, JUNE 1, 2016
7:30 p.m.
(or immediately following 6:30 p.m. Community Development Committee)
Mission City Hall, 6090 Woodson

PUBLIC HEARING / PUBLIC COMMENTS

PUBLIC PRESENTATIONS / INFORMATIONAL ONLY

ACTION ITEMS

1. Resolution Designating Surplus Property - Brian Scott
2. Ordinance Amendments Adding E-Cigarettes to Public Smoking Ban - Laura Smith & Glen Cole
3. Amendments to Chapter 210 - Animal Control - Laura Smith & Glen Cole
4. Mental Health Co-responder Program - Ben Hadley

DISCUSSION ITEMS

5. Council Committee Structure and Frequency of Meetings - Laura Smith

2017 BUDGET

6. 2017 Budget - Strategic Goals and Objectives

OTHER

Ron Appletoft, Chairperson
Nick Schlossmacher, Vice-Chairperson

Mission City Hall, 6090 Woodson
913-676-8350

City of Mission	Item Number:	1.
ACTION ITEM SUMMARY	Date:	May 25, 2016
Administration	From:	Brian Scott

Action items require a vote to recommend the item to full City Council for further action.

RE: Declaration of Surplus Equipment

RECOMMENDATION: Approve the resolution providing for the sale/disposal of surplus equipment from various Departments.

DETAILS: City Council Policy No. 111 defines the process and procedure for the sale and disposal of real and personal property by the City of Mission, which is also outlined in K.S.A. 12-101. Property and equipment identified for surplus has been included as Attachment A to the Resolution.

Each Department, in consultation with the Finance Director, will be responsible for determining the best method for disposal in accordance with Council Policy and State law.

Items to be declared as surplus include include one police trailer and associated equipment, skid-steer loader and accessories, and two kitchen stoves from the community center.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	K.S.A. 12-101, City Council Policy 111
Line Item Code/Description:	n/a
Available Budget:	n/a

CITY OF MISSION, KANSAS

RESOLUTION NO. ____

A RESOLUTION DECLARING SURPLUS PROPERTY FOR SALE OR DISPOSAL

WHEREAS, City Council Policy No. 111 defines the process and procedure for the sale and disposal of real and personal property by the City of Mission, which is also outlined in K.S.A. 12-101; and

WHEREAS, the City, has identified those items listed on Attachment A as "Surplus Property;"

NOW, THEREFORE, be it resolved by the Governing Body of the City of Mission:

Section 1. The items included on Attachment A are hereby declared as surplus.

Section 2. The Finance Director, in consultation with each Department, will be responsible for determining the best method for disposal or sale of the items declared as surplus.

Section 3. In accordance with Council Policy 111, all City Officials and employees, both elected and appointed, are prohibited from participating in the purchase of real and personal property from the City.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MISSION on this 15th day of June 2016.

APPROVED BY THE MAYOR on this 15th day of June 2016.

_____
Steve Schowengerdt, Mayor

ATTEST:

_____
Martha Sumrall, City Clerk

Attachment A

Surplus Items - Junel 2016

Item	Description	Serial Number/Asset Tag	Department	Quantity
Vehicles / Equipment				
Trailer	2011 Aris Box Trailer 26' - Tag Number 76270	5YCBE2628BH002674	Police	1
2008 Case 440	Skid Steer Loader - Tag Number 20-512	N8M492701	Public Works	1
Contech Universal Cold Planer	Milling Machine - Tag Number 20-512	CI1750	Public Works	1
Stanley MB256 Breaker	Hydraulic Breaker - Tag Number 20-288	711	Public Works	1
FSC Pallet Forks	Forks - Tag Number 20-281	N/A	Public Works	1
Other Equipment				
Various Equipment With DUI Trailer	folding chairs	N/A	Police	6
	folding tables			2
	traffic cones			10
	generator			?
	traffic safety vests			?
	traffic safety lights			?
	message board			1
	extension cords			?
Kitchen Stove	Stoves from the Community Center	N/A	Parks and Recreation	2

City of Mission	Item Number:	2.
ACTION ITEM SUMMARY	Date:	May 27, 2016
Administration	From:	Laura Smith & Glen Cole

Action items require a vote to recommend the item to full City Council for further action.

RE: Addition of E-Cigarettes to Public Smoking Ban

RECOMMENDATION: Adopt an ordinance amending Chapter 225, Article III of the Mission Municipal Code relating to the prohibition of smoking in certain public places.

DETAILS: Following discussion at the Committee's May meeting, staff has prepared an ordinance that would prohibit the use of e-cigarettes in those places where smoking is currently prohibited by the Mission Municipal Code.

Mission has had some form of public smoking ban in place since 1987 (Ord. 709), and enacted a comprehensive second-hand smoke ban (i.e. places of employment, restaurants, etc.) in 2008. The City's ordinance defines smoking only to include combustible tobacco products - such as cigars, cigarettes, and pipes. The Attorney General has ruled that the Kansas Indoor Clean Air Act does not apply to e-cigarette products. Locally, the cities of Overland Park, Olathe, Kansas City, MO and Kansas City, KS have all taken steps to ensure their smoking bans include these products.

Proponents argue that e-cigarettes emit harmful chemicals into the air, and that later studies will prove their harm to public health; additionally, some studies have shown a link between e-cigarette use and later use of combustible tobacco products. Opponents argue that studies have not demonstrated a conclusive health risk to second-hand vapor inhalation, and that e-cigarettes are an important cessation strategy for many tobacco smokers.

The ordinance has been reviewed by the City Attorney. The effective date for the ordinance will be August 1, 2016 in order to allow time for us to communicate the new requirements to the business community.

CFAA CONSIDERATIONS/IMPACTS: The Communities for All Ages checklist discusses smoking cessation in the context of community and health services.

Related Statute/City Ordinance:	Chapter 225, Article III: Smoking Regulations
Line Item Code/Description:	N/A
Available Budget:	N/A

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 225, ARTICLE III OF THE CODE OF THE CITY OF MISSION, REGARDING THE PROHIBITION OF SMOKING IN CERTAIN PUBLIC PLACES.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS AS FOLLOWS:

Section 1. The definition of "Smoking," as contained within Section 225.120 is amended as set forth. All other definitions shall remain the same.

225.120 Definitions.

SMOKING

The use of any device that delivers nicotine or other substances to the person inhaling from the device, including but not limited to any electronic cigarette, vaporizer, cigar, pipe, or hookah, including any component, part, or accessory of such a device, whether or not sold separately.

Section 2. Section 225.130 is amended as follows:

225.130 Prohibition of Smoking in Enclosed Places of Employment.

A. Smoking shall be prohibited in all enclosed places of employment within the City.
B. It shall be the responsibility of employers to provide a smoke-free work place for all employees.
C. Each employer having any enclosed place of employment located within the City shall adopt, implement, make known and maintain a written smoking policy which shall contain the following requirements:

    Smoking, including the use of e-cigarettes, shall be prohibited in all enclosed facilities within a place of employment without exception. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms and all other enclosed facilities.

D. The smoking policy shall be communicated to all employees within four (4) weeks of the adoption of this Article.
E. All employers shall supply a written copy of the smoking policy upon request to any existing or prospective employee.

Section 3. Any person violating any provisions of this Ordinance shall be subject to penalty as set forth in Section 225.180.

Section 4. This Ordinance shall be published prior to August 1, 2016 and take effect on August 1, 2016.

PASSED AND APPROVED by the City Council this 15th day of June 2016.

APPROVED by the Mayor this this 15th day of June 2016.

(SEAL)

_____
Steve Schowengerdt, Mayor

ATTEST:

_____
Martha M. Sumrall, City Clerk

APPROVED AS TO FORM:
PAYNE & JONES, CHTD.

_____
David K. Martin, City Attorney
11000 King, Suite 200
P. O. Box 25625
Overland Park, KS 66225-5625
Tel: (913) 469-4100
Fax: (913) 469-8182

City of Mission	Item Number:	3.
ACTION ITEM SUMMARY	Date:	May 27, 2016
Finance & Administration	From:	Laura Smith & Glen Cole

Action items require a vote to recommend the item to full City Council for further action.

RE: Referral of Amendments to Chapter 210 - Animal Control

DETAILS: At the City Council's May meeting, this item was referred back to the Finance and Administration Committee for further discussion. Staff seeks direction from the Committee as to the specific limitations upon animals desired, and is prepared to present a revised ordinance for action at the City Council's June meeting. Representatives of the Northeast Animal Control Commission, will be present to answer questions from the Committee regarding animal control practices within Mission.

The ordinance presented in May would allow a person to keep up to four cats or dogs, in any combination. An accessory animal permit would be required for any animal beyond four, with the maximum total capped at six. The permitting process would not distinguish between fostered or permanently owned animals. The Ordinance also includes other changes that were not the subject of discussion by the Committee or the City Council, including changes to rabies vaccination and control; reduction in the minimum impoundment period before releasing an animal for adoption; a significantly more comprehensive animal cruelty section; and the addition of a section that places an affirmative burden on the owner of an animal to provide humane care, food, shelter, etc.

The City of Merriam is the only other local city known to staff to be considering similar changes; materials regarding their proposal are attached. Per Council's request, additional attachments also include:

1. January and February minutes regarding the ordinance (May not available)
2. A spreadsheet comparing area City regulations on the number of dogs and cats
3. SM Post article on Merriam's proposed changes RE: number of dogs and cats
4. Minutes from the Merriam City Council's discussion of number of dogs and cats
5. Animal Control Ordinance as presented in May

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	Chapter 210 of the Mission Municipal Code
Line Item Code/Description:	N/A
Available Budget:	N/A

and that funds are available due to other salary savings. Mr. Cole noted that based on figures included in the financial forecast, this will still be below that threshold.

This item was informational only and no action was taken at this time.

Amendments to Ordinance Regulating Number Allowed and Fostering of Dogs

Ms. Smith stated the number of dogs allowed and the ability to foster dogs was included in previous discussions on allowing chickens. Information was distributed to the committee on the requirements in neighboring cities for those wanting to have a third (or more) animal. Currently, Mission requires a $100 fee ($50 subsequent years) and application process for a third animal that includes inspection of the premises by Animal Control and the consent of neighbors within 200 ft. She stated that many cities do have a permit process and fee, but Mission is the only city that requires "consent" of neighbors (one other city requires "notification").

Councilmember Vaughn requested information on requirements in other cities for fostering dogs. Ms. Smith stated that Roeland Park and Overland Park have specific regulations, with Overland Park allowing two animals over those you own. Councilmember Quinn stated that he has been contact by one resident regarding fostering of animals. Discussion continued on what would be a reasonable limit over and above the owner's dogs for fostering, whether there should be a permit required, and the fee level if one is included. Ms. Smith noted again that Overland Park allows up to two animals in addition to the owner's with a minimal fee.

Following continued discussion on various limits and fee levels that should be imposed, the committee recommended that staff draft an ordinance to address this issue that would include:

- Continue to allow extra dogs or cats by administrative permit, but remove the requirement for consent or notification of neighbors.
- Designate the maximum number of pets allowed.
- Allow for the fostering of animals (maximum of 2 above the owner's) with a reasonable fee.

This items was for discussion only. Staff will prepare an ordinance for consideration at a future Finance & Administration Committee Meeting.

Other

Councilmember Shepard asked whether consideration has been given to moving the January City Council Meeting to the Community Center as there may be more public in attendance than usual due to consideration of the Gateway Project Preliminary Site Plan. Ms. Smith stated that the meeting is currently set for City Hall, but a decision to move it can be made in the next week if necessary.

Councilmember Quinn recommended that the 2016 Pay Plan for Part-time Employees be forwarded to Council for approval. All on the committee agreed. This will be a consent agenda item.

Regulating Number of Pets Allowed and Animal Fostering

Mr. Cole stated that following discussion at the January committee meeting, staff prepared changes to the code to allow for up to four cats or dogs in any combination, and service animals, which would not count against the above limits. An accessory animal permit would allow residents to keep an additional two animals for fostering or permanently if a permit is granted. He stated that in looking at the entire chapter regarding animal licensing, the City Attorney has recommended that a comprehensive revision of the chapter be undertaken to make all sections much clearer. Councilmember Gibbs asked if the section regarding rabbits will be updated. Mr. Cole stated that it will stay the same.

Ms. Smith stated that prior to moving ahead with the revisions to the chapter, staff would like to ensure they understand the committee's recommendation. She stated that the current recommendation is for up to four animals (any combination of dogs and/or cats) with the ability to request an accessory permit for up to an additional two. Councilmember Gibbs stated that she is still concerned with a total of four dogs being allowed. The committee discussed this issue, noting that most will not have a total of four and that one loud animal could be worse than four quiet ones.

This item was for discussion only and no action was taken at this time. Ms. Smith stated that staff will update Chapter 230 and bring a final revision back to the committee in several months.

Review of Council Committee Structure

Ms. Smith stated that on several occasions, it has been difficult to have a quorum at Council committee meetings due to other commitments by councilmembers. She discussed the 2015 change from two committees with four members each (one from each ward) to two committees of the whole. The committees of the whole require five members to be present for a quorum, while the committees with four members only require three. She stated that staff prefer to keep the committees on the same evening, back-to-back, and noted that as we move into the budget cycle and with various others issues coming forward (the Gateway, street program, possible sales tax, TUF) we will need to have more worksessions in the coming months. She asked if the committee is interested in discussing how the current committee structure is working and if there are possible improvements that can be made.

Councilmember Quinn requested additional information on the quorum requirements and how that would be easier to achieve with smaller committees. Ms. Smith stated that with a four member committee, only three councilmembers would need to be present for a meeting and if a councilmember were absent, the other councilmember from their ward could take their place.

Peer Community Comparison - Number of Animals Allowed

City	Maximum Number of Animals By Right		Permit for Additional Animals*	Neighbor Notification / Consent	Permit Code Ref.
	Dogs	Cats			
Mission	2	2	Yes (1)	Consent 200ft radius	210.090
Mission (May Proposal)	4 combined		Yes (2)	No	N/A
Overland Park	2	2	Yes	No	6.04.050
Lenexa	2	2	Yes	Notification	3-2-B-8
Leawood	2	2	Yes	No	2-202
Merriam	2	3	Yes (1)	Notify 200ft radius	8-213
Olathe	4 combined		Special Use Permit	As Required	N/A
Prairie Village	4 combined; no more than 3 dogs or 3 cats		No	N/A	N/A
Roeland Park	2	2	Yes	Notification	2-119
Shawnee	2	2	Yes	Notify 200ft radius	6.10

* - Except where noted in parentheses, the ordinance did not set a maximum number of animals that could be allowed by permit.

shawneemissionpost.com

Merriam looking to ease requirements on pet owners: eliminate permits, increase animals allowed

by Dan Blom • Feb. 23, 2016 • 1 min read • original

Merriam is planning to remove some restrictions from its animal control ordinance that would make it easier for residents to have more animals in the house. “I think this will make our city a more pet-friendly area,” said Merriam Police Chief Mike Daniels.

The proposal comes in the wake of the closing of one of the Great Plains SPCA locations in Merriam. Great Plains is closing its intake shelter on 67th Street, but still operates a Merriam location on Antioch Drive.

Daniels asked the city council to consider dropping the permit requirement if a resident wants to have more than two dogs or three cats and allow three dogs and three cats per household without additional permits above the annual license. That would also remove the required investigation which includes speaking to neighbors. Merriam operates its own animal control through its Community Service Officers.

Great Plains, Daniels said, is worried about its ability to handle the number of animals and asked the city to reduce the required number of days an impounded dog will be held from five to three before it is put up for adoption. That will require a change in the city ordinance. Merriam dogs have been picked up in the three days by their owners, Daniels said.

Great Plains will no longer impound cats, a direction the city was working toward anyway. Any animals that Great Plains will not accept can go to Unleashed Pet Rescue in Mission, Daniels said, including those being held after a bite. He suggested the city allow at-

home quarantine of animals after a bite for the mandatory 10-day rabies observation. The owners are usually known in bite cases, he said.

Both Great Plains and Unleashed Pet Rescue are no-kill shelters. The council gave consent for city staff to draft changes to the animal control ordinance.

Original URL:
http://shawneemissionpost.com/2016/02/23/merriam-looking-to-ease-requirements-on-pet-owners-eliminate-permits-increase-animals-allowed-47703

The Landlord licensing program is finishing up the renewals for 2016. 330 landlords have renewed; only 2 licenses remain to be renewed. The program is very successful with regard to keeping the properties in good condition through our inspections.

Councilmember Weems asked if Merriam's Landlord Licensing program is similar to what Overland Park is now beginning to implement.

Mr. Dyer responded that many other cities have contacted Merriam inquiring about our Landlord Licensing program. Overland Park is currently only conducting exterior inspections.

VIII. STAFF ITEMS

1. Discussion regarding changes to Animal Control regulations.

Police Chief Mike Daniels provided the background for this item.

In late 2015 the city received information from Great Plains SPCA that they were contemplating changes to their organization that would impact our contract for animal impound services. As of this Friday the facility on 67th Street will no longer be housing animals. Further conditions requested by Great Plains SPCA are that we reduce the required number of days they keep impounded dogs from 5 to 3 days (state law only requires the animals to be held for 3 days), that we no longer impound cats (unless they are sick or injured) and they will no longer quarantine animals in bite cases. The Police Department has been working towards not impounding cats for several years now and has implemented a good process to deal with any potential cat problems.

Due to these changes in Great Plains operation, staff had several meetings and have been able to work out most of the concerns from both sides to allow us to continue to contract our main animal impound services with Great Plains SPCA however, a supplemental contract with Unleashed Pet Rescue and Adoption may be needed to impound any animals that Great Plains will not accept, specifically cats and animals that need to be quarantined for the required 10-day rabies bite observation.

These negotiations have prompted a need for some changes in our operations that will require changes to Chapter 8 Animals of the Merriam Municipal Code.

DRAFT

Code changes would include changes to match state law requiring Great Plains to hold impounded animals for a minimum of 3 days before putting them up for adoption.

Other code changes forthcoming would be to remove the Special Pet Permit process. Currently if a citizen wants to have more than 2 dogs or 3 cats they are required to obtain a Special Pet Permit. To obtain the permit the CSO's are required to conduct an investigation into the condition of the home, the ability to harbor the additional animal and to speak with each neighbor to find out if they have any objections. Staff would prefer to remove this process and allow citizens to have up to 3 dogs and 3 cats per household without any additional permits or costs above the annual pet license.

2. 2015 Year in Review video.

The 2015 Year in Review video was played for the council and audience.

City Administrator Phil Lammers commented that staff has been meeting with folks from the Shawnee Mission School District regarding TIF incentives on development projects and the impact of those TIF's on the School District. The School Board is having a meeting tonight and will be reviewing a proposed TIF policy that the district plans to adopt. Merriam has sent to staff members to the meeting to speak on this item.

IX. NEW BUSINESS

1. Discussion regarding increasing the legal age to purchase tobacco products.

Councilmember Al Frisby commented that at the last council meeting he indicated a desire to explore the possibility of increasing the legal age to purchase tobacco products from 18 to 21. Many surrounding cites in Missouri and now Prairie Village has passed legislation to this effect. As a former smoker and educator, Councilmember Frisby feels this is the right thing to do as many smokers start smoking before the age of 21. Peer pressure from other teens to use tobacco products is widespread and anything the city can do to possibly prevent someone from smoking or using tobacco products is important.

Councilmember Pape commented that he did some quick research on this issue and found that there is an organization that is suing some cities in California that have changed the sale from 18 to 21 because it conflicts with the state law in California which allows tobacco sales at age 18. His

ORDINANCE NO. 1438

AN ORDINANCE REPEALING CHAPTER 210 OF THE CODE OF THE CITY OF MISSION, REGARDING ANIMAL CONTROL, IN ITS ENTIRETY AND ADOPTING A NEW CHAPTER 210 REGARDING SAME.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS AS FOLLOWS:

Section 1. Chapter 210 is hereby repealed in its entirety;

Section 2. Section 103.020 is hereby repealed in its entirety;

Section 3. Chapter 210 of the Code of the City of Mission is hereby adopted, to read as follows:

CHAPTER 210: ANIMAL CONTROL

ARTICLE I: GENERAL PROVISIONS

210.010 Findings.

The Governing Body of the City of Mission, Kansas hereby finds that to protect and preserve the public health, safety and welfare it is necessary to prohibit the ownership of certain animals within the City and to establish regulations governing the ownership of animals allowed within the City.

210.020 Definitions.

For the purposes of this Chapter, the following words shall have the following meanings:

"Abandon" means for the owner to leave an animal without demonstrated or apparent intent to recover or resume custody; to leave an animal for more than 12 hours without providing adequate food and shelter for the duration of the absence; or to turn out or release an animal for the purpose of causing it to be impounded.

"Accessory Animal" refers to those animals requiring an Accessory Animal Permit before they may be lawfully owned in the City pursuant to Sections 210.090 through 210.100.

"Animal" means and includes any mammal, amphibian, fish, reptile, fowl, or other warm-blooded or cold-blooded vertebrate.

"Animal Nuisance" means and includes those unlawful activities specified in Section 210.140 and any animal performing such activities.

"Animal Shelter" means the facility or facilities operated by the City or an authorized service provider for the purpose of impounding, adopting or caring for any seized, stray,

homeless, relinquished or abandoned animals under the authority of this Chapter or State law.

"At Large" means an animal not under control, as defined herein, of the animal's owner or a competent person.

"Control" of an animal means that the same is on a leash not more than eight (8) feet in length; is on or within a vehicle being driven or parked; or is within the property limits of its owner or upon the premises of another person with the consent of that person.

"Dangerous or vicious animals" shall include all animals deemed to be dangerous or vicious pursuant to Section 210.150.

"Domestic animals" shall include all animals allowed within the City pursuant to Title One of this Chapter.

"Domesticated" shall mean adapted to living dependently in an urban household setting.

"Hive" includes any man-made habitation in which bees are harbored or kept, including beehives, standards, boxes, or apiaries.

"Impound" means to seize summarily, confine, or restrain in custody.

"Officer" means the City's Animal Control Officer, Police Officer, or Neighborhood Services Officer.

"Own" means the act of being the owner of an animal.

"Owner" means any person who provides food, water, shelter or who owns, keeps, possesses, harbors or offers refuge or asylum to or for any animal, or who professes to be doing the same or permits the same upon their property, for three (3) consecutive days or more shall be considered the animal's owner. Additionally, any person who signs a receipt for the return of an animal from any City designated animal shelter facility, animal holding facility, humane shelter or licensed veterinarian shall be considered the animal's owner. A parent or legal guardian shall be deemed to be an owner of animals owned by children upon their premises.

"Person" means any individual, firm, corporation, association or partnership.

"Trap" means any mechanical device or snare which seeks to hold, capture or kill an animal.

"Trapping" means the setting or laying or otherwise using a trap.

210.030 Animal Control Officer - Authority.

A. There is hereby established the position of Animal Control Officer, who are hereby charged with the duties of enforcing this title and shall have such powers and authority as allowed by law. The Officers of the Northeast Animal Control Commission, as established in Title 4 of this Chapter, shall serve as the City's Animal Control Officers. The City's Police Officers and Neighborhood Services Officers may also enforce this Chapter and, when doing so, possess the same powers and authority. No person shall interfere with, hinder, molest or abuse such officers in the exercise of their powers.

B. The officers of the city enforcing this Chapter may:

    a. Take up and impound all animals found in the City in violation of the provisions of this Chapter;
    b. Issue a citation to the owner of an animal in violation of this Chapter and the person receiving the citation shall be compelled to, at the date and time specified on the citation, appear in the Municipal Court of the City to answer the charged violation of this Chapter;
    c. Enter without a warrant upon private property to regulate or prohibit the running at large of any animal or the creation of an animal nuisance where such animal is found in plain sight, other than in a residence structure, and to seize such animal from said private property;
    d. Enter without a warrant upon private property to apprehend a dangerous animal, a wild creature, or an animal suspected of being infected with rabies where such animal is found in plain sight, other than in a residential structure, and to seize such animal from said property;
    e. Enter upon private property to investigate cruelty to animals; and
    f. Destroy, without notice, any animal that is dangerous, fierce or vicious; suspected of being infected with rabies, distemper or other zoonotic disease; presents an immediate danger to the public health and safety; or is injured severely with no apparent chance of survival or in such pain as to warrant humane destruction.

210.040 Animals - Financial Responsibility.

In the event any person or their owned animals shall be found to be in violation of any of the provisions of this Chapter, any financial liability incurred for the treatment, impoundment and care or destruction of such animal shall be the personal financial responsibility of such person. In the event such person is a minor, the parent or legal guardian of such minor shall be financially responsible for such treatment and care.

210.050 Animals - Impounding, Redemption, and Disposition.

An officer is authorized to receive and dispose of animals, and to impound, offer for adoption, or destroy: any animal in violation of this Chapter, any animal that may carry a disease communicable to humans, or any animal that otherwise presents an immediate danger to the public health and safety. Such animals may be taken or impounded even though no citizen makes a complaint and even though the officer issues no notice to appear. Impoundment shall be subject to the following:

A. The officer shall notify the owner of an animal, identifiable by a tag or other method, which is impounded under this Chapter, by telephone or personal service. Failure to receive such notice shall not prevent the City or its authorized agency to carry out the provisions of this Article.
B. Such animal shall be confined in the City's animal shelter for a period of three (3) days, such period of time beginning at nine a.m. on the morning following the day of impoundment. If the owner does not reclaim his or her animal during the three (3) day period, or if the officer or animal shelter is unable to locate and notify the owner after making a good faith effort to do so within the three (3) day period, then the animal shelter may offer for adoption or destroy such animal.

   If the animal is not identifiable by a tag or other approved method, no notice is required and such animal shall be confined for a period of three (3) days beginning at nine a.m. of the morning following its capture; after such time the animal shelter may offer for adoption or destroy such animal.

   Exception: Notwithstanding the above, any animal impounded as provided in Section 210.060 shall be held for a period of at least ten (10) days for the purpose of observing such animal for symptoms of rabies disease; after such time the animal shelter may dispose of the animal.

   Exception: Notwithstanding the above, any animal that is determined by the Animal Control Officer to not be domesticated may be released immediately to an animal shelter for disposition without observing the minimum period of confinement.

C. Any animal may be claimed by its owner upon the payment of an impoundment fee which shall be set by the Northeast Animal Control Commission. Each animal impoundment is a separate and subsequent impoundment regardless of animal ownership in prior impoundments.

210.060 Animals - Biting or Scratching Persons Report - Impoundment and Examination.

When any animal subject to rabies has bitten, scratched or attacked any person, or when an animal is suspected of having rabies, it shall be the duty of any person having knowledge of such facts to report the same immediately to an officer. Such animal shall not be killed, but shall be confined for a period of ten (10) days to the premises of;

A. The City's animal shelter; or
B. The premises of a duly licensed veterinarian; or
C. The officer may authorize the confinement of the animal on the owner's premises if the owner produces a current rabies vaccination certificate for the animal. The owner of the animal must sign a written agreement to keep the animal confined as directed by the officer, and further agree to allow the animal to be examined periodically to determine its physical condition during the confinement period.

No person shall refuse to surrender any animal for quarantine when demand is made by the order of the officer. The animal must be confined as directed by the officer. The confinement of the animal shall be at the expense of the owner of such animal, as set forth in Section 210.040.

No person shall release from confinement any such animal or remove such animal from its place of confinement to another place without the consent of the officer.

Following consultation with a licensed veterinarian, if the officer has reasonable cause to believe the animal is diseased, or upon exigent circumstances, the officer shall be empowered to order examination of such animal to determine whether it may have rabies. If the animal dies or is killed, a laboratory examination shall be made at the expense of the animal's owner.

ARTICLE II: DOMESTIC ANIMALS

210.070 Owning Certain Animals Prohibited.
It shall be unlawful for any person(s) to own, within the city limits, any animal except as allowed by Section 210.080 and Section 210.100.

This Section shall not apply to:

A. Animals being transported through the City;
B. Veterinary facilities operated by a licensed veterinarian;
C. *Bona fide* medical institutions or accredited educational institutions;
D. Facilities licensed by the State of Kansas to impound, shelter, or care for animals; or
E. Law enforcement officers acting in their official capacity.

210.080 Animals Allowed Without a Permit.
A person may own the following animals lawfully without first obtaining an Accessory Animal Permit:

A. Domesticated dogs, subject to the limitations prescribed in Section 210.090;
B. Domesticated cats,subject to the limitations prescribed in Section 210.090;
C. Rabbits, subject to the following limitations:
    a. No more than three (3) adults over the age of twelve (12) weeks and fourteen (14) young under the age of twelve (12) weeks may be kept.
    b. Rabbits may either be housed outdoors or in a fenced yard.
        i. If housed outdoors, rabbits shall be housed in hutches located in the rear yard of the property at least ten (10) feet from the nearest property line.
        ii. Rabbits may be owned, with no distance requirements from residences or other establishments, in any fenced yard that is at least five hundred (500) square feet. Said fence shall be constructed of small, mesh wire that the rabbit cannot escape through with the perimeter of the fence buried along the bottom to prevent the rabbit from burrowing out. Rabbit(s) fenced in a yard shall be provided with adequate housing for protection from the weather.
D. Domesticated rodents, ferrets, and hedgehogs;
E. Birds;
F. Nonvenomous lizards, arachnids, and snakes;
G. Turtles;
H. Amphibians;
I. Fish; or
J. Invertebrates.

210.090 Limitations Upon Number Of Domesticated Dogs and Cats.

A. It shall be unlawful to own more than four (4) of the following animals, in any combination, without first obtaining an Accessory Animal Permit as provided in Section 210.110:
    a. Domesticated dogs over the age of six (6) months; or
    b. Domesticated cats over the age of six (6) months.
B. It shall be unlawful for a person to own more than one (1):
    a. Litter of pups under the age of six (6) months; or
    b. Litter of kittens under the age of six (6) months.
C. *Exception:* Domesticated dogs providing services for the disabled, as defined in and governed under K.S.A. 39-1101 *et seq.*, shall be exempt from restriction under this Section, and shall not be considered when calculating the maximum lawful number of animals under this Section.

210.100 Accessory Animals Allowed Only With a Permit.

A person may, upon first applying for and receiving an Accessory Animal Permit as provided in Section 210.110, own the following animals ("accessory animals") subject to the restrictions contained herein:

A. *Additional Dogs or Cats.* Upon obtaining an Accessory Animal Permit, a person may own up to two (2) additional domesticated dogs or cats over the age of six (6) months, in any combination, such that a person may own a maximum of six (6) dogs or cats.
B. *Chickens.* Any person keeping chickens shall comply with the following:
    a. No more than six (6) adult chickens may be owned.
    b. Male chickens ("roosters") shall not be owned.
    c. Chickens shall be kept in an adequate shelter, such as an aviary, coop, run, or tractor. Such shelter shall be located in the rear yard of the property at least ten (10) feet from the nearest property line.
C. *Bees.* Any person keeping bees shall comply with the following:
    a. No more than two (2) hives shall be located on a single property.
    b. All hives shall be located in the rear yard of the property at least ten (10) feet from the nearest property line.
    c. The rear yard shall be surrounded by an exterior fence at least forty-two (42) inches in height. A flyway structure or barrier (such as shrubbery or fencing) shall be provided if the exterior fence is less than six (6) feet in height.
    d. The owner shall maintain and manage hives to minimize swarming and prevent the creation of any public nuisance.
    e. A source of water shall be provided on the property at all times.

210.110 Accessory Animal Permits.

A. *Permit Required.* It shall be unlawful for any person to own within the City any accessory animal requiring a permit as set forth in Sections 210.090 through 210.100 without first applying to and receiving a permit from the City Clerk as hereinafter provided.
B. *Application.* Any person desiring a new or renewal accessory animal permit shall file an application with the City Clerk or his or her designee on a form provided by the City and remit a fee established by ordinance. The application shall identify the owner by name, address, and telephone number, the classes of animal to be kept at the property, and location and shelter facilities for the subject animal(s) so permitted.
C. *Requirements.* At all times, applicants or permittees must comply with all of the following to be eligible to hold an accessory animal permit:

a. The applicant or permittee must comply with the requirements listed in this Chapter for the particular class of animal being kept.
b. The applicant or permittee must successfully pass his or her most recent inspection relating to adequate shelter, food, water, yard condition, yard security, and animal health concerns, and compliance with this Chapter. An on-site inspection shall be performed prior to first issuance of an accessory animal permit, and from time to time as described elsewhere in this Section.
c. The applicant or permittee may not be the subject of more than three (3) of the following, in any combination:
    i. Valid complaints submitted to the City documenting a violation of any Section of Chapter 220, concerning public nuisances, within twelve (12) months preceding the date of the application;
    ii. Valid complaints submitted to the City documenting a violation of any Section of Chapter 210, concerning animal control, within twenty-four (24) months preceding the date of the application.

D. *Other Conditions of Permit.* Accessory animal permits issued shall be valid from the date of issuance until the next succeeding March 1. Permits must be renewed annually. The fee for a permit shall not be calculated pro rata or refunded after issuance. Permits issued shall only be valid for the specific classes of animal, address, and applicant listed on the application. A new permit and application fee shall be required in the event that an applicant or permittee moves to a new address or transfers the animal(s) listed in the permit to a person not already possessing the appropriate permit.

E. *Inspection.* An officer may perform an inspection of the property of an applicant or permittee for any of the following reasons:
    a. The City Clerk or his or her designee requires an inspection for first issuance of an accessory animal permit or as a condition of renewal;
    b. The applicant or permittee has received a citation for violation of any section of this Chapter within the preceding twelve (12) months;
    c. The City has received a documented complaint from the owner, lessee, or occupant of a contiguous property concerning the conditions of the permit, including the animal(s) permitted or the manner in which the animal(s) are kept;
    d. The officer has probable cause to believe a violation of this Chapter exists.
    e. The inspection shall verify that the applicant or permittee provides adequate shelter, food, water, yard condition, yard security, and other necessary conditions to preserve the health of the animal, and complies with the requirements of this Chapter. If any deficiency of these conditions is found, the applicant or permittee must correct such violation within such period of time as the officer shall direct.

F. *Denial, revocation, cancellation, non-renewal.* The City Clerk or his or her designee may deny, revoke, cancel, or refuse to renew an accessory animal permit if, at any time, the applicant or permittee:
    a. Fails to comply with any requirement of this Section or the requirements listed in this Chapter for the particular class of animal being kept;
    b. Is the subject of an ongoing violation of this Chapter;
    c. Allows any animal they own to habitually cause or to be a public nuisance as defined in Chapter 220;
    d. Refuses to allow an inspection of his or her property as elsewhere authorized by this Chapter;
    e. Has provided false information in his or her permit application.

G. Persons granted an Accessory Animal Permit shall be subject to all code provisions relating to animals.

210.120 Inoculations Against Rabies Required.

A. It shall be unlawful for any person to own any dog or cat over four (4) months old unless such dog or cat is currently vaccinated against rabies with a vaccine approved by the State of Kansas for use in the prevention of rabies. Proof of valid rabies inoculation must be produced upon request of an officer.
B. *Exception:* The provisions of this Section shall not apply if a licensed veterinarian recommends that a dog or cat not be inoculated with a rabies vaccine. The owner of such animal shall maintain a statement from a licensed veterinarian on official letterhead specifying the reason that the animal should not be vaccinated, and produce it upon request of an officer.

210.130 Responsible Animal Care Required.

It shall be unlawful for any owner of an animal not to provide:

A. Sufficient quantity of good and wholesome food and water;
B. Proper protection and shelter from the weather;
C. Veterinary care when needed to prevent suffering;
D. Humane treatment; and
E. Prompt removal and sanitary disposal of all excreta deposited by his animal in the City.

210.140 Animal Nuisances Prohibited.

It shall be unlawful for the owner of any animal to cause or permit such animal to perform, create or engage in any of the following activities:

A. Runs at large or upon the private property of any other person or firm than the owner;
B. Molests or disturbs persons or vehicles by chasing, barking, or biting, or otherwise interferes with their use of public property;
C. Attacks other animals;
D. Damages property other than that of the owner;
E. Barks, whines, howls, brays, cries or makes other noise excessively between the hours of 10:00 P.M. and 7:00 A.M., or at any time so as to cause unreasonable annoyance, disturbance or discomfort to an individual residing in a residence structure which is within one thousand (1000) yards of the property on which the animal is kept or harbored;
F. Creates noxious or offensive odors;
G. Defecates upon any public place or upon premises not owned or controlled by the owner unless promptly removed by the owner;
H. Creates an insect breeding and/or attraction site due to an accumulation of excreta;
I. Is in estrus (heat) and not securely confined and enclosed within a building except when on the owner's premises briefly for toilet purposes while under complete control of a responsible person.
J. Is ridden on public property and obstructs or interferes with vehicular or pedestrian traffic;
K. Threatens or causes a condition which endangers public health; or
L. Impedes refuse collection by ripping any bag or tipping any container of such.

Any animal found acting in any way forbidden by this Section, in the determination of an officer, shall hereby be declared a nuisance and its owner shall be subject to citation. Knowledge, intent or scienter is not required for this offense.

210.150 Dangerous or Vicious Animals Prohibited.

A. *Prohibited.* It shall be unlawful for any person to keep, possess or harbor a vicious animal within the City. Impoundment of animals whose owners have been cited for violation of this Section shall be at the discretion of the Animal Control Officer. If the animal presents a clear and present danger to the public health or safety, it shall be the duty of the Animal Control Officer or his/her agent to impound such animal.

B. *Defined.* For purposes of this Chapter, a vicious animal shall include:
   1. Any animal with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals;
   2. Any animal which attacks a human being or domestic animal without provocation;
   3. Any animal owned or harbored primarily or in part for the purpose of fighting or any animal trained for fighting;
   4. Any animal which is urged by its owner or harborer to attack or whose owner or harborer threatens to provoke such animal to attack any Law Enforcement Officer while such officer is engaged in the performance of official duty, attack any person or attack any animal;
   5. Any hybrid animal that is part wild;
   6. Any breed of animal, physically altered or unaltered, trained or untrained, with or without external evidence of previous injury, that will, unprovoked or upon any type of command, attack human beings, other animals or damage property; or
   7. Any guard canine or security canine running at large.

C. *Complaint.* Whenever a complaint is filed in the Municipal Court against the owner of an animal alleging that such animal is vicious and in violation of this Section, the Municipal Judge shall hold a hearing to determine whether or not the animal is vicious within the meaning of this Section and thereby in violation of this Section. The owner of the animal shall be notified in writing of the time and place of the hearing at least one (1) week prior to the hearing. In making a determination, the Municipal Judge shall consider the following:
   1. The seriousness of the attack or bite;
   2. Past history of attacks or bites;
   3. Likelihood of attacks or bites in the future;
   4. The condition and circumstances under which the animal is kept or confined;
   5. Other factors which may reasonably relate to the determination of whether or not the animal is vicious.

   The Municipal Judge shall order the impoundment, the muzzling in accordance with Subsection D and/or the confinement of the animal accused of being in violation of this Section in a manner and location that will insure that it is no threat to persons or other animals pending the outcome of the hearing. If such impoundment, muzzling or

otherwise safe confinement is not possible or if prior court orders to restrain such animal have gone unheeded, the Municipal Judge may order the animal immediately destroyed.

D. *Vicious Canines To Be Muzzled.* It shall be the duty of every owner, keeper or harborer of any canine in the City, which canine is vicious or has been known to bite, chase or run after any person or animal in the streets, alleys or any public place in the City, to keep the same muzzled with a good and sufficient wire or leather muzzle securely fastened so as to wholly prevent such canine from biting any animal or person until such time as a determination has been made by the court as to whether the canine is vicious or not. Any person owning, keeping or harboring any canine within the City limits contrary to this Section shall be guilty of a violation of this Code.

E. *Immediate Destruction.* Nothing in this Chapter shall be construed to prevent the Animal Control Officer or any Law Enforcement Officer from taking whatever action is reasonably necessary to protect himself/herself or members of the public from injury or danger, including immediate destruction of any vicious animal without notice to the owner.

F. *Release Of.* If a complaint has been filed in the Municipal Court against the owner of an impounded animal for a charge under this Section, the animal shall not be released except on the order of the Municipal Judge who may also direct the owner to pay all impounding fees in addition to any penalties for violation of this Chapter. The Municipal Judge may, upon making a finding that an animal is vicious or that it represents a clear and present danger to the citizens or to other animals in the community, order the animal to be destroyed in a humane manner by the animal shelter. Surrender of an animal by the owner thereof to the Animal Control Officer does not relieve or render the owner immune from the decision of the court nor to the fees and fines which may result from a violation of this Section.

G. *Confinement, Destruction, Removal By Judge.* The Municipal Court Judge or Judge Pro Tem shall have the authority to order any animal deemed to be dangerous or vicious to be confined, destroyed or permanently removed from the corporate City limits.

210.160 Cruelty to Animals Prohibited.

A. It shall be unlawful for any person:
    a. to willfully or maliciously kill, maim, disfigure or torture, strike, hit or beat with a stick, board, chain, club or other object; mutilate, burn, or scald with any substance; or drive over any domestic animal, or cruelly set an animal upon another animal, except that reasonable force may be employed to drive off vicious or trespassing animals; or
    b. by any means to make accessible to any animal, with the intent to cause harm or death, any substance which has in any manner been treated or prepared with harmful or poisonous substances; or
    c. to fail, refuse or neglect to provide any animal in his or her charge or custody as owner or otherwise with proper food, drink, shade, care, or shelter. Any animal kept outside shall be provided with structurally sound weatherproof enclosure, large enough to accommodate the animal; or
    d. to drive or work any animal cruelly; or

e. to abandon any animal within the City limits; or
f. to cause, instigate, stage, or train any animal to fight or permit any fight between any animal and another animal or human; or
g. except a licensed veterinarian, to crop animal ears or dock animal tails; or
h. to give away any live animal, fish, reptile, or bird as a prize for, or as an inducement to enter a place of amusement; or offer such animal as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade; or
i. to leave any animal confined in a vehicle for more than five (5) minutes in extreme weather conditions, defined as less than thirty (30) degrees Fahrenheit or more than eighty (80) degrees Fahrenheit.

B. Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the animal's owner; in the event the owner cannot be ascertained and located, such operator shall at once report the accident to the appropriate law enforcement agency.

C. *Exceptions:* Nothing in Subsection A of this Section shall:
   a. Be deemed to prohibit any action by a licensed veterinarian done in accordance with accepted standards of veterinary medicine, or any action taken by a law enforcement officer pursuant to the interests of public health and safety.
   b. Be deemed to prohibit any act done in self-defense or done to defend another person.
   c. Be deemed to prohibit the use of poisonous substances for the control of vermin of significance to the public health.

210.170 Trapping Prohibited.

A. No person shall do any trapping anywhere in the City.

B. *Exceptions:*
   a. This Section does not apply to the use of any trap specifically designed to kill rats, mice, gophers, moles, or vermin of significance to the public health.
   b. This Section does not apply to the use of cage-type live traps employed for the control of wild animals.
   c. This Section does not apply to actions taken by a law enforcement officer pursuant to the interests of public health and safety.
   d. This Section does not apply to actions taken by a professional rodent or wildlife control company.

210.180 Sale or Display of Certain Animals Prohibited.

A. It shall be unlawful for any person to do any of the following actions to any newly hatched fowl or any newly born rabbit under the age of three (3) months:
   a. use as a toy;
   b. use for display;
   c. use for decorative purposes;
   d. sell;
   e. offer for sale;
   f. expose for sale;
   g. subject to any form of mistreatment or careless handling; or

h. dye;

B. *Exception:* The provisions of this Section relating to the sale of certain animals shall not apply to a regular licensed pet dealer who is licensed by the Kansas Department of Agriculture or any Federal licensing or regulating authority.

210.190 Penalties.

Any person violating any provisions of this Chapter shall, upon conviction thereof, be punished by a fine of not more than five hundred dollars ($500.00) or be imprisoned not to exceed thirty (30) days, or be both so fined and imprisoned. Each consecutive day's violation shall constitute a separate punishable offense.

ARTICLE III: NORTHEAST ANIMAL CONTROL COMMISSION

210.200 Findings.

The Governing Body deems it advisable and necessary that this City adequately control the problems of dead and uncontrolled domestic and wild animals on the streets or roaming at large within the City. It further finds it necessary to join together with other Cities to continue a cooperative animal control program with certain other Johnson County Cities to effect for the benefit of the citizens of the Cities a better animal control service at the lowest possible cost to the Cities.

210.210 Purpose and Objectives.

A. It is hereby declared that the cost and operation of animal control can best be effected in the several member cities by cooperative management and financing of personnel and equipment needed to enforce and provide services necessary to pick up, care for and dispose of, where necessary, domestic, unwanted or at-large animals or dead or dangerous animals within the member cities.

B. It is hereby declared the purpose of the cooperative program to study and provide new or better methods of animal control and to develop and maintain communications with the governing bodies and residents of the member cities to eliminate problems of animal control.

210.220 Agreement Incorporated.

A. The City joins with at least two (2) other adopting cities to continue the Johnson County Animal Control Commission, which name shall be changed to the Northeast Animal Control Commission.

B. There is hereby incorporated by reference, as though reproduced herein in its entirety, Ordinance No. 1228 providing for the establishment and operation of the Northeast Animal Control Commission.

Section 4. Any person violating any provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than five hundred dollars ($500.00) or be imprisoned not to exceed thirty (30) days, or be both so fined and imprisoned as set forth in Section 210.190. Each consecutive day's violation shall constitute a separate punishable offense.

PASSED AND APPROVED by the City Council this 18th day of May 2016.

APPROVED by the Mayor this this 18th day of May 2016.

(SEAL)

_____
Steve Schowengerdt, Mayor

ATTEST:

_____
Martha M. Sumrall, City Clerk

APPROVED AS TO FORM:
PAYNE & JONES, CHTD.

_____
David K. Martin, City Attorney
11000 King, Suite 200
P. O. Box 25625
Overland Park, KS 66225-5625
Tel: (913) 469-4100
Fax: (913) 469-8182

(Published in ***The Legal Record,*** on May 24, 2016)

SUMMARY OF ORDINANCE NO. ____

On May 18, 2016, the Governing Body of the City of Mission, Kansas, passed an ordinance entitled:

> **AN ORDINANCE REPEALING CHAPTER 210 OF THE CODE OF THE CITY OF MISSION, REGARDING ANIMAL CONTROL, IN ITS ENTIRETY AND ADOPTING A NEW CHAPTER 210 REGARDING SAME.**

The Ordinance adopts new regulations pertaining , permitted within the City and the allowable number thereof. The Ordinance changes the City's requirements regarding rabies control and prevention; process for the impoundment of domestic animals; expands existing prohibitions regarding cruelty to animals; and imposes an affirmative duty to care upon the owners of domestic animals within the City.

A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, City of Mission, 6090 Woodson, Mission, Kansas 66202. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at www.missionks.org.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

_____

David K. Martin, City Attorney
11000 King, Suite 200
P. O. Box 25625
Overland Park, KS 66225-5625
Tel: (913) 469-4100
Fax: (913) 469-8182

DATED: May 19, 2016

City of Mission	Item Number:	4.
ACTION ITEM SUMMARY	Date:	May 19, 2016
Police Department	From:	Ben Hadley

Action items require a vote to recommend the item to full City Council for further action.

RE: Mental Health Co-Responder Program

RECOMMENDATION: Approve the Cooperative Memorandum of Understanding for the Johnson County Mental Health Co-Responder program in an amount not to exceed $10,047.41.

DETAILS: The Mental Health Co-Responder program provides intervention for residents experiencing a mental health and/or substance abuse crisis. It was highlighted at the 2016 State of County address as a way to better serve this segment of our population. The program is currently in Overland Park, Olathe, and scheduled for implementation in Lenexa and Shawnee. The County is now wanting to expand cooperatively into the cities of Prairie Village, Leawood, Merriam, Mission, Fairway, Westwood, and Roeland Park.

The co-responder is a licensed mental health professional who responds to calls for service, with officers, that involve the need for mental health intervention which may include:

- Helping to de-escalate an individual who is in distress
- Clinically assisting the need for immediate mental health services, such as hospitalization
- Providing information to the individual and their family about mental health resources available in the community

Benefits of the co-responder program include:

- With reduced funding at the state level for mental health facilities and personnel other solutions need to be sought
- Reduce repeated calls for service at the same residence
- Fewer evaluations done at local hospitals and done on scene
- Fewer of these incidents ending in arrest
- Providing a service to our citizens/visitors in a time of crisis

Cost sharing for each City is based on population data and Mission has 11%. The annual cost of the program for Mission is $10,047.41 (does not include overtime costs). It is anticipated that the program will start in the fourth quarter of 2016 and will be prorated, with full funding in 2017. Staff intends to fund this program through the Department's General Fund budget.

The memorandum of understanding has been reviewed and approved by the City Attorney.

CFAA CONSIDERATIONS/IMPACTS: Implementation of the co-responder program meets goals outlined in items 6-D and 6-J of the Communities for All Ages Checklist. Action Item 6-D suggests, "The city has educated personnel to ensure those who work with the public are knowledgeable about specialized needs for citizens of different ages and abilities." The program will also support Action Item 6-J which says, "The city and its partners provide referrals to those residents identified as needing more intensive services."

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	01-30-212-06 Service Contracts and Rentals
Available Budget:	$20,856

JOHNSON COUNTY MENTAL HEALTH CO-RESPONDER PROJECT
COOPERATIVE MEMORANDUM OF UNDERSTANDING

I. Purpose

A. This Agreement is a proposed collaborative effort amongst the cities of Leawood, Prairie Village, Merriam, Mission, Roeland Park, Fairway and Westwood (collectively, the "Cities") and Johnson County Mental Health Center (JCMHC) to address potential mental health and co-occurring substance use disorder issues in our jurisdictions by sharing resources and expenses to fund a shared co-responder position dedicated to the Cities (herein referred to as the "Project").

B. The purpose of the Project is to find ways that the mental health and criminal justice systems of Johnson County, specifically within the Cities, can work in partnership to improve service response to individuals who suffer from mental health issues and have co-occurring substance use disorders, or who are in danger of becoming alcoholics or drug abusers.

C. The purpose of this Memorandum of Understanding is to:

1. delineate the responsibilities of the parties to the Project;

2. maximize interagency cooperation; and

3. formalize the relationships between the parties and their employees regarding Project operations, policies, planning and training.

II. Parties.

The participating entities in the Project and this MOU are:

A. the Johnson County Mental Health Center/JCMHC;

B. the City of Leawood, through the Leawood Police Department;

C. the City of Prairie Village, through the Prairie Village Police Department;

D. the City of Merriam, through the Merriam Police Department;

E. the City of Mission, through the Mission Police Department;

F. the City of Roeland Park, through the Roeland Park Police Department;

G. the City of Fairway, through the Fairway Police Department; and

H. the City of Westwood, through the Westwood Police Department.

JCMHC and the cities of Leawood, Prairie Village, Merriam, Mission, Roeland Park, Fairway and Westwood are collectively referred to herein as the "Parties" or individually as a "Party".

III. Organizational Structure, Control and Responsibilities**.**

A. Organizational Structure.

1. The oversight of the Project will be provided by the Parties.

2. Each Party will designate one individual to be that Party's point of contact. These points of contact will make up the Project Leadership Team.

3. The Parties will facilitate regular meetings of the Project Leadership Team and any other appropriate individuals to address the progress of the Project, as well as other justice and mental health related projects or issues.

B. Roles and Responsibilities of the Parties.

1. JCMHC will hire, employ and supervise one Qualified Mental Health Professional (the co-responder) as part of the Project.

2. JCMHC expressly represents and warrants to each City that the co-responder is not and shall not be construed to be an employee of any City and that the status of JCMHC is that of independent contractor for the Cities for which JCMHC is solely responsible for co-responder's actions and inactions. JCMHC also agrees that neither it, nor the co-responder may enter into contracts or agreements on behalf of any City or to otherwise create obligations of any City to third parties.

3. The Cities will participate in the interview and hiring process with JCMHC, though JCMHC retains ultimate decision-making authority.

4. JCMHC shall provide a vehicle and cell phone for use by the co-responder in his/her Project duties.

5. The co-responder will work in cooperation with the Cities to assist the Cities with individuals who suffer from mental health issues and co-occurring substance use disorders and who are contacted by law enforcement.

6. The co-responder will report to JCMHC for administrative matters (e.g. leave, pay, benefits) and for other matters unrelated to the case-specific work assignments of the Project. The co-responder will coordinate with the appropriate City with regard to case-specific work assignments.

7. It shall be the joint responsibility of JCMHC and the co-responder to regularly and in a timely manner inform the Cities of scheduled vacation, training, annual leave, or sick

leave. The co-responder will observe holidays as set by Johnson County, Kansas government. When the co-responder is on leave for any reason, back-up coverage will not be provided.

8. The co-responder shall be subject to the personnel policies and procedures of JCMHC. To the extent they are not in conflict with JCMHC policies, each City's personnel policies shall also apply to the co-responder when he/she is working in or coordinating with that particular City. It shall be the responsibility of each individual City to inform or train the co-responder on the personnel policies applicable to him/her. Performance appraisals will be handled by JCMHC, except that the Cities will be given the opportunity to provide written comments for discretionary use by JCMHC in the appraisal process.

9. The City of Leawood shall serve as host site for the Project and will provide an office designated for the use of the co-responder. In addition to the office at the Leawood Police Department the co-responder shall be provided a designated work space or office, as available, in other cities.

10. The City of Leawood will provide the co-responder with a portable police radio. JCMCH will provide him/her a laptop computer and any other equipment necessary to fulfill Project duties.

11. The co-responder position will be a salaried exempt position which will work full-time (40 hours per week, 5 days per week), allocating work time between the Cities as calls for service and workload requires.

12. The Cities shall reimburse JCMHC the co-responder personnel costs including, but not limited to, salary, retirement, expenses, disability, and all other employment-related benefits incident to his/her employment within the limits of the Project Budget Addendum, attached hereto and incorporated herein (the "Addendum"). JCMHC will invoice each City its pro rata share on a quarterly basis in accordance with the Addendum.

13. As law enforcement officers respond to the scene of a call and it is determined that assistance of the co-responder will aide in the disposition of the call, the responding officer will work jointly with the co-responder, either directly or through dispatch.

14. The co-responder's time will be shared among and between the Cities. It is the intent of the Parties that the shared time will be reasonably equal to the percentages shown on the attached Addendum. The Parties shall meet regularly to determine the appropriate scheduling. However, the Cities shall work cooperatively in this regard and if a City to which the co-responder is not assigned at the particular time has a situation which would benefit from co-responder assistance, that City shall contact the co-responder and request assistance as available.

15. Co-responder training shall be provided by JCMHC including, but not limited to, issues related to confidentiality. Additional training, as appropriate, may be provided as needed by the Cities.

16. The Cities will provide training to the co-responder and their respective employees on the Project goals and protocols, including communication protocols for determining the need for the co-responder, situational awareness training, and information security training and credentialing as required by CJIS and KCJIS.

17. In the event that the co-responder is on leave and/or busy on another case, the Cities may employ the traditional process for requesting JCMHC services as needed.

18. If the co-responder has complaints, suggestions, comments, or concerns regarding the policies, procedures, practices or decisions of the Cities, the co-responder is to first present such concerns to their immediate JCMHC supervisor who may, in turn, pursue discussions with the respective City. However, it is permissible and encouraged for the co-responder to communicate with City staff regarding daily issues pertaining to efficient and effective case processing.

19. In any instance in which the co-responder, in the judgment of a City, may have engaged in misconduct or failure to fulfill the mission or purpose of the Project as requested, the City shall notify JCMHC in writing of the details of the alleged misconduct or failure. JCMHC shall then undertake an appropriate review of the allegations and, in the event the allegations are confirmed, implement any necessary or appropriate discipline up to, and including, termination of the co-responder, after discussion with the Project Leadership Team, as deemed appropriate.

20. Should the Project be terminated for any reason, JCMHC is solely responsible for any and all decisions as to whether to continue to employ a co-responder. The co-responder shall have no recourse against any City for any employment decision(s) made by JCMHC, including termination of the Project or termination of the co-responder.

21. Equipment and other tangible property provided to the co-responder by any City as part of the Project will remain property of the respective City and must be returned to the City immediately upon termination of the co-responder, or within thirty (30) days of the termination of the Project, unless otherwise agreed to in writing.

22. The co-responder shall, to the extent practical, keep a general account of time spent working for each City, including types of activities, police calls, and training.

C. Legal Status.

This MOU is authorized by K.S.A. 12-2908 as a contract between municipalities to perform governmental services or activities, is not an interlocal agreement as contemplated by K.S.A. 12-2901 et seq.; and does not create a new or separate legal entity. Each Party shall be responsible for the actions and responsibilities arising under this MOU of its respective employees.

D. Confidentiality; Inquiries.

1. The Parties shall adhere to all applicable laws and policies regarding the confidentiality of data or information obtained during the Project. To the extent required by law, the Parties shall comply with HIPAA, and are to maintain the confidentiality of personal health information (PHI), sharing that PHI only to the extent necessary to coordinate treatment or disposition of the crisis situation.

2. As a general rule, all outside inquiries regarding the Project shall be directed to the respective Public Information Officer representing the involved City. Any inquiries involving mental health case supervision issues shall be directed to JCMHC.

IV. Effective Date, Duration, Termination, Insurance and Funding.

A. This MOU shall become effective upon execution by all Parties.

B. This MOU may be executed in one or more counterparts, including by facsimile, each of which when compiled in its entirety shall together constitute one and the same instrument.

C. The term of this MOU is for the duration of the Project.

D. Any Party may terminate its relationship with the Project and withdraw from the Project at any time by written notification to the other Parties at least (60) days prior to termination. The terminating Party will be responsible for its pro rata share of the costs of the Project up to and including the last date of its participation, regardless of the use of the co-responder. Notice of termination shall be delivered to the Project Leadership Team. If one or more Cities terminate its relationship to the Project, then the JCMHC and remaining Cities may agree to continue the Project under this MOU by amending the pro rata shares in the Addendum, renegotiate this MOU, or terminate the MOU.

E. JCMHC shall furnish to the Cities a Certificate of Insurance verifying the following coverage.

1) Commercial General Liability on an occurrence basis in amounts no less than $1,000,000 bodily injury and property damage per occurrence, including personal and advertising injury; $2,000,000 general aggregate.

2) Business Auto Liability in the amount of $1,000,000 bodily injury & property damage, combined single limit.

3) Workers' Compensation and Employers' Liability, protecting against all claims under applicable state Workers' Compensation laws. Liability limits shall not be less than Statutory (Workers' Compensation); $500,000 / $500,000 / $500,000 (Employers Liability).

4) Mental Health Provider Professional Liability: Minimum limits to be $1,000,000 each claim / annual aggregate.

Coverage must be from an insurance carrier who carries a Best's policyholder rating of A-:VII or better; or is a company approved by the Cities. Prior to any material change or cancellation, the Cities will be given thirty (30) days advanced written notice by registered mail to the stated address of the certificate holder.

F. Expenditure of funds as part of the Project will be subject to the budgetary processes of each City. To the extent that this MOU is interpreted as requiring any expenditure of funds by any City, the Parties acknowledge that the Cities are obligated only to pay expenditures as may lawfully be made from: (a) funds budgeted and appropriated for that purpose during the City's current budget year; or (b) funds made available from any lawfully operated revenue producing source.

G. This MOU shall inure to the benefit of, and shall be binding upon, the Parties and their respective successors.

_____

Maury Thompson, Executive Director
Johnson County Mental Health Center

City of Leawood:

By: _____
Peggy Dunn, Mayor

ATTEST:

_____
Debra Harper, City Clerk

APPROVED AS TO FORM:

_____
Patricia A. Bennett, City Attorney

City of Prairie Village:

By: _____
Laura Wassmer, Mayor

ATTEST:

_____
Joyce Mundy, City Clerk

APPROVED AS TO FORM:

_____
Catherine Logan, City Attorney

City of Merriam:

By: _____
Ken Sissom, Mayor

ATTEST:

_____
Juli Pinnick, City Clerk

APPROVED AS TO FORM:

_____
Michelle Daise, City Attorney

City of Mission:

By: _____
Steve Schowengerdt, Mayor

ATTEST:

_____
Martha Sumrall, City Clerk

APPROVED AS TO FORM:

_____
David Martin, City Attorney

City of Roeland Park:

By: _____
Joel Marquardt, Mayor

ATTEST:

_____
Kelley Bohon, City Clerk

APPROVED AS TO FORM:

_____
Neil Shortlidge, City Attorney

City of Fairway:

By: _____
Jerry Wiley, Mayor

ATTEST:

_____
Kathy Axelson, City Clerk

APPROVED AS TO FORM:

_____
Stephen Chinn, City Attorney

City of Westwood:

By: _____
John Ye, Mayor

ATTEST:

_____
Fred Sherman, City Clerk

APPROVED AS TO FORM:

_____
Ryan Denk, City Attorney

ADDENDUM
PROJECT BUDGET

The total annual cost for the Project shall not exceed $91,340.07, except for overtime approved in advance by each City's point of contact, as approved in each City's budget. JCMHC shall invoice each City on a quarterly basis according to its pro rata share, determined by population, as follows:

City	Percent	Annual Share of Cost
Leawood	38%	$34,709.23
Prairie Village	24%	$21,921.62
Merriam	13%	$11,874.21
Mission	11%	$10,047.41
Roeland Park	8%	$7,307.21
Fairway	4%	$3,653.60
Westwood	2%	$1,826.80

Johnson County Mental Health Co-Responder Partnership Overview

Ben Hadley
Chief of Police

What is a Co-Responder

- A trained mental health professional employed by Johnson County Mental Health
- Community based interventions and assessments for individuals coming into contact with law enforcement for mental health and/or substance abuse related calls for service

Co-Responder Role

- Mental Health professional embedded with the Police Department
- Respond with officers to the scene of calls involving individuals experiencing a mental health/substance abuse crisis
- Review police reports and provide outreach as necessary
- Referral and care coordination

Why the need for a co-responder

- Funding for MH from the State is decreasing
- Assist law enforcement with difficult calls
- Assist individuals and families that are in need of help in the community
- Help prevent a situation from escalating into a crime and a citizen going to jail, when what they need is mental health treatment
- Suicide prevention

Benefits

- Higher quality of service with face to face intervention compared to phone assessment
- Right intervention at the right time
- Less jail beds utilized
- More efficient use of law enforcement time
- Builds stronger relationships with law enforcement
- Measuring the negative: what if a co-responder had not been part of the intervention

Other benefits

- Citizens
  - Knowledge of resources available
  - A point of contact for questions and concerns
- Community
  - Decreased use of hospital ER for MH reasons
  - Increased access for citizens with MH issues
- Law enforcement
  - Increased education/training about MH

Mission Mental Health Incidents

MENTAL HEALTH	2011	2012	2013	2014	2015
Suicide	0	2	2	1	2
Attempted Suicide	30	19	22	31	34
Involuntary Committal	2	6	2	2	2
Voluntary Committal	3	5	4	4	7
All Other Mental Health	0	0	9	9	14
TOTAL	35	32	41	47	59

Collaborative project

- Johnson County Mental Health
- Prairie Village, Leawood, Mission, Merriam, Fairway, Westwood, and Roeland Park
- Cost sharing based on population
- Mission has 11 percent of the NE population - $10,047.41 for the first year

Funding

- Local alcohol liquor fund
  - K.S.A. 79-41a04 – Moneys shall be expended for…alcoholism and drug abuse prevention and education…intervention in alcohol and drug abuse or treatment of persons who are alcoholics or drug abusers or are in danger of becoming alcoholics or drug abusers.
- According to current Co-Responder's, mental health issues are frequently mixed with alcohol and drug abuse
- We are currently reviewing the State statute, AG opinions, and discussing the alcohol tax issue with the City Attorney and City Staff

Summary

- Staff believes this can be a great benefit to our residents who suffer from mental illness
- By staying pro-active in addressing mental health issues, we believe this further helps reduce potential liability in the event of police actions against people with mental illness

Overland Park Statistics

- 05/19/14 - 5/22/15
- 817 contacts, 152 site visits
- 361 had substance use involved
- 14 arrests, 36 arrests avoided
- 28 ER trips, 48 ER visits avoided
- OPPD in ER: 6hr x 2 x 48 = 576 hours saved
- 15 screened to Osawatomie State Hospital
- 18 transported to OSH Invol Detox
- 11 to Voluntary Detox

City of Mission	Item Number:	5.
DISCUSSION ITEM SUMMARY	Date:	May 25, 2016
ADMINISTRATION	From:	Laura Smith

Discussion items allow the committee the opportunity to freely discuss the issue at hand.

RE: Discussion of Council Committee Structure and Meeting Frequency

DETAILS: In June 2014, the City Council revised the ordinances that govern the Council Committee structure and meeting frequency. Specifically, two Committees of the Whole were created, with the intention of conducting both meetings on the first Wednesday of each month. The second Wednesday would be reserved for any carry-over business, or should agenda length dictate the need for a second or separate meeting.

In late 2015/early 2016 we were having difficulty in regularly securing a quorum for the Committee meetings. At the February Finance & Administration Committee meeting, we discussed options and alternatives, but with elections pending in April, the conversation was tabled until after the new Council was formed.

Questions for our discussion include:

- Do you prefer the current committee structure (requires 5 for a quorum), or do you want to return to the previous structure of two Committees with four members each (requires 3 for a quorum)?

- Do you prefer the Committee meetings on the same night, or do you want to return to scheduling on separate Wednesday nights?

Should the Council wish to make any changes to the current structure or meeting schedules, staff is prepared to draft the necessary ordinances for consideration at the July meeting. City Council Policy 104 “Guidelines for City Council Committees” is included for your reference.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	Mission Municipal Code Section 130.010 and City Council Policy 104
Line Item Code/Description:	N/A
Available Budget:	N/A

CITY OF MISSION
CITY COUNCIL POLICY MANUAL

POLICY NO. 104 - REVISED

GUIDELINES FOR CITY COUNCIL COMMITTEES

1.01 Composition and Number

The City of Mission has established and assigned specific responsibilities to the following City Council Committees:

- Finance and Administration Committee
- Community Development Committee

1.02 Meetings

Committee meetings shall be scheduled monthly. All meetings are open to the public. Wednesday evenings shall be committee meeting night with meetings beginning at 6:30 p.m. Committees shall follow a meeting schedule, except for holidays, as follows:

- 1st Wednesday of the month: Community Development Committee at 6:30 p.m.; Finance & Administration Committee at 7:30 p.m. or immediately following the Community Development Committee.

- 2nd Wednesday of the month: Reserved for overflow business from either the Community Development Committee or Finance and Administration Committee. Committee meetings scheduled for the second Wednesday of the month shall begin at 6:30 p.m.

All meetings shall be held at City Hall unless otherwise specified. Additional meetings may be held upon the call of the Chair or upon the call of a majority of committee members, provided that all members shall be notified of such meeting at least 24 hours in advance of the announced start of the meeting, and is consistent with Kansas Open Meeting laws.

1.03 Quorum

Committees shall conduct business only in the presence of a quorum. A quorum shall consist of five members. It shall be the duty of each committee chair to encourage member attendance.

City staff will be responsible to ascertain in advance whether or not a quorum will be present to conduct business.

1.04 Agenda

An agenda shall be developed by the chair and related staff before each meeting. Individual councilmembers may request the addition of specific items to the agenda by contacting the committee chairperson, vice-chairperson, or City Administrator. These items will initially be placed under "Discussion Item" for consideration of additional/future action by the committee. The agenda shall be followed as much as possible; however, business not appearing on the agenda may be taken up under the heading "Other Business." All items on the Agenda will identify the person(s) sponsoring an item. The City Administrator and department heads will participate in the presentation of information to the committee, but are not voting members of the committee.

Public comments will be allowed at committee meetings. "Public Comment" cards will be available at each meeting and the public is encouraged to complete this card to accommodate orderly meetings. Public Comment cards will be given to the chair at the beginning of each meeting. Public comments will also be accepted from members of the public who have not completed a Public Comment card. All public comments are at the discretion of the chair and committee members.

1.05 Votes

Meetings shall be conducted in an orderly manner. Generally, Code of Procedure for Kansas Cities, First Edition, should serve as a guideline in the conduct of committee meetings. The committee chair will preside over the meetings and is responsible for maintaining orderly discussion. Upon the call of the chair, voice votes shall be taken of committee members to determine committee action on each issue. Passage shall require a majority of those present and voting, including the chair. Tie votes shall be considered to be a failure of the motion. The chair of the committee cannot make a motion. Seconds to motions are not required.

1.06 Minutes

Minutes shall be kept of all committee meetings by staff assigned by the City Administrator. Distribution shall be made to the Mayor and Council.

1.07 Committee Responsibilities

Committees shall be responsible for the review of policy matters dealing with their assigned departments. This shall include but not limit review of major equipment purchases, property acquisition, construction, development policies, ordinance and resolution review, budget review.

Requests by various groups for proclamations shall be routed to the Mayor for consideration. Proclamations do not require Council action. Planning Commission items generally shall go directly to the Council except in the instance of recommended changes to the actual Zoning Ordinance, in which case these recommendations will be reviewed by the Community Development Committee.

Council committee members shall not be involved in daily administrative tasks. Direction of the daily operations of a department shall be left to the department head under the direction of the City Administrator. If a committee has specific operations problems, these are to be directed to the attention of the City Administrator who will expedite any necessary actions.

Committees shall deal with City personnel matters only on a policy review basis. Policy review means such things as personnel rules, job descriptions, or salary schedules. Committee members either individually or as a committee shall not meet with an employee concerning personnel matters. Employees with specific grievances shall use the established appeal procedure as outlined in the Personnel Policies and Guidelines.

The City Administrator shall be responsible for any necessary support to the Council committees.

1.08 Significance of Committee Actions

Action of committees shall constitute recommendations to the full Council. No binding decision can be made in committee on matters that should be brought before the full Council. In emergency and time-constrained situations, the City Administrator or City Clerk may poll the remainder of the City Council Committee members for approval of a committee action.

1.09 Responsibilities of Committee Chair

1. Conduct meetings of the committee.
2. Report on Committee action to the full Council at City Council Meetings.
3. Approve agendas for regular and special committee meetings.
4. Encourage participation and attendance of committee members, including soliciting motions.
5. Serve as principal liaison between the committee and the staff and City Council on issues for which the committee had principal responsibility.

Suggestions and ideas regarding city business from individual Councilmembers are welcome and should be directed to the Committee Chair and/or City Administrator for action.

APPROVED BY THE CITY COUNCIL ON AUGUST 13, 2003.

REVISED AND APPROVED BY THE CITY COUNCIL ON JANUARY 14, 2004.

REVISED AND APPROVED BY THE CITY COUNCIL ON MAY 10, 2006.

REVISED AND APPROVED BY THE CITY COUNCIL ON MAY 21, 2014

CITY OF MISSION
KANSAS

MEMORANDUM

Date: **May 27, 2016**

To: **Mayor and City Council**

From: **Laura Smith, City Administrator**

RE: **2017 Budget Memo #4 - 2013 Council Goals and Objectives - Status Update**

The final piece of historical information to review prior to starting our detailed 2017 Budget discussions on June 22nd relates to the 2013 Council Goals and Objectives.

In 2013, the City Council conducted facilitated working sessions to develop a set of priorities, goals and objectives for both the short and longer-term. Staff had previously tied very generic action steps to this document (included in red). Attached to this memo is a status update as of May 2016 on the various goals and objectives. While these do not necessarily represent the priorities for the current Council, it may be useful in our development of the 2017 Budget. Several of the objectives are duplicated or included under multiple goals.

CITY OF MISSION
KANSAS

Guiding Principles

1. **Open, accountable government.**

2. **Working in partnership with each other, other organizations and citizens.**

3. **Best practices in quality service delivery.**

4. **Expand the tax base.**

Goals and Objectives

Goal Statement #1 - Foster development and redevelopment that provides housing and commercial options to be a community for all.

Goal Statement #2 - Create and maintain a community that is a destination to live, work, play and raise a family.

Goal Statement #3 - Create and maintain an infrastructure system that supports the vitality of our destination and development.

CITY OF MISSION
KANSAS

Proposed Action Steps

Goal Statement #1 - Foster development and redevelopment that provides housing and commercial options to be a community for all.

- Test "Community for All" perceptions - checklist
    - Continue participating in MARC program
    - Establish and implement standards as deemed appropriate for Mission
    - Continue for long term

Status Update: City Council adopted Resolution 930 which directed staff to consider the the Communities for All Ages (CFAA) content in an ongoing manner. Mission was one of seven pilot communities that worked with MARC in 2015 to review and evaluate current service delivery using the checklist content. The checklist was also introduced to the Sustainability Commission for on-going review and support. The Communities for All Ages content has been considered as part of the Comprehensive Plan update and Parks Master Plan processes. All Council action/discussion items include narrative which details the CFAA Considerations and Impacts when applicable.

- Conduct Visioning Process. Define key elements of community vision/stated goal. Provide clarity to the stated goal.
    - Determine scope
    - Conduct selection process for firm
    - Vision cycle Vision - implementation costs - test with Community - Adjust Vision

Status Update: The City Council approved a budget of $30,000 in 2015 to complete an update to the City's Comprehensive Plan. The work is largely staff driven, with some consultant support. The process kicked off in January 2015, and a cross-functional Steering Committee was formed to assist in survey development, issue definition and public outreach. Due to internal staffing issues, the process stalled in late 2015/early 2016. Staff recently updated the calendar and we expect to complete the process later this fall when an updated Comprehensive Plan is presented for approval.

- Update Hyett Palma/Surveys/ Mind-Mixer/Social Media Outreach

    - Determine Scope
    - Determine approach - timing - budget - implement

- Budget
- Notice to proceed if Hyett Palma

Status Update: Council decided in 2014-2015 not to proceed with a formal update to the Hyett Palma study. A contract was approved with Mind-Mixer to be tested through the Comprehensive Plan Update and Parks Master Plan processes. The Mind-Mixer site was launched in early 2015, but despite efforts to promote its visibility and usage, it was not producing the intended results. Staff continues to discuss and explore ways to increase our virtual/social media presence, including efforts to have an active presence on Facebook and Twitter.

- Develop a comprehensive Branding Strategy
    - Budget
    - RFP process for strategy
    - Staff work for neighborhood strategies

Status Update: Nothing was formally budgeted in 2015 or 2016 for this initiative. Staff recommends revisiting this goal/objective at a future Council retreat to determine if branding efforts remain a priority.

- Establish a downtown partnership
    - Develop program or model other successful downtown organizations
    - Develop structure and assist with start up
    - Provide support

Status Update: The Downtown District Task Force began meeting in January 2015 and their final recommendations were captured in Resolution 950 adopted by the City Council in August 2015. A copy of the resolution is included. There will be items from this list, along with the recommendations of the Johnson Drive Parking Task Force, to consider and discuss in connection with the 2017 budget.

- Explore Neighborhood Revitalization Program (ED incentive)
    - Update economic development incentives
        - Staff to review programs
        - Staff to develop programs for Council consideration

Status Update: Preliminary research was presented to Council in May 2014. No clear goals or direction were established at that time. Staff will continue to explore options for the the use of this economic development tool.

CITY OF MISSION
KANSAS

Goal Statement #2 - Create and maintain a community that is a destination to live, work, play and raise a family.

"A place where people want to live, work and play."

Live

- Implement standards for diverse housing - Need more housing options
    - Staff to create standards for Council consideration

Status Update: Not yet started. Anticipate using feedback collected through the Comprehensive Plan update to develop more specific standards for Council review.

- Support redevelopment to create diverse housing
    - Staff to review and recommend programs

Status Update: Not yet started. Anticipate using feedback collected through the Comprehensive Plan Update to develop more specific standards for Council review.

- Create programs that maintain/Improve existing housing
    - Staff to create programs for Council consideration

Status Update: No new programs have been implemented. Maintenance of housing stock was an important priority identified through the DirectionFinder survey. Staff efforts in 2015/2016 have centered on monitoring and responding to legislative changes which alter our current multi-family interior inspection program. Community Development and Neighborhood Services staff will be tasked with program research and development based on more clearly identified performance targets.

- Explore transit options for all ages
    - Maintain - Expand
    - Promote our access to metro area amenities, Mission does not have to provide museums but promote our access to things to do

Status Update: No specific action taken to date. Remains a part of the Communities for All Ages discussions. Staff continues to stay involved in regional discussions with the KCATA and others to ensure we are informed of new developments or changing programs in the delivery of public transportation services.

- Promote How “Great” Mission is to Live - website, social media, streaming meetings
    - Turn our enforcement and police department as a positive
    - Mission is a “healthy” place to live
    - Shawnee Mission School District is great

Status Update: Council and Committee meetings are now available via a live feed. The Police Department has emphasized community outreach and involvement as a cornerstone of their service delivery, and is experiencing tremendous success. We continue to look for ways to promote the community and its benefits through the Mission Magazine, website, and an active social media presence. Staff and Council remain connected to the local schools through both formal and informal programs.

Work

- Explore “gaps” to increase business diversity in Mission

Status Update: On-going staff work.

- Develop unique areas for “pockets” of activities - art district, farmers market, small business kiosk
    - Staff to recommend potential areas
    - Work with Council to develop programs for development

Status Update: Introduced a Farmers Market on Johnson Drive in 2015, and continue to grow this offering in 2016. Continuing to explore opportunities to introduce more art/cultural activities into City programs and services.

- Expand diversity of employment opportunities
    - Provide incentives to broaden business opportunities
    - Staff to develop for Council consideration

Status Update: No action taken to date.

- Take advantage of Gateway - Ikea build out - Leverage development
    - Implement branding strategy

Status Update: Continue to explore opportunities for redevelopment in and around Mission. City is currently working on a joint project with Roeland Park to explore redevelopment opportunities for the northeast corner of Johnson Drive and Roe.

- Continue momentum of Johnson Drive improvements
    - Provide strategy for start up businesses on new Johnson Drive
    - Will Johnson Drive success stifle start ups?

Status Update: Continue to see interest in the Johnson Drive corridor. Expect to work alongside a Mission Merchants group to explore and evaluate potential business attraction or retention tools for Johnson Drive. Starting to see interest expand into areas still impacted by the 100-year floodplain.

- Expand BIG program
    - Staff to recommend and budget
    - Council consideration

Status Update: The Council recently approved changes to the BIG program for 2016. Staff will monitor and report on applications and use to determine if an increase to the annual budget is warranted.

- Explore Neighborhood Revitalization Program (ED incentive)
    - Staff to develop program
    - Council consideration

Status Update: Preliminary research was presented to Council in May 2014. No clear goals or direction were established at that time. Staff will continue to explore options for the the use of this economic development tool.

- Develop a comprehensive Branding Strategy
  vibrant, healthy, renewal, service, attitude, small town, create positive first impression
    - Budget for process
    - Council consideration
    - RFP for consultants

Status Update: Nothing was formally budgeted in 2015 or 2016 for this initiative. Staff recommends revisiting this goal/objective at a future Council retreat to determine if branding efforts remain a priority.

Play

- Complete Parks Master Plan
    - RFP for consultants to complete plan
    - Budget for any improvements noted in plan

Status Update: Council will consider Park Master Plan adoption at June 2016 meetings. Once approved, the Master Plan will be used to help guide budget decisions for enhancements, maintenance and development of the City's parks and recreation system.

- Maintain/Improve existing facilities
    - Staff to adequately budget for maintenance and new facilities
    - Council to consider budget

Status Update: Ongoing part of the annual budget process. A building maintenance fund for the Community Center was established with implementation of the Parks and Recreation Sales Tax. Maintenance of City Hall, the Police Department and the Public Works facility will continue to present budgetary challenges each year.

- Continue/Expand Community Events
    - Continue to work with MCVB
    - Provide assistance to other groups
    - Develop additional City events

Status Update: For the last two years, because of construction and then a loss of facilities, we have been working to evaluate and revamp community events. The BBQ Competition and the Holiday Lights events are scheduled for 2016, and the Farmers Market provides a weekly community attraction from May through September. The focus remains on quality events.

- Expand trail system
    - Adequately program and budget for expansion

Status Update: Trails were identified as a high priority through the 2015 DirectionFinder survey. The Park Master Plan suggest the need for a trail master planning process to guide future location and investment in the City's trail network.

Goal Statement #3 - Create and maintain an infrastructure system that supports the vitality of our destination and development.

- Create appointed CIP Committee to work in cooperation with staff to develop and manage CIP
    - Staff to develop structure
    - Mayor to appoint members

Status Update: CIP Committee has not yet been created. Staff still believes there is merit to this approach and will present a proposed structure/purpose for a citizen committee as a part of the 2017 Budget discussions.

- Maintain commitment to diversified, dedicated revenue sources
    - Staff to develop/recommend sources
    - Council to consider during budget process

Status Update: Ongoing part of the annual budget process.

- Understand and account for life cycle costs/deferred maintenance costs in developing long range CIP
    - Staff to develop/recommend for Council consideration

Status Update: Ongoing part of the annual budget process. Staff will research and recommend implementation of an Asset Management program.

- Complete traffic sign inventory/analysis
    - Staff to develop inventory and properly budget costs

Status Update: All traffic signs requiring upgrades to meet federal retroreflectivity standards have been replaced. Public Works staff has currently replaced one-half of the street ID signs city-wide and anticipate this will be accomplished in another two years. Funds come from the various dedicated street and transportation revenue sources.

- Complete Park Master Plan
    - RFP for consultants to complete plan
    - Budget for any improvements noted in plan

Status Update: Council will consider Park Master Plan adoption at June 2016 meetings. Once approved, the Master Plan will be used to help guide budget decisions for enhancements, maintenance and development of the City's parks and recreation system.

- Update Citizen Survey on a regular basis
    - 2015
    - Adequately budget for updates

Status Update: Mission has historically completed citizen surveys every four years. Council budgeted for and completed an update of the ETC DirectionFinder Survey in 2015. The next update would be budgeted for 2019.

RESOLUTION NO. 950

A RESOLUTION SUPPORTING THE RECOMMENDATIONS OF THE DOWNTOWN DISTRICT TASK FORCE

WHEREAS, the City pursued the Johnson Drive Redevelopment Project to fully reconstruct and reconfigure Johnson Drive in order to further the success of downtown property owners, businesses, patrons and the community, and;

WHEREAS, increased private investment in downtown properties has occurred in the time since the start of the Johnson Drive construction project, and public reaction to the improvements has been positive, and;

WHEREAS, this type of business activity is seen as important for the Mission community both as a key part of the community's identity and for the positive financial impact it creates, and

WHEREAS, the City Council convened the Downtown District Task Force composed of interested residents and business owners in January of 2015 to identify actions and partnerships that will provide greater opportunities to strengthen the growth and economic vitality of the Mission's Downtown District, and;

WHEREAS, the Downtown District Task Force has completed its work and has established a set of recommendations to be taken together for adoption and pursued by the City Council.

NOW, THEREFORE, LET IT BE RESOLVED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:

Section 1. The Mission City Council thanks the Downtown District Task Force for their diligent work and supports their findings and recommendations as follows:

a. The downtown Mission businesses and property owners form a Business Association to attract new visitors, new businesses and to raise the profile of the area.

b. The City form a Business Improvement District to create a sustainable funding source for future improvement and promotion of the district.

c. The City develop a long-term and comprehensive marketing plan to promote the district.

d. City staff add website content and printed materials that guide prospective business owners through the process of establishing their business in Mission.

e. The Mission community including City staff, elected officials, business owners and volunteers continue to support community events that bring positive attention and increased visits to Mission.

f. City staff implement the remaining recommendations of the 2014 Johnson Drive Parking Task Force.

THIS RESOLUTION IS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MISSION, this 19th day of August 2015.

THIS RESOLUTION IS APPROVED BY THE MAYOR this 19th day of August 2015.

Steve Schowengerdt, Mayor

ATTEST:

Martha Sumrall, City Clerk

Johnson Drive Parking Task Force Unanimous Recommendations

Co-Chairs

Arcie Rothrock, City Council

Dave Shepard, City Council

Members

John Arnett, Resident

Clark Davis,
Melange Dance and Events

Doug Gregg, Answer Pro

Becky and Ray Hanf,
Mission Fresh Fashion

Bob Hartman,
Hartman Hardware

Mary Horvatin,
Yoga Fix Studio

Kate Lavendar,
Mission Wine and Spirits

Sharon Miller,
Art Glass Productions

Bill Nichols, Resident

Sandi Russell,
Twisted Sisters Coffee Shop

Brian and Linda Sisney,
Sisney Building

Juan Swart,
Hartley Group KC

- *The Task Force finds that long-term parking on Johnson Drive and in other public parking areas, particularly by local area business owners and their employees, is detrimental to the success of the Downtown Area. The Task Force recommends that the City adopt a two-hour parking limit for all public parking fronting Johnson Drive in the Downtown Area, effective Monday through Saturday, from 8:00 a.m. to 6:00 p.m. This should initially be enforced on a complaint basis, with measures escalating over time as needed.*

- *The City should, in cooperation with the members of the Parking Task Force, write a joint letter to tenants and property owners in the Downtown Area requesting that they direct employees to not park on Johnson Drive, and informing them of new parking regulations and existing long-term parking locations in the Downtown Area.*

- *While the City already owns property utilized for parking within the Downtown Area, south of Johnson Drive, these lots are deteriorated and unwelcoming to visitors. The City should commit to making additional investments in these lots. The Task Force identifies the need for restriping in all three existing lots, as well as seal coating, grading, grass seeding, additional lighting as feasible, and additional sidewalk access in the area surrounding the existing municipal parking lot east of Outlook Street.*

- *The City-owned lots are not easily found and recognized as public parking by visitors to the district. The City should invest in monument signs and other wayfinding devices necessary to promote the use of these lots by visitors and employees. The lots should also be given unique names to promote recognition.*

- *The City should invest in creating a downtown brochure, including a business directory and a map of areas acceptable for customers and employees to park within the Downtown Area.*

- *The City should prioritize Dearborn Street north of Johnson Drive in the City's annual Street Maintenance Program. In the year it is programmed, the City should attempt to create parallel parking stalls on the east side of the street.*

- *The City should, in the near future, approach the owners of property currently underutilized, vacant, and/or for sale within the district and attempt to gain leased access, right of way, or other additional parking capacity before these properties are occupied or repurposed.*

- *The City should be prepared to continue to make investments in additional parking capacity in the Downtown Area, and should, as they arise, consider opportunities to purchase additional land and property rights for future use as parking, pedestrian access, or other public improvements to support the Downtown Area.*

- *The Task Force will reconvene approximately six months after the first of the recommendations are implemented to evaluate the success of these recommendations.*

"A parking problem is often a walking problem."