

MINUTES OF THE MISSION COMMUNITY DEVELOPMENT COMMITTEE

April 8, 2020

The Mission Community Development Committee met virtually via ZOOM on, Wednesday, April 8, 2020 at 6:30 p.m. The following committee members were present: Trent Boultinghouse, Hillary Thomas, Arcie Rothrock, Nick Schlossmacher, Kristin Inman, Debbie Kring, Sollie Flora and Ken Davis. Mayor Appletoft was also present. Councilmember Thomas called the meeting to order at 6:30 p.m.

Also present were City Administrator Laura Smith, Assistant City Administrator Brian Scott, City Clerk Martha Sumrall, Assistant to the City Administrator Emily Randel, Public Works Director Celia Duran, Street Superintendent Brent Morton, Parks & Recreation Director Penn Almoney, Chief Ben Hadley, and Office Assistant Audrey McClanahan.

Public Comments

Ms. Smith reminded all in the public they can participate via the chat feature on ZOOM. All comments will be visible to all participants. There were no public comments.

Acceptance of the March 4, 2020 Community Development Committee Minutes

Minutes of the March 4, 2020 Community Development Committee were provided to the committee. There being no objections or corrections, the minutes were accepted as presented.

Lamar Rehabilitation and Resurfacing (UBAS) Contract Award

Ms. Smith stated there are three interrelated items for the Lamar Project on tonight's agenda. The Lamar Rehabilitation Project predates Ms. Duran coming to Mission as Public Works Director as we have been working on this for the past four to five years. This project is part of the Safe Routes to School Program (SRTS). The City submitted an application for funding of bike lanes along Lamar, which were originally anticipated to be 100% funded by the City. The project did receive SRTS funding for the bike lanes. She stated the Lamar project was introduced at a time when we were trying to stretch our street funding dollars as much as possible and the project was estimated at \$550,000 when introduced. The project was refined and the budget updated with the SRTS funding and the introduction of UBAS resurfacing. She stated when the CARS program for 2020-2024 was submitted and the 2020 Budget approved, the cost for this project was estimated and approved by Council at approximately \$938,000.

Ms. Duran stated that this project has evolved over time with changes in scope, time frame, and funding opportunities. When the final design was completed and the engineer's estimate received in January of this year, it became apparent that the project would exceed the budget. It was decided to go ahead and bid the project to see where there may be overages and whether we could modify the scope of the project. Two bids were received with Superior Bowen

submitting the lowest and most responsive bid at 928,994.15. She stated that based on conversations following the bid opening, crack sealing costs were removed from the engineer's estimate as crack seal treatment is not recommended or necessary prior to UBAS treatment. The bid from Superior Bowen exceeds the estimate by 2.8%, but Ms. Duran stated it is still a good price and is reasonably close to the estimate. She also provided information on the many joint repairs needed along this section of Lamar, which were not anticipated when the budget for the project was prepared. The joint repairs on Lamar are more than would usually be anticipated and the price of this project could be approximately \$202,000 over the original budget due to the joint repairs needed. She also discussed the process used for this project including basing the budget on conceptual prices and then walking the project. Ms. Duran provided information on the project components and their cost, noting that costs for construction inspection are based on the actual bid price. The cost for bike lanes at this time is based on the engineer's estimate as KDOT will be bidding that part of the project. We will know the bike lane construction inspection costs once the bike lanes bids are received. She also discussed KDOT's requirements which can result in costs approximately 30% higher, but noted that some of the overages in costs for this project could go down when the bike lanes are actually bid. Staff has evaluated various ways to get this project completed with available funding, including the possible removal of some concrete work, reducing the size of the project, part-time inspection services, or turning back SRTS funding for the bike lanes. Based on these evaluations and bid negotiations, modifications to inspections services, and additional CARS funding through a change order, it is recommended that the project move forward with the scope as presented.

Ms. Duran discussed continually looking at ways to improve estimating processes, and the desire to always bring projects forward under budget and completed on time. There were many nuances to this project that made that difficult. In the future, projects will be walked earlier in the process to ensure we have better estimates and appropriate levels of contingency funding included. She stated this is an important project as it is a major thoroughfare in Mission, and we have the opportunity to take advantage of external funding through Safe Routes to Schools and CARS. The project is anticipated to begin May 1 with a 90-day timeframe. Ms. Duran also provided information on discussions with Superior Bowen about social distancing protocols, noting they have two safety officers with the company who are responsible for compliance.

Councilmember Kring asked for additional information on Superior Bowen (location, etc.). Ms. Duran stated they are out of Missouri, but have done work all over the metro area. They also just purchased O'Donnell and Sons Construction, and they have done work for both municipalities and the federal government.

Councilmember Boultinghouse asked if the currently budgeted \$422,000 in CARS funding is "locked in" or is this still subject to Johnson County review and acceptance. Ms. Duran stated this funding was approved last year so it is locked in.

Ms. Smith provided information on additional budget comparisons. She stated that because SRTS funding is included in the project, those dollars are taken into consideration by the County and they reduce the available 50% funding. She noted there are discussions underway with Johnson County regarding current SMAC and CARS projects which may not be able to move forward. She stated if we delay this project we may not have access to this funding.

Ms. Smith discussed information provided to Council regarding a revised street program budget, including:

- 2019-2020 anticipated budget with an ending fund balance of \$542,819 in 2019 and \$43,546 in 2020.
- 2019-2020 revised budget that includes audited numbers from 2019 with an ending fund balance of \$732,988 in 2019.
- 7 mills are dedicated to streets and this projected amount for 2020 stays the same as was originally budgeted. We may see a delinquency in property tax receipts this year due to COVID-19.
- Street sales tax revised budget numbers reflect a 20% reduction.
- Special Highway Funds are reduced in the revised 2020 budget as these funds come from gasoline and people are driving less.
- Miscellaneous revenues in the revised 2020 budget include \$68,000 from Safe Routes to Schools.
- Revisions were also made to the revised expenses for 2019-2020. Broadmoor project came in approximately \$1,300 over what was included in last year's budget due to the delay in the signal installation.
- Increased expenses for Public Works maintenance and street program as the staff completed a great deal of hole patching and repair work after a hard winter. Also, Overland Park invoiced Mission for a chip seal project that was completed in 2018, but not invoiced until 2019. The mill and overlay of the 52nd Street cul-de-sac is a carryover, and patching of Foxridge is included.
- Expenses associated with the Reeds Road bridge repairs were funded by carry-over funds, so no expense was shown in the original 2019 budget.
- There are no changes in the revised budget to debt service with the exception of the TUF settlement funding which was \$1,000,000 in 2019 and we now know the total amount is \$609,820.
- The final expenses in 2019 ended better than anticipated. Even with reductions in anticipated revenues and the increase in the Lamar project, our ending balance is improved.
- The funding for the next phase of Foxridge Drive design and construction in 2021 is anticipated to be in excess of \$4.5 million. We have always anticipated debt financing for this project. Council will need to consider the renewal of the street sales tax to ensure a repayment source if debt is issued. With Stantec data available, this will assist in providing a clearer picture of our street program to the public.

Councilmember Thomas stated this project is very visible to the public and she is anxious to have it move forward.

Councilmember Flora requested information on our confidence in receiving \$75,000 in CARS funding through a change order, and what that number is based on. Ms. Duran stated she is confident we will receive funds as this type/amount of funding is part of the CARS program bylaws. This may change in the future, but they will obligate what they have for this year.

Ms. Smith provided information on revenue projections, noting that we have not yet received sales or gas tax receipts that may be impacted by COVID-19. Gas tax receipts are received quarterly and sales tax receipts are received monthly, but there is a two month lag. So far this year, gas and sales tax receipts are on track with our budgeted numbers. In estimating reductions, Ms. Smith based these on discussions with colleagues in other cities and percentages they are using to look at budget impacts due to COVID-19. She also noted that in 2019, Mission did not experience the sales tax declines that many cities did, although we do anticipate COVID-19 implications this year. Councilmember Flora stated this information is reassuring and Councilmember Davis thanked Ms. Smith for putting this information together as it is very helpful.

Councilmember Davis recommended the contract with Superior Bowen Asphalt Company, LLC for the Lamar Avenue (Foxridge Drive to Shawnee Mission Parkway) Rehabilitation and Resurfacing Project in an amount not to exceed \$928,994.15 be forwarded to Council for approval. All on the committee agreed, but this will not be a consent agenda item.

Lamar Interlocal Agreement for CARS Funding

Ms. Duran stated this interlocal agreement is for Johnson County CARS funding of the Lamar Project discussed under Item No. 2. The CARS funding is in an amount not to exceed \$422,000. The CARS program will pay up to 50% of the project cost and up to \$75,000 for the change order. She stated that the additional funding request (change order) for \$75,000 will depend on project quantities once known. Councilmember Thomas noted that this item is Item No. 4 on the agenda; Item No. 3 will be discussed next.

Councilmember Flora recommended the Interlocal Agreement with Johnson County for the public improvement of Lamar Avenue (Foxridge Drive to Shawnee Mission Parkway) (CARS Project No. 320001323) using CARS Program funding in an amount not to exceed \$422,000 be forwarded to Council for approval. All on the committee agreed, but this will not be a consent agenda item.

Lamar Construction Inspection Services Contract

Ms. Duran stated this proposed contract with Pfefferkorn Engineering is for construction inspection services for the Lamar Project in an amount not to exceed \$39,040. Pfefferkorn has

not done work for the City previously, but since KDOT is administering the bike lane portion of the project, we are required to select a construction inspector from their list of qualified firms. Since Pfefferkorn will be performing inspection services for the bike lane portion of the project we requested they submit a proposal for the inspection of the rehabilitation and resurfacing portion of the project also. This proposal is for part-time inspection services and for materials testing based on a 90-day construction timeline. Based on Pfefferkorn's experience and qualifications performing inspection of KDOT projects, and to ensure continuity throughout the project, staff is recommending approval of this contract.

Councilmember Flora requested information on how KDOT approves the contractors. Ms. Duran stated it depends on the firm, and noted that because they have lower overhead costs we are seeing good prices with them in addition to their qualifications and continuity throughout the project. Ms. Smith commended Ms. Duran for her work on this project. Two other proposals were received, but even if Pfefferkorn was providing full-time inspection services, the others would have been significantly higher in cost. She stated we have vetted this firm, but are also looking for savings.

Councilmember Kring recommended the construction inspection services agreement with Pfefferkorn Engineering & Environmental, LLC (Pfefferkorn) for construction inspection services for the Lamar Rehabilitation and Resurfacing (UBAS) Project in an amount not to exceed \$39,040 be forwarded to Council for approval. All on the committee agreed, but this will not be a consent agenda item.

Update to Tree Plan

Mr. Almoney reported that Chapter 230 of the Municipal Code dictates that in even numbered years, the Parks, Recreation and Tree (PRT) Commission reviews and recommends updates to the City's Tree Plan. Maintaining and updating the Tree Plan is one of the requirements to maintain our designation as Tree City USA. The PRT reviewed the Tree Plan at their March 16th meeting, and proposed adding additional language under "Interface with the Community" to remove "newsletter" and add the Mission Magazine and social media channels. He also stated that the Kansas Forest Service is our primary reference for the addition or removal of any specific trees from the prohibited trees section of the plan. At this time, no additions or deletions are recommended by the Kansas Forest Service.

Ms. Smith stated she shared with Council additional information on updating the tree plan and this will be incorporated into the packet. Councilmember Davis reminded her of discussions in 2019 regarding interface with KDOT related to tree maintenance, particularly in rights-of-way that abut the City. Ms. Smith stated she overlooked having this included in the currently proposed plan, but additional language has now been added. The primary goal of the tree plan is the development and maintenance of trees on public property, but she also supports Councilmember Davis' recommendation to include language regarding our interface with KDOT and utilities, especially after recent conversations with Evergy. She discussed the additional

language added to the plan, which includes highlighting agencies that we interact with related to our urban forest and tree canopy. This language also assists in keeping our Tree Plan at the forefront as maintenance of trees that are not controlled by us is considered. She stated that the Tree Plan points back to the PRT, but wants to be clear that staff is responsible for any communication with other entities and providers. If additional policies or practices are desired, these will be forwarded to the PRT for review and recommendation. She feels it is appropriate to add this additional language to the plan, and this does not need to go back to the PRT for consideration as Council is responsible for final approval of the Tree Plan.

Councilmember Davis thanked Ms. Smith and Mr. Almoney for their work on the plan and including his recommendations. He also asked that information be shared on how creeks and waterways are handled. Ms. Smith stated that we are usually taking trees out of waterways rather than planting additional trees. Public Works is working on a rotating creek clean-out plan which will come back to Council as part of the stormwater maintenance plan. Mr. Almoney, Ms. Duran and Mr. Morton are working on park standards that will include tree maintenance. This will come before Council later this year. If it is appropriate, these standards can be incorporated into the Tree Plan. Ms. Smith stated she also reached out to other cities to see how their tree plans compare to Mission's. Many are very different and she will continue to look more closely at these to see if there are recommendations we may want to incorporate into our plan.

Councilmember Flora stated Mission's Tree Plan is focused on the replacement and maintenance of trees in our city and not the expansion of the canopy or additional diversification of trees, and asked if other cities are including this in their plans. She asked if expansion of the tree canopy should be an initiative put forward by Council or the PRT. Ms. Smith stated she has not yet had time to read through all the other tree plans, but at the February Council Retreat, the expansion and maintenance of our urban forest and tree canopy was supported by the group. She stated we will want to include this in our plan and will be looking for additional clarity on this issue through the budget process.

Councilmember Schlossmacher asked if other cities' plans include information on interaction with KDOT. Ms. Smith stated she did not specifically ask, but will review their plans. Anecdotally, our experience with KDOT is similar in other cities, and she hopes that in working with Evergy and other utilities, more information will be shared with the City which will allow for a better job of managing these issues. It will be challenging to move the needle on this issue. Councilmember Schlossmacher also asked if we have lost utility services due to KDOT not trimming in the ROW, and Ms. Smith stated that we have not but we have in other areas where Evergy is behind schedule in trimming.

Councilmember Davis recommended that approval of the proposed revisions to the City of Mission's Tree Plan as set forth in Chapter 230 of the Mission Municipal Code be forwarded to Council for approval. All on the committee agreed. This will be a consent agenda item.

Department Updates

Ms. Smith provided an update on COVID-19 related activities. Staff is currently working at City facilities at a 50% or less staffing level to maintain social distancing. Public Works has two crews that work alternating days. They are currently mulching the playgrounds as no one is using them at this time. There have been several challenges with equipment so this has slowed the process. She stated staff is getting creative on how to continue to provide services. Code Enforcement Officer Becca Brown has been driving through Mission to stay on top of code enforcement issues. She knows the “hot spots” in the City and will continue to drive throughout the City several times a week. She continues to draft letters and take pictures, which can then be dropped off at City Hall weekly to be mailed and keep the process moving forward. Ms. Smith stated we are not focused on proactive enforcement, but with spring vegetation growth staff is “keeping an eye on things.” Jim Brown, Building Official, is working in the office and also monitoring code enforcement issues. Ms. Smith stated Caitlyn Service, City Planner, began working for Mission on March 30th. She has been working remotely and Mr. Scott is providing her with projects. Because this year’s Bunny Eggstravaganza has been cancelled, Jenny Smith and Nick Shepherd are promoting a Mission egg hunt on social media. People are encouraged to download the egg templates to color and put them in their windows for families to find on their walks. Staff is also encouraged to put eggs in City Hall or their vehicle windows. Additional virtual activities will be added in the coming weeks that encourage participation while maintaining social distancing.

Councilmember Kring stated she has contacted staff regarding Village Inn Restaurant needing to paint the north side of their building. She wondered if now would be a good time for them to undertake this. Ms. Smith stated we are not pushing these kinds of issues forward in light of social distancing protocols. We want everyone to stay at home to the extent that they can and we will follow-up with Village Inn after the stay at home order has expired. Councilmember Davis also noted that with the restaurant currently closed, enforcing this at this time could be a financial burden on the owners.

Councilmember Davis requested an update on Municipal Court. Ms. Smith stated that when the original emergency proclamation was issued, court was deferred to May 12th at the earliest. Staff has been sending letters and following-up with defendants to reschedule appearances, etc. She stated that officers can still issue citations, and that we were already scheduling court dockets in May, so suspending Court to May 12th makes sense. Court clerks are working on a staggered schedule with someone in the office every day. Ms. Smith stated they are doing an outstanding job with keeping work up to date and being available to the public (phone and email). She noted that most calls currently coming into City Hall are for Municipal Court. Councilmember Flora asked if we know how many people are incarcerated in the Johnson County Jail on Mission offenses and how are these being handled. Ms. Smith will find out and provide additional information to Council.

Councilmember Davis asked how staff is doing, and Ms. Smith stated we do not have any staff self-quarantining or in isolation at this time. She has been communicating with staff twice a week on Tuesdays and Fridays. She commended staff for staying busy, serving residents and businesses, and doing a phenomenal job overall.

Councilmember Thomas requested an update on the Police Department related to COVID-19. Chief Hadley stated that accidents are down across the metro, and calls for service during the daytime and overnight have decreased. Evening calls for service have remained the same or increased. He stated the Police Department is “in full swing” and that all staff are healthy and working. The current focus is on education for businesses and residents. He noted that auto burglaries are not increasing, but it is not uncommon to see about one a day and he again encouraged all to lock their cars. Metro-wide disturbance calls, particularly family arguments, are increasing. The department had protective equipment available and he provided information on continuing efforts to ensure we have the needed equipment. The department also continues to work with other departments throughout Johnson County.

Other

No other business was discussed.

Meeting Close

There being no further business to come before the Committee, the meeting of the Community Development Committee adjourned at 7:33 p.m.

Respectfully submitted,

Martha Sumrall
City Clerk