

**CITY OF MISSION, KANSAS**  
**COMMUNITY DEVELOPMENT COMMITTEE**

**WEDNESDAY, JUNE 3, 2020**

**6:30 P.M.**

**Meeting Held Virtually Via Zoom**

*In consideration of the COVID-19 social distancing recommendations, this meeting will be held virtually via Zoom (<https://zoom.us/join>). The public may participate with comments by using the “chat” feature, please note all statements are made visible to the group. Information will be posted, prior to the meeting, on how to join at <https://www.missionks.org/calendar.aspx>. Please contact the Administrative Offices, 913-676-8350, with any questions or concerns.*

**PUBLIC COMMENTS**

**PUBLIC PRESENTATIONS / INFORMATIONAL ONLY**

1. Proposed Redevelopment of the Former Mission Bowl Property at 5399 Martway - Brian Scott ([page 3](#))

Representatives from the Sunflower Development Group will make a brief presentation to the Committee regarding a proposed redevelopment plan for the former Mission Bowl property.

**ACTION ITEMS**

2. Acceptance of the May 6, 2020 Community Development Committee Minutes - Audrey McClanahan ([page 25](#))

Draft minutes of the May 6, 2020 Community Development Committee meeting are included for review and acceptance.

3. 2021-2025 CARS Projects - Celia Duran ([page 41](#))

Using a combination of state gas tax dollars and County General Fund revenues, the CARS program provides funds to cities to construct and maintain eligible streets. Each year, cities submit a 5-year road improvement plan to the County from which projects are selected for funding (up to 50% of the project's construction and construction inspection costs). Projects to be included in the 2021 - 2025 CARS Program for Mission are detailed in the action item summary.

4. Lamar Avenue (Foxridge Drive to Shawnee Mission Parkway) Bike Lanes Contract Award - Celia Duran ([page 46](#))

Construction is currently underway on Lamar Ave. as part of the Resurfacing and Rehabilitation project approved by City Council on April 22, 2020. Bike lanes and permanent

pavement markings will be constructed as a separate project following completion of the resurfacing project since the Safe Routes to School (SRTS) Funds for this portion must be administered by KDOT. The total contract award for construction and construction inspection is \$164,000 which is slightly less than originally estimated. The City's funding share of the project is \$96,000 or a savings of approximately \$8,049.

5. Resolution Special Purpose Permit - Sandhills Brewing - Brian Scott/Kaitlyn Service [\(page 51\)](#)

Sandhills Brewing, located at 5612 Johnson Drive, has requested to use a portion of the sidewalk in front of their storefront for an outdoor seating area. Kansas liquor laws require that such areas be demarcated by three dimensional objects to clearly define the area as part of the establishment serving the beverages. Mission's Municipal Code Section 515.050 - Obstruction - Special Purpose Permit allows for the Governing Body to grant a Special Purpose Permit to an entity requesting the use of any portion of a sidewalk or other public property.

### **DISCUSSION ITEMS**

6. Discussion of Policy on Use of Drones - Penn Almoney [\(page 63\)](#)

The Parks, Recreation and Tree (PRT) Commission and Parks & Recreation staff discussed the concerns surrounding UAV (drone) use at Mission parks near residential areas. PRT Commission members recommend and Parks & Recreation staff support discussing the consideration of an ordinance so that the City could be in a position to proactively communicate clear expectations and requirements.

### **OTHER**

7. Department Updates - Laura Smith

**Sollie Flora, Chairperson**  
**Trent Boultinghouse, Vice-Chairperson**  
***Mission City Hall, 6090 Woodson St***  
***913-676-8350***

TREANORHL



SUNFLOWER  
Development Group

**Mission Bowl Redevelopment**





**JASON SWORDS**  
*Principal*

Jason has led Sunflower Development Group to award-winning success in revitalizing urban communities. Jason's passion for preservation and tireless commitment to big ideas is ingrained in everything we do at Sunflower.

[jswords@sunflowerkc.com](mailto:jswords@sunflowerkc.com) | 816-581-3992



**MARK MOBERLY**  
*Director of Development*

Mark joined Sunflower Development Group in November 2011, focusing on the firm's lending relationships and internal project budgeting. Today, he is intimately involved in business development and project management, often negotiating tax credit investors, soliciting loan proposals and securing private investors.

[mmoberly@sunflowerkc.com](mailto:mmoberly@sunflowerkc.com) | 816-581-3997



**MARK MCHUGH**  
*Project Manager/Controller*

Mark joined Sunflower Development Group in 2008. His experience spans over three decades and 200+ projects worldwide. Mark's extensive work managing the extreme logistics of federally funded overseas construction gives him a unique and wide-ranging toolbox to help solve the everyday challenges of complex construction projects.

[mark@sunflowerkc.com](mailto:mark@sunflowerkc.com) | 816-581-3993



**BANKS FLOODMAN**  
*Director of Business Development*

Banks understands that at the core of any long-term relationship are two characteristics, honesty and integrity. This mentality has enabled him to build and strengthen many of the relationships Sunflower utilizes when acquiring the resources that allow us to improve and complement our communities.

[bfloodman@sunflowerkc.com](mailto:bfloodman@sunflowerkc.com) | 816-988-2808



**CHRIS VUKAS**  
*Director of Economic Development*

Chris has spent his entire career working in the community and economic development field on projects that transform communities both in the U.S. and abroad. His work in non-profit finance provided invaluable experience working with layered financing approaches and non-traditional capital.

[cvukas@sunflowerkc.com](mailto:cvukas@sunflowerkc.com) | 816-581-3996

# Meet The Team

## Consulting

Sunflower Development Group offers consulting expertise in the areas of real estate, hospitality, finance and public incentives. Our development experience in sustainable mixed-use projects and historic preservation allows us to provide our clients with unique service through personalized counsel.

### REAL ESTATE

Our real estate development team works across commercial and residential projects to solve real needs in our communities. We offer a wide range of development and consulting services that help our clients increase bottom-line income and improve their project's efficiency. Our clients also enjoy the flexibility to choose only the services that will most benefit their project.

### FINANCE & INCENTIVES

Our team is committed to securing the necessary funding to bring ambitious goals to life. We have extensive experience navigating federal, state and local incentive programs—especially those relating to historic redevelopment and tax credit financing. Our team understands the nuances that come with each program, and we've proven our ability to consult on tax credit deals with fluency and efficiency.



## Development

### REAL ESTATE

Sunflower's development portfolio includes historic places and modern destinations. In the Kansas City area and beyond, Sunflower has cultivated a reputation for delivering projects on time and on budget. Wherever we work, we partner with local architects and contractors to deliver the best-possible value to our clients.

We believe the design and planning phase is the first, and most critical, step in transforming a historic space into a brand new experience. Restoring a neglected building is much more than a deep cleaning job—it's about creating a comfortable, modern space that creates meaning and value for the surrounding community. Our team has a strong commitment to restoring and renewing even the most dilapidated structures.

# Residential Development

HISTORIC TAX CREDITS

LOW INCOME TAX CREDITS

NEW MARKET TAX CREDITS

BROWNFIELDS TAX INCENTIVES

RENEWABLE ENERGY CREDITS

ENTERPRISE ZONES

LAND PRESERVATION CREDITS

PROJECT EVALUATION

FINANCIAL STRUCTURING

COMPLIANCE

SYNDICATION

## Uptown Lofts

In 2021, Sunflower Development Group will open Uptown Lofts in Kansas City. This \$45 million mixed-use project will bring market-rate housing and new commercial development to a long-troubled area of Midtown. The development will include 213 apartments with studios, one-bedroom and two-bedroom floorplans, as well as a variety of upscale amenities. Sunflower is leading development on this project and has acquired a substantial allocation of tax credits and financial incentives to bring this exciting development online.



**245,000** Sqft

Apartment Complex

**\$45** Million

Total Project Cost

**2021**

Estimated Completion

**210,000** Sqft

Mixed Use Space

**\$69** Million

Total Project Cost

**2018**

Project Completion



## The Grand

The Grand is a 21-story mid-century modern tower located one block outside the city's vibrant Power and Light District. With its central location and timeless style, the building was a perfect fit for an apartment complex appealing to young residents who expect to live, work and play all in one district.

Sunflower Development Group partnered with Block Real Estate Services to develop the former Traders on Grand building. Now designated a Class A+ mixed-use property and rebranded "The Grand," it combines 11,000 square feet of commercial and retail space along with 202 luxury apartment units. Each unit features high-end finishes, open floor plans and access to high-end amenities, such as a rooftop pool, elevated dog park and more.

### SERVICES PROVIDED

- Financial Structuring
- Project Evaluation
- Securitization
- Compliance
- Syndication





16

Luxury Apartments

\$8 Million

Total Project Cost

2017

Project Completion

## Atlas

### REAL ESTATE

In 2017, Sunflower completed a historic rehabilitation for Atlas Lofts, reimagining the building to host 16 of Kansas City's most unique, lavish apartments. Nestled at the north end of the city's Crossroads Art District, Atlas represents our commitment to creating iconic spaces that blend historic character with modern taste.

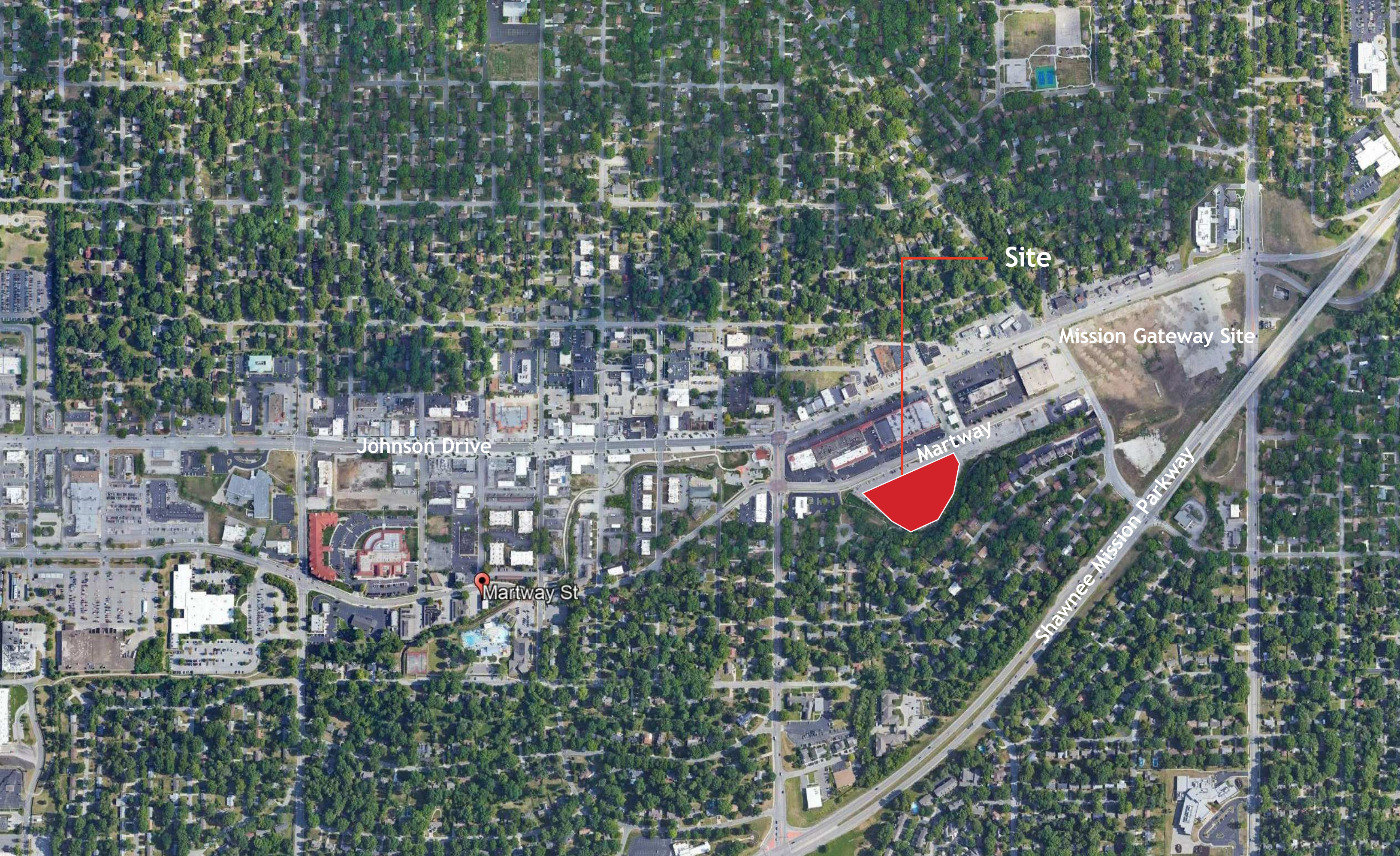
### SERVICES PROVIDED

- Financial Structuring
- Project Evaluation
- Marketing
- Securitization
- Syndication









Site

Mission Gateway Site

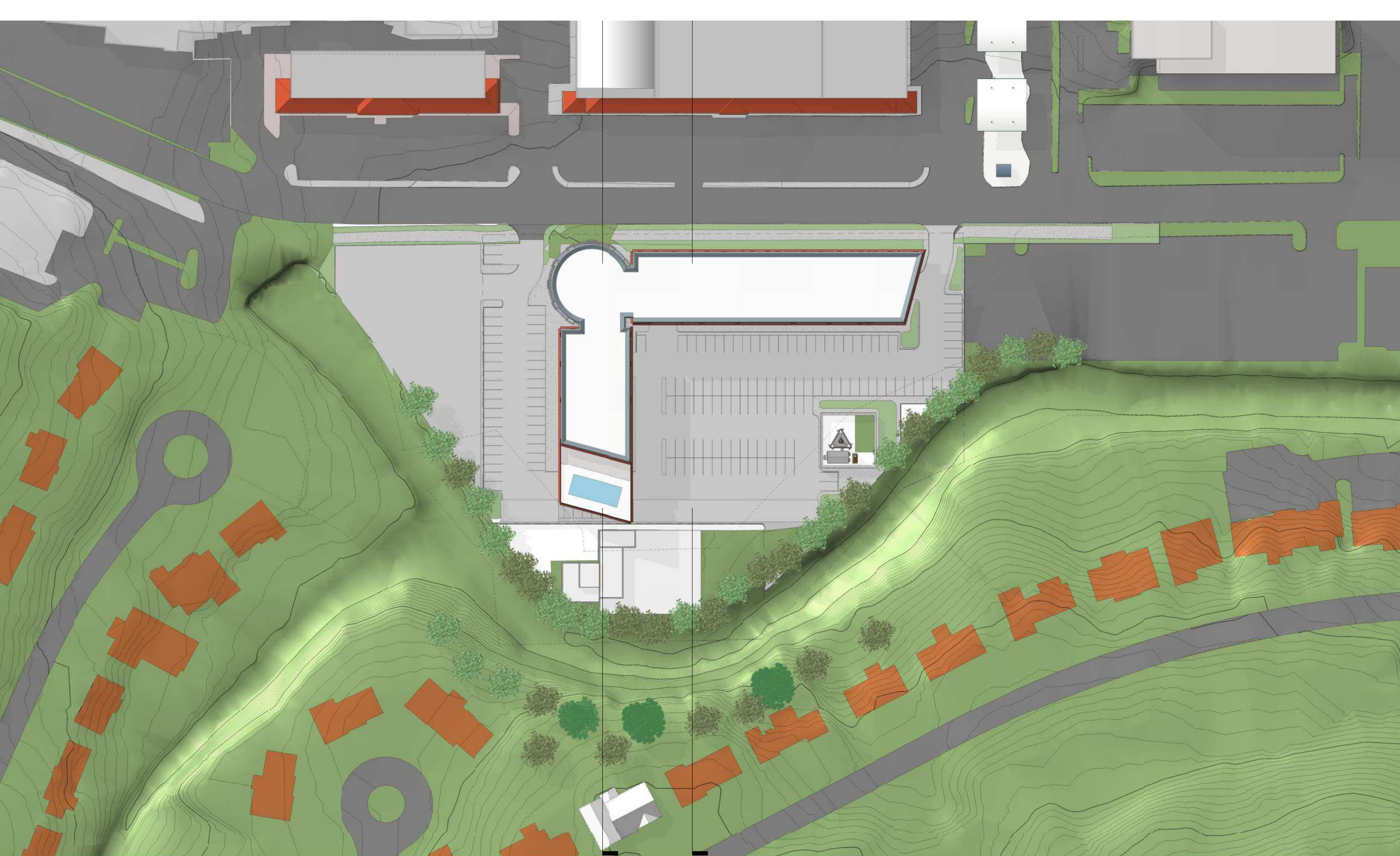
Johnson Drive

Martway

Martway St

Shawnee Mission Parkway





MARTWAY ST

CLUBHOUSE  
4,770 SF

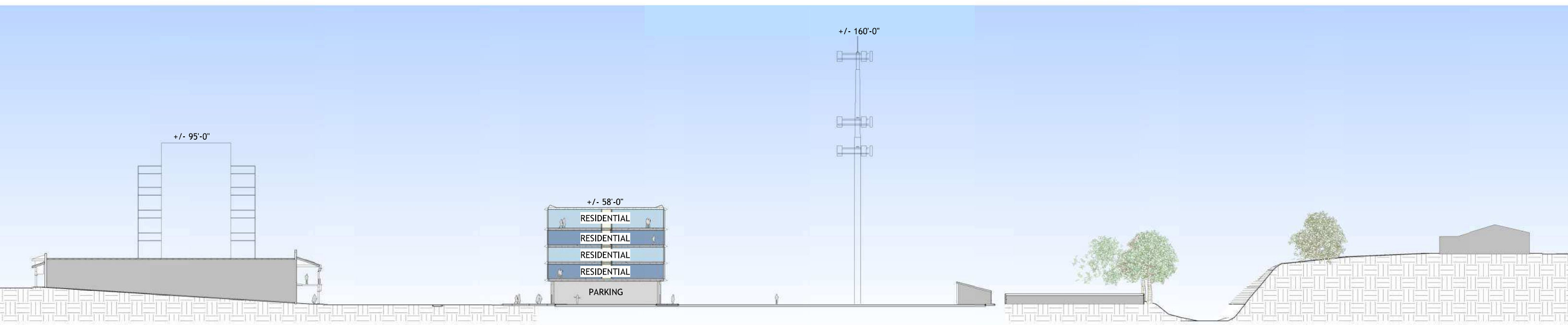
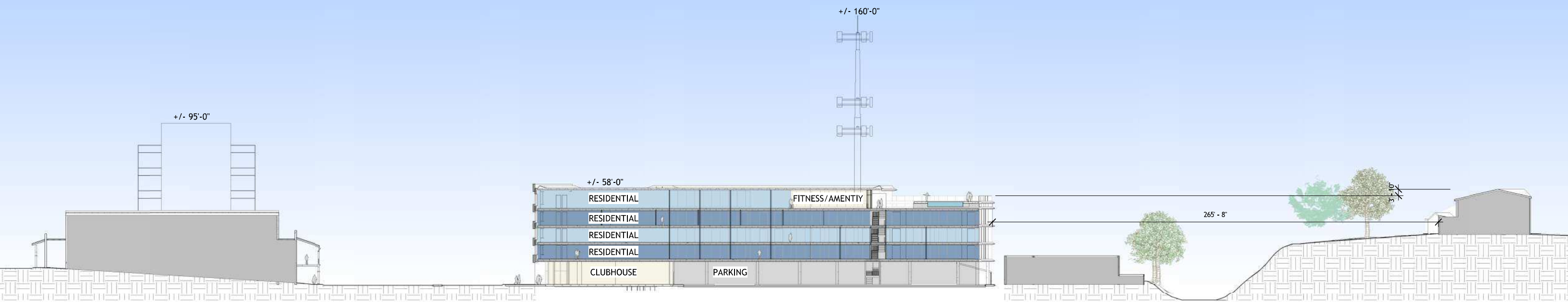
PARKING - 78 GARAGE SPACES

TOTAL PARKING - 260 SPACES

PARKING - 196 SURFACE SPACES

Approximate footprint of  
JCW lift station





# Horizontal Datums

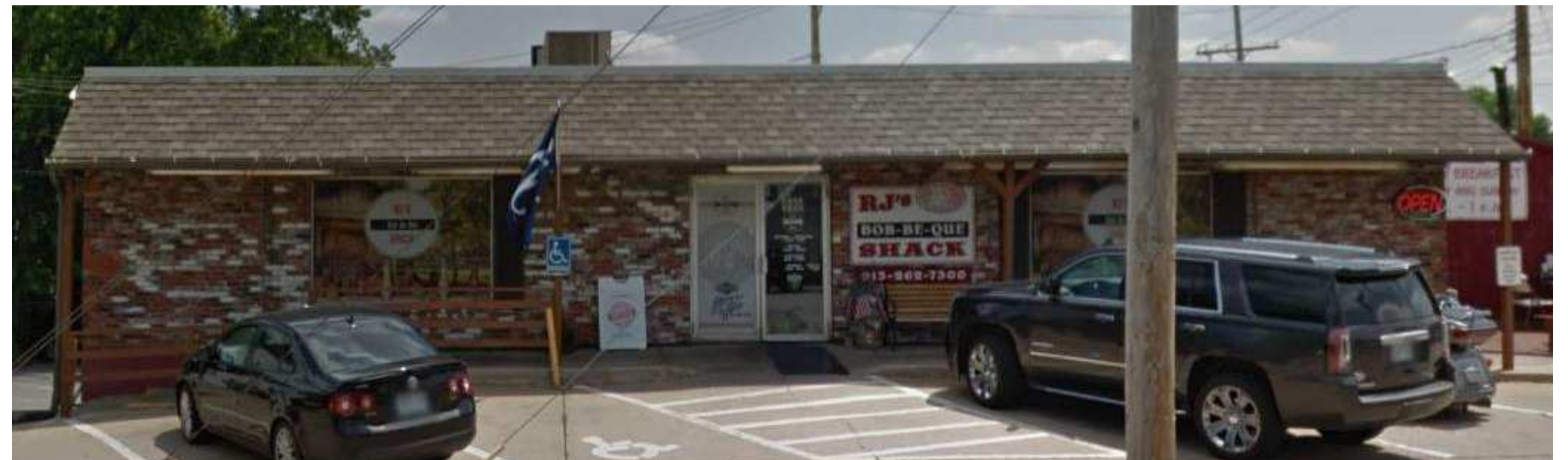




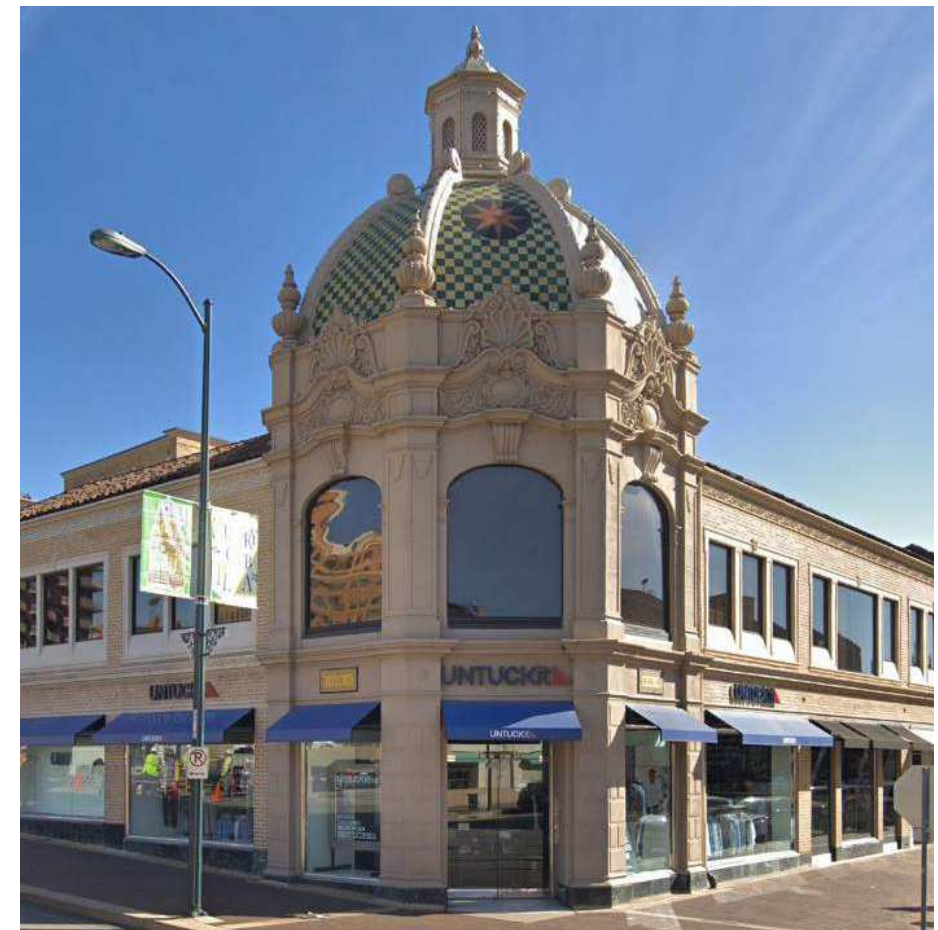
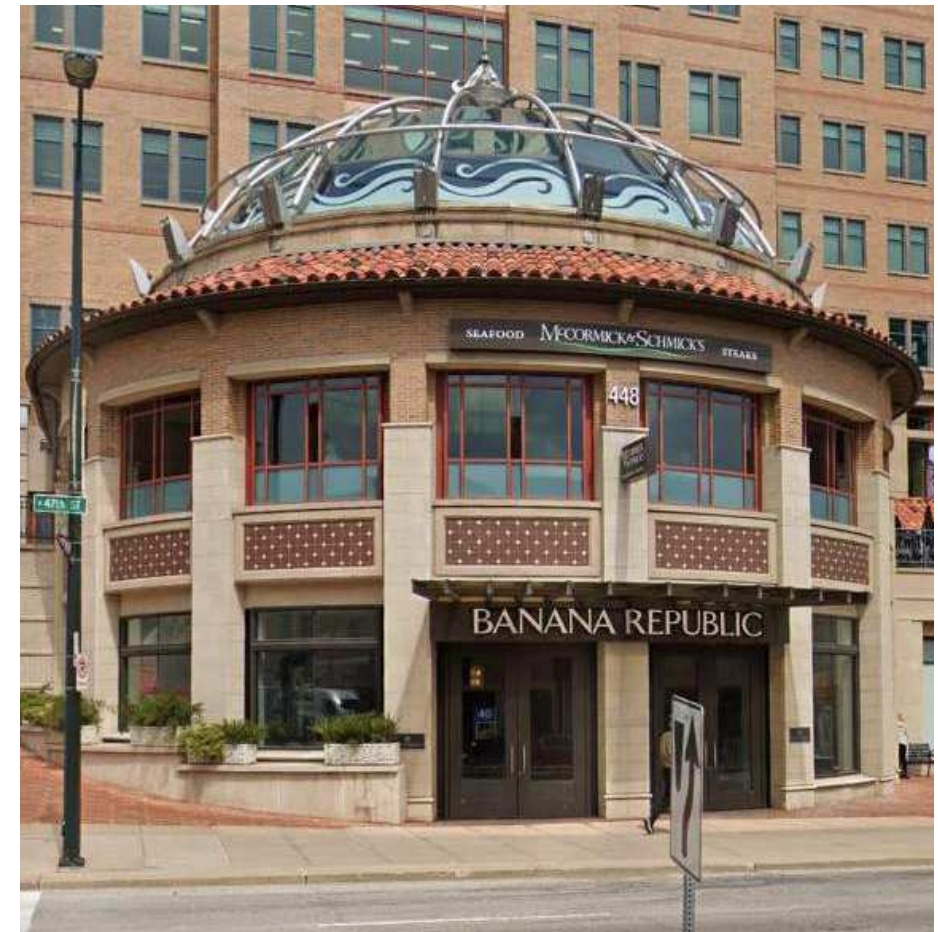
# Frame-and-Infill



# Mosaic Facade



# Expressed Corner



Contextual Design Themes

# Patterned Parking Screen





TREANOR HL



Horizontal Datums

Frame-and-Infill

Mosaic Facade

Patterned Parking Screening

Expressed Corner





TREANORHL



SUNFLOWER  
Development Group



<b>City of Mission</b>	Item Number:	2.
<b>ACTION ITEM SUMMARY</b>	Date:	June 3, 2020
<b>Administration</b>	From:	Audrey McClanahan

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

**RE:** May 6, 2020 Community Development Committee minutes.

**RECOMMENDATION:** Review and accept the May 6, 2020 minutes of the Community Development Committee.

**DETAILS:** Minutes of the May 6, 2020 Community Development Committee meeting are presented for review and acceptance. At the committee meeting, if there are no objections or recommended corrections, the minutes will be considered accepted as presented.

Draft minutes are linked to the City Council agenda packet so that the public may review the discussion from the committee meeting in advance of the Council action on any particular item.

**CFAA CONSIDERATIONS/IMPACTS:** N/A

Related Statute/City Ordinance:	NA
Line Item Code/Description:	NA
Available Budget:	NA

## **MINUTES OF THE MISSION COMMUNITY DEVELOPMENT COMMITTEE**

May 6, 2020

The Mission Community Development Committee met virtually via ZOOM on, Wednesday, May 6, 2020 at 7:30 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 7:36 p.m.

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

### **Public Comments**

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

### **Acceptance of the April 8, 2020 Community Development Committee Minutes**

Minutes of the April 8, 2020 Community Development Committee were provided to the committee. There being no objections or corrections, the minutes were accepted as presented.

### **Rock Creek Channel Improvement Project Contract Award**

Ms. Duran presented on the Rock Creek Channel Improvements Project which includes construction of retaining walls, channel modifications, and parking lot improvements along Rock Creek from east of Nall Avenue to Roeland Drive to address erosion and flooding concerns. Ms. Duran stressed that a benefit of this project will be that some properties that are in the floodplain will be transitioned out of the floodplain following project completion.

In June 2019, a contract was approved with George Butler Associates (GBA) for project design. Following completion of design in January 2020, the project was put out for bid in February with bids due on March 16, 2020. A pre-bid meeting was held on February 26, 2020 and nine contractors attended, only one (1) contractor submitted a bid by the deadline which was Gunther Construction.

The project bid was over the engineer's estimate and the project budget. The primary differences were for grading (\$349,650) and construction of the retaining wall (\$447,893) which used and exceeded the contingency built into the project budget by the engineer. The project bid also included costs for various bid alternates as discussed at the November 6, 2019 Community Development Committee including:

Bid Alternate 1: Constructing a ramp on the north side of the channel to provide access for future maintenance. (Bid cost: \$94,555)

Bid Alternate 2: Extending a wall on the north side of the channel to prevent potential scouring and erosion that may occur after the channel is modified. (Bid cost: \$259,945)

Although these bid alternates would enhance the project and could result in lower maintenance costs in the future, they would add an estimated \$354,500 to the project costs and staff did not recommend they be included in the contract award at this time due to budget constraints.

Since the bid opening, City staff has worked with GBA and Gunther Construction to evaluate options to reduce project items and project costs. This review and evaluation resulted in the delay of Council consideration of the item by one month, but was determined to be a critical step in the City's due diligence process

After a thorough evaluation and discussion it was determined that there were no elements that could be eliminated or value engineered without negatively impacting the project. Based on an evaluation of current revenues and expenses in the stormwater utility fund, there are sufficient funds to move the project forward even with the increased costs, and staff recommended that the project move forward for the following reasons:

1. Subsidence of the parking lot/parking area of the Roeland Court Homes Association (RCHA) occurred in August 2017. The City and RCHA entered into an agreement, including financing, to complete this project in anticipation that the construction would begin in Spring 2020. If this project is delayed, the residents will not be able to use their parking lot for another year.
2. Although the City could rebid the project later this year, this could potentially result in even higher bids since the contractor would need to maintain the project area over the winter.

If the contract is approved, the construction would begin in late May and be substantially complete by the end of 2020 with final restoration of the project (seeding and sodding, planting trees, etc.) in Spring 2020.

The City's land use attorney continues to work on acquiring easements from one property (Wendy's) and has filed the eminent domain petition with Johnson County courts; however, this process has been delayed due to closure of the courts as a result of COVID-19. The City is attempting to maintain discussions with this property owner in hopes that both parties can reach agreement while continuing to work on eminent domain as soon as the court reopens. Staff has discussed this situation with Gunther Construction and they believe they can still complete the project in the timeframe listed above.

Ms. Smith informed that if Council approves to move this item forward for consideration that staff would prepare a notice for impacted property owners.

Councilmember Davis addressed the discussion on the necessity of the ramp and if it would be important to do the extension of the wall at this time. After consideration, the City was comfortable with moving forward and not constructing the ramp.

Councilmember Kring asked the City to be conscious of when these developments projects are going on to address burying utility lines.

Councilmember Thomas emphasized that she is excited to see this project move forward especially with regards to helping the Roeland Court Townhome residents.

Councilmember Flora thanked those residents that were impacted by the project for their patience and cooperation with the City.

Councilmember Flora recommended the contract with Gunther Construction for the Rock Creek Channel (Nall Avenue to Roeland Drive) Improvements project in an amount not to exceed \$4,519,514 be forwarded to Council for approval. All on the Committee agreed this will be a non-consent agenda item.

### **56th and Foxridge Asphalt Repairs**

Mr. Morton presented a contract with Superior Bowen, LLC for asphalt repairs at the intersection of 56th Street and Foxridge Drive in an amount not to exceed \$15,840.

The Kansas Department of Transportation (KDOT) recently hired Superior Bowen, LLC (Superior Bowen) to mill and overlay Metcalf Avenue and the ramps at 56th and 58th Streets. These ramps and the intersection of 56th St. and Foxridge Dr. (just east of the ramp) are in very poor condition with continual potholes. This intersection was not milled and overlaid with the City's Foxridge Drive improvements in 2017 since KDOT was discussing reconfiguration of the ramps and potentially the entire intersection at the time Mission's project was bid.

Following award of the KDOT contract, Superior Bowen contacted the City to determine whether the City was interested in hiring them to repave the intersection at 56th St. and Foxridge Dr. since they will already be mobilized on site. Superior Bowen has offered to perform this work for the City at a reduced unit cost of \$20.00/square yard (SY), which is a good price for a project of this size and much less than the \$51.20/SY unit cost quoted in the KDOT contract. Total estimated cost for the project is \$15,840 and funds are available in the Street Program CIP to accomplish this work.

The scope of work for the project includes removal of two inches of existing asphalt and

installation of approximately 792 SY of new asphalt at the intersection of 56th Street and Foxridge Dive. This project will also help extend the life of this intersection and will result in minimal traffic impacts, since the work will be completed on a Saturday, and a more uniform and complete intersection since the work for the ramps and intersection will be completed at the same time using one contractor. The City receives numerous complaints about the condition of the KDOT ramps and the intersection at this location each year and the project will be a benefit to the traveling public.

Mr. Morton added that the City checked with past bids and other contractors and this project falls in line with average pricing. Superior Bowen will be constructing the KDOT project in May 2020, and staff recommends a contract award to complete the work.

Councilmember Thomas agreed that this is a project that needs to be completed.

Councilmember Schlossmacher appreciated the update and knows several businesses in that area will be happy to have these improvements.

Ms. Smith confirmed the project was expected to commence on May 23rd.

Councilmember Davis recommended the contract with Superior Bowen, LLC for asphalt repairs at the intersection of 56th Street and Foxridge Drive in an amount not to exceed \$15,840 be forwarded to Council for approval. All on the Committee agreed this will be a consent agenda item.

### **51st and Lamar Stormwater Repairs**

Ms. Duran presented a recommendation which would authorize the City Administrator to approve a change order with Superior Bowen for repairs to stormwater infrastructure at 51st Street and Lamar Ave in an amount not to exceed \$60,000. Last September, Council approved a task order with BHC Rhodes to update the City's stormwater system inventory and condition ratings. This allows the City to know where there are needs for repairs as well as to apply for additional funding through Johnson County's stormwater management advisory council (SMAC) program. Approximately 10% of the City's stormwater system required cleaning before a thorough inspection could be completed. The City subsequently hired A-1 Septic and Sewer to perform the cleaning and during that process a large blockage at a 90-degree bend in the corrugated metal pipe (CMP) under the intersection at 51st Street and Lamar Avenue was detected, as well as a clogged inlet on the southwest corner of the intersection that is undersized resulting in backups.

Additionally, the stormwater inventory completed by BHC Rhodes, indicates that the CMP located under Lamar Avenue has rusted out and is rated a "5," which is considered failed per Johnson County stormwater standards. Staff recommends addressing these stormwater issues prior to completing the street resurfacing and rehabilitation work on Lamar Avenue (scheduled

to begin May 4th) to prevent open-cutting of new pavement.

Staff was unaware of this blockage until after the Lamar Resurfacing and Rehabilitation Project was bid, but has moved quickly to work with Olsson on a design solution so the work can be completed in connection with the project. Superior Bowen, the contractor for the Lamar project, is aware of this issue and has agreed to perform this work in-house with no anticipated delays, but is waiting on final design before submitting a cost for this work.

Based on Olsson's survey, there are numerous utilities at this location, including water, fiber, gas, cable, as well as the traffic signal pole and controllers. In order to address the stormwater issues at this intersection and to work around existing utilities, Olsson's proposed design includes installation of four additional structures and approximately 140 feet of 15-inch concrete pipe; however, this design is contingent upon potholing utilities which is scheduled for May 4th and is subject to revision or reduction in scope. Olsson has provided a draft cost estimate of approximately \$45,000, and at this time, staff recommends adding a contingency of \$15,000 to address any design changes due to utilities and subject to final costs from Superior Bowen.

In order to prevent delays to the Lamar resurfacing and rehabilitation project, Staff requests the City Council to authorize the City Administrator to approve a change order in an amount not to exceed \$60,000 with Superior Bowen to complete this work assuming the costs are reasonable for the scope of work to be performed. The intersection will need to be shut down for up to two weeks to complete work with detour signage, they are currently potholing all the utilities to make sure there is no conflict. Ms. Duran said that once the inventory is completed, the City will be aware of all failed pipes and blockage within the system, we will then be able to include those improvements into our street projects during the design process. Finally, there are sufficient funds in the Stormwater Utility Fund to pay for this work.

Councilmember Davis said this is a great example of why the City is doing the right thing with BHC Rhodes and understanding what we have in our infrastructure and ultimately being able to address it early.

Councilmember Davis recommended that an authorization for the City Administrator to approve a change order with Superior Bowen for repairs to stormwater infrastructure at 51st Street and Lamar Avenue in an amount not to exceed \$60,000 be forwarded to Council for approval. All on the Committee agreed, this will be a consent agenda item.

### **Indoor Pool Deck Repair and Resurfacing**

Mr. Almoney presented on a contract with Blast It Clean for overlay removal and repair in an amount not to exceed \$33,788.09 and a contract with Hardscape to repair and resurface the indoor pool deck in an amount not to exceed \$50,433.75. The Community Center's indoor pool deck is periodically resurfaced as part of ongoing facility upkeep and maintenance. A pool deck

surface can generally be expected to have an anticipated useful life of approximately 5-10 years depending on wear patterns. The deck was last resurfaced in 2012, and was programmed for replacement in the 2020 Parks and Recreation Capital Improvement Program (CIP). Funds were budgeted in the amount of \$40,000 based on the costs of previous deck surface replacement.

There have been several noticeable rust stains on the pool deck for the last two years. The rust stains typically coincided with higher traffic areas. In preparing to bid and manage the resurfacing project for 2020, staff reached out to a pool concrete specialist to evaluate the situation and determine the cause of the rust stains, and it was determined the rust was caused by the existing surfacing material holding water underneath that was oxidizing metal joint fillers. Following the testing/evaluation, staff solicited proposals/quotes for the project in two components: 1) overlay removal; and 2) resurfacing. A total of four bids were received with staff recommending that the project be awarded to two contractors: Blast it Clean for the overlay removal (\$33,788.09) and Hardscape for the resurfacing (\$50,433.75) for a total not to exceed \$84,211.84.

Although the combined total for Blast it Clean (BIC) and Hardscape was not the low bid, a combined bid from Mid-America Pool Renovation did not include a guarantee for tile repair/replacement, concrete chip replacement or dust clean-up from the HVAC system, had a longer project timeline was 3 weeks, did not remove the material from the expansion joints, and required the pool to be emptied. While BIC has extensive experience working both small and large scale projects, and has staff available to complete the project in two weeks. BIC also has one of two hydro-blasting machines in the region which significantly reduces labor hours. Their price guarantees the product for two years, includes facility fixture-saving precautions and expansion joint repairs. BIC also has a wrap around protective sheathing system that means the pool does not need to be drained.

The pool deck project is over budget based on the conditions identified above, but staff has reduced the cost of other projects budgeted in the 2020 Parks & Recreation CIP to cover the overage. Those include a \$36,000 savings from the MFAC Repair/Painting as well as a \$12,000 savings from the MFAC Lap Lane Replacement, for a total savings of \$48,000.

Originally, the project was slated to be completed during the facility closure in late August. However, due to the restrictions currently in place for pool operations as a result of the COVID-19 pandemic, staff recommends moving forward with the project now so that there is the potential to make the pool available later in the summer/fall.

Councilmember Thomas appreciated the pictures to assess the damages and condition of the pool deck.

Councilmember Davis recommended the approval of a contract with Blast It Clean for overlay removal and repair in an amount not to exceed \$33,788.09 and a contract with Hardscape to

repair and resurface the indoor pool deck in an amount not to exceed \$50,433.75 be forwarded to Council for approval. All on the Committee agreed this will be a consent agenda item.

### **Community Center Exterior Wood Staining and Maintenance**

Mr. Almoney presented on the approval of a contract with Distinctive Quality Painting, LLC for exterior wood staining and maintenance at the Community Center in an amount not to exceed \$14,220. The wood features in the southern breezeway and western pergola areas of the Community Center are unique characteristics of the facility, but deferred maintenance along with heat, rain, wind and UV rays have eroded the wood's natural beauty and necessitated restoring some damaged pieces. The exterior woodwork in these areas was last stained more than ten years ago. Manufacturer recommendations suggest exterior wood features and character elements be stained every two to three years, and is especially important at the Community Center because of the southern and western orientation of these features.

This work was originally budgeted in the 2019 Parks & Recreation CIP and was not completed because of staff vacancies and other capital project priorities. Staff re-initiated the project in late 2019-early 2020 and contacted three firms for quotes/bids. The Stain Pro declined to quote due to their current volume of work. Premier Painting Company submitted a bid for just the pergola wood damage removal, preparation, and staining. They indicated they lacked the experience and employees to confidently bid and complete the breezeway work. Therefore, staff is recommending a contract be awarded to Distinctive Quality Painting, LLC in an amount not to exceed \$14,220. The budget for this project is \$15,000.

Councilmember Davis recommended the contract with Distinctive Quality Painting, LLC for exterior wood staining and maintenance at the Community Center in an amount not to exceed \$14,220 be forwarded to Council for approval. All on the Committee agreed, this will be a consent agenda item.

### **Nuisance Abatement Services Contract Award**

Ms. Brown presented on the designation of CustomTree Care, Inc. as the City's primary contractor for nuisance abatement services and Verhulst & Sons as the secondary contractor in situations where the primary contractor is unable to complete the work in a timely manner. Nuisance abatement services are provided on an as-needed basis when property owners do not voluntarily bring properties into code compliance. Abatement services included in this bid apply to weeds and nuisance (grass/debris) abatement, debris removal, and tree trimming. Every two years the City renews its contracts for these services through a competitive bid process.

An invitation for bids was developed and issued in February, and three bids were received by the deadline. The City generally awards the bid to two contractors so that if one is not able to



do the work in a timely manner, there is a back-up. In addition, some companies have larger equipment available (i.e. for tree removal) allowing them to react more quickly to service requests. Engaging two contractors has proven advantageous to the City, resulting in savings because they are able to abate properties with fewer man-hours, additional equipment rental, or equipment damage.

Both Custom Tree Care and Verhulst & Sons were under contract with the City in 2019 and have performed in a satisfactory manner. In 2019, Neighborhood Services issued 31 abatement work orders. Costs for these services, including an administrative fee, are invoiced directly to the property owner. If not paid, the City assesses the costs back to the property on the tax bill. This proactive code enforcement and abatement services demonstrates a commitment to a minimum standard of property maintenance that contributes to safe and attractive neighborhoods throughout the city.

Councilmember Davis recommended the designation of Custom Tree Care, Inc. as the City's primary contractor for nuisance abatement services and Verhulst & Sons as the secondary contractor be forwarded to Council for approval. All on the Committee agreed this will be a consent agenda item.

### **Discussion Items**

#### **COVID-19 Updates and Operational Impacts/Reopening Recommendations**

Ms. Smith reported on the COVID-19 updates and operational impacts/reopening recommendations for City facilities programs and services. Since Governor Laura Kelly issued the stay-at-home orders, the City has been assessing and developing plans to help effectively mitigate the spread of the illness. With a definite transition to recovery, phases were defined by the state's recovery plan, Ad Astra: A Plan to Reopen Kansas. The Board of County Commissioners elected decided to follow the State Plan after extending a stay-at home order until May 11th. Each phase is to be reviewed and analyzed on a rolling 14-day cycle, so all dates connected with the State's reopening plan are "best case scenario" and subject to adjustment/extension depending on COVID-19 data trends.

#### **City Hall/Police Department/Public Works**

City facilities have been closed to the public since March 13, 2020. With the exception of public safety personnel, staff have been working remotely and on staggered schedules in order to keep the total number of personnel in any facility at 50% or less of typical staffing. It is recommended that City Hall, the Police Department and Public Works reopen to the public no sooner than June 1, 2020. This will allow for staff to be re-introduced slowly and cautiously into the workplace to ensure appropriate social distancing can be achieved. In addition, staff will have adequate time to develop, review and practice various procedures related to sanitizing and

use of personal protective equipment (PPE) where appropriate before the public is invited back into the facility. Adjustments include encouraging employees to wear masks at all times, and requiring them when moving outside of their immediate desk area, when transitioning between departments, helping the public or working closely with other employees.

The City is providing all employees with washable cloth masks. Protective barriers have been installed in several areas and will be added to other workspaces as needed. Also, the City will emphasize e-mail and phone communication among employees. Visitors to City Hall will not be required to wear masks with the possible exception of Court. The City is going to try and limit those coming into City Hall by promoting and conducting as much business virtually as possible.

### Municipal Court

Although not specifically subject to the gathering size requirements in The Plan, staff will use the gathering limit criteria as a guide for achieving compliance with its spirit and intent. With the natural reduction in citations throughout the pandemic, docket sizes are anticipated to be manageable. Additional staff may be required to manage flow and distancing through the lobby and the courtroom.

Councilmember Kring asked how the City will be dealing with the court cases. Ms. Smith confirmed that all dockets since March 13th, have been continued, postponed or rescheduled with notice. The Judge has been working with court staff and prosecutors to assess docket sizes, and to manage any backlog in the court process. Managing docket sizes and incorporating social distancing will be something that is anticipated to stretch into fall and winter.

Councilmember Flora commented that a July date for court, to align with other in-person meetings, would be an appropriate practice from a public safety perspective and from a social justice standpoint, being that financially people need time to get back on their feet and then pay their fines. Ms. Smith added that moving to July is not unreasonable, it would just need to be managed with scheduling. At some point in-person court is going to have to resume and we want to test that capability with some appointment based structure in June as the City needs to assess processes and procedures on a smaller scale before opening up and serving a larger public. Councilmember Flora agreed with testing the processes and stressed the importance of allowing people to get their lives back in order. Councilmember Thomas agreed.

### City Meetings (Internal and External)

City meetings, including City Council meetings, Board and Commission Meetings and other internal and external meetings will continue to be conducted remotely through June 30. Effective July 1, in-person City meetings may resume if appropriate.

### Non-Essential Events in City Facilities (excluding Community Center)

Any non-essential event (tours, retirement celebrations, etc.) in City Hall, the Police Department or Public Works will be allowed to resume with the introduction of Phase IV of The Plan. The Community Center will be subject to separate event and reopening criteria.

Councilmember Flora asked if it would be confusing to have different rules about how to wear masks and from a supply standpoint, if employees are taking off their masks several times a day, is there going to be a stockpile of masks available? Ms. Smith replied that employees will be provided with multiple masks and with the size of staff, along with the continued communication, did not believe that there will be misunderstandings about the mask rules.

### Mission Market

Ms. Smith confirmed that the Mission Market will open in a modified version to provide continuity of programming for the public and support for the small business vendors who participate. The recommendation is to open the market in connection with Phase IV. When opened, it would be with modifications similar to other regional markets such as limiting guests to one shopper per family, encouraging mask use, spacing tents apart, providing guidance for one-way traffic in front of the tents and utilizing multiple handwashing stations. No hot prepared foods would be available, nor would the beer and wine garden. Music and other special events will not be scheduled. As a support to the market vendors, staff proposes to offer a pick-up only option available beginning June 4, encouraging shoppers to place online orders. No onsite shopping would be permitted and all the previously mentioned safety precautions would be in place.

Ms. Randel added that the City has received a high level of interest from vendors who are hoping to open. The City wants to support them and would advertise the virtual market offering online shopping with a safe and secure pick-up system.

Councilmember Davis commented that, if it could be managed, he thought the online shopping was a great idea to get people interested in the Market.

Councilmember Flora agreed that this could be managed like similar take-out options as long as it is done safely. Councilmembers Thomas and Boultinghouse agreed.

### Mission Family Aquatic Center

Ms. Smith reported that City staff has considered various scenarios related to the opening of the outdoor pool, and the recommendation is not to open the MFAC for the 2020 season. This recommendation is based on many factors including but not limited to:

- Safety of our staff as well as residents. Our seasonal pool staff is primarily minors under the age of 18.
- Difficulty in accommodating social distancing practices among staff and patrons, particularly in the concession area, break room, and locker rooms.

- Challenges in enforcing gathering limits, distancing requirements, and the high likelihood to create conflict between staff and patrons.
- Inability to provide required lifeguard certification training while maintaining 6 feet of separation between guards.
- Efforts to coordinate with other NE Johnson County cities, so as not to increase the burden on pools that do attempt to stay open.
- To allow seasonal staff the opportunity to seek other employment opportunities.

This decision impacts the Mission Marlins swim team. However, with closure of other facilities in the metro area, and the gathering limits placed on youth sports, there is likely no way to accommodate the swim teams this summer. Ms. Smith also added that we subsidize the operation of the outdoor pool, so in the 2020 season, we anticipated revenues of \$147,000 with expenses totaling \$268,000. Not opening the pool has a positive impact of approximately \$121,000 on the budget. The recommendation was made after weighing all the risks associated with a modified operational plan, uncertainty of phase rollout dates and the potential for budgetary savings.

Councilmember Davis commented that this is a very reasonable approach, supports this decision and thinks it makes sense in this situation.

Councilmember Flora agreed, especially in regards to staff in this situation and the potential issues that may arise with underage staff having conflicts with adults who disagree with the rules.

Councilmember Rothrock agreed and supports that safety has to be the first priority and Councilmember Boultinghouse agreed that there wasn't a feasible way to keep the pool open.

Councilmember Thomas appreciated the staffing concerns and financial impacts. She felt it was conflicting to open the Community Center pool in June but completely close the outdoor pool for the season. She asked whether there could be a condensed version of the pool, such as opening just the splash pad or appointment lap swimming. Ms. Smith replied that opening for specialized user groups, would likely result in pressure to open the entire facility.

Councilmember Schlossmacher agreed that the staffing issues, including training, makes it impossible to operate the outdoor pool and supported closing it entirely for the health and safety of the community.

#### Mission Summer Camp (MSC)

Ms. Smith presented that although the State's reopening plan specifically allows for licensed day camp programs to operate, staff does not feel that we can adequately meet all the recommended social distancing guidelines in order to provide a quality experience for staff and campers. In addition, hosting a day camp program potentially limits options for reopening and

reuse of the Community Center for fitness and rental purposes. The estimated revenue loss would be approximately \$140,000. While this is a difficult recommendation, impacting both our seasonal staff and the families the program serves, we believe making this decision as soon as possible is fair to both as they try to make alternative arrangements for employment or child care.

Councilmember Kring agreed with Ms. Smith that we can't take chances when it comes to the safety of the public.

### Playgrounds/Park Restrooms

Playgrounds are recommended to remain closed through the conclusion of Phase III of The Plan. Restrooms - both permanent and portable - are recommended to remain closed through Phase III, reopening in Phase IV.

Councilmember Kring asked if these phases are contingent on the numbers going down and if the numbers increase will this affect the procedures in place. Ms. Smith answered that if the numbers don't trend downwards then we won't enter the next phase until the numbers reflect accordingly. The current dates are the best case scenario and we don't think we will move into Phase II, on May 18th, based on the current numbers.

Ms. Smith added that with the restrooms there is the difficulty of maintenance with the portable restrooms and at Broadmoor Park the issues with vandalism in the restrooms. It would be advised to keep the restroom closed and reopen in Phase IV.

Councilmember Flora and Thomas agreed with the playgrounds remaining closed especially with the utility of playground equipment and the need to remain cautious.

### Community Center

Ms. Smith addressed the Community Center in two parts, the first as the fitness and gym section and the second as rentals. Facility rentals are recommended to resume with the introduction of Phase III (gathering limit of 90), and at least one week following the reopening of the Center for fitness activities. This will allow staff to assess the traffic patterns in the facility to ensure we can accommodate all appropriate social distancing requirements for both fitness and rental activities. The City will be evaluating rentals on a case by case basis taking into consideration groups that have long standing rentals at the Community Center. The Stroke Foundation, who frequently utilizes rental space, does not intend to return to the facility until the beginning of July.

Gyms and fitness centers may reopen in Phase II of the State's reopening plan. However, because the actual opening dates are unknown, and because staff estimates the need for at least one week to respond and communicate appropriately with users of the facility prior to

reopening, we are recommending the Community Center open for fitness activities no sooner than June 1, 2020. The facility would be open its regular days and hours, with the exception of Sunday. Closure on Sunday is recommended due to an inability under normal circumstances to cover staffing needs with low demand. Staff anticipates conducting a survey of current members to gauge willingness and interest in returning to the facility while any restrictions are in place.

Mr. Almoney then highlighted a number of the anticipated operational changes and controls that staff have been evaluating. This impacts all areas of the facility and includes how patrons and staff will move in and around the facility. Initially access to most amenities will be extremely limited. Staff will develop a more detailed reopening plan and operational controls for Council review and approval prior to any reopening.

Also, the City has suspended automatic bank drafts of memberships and is carrying over paid in full memberships during the facility closures. For every month the Community Center remains closed, it equates to approximately a \$94,000 revenue loss. In regards to the indoor pool opening, if Council approves the deck resurfacing then that project will be conducted immediately. This will prevent access to the pool during work.

#### Mission Summer Family Picnic

Staff has reviewed and evaluated the potential impacts to the Mission Summer Family Picnic scheduled for Saturday, July 11. After considering the various elements of the event, the City was in agreement that with public health as the primary concern, it would be next to impossible to hold the traditional event with the expected gathering restrictions and guidelines in place. The recommendation is to postpone the Mission Summer Picnic until September recognizing there is a high potential it could be cancelled entirely for 2020.

Ms. Smith added that from a budgeting standpoint, the City doesn't generate any revenue from this event, last year the event cost \$13,000, so the City would be saving that amount this year.

Councilmember Thomas asked about a virtual event or a drive-by option with activities for families to help keep their children entertained. Councilmember Flora agreed.

Councilmember Davis was concerned about September's weather and the issue that could present with trying to reschedule.

Councilmember Boultinghouse agreed with canceling entirely and having something for the families.

#### Sunflower Festival

Following the Sunflower Festival in 2019, the Mission Business Partnership communicated their desire for the City to take back ownership and responsibility for this event. Staff discussed our

capacity and determined that we would have an appetite to support a community event like the Sunflower Festival. However, challenges with securing marching bands for the parade and other questions about activities had led staff to recommend taking a break from the festival in 2020 and having an opportunity to develop a long term vision for the festival. All of this was pre-COVID-19, and with additional challenges presented in the current environment staff recommends canceling the 2020 Sunflower Festival with plans to bring back recommendations for an event beginning in 2021.

Councilmember Kring asked if it would be possible to put a schedule in the Mission magazine to give awareness as to what events are taking place. Ms. Smith confirmed that this could be added or a teaser published to prompt people to view the events on the website.

#### Mission Police Department Citizens Academy

Based on the gathering size limitations and the closure of other facilities critical to the program curriculum, the 2020 Citizen's Academy has been cancelled and rescheduled for the first quarter of 2021.

#### **Selection of Committee Chair and Vice Chair**

Councilmember Thomas reported that this information was shared in the Finance and Administration Committee meeting, and that election of the Chairperson and Vice Chairperson for the Community Development Committee would also occur under "New Business" on the May 20, City Council meeting agenda.

#### **Other**

Ms. Randel informed that a video would be made for the public to provide information as to what is going on in the City and to encourage residents during this difficult time. She asked that any Councilmembers who would like to be involved could contact her.

Ms. Smith reported that a Special Meeting of the City Council would be held Wednesday, May 13 for revisions to the Emergency Proclamation and to approve a Resolution for reopening of City programs, facilities and services..

Councilmember Schlossmacher reported that Harvester's would be having an event on Saturday at Shawnee Mission North with safety precautions in place to distribute food. Also, he offered his condolences to the family, friends and co-workers of Overland Park Officer Mosher.

Councilmember Thomas thanked Ms. Smith and staff for all their hard work.

Councilmember Flora reported that next Tuesday she and Councilmember Davis would be having a Ward IV meeting via Zoom.

**Department Updates**

There were no departmental updates.

**Meeting Close**

There being no further business to come before the Committee, the meeting of the Community Development Committee adjourned at 10:18 p.m.

Respectfully submitted,

*Audrey M. McClanahan*

Audrey M. McClanahan  
City Clerk



<b>City of Mission</b>	Item Number:	3.
<b>ACTION ITEM SUMMARY</b>	Date:	June 3, 2020
<b>Public Works</b>	From:	Celia Duran

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

**6RE:** Resolution Approving 2021-2025 CARS Project List

**RECOMMENDATION:** Approve the Resolution adopting the Five Year City/County Street Improvement Program for the City of Mission for 2021-2025.

**DETAILS:** Through a combination of state gas tax dollars and County General Fund revenues, the CARS program provides funds to cities to construct and maintain eligible streets. Each year, cities submit a 5-year road improvement plan to the County from which projects are selected for funding (up to 50% of the project's construction and construction inspection costs). Cities are responsible for design, right-of-way, and utility relocation costs. Mission's CARS-eligible streets include:

- Lamar (Foxridge to 67th)
- 51st (Lamar east to City Limit)
- Foxridge (56th to Lamar)
- Johnson Drive (Metcalf to Roe)
- Roe (Johnson Drive to 63rd)
- Nall (Johnson Drive to 67th)
- Martway (Metcalf to Roeland)
- Roeland Dr (Johnson Drive to SMP)
- Broadmoor (Johnson Drive to Martway)

Each City is required to pass a resolution adopting a 5-year plan based on their own unique goals and objectives, and CARS projects are ultimately adopted as part of the County's annual budget process. The final commitment of funds occurs through the approval of specific interlocal agreements for each project.

Staff recommends the following CARS projects be included in the 2021-2025 planning cycle:

2021	2022	2023	2024	2025
None	Johnson Drive UBAS (Lamar Ave. to Roe Ave.)	Foxridge Phase II (51st St. to Lamar Ave)	Roe Avenue UBAS (Johnson Dr. to 59th St.)	Nall Avenue UBAD (Martway St. to 63rd St.)

**2021** - No projects are proposed for 2021. The Foxridge Phase II project previously

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Various
Available Budget:	N/A

<b>City of Mission</b>	Item Number:	3.
<b>ACTION ITEM SUMMARY</b>	Date:	June 3, 2020
<b>Public Works</b>	From:	Celia Duran

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

shown in 2021 is proposed to be moved to 2023 based on available City funding.

**2022 - Johnson Drive (Lamar Ave to Roe Ave):** Proposed improvements include UBAS surface treatment, spot curb, sidewalk and ADA ramp repairs and new pavement markings. Approximately \$73,370 of project costs will be reimbursed by the City of Roeland Park. Total estimated project cost: \$678,000.

**2023 - Foxridge Phase II:** Foxridge Drive (51st Street to Lamar Avenue) is a two lane, 32 ft. wide, minor collector serving multi-family, residential, commercial and industrial traffic. Due to the street's location at the bottom of a hill, there is a significant amount of water damage to the surface of the pavement, subgrade, and curb and gutter. This section of Foxridge Drive lacks sidewalks, leaving pedestrians to walk in the street. Proposed improvements include full depth pavement replacement, replacement of curb and gutter, sidewalk, streetlights, and new stormwater infrastructure. An underdrain system will be installed to better handle runoff and pedestrian improvements will be made. The KCP&L traffic signal at the Foxridge Dr. to Lamar Ave. intersection may also be replaced and relocated since trucks have difficulty making southbound right turns resulting in damaged guardrail. Total estimated project cost: \$6,070,000

**2024 - Roe Avenue (Johnson Drive to 59th Street):** The proposed project includes mill and overlay with 2-inch asphalt concrete surface and pavement markings. Spot replacement of curb and sidewalks and full depth pavement replacement where necessary. This work will be performed in conjunction with Fairway. Total estimated project cost: \$464,000

**2025 - Nall Avenue (Martway St. to 63rd St.):** Proposed improvements include UBAS surface treatment, spot curb and sidewalk repair, and new pavement markings. This work will be performed in conjunction with Prairie Village. Total estimated project cost: \$267,000

The proposed 2021-2025 CARS program differs from last year's with the move of the Foxridge Phase II project to 2023 resulting in the Johnson Drive, Metcalf Ave. to Lamar Ave. project moving out of the 5-year CARS program. The Nall Avenue (Martway to 63rd St.) is a new joint project with Prairie Village proposed in 2025. Additionally, project costs have been increased to account for inflation and are based on current cost estimates provided by the City's on-call engineer.

Approval of the attached resolution does not specifically commit the City to any

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Various
Available Budget:	N/A

<b>City of Mission</b>	Item Number:	3.
<b>ACTION ITEM SUMMARY</b>	Date:	June 3, 2020
<b>Public Works</b>	From:	Celia Duran

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

expenditure of funds and its purpose is to communicate to the County the CARS eligible projects the City is considering over the 2021-2025 planning horizon.

**CFAA CONSIDERATIONS/IMPACTS:** These projects support a number of items in the Transportation and Mobility category, including ADA compliance and sidewalk connectivity to provide pedestrian modes of transportation, and street light upgrades.

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Various
Available Budget:	N/A

**CITY OF MISSION  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING A FIVE-YEAR CITY/COUNTY STREET IMPROVEMENT PROGRAM.**

**WHEREAS**, The City of Mission desires to obtain County funds for certain street improvement projects within the City; and

**WHEREAS**, in order to have projects considered for the CARS Program by the Johnson County Board of Commissioners, the Governing Body must submit a written five-year road improvement program request; and

**WHEREAS**, all requests must be accompanied by a resolution which provides that included projects have been reviewed and approved by the Governing Body; and

**WHEREAS**, the 2021-2025 CARS Program is an important budgeting and planning document for both the City of Mission and Johnson County; and

**WHEREAS**, submission of the 2021-2025 CARS program does not specifically commit any expenditures on behalf of the City of Mission.

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

SECTION 1. That the attached Five-Year City/County Street Improvement Program has been reviewed and approved for submittal to the Johnson County Board of Commissioners as the City's 2021-2025 CARS Program request.

**THIS RESOLUTION IS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MISSION, THIS 17th DAY OF JUNE 2020.**

**THIS RESOLUTION IS APPROVED BY THE MAYOR THIS 17th DAY OF JUNE 2020.**

\_\_\_\_\_  
Ronald E. Appletoft, Mayor

ATTEST: (Seal)

\_\_\_\_\_  
Audrey M. McClanahan, City Clerk

**County Assistance Road System**

**2021-2025 Five Year Program**

**Participating City: Mission**

Priority	Project Location	Proposed Start/ Finish	Project Description	CARS Route Classification		CARS Program Funding Request	CARS Participation Eligible		Comprehensive Project Budget Total	Mission Total
				Major	Minor		Yes	No		
2021	None									
2022	Johnson Drive (Lamar to Roe)	3/21-10/22	The project includes a UBAS surface treatment, spot curb/gutter and ADA ramp repairs and new pavement markings	X		\$319,000	\$638,000	\$40,000	<b>\$678,000</b>	\$285,630
2023	Foxridge Phase II (51st to Lamar Ave)	3/23-12/23	Full reconstruction, including new curb/gutter, catch basins, storm sewer, sidewalks, ADA ramps, pavement markings, street signs, installation of a 1,000-1,500 ft. under-drain to catch downhill runoff, and relocation and replacement of the existing signal at Foxridge and Lamar intersection		X	\$2,617,500	\$5,235,000	\$835,000	<b>\$6,070,000</b>	\$3,452,500
2024	Roe Ave (Johnson Drive to 59th Street)	4/24-10/24	The project includes mill and overlay with 2-inch asphalt concrete surface and pavement markings. Spot replacement of curb and sidewalks and full depth asphalt replacement where necessary.	X		\$212,000	\$424,000	\$40,000	<b>\$464,000</b>	\$252,000
2025	Nall Avenue (Martway to 63rd St.)	5/25-10/25	The project includes a UBAS surface treatment, pavement repairs, spot curb, sidewalk, ADA ramp repairs, and new pavement markings	X		\$123,500	\$247,000	\$20,000	<b>\$247,000</b>	\$123,500
TOTALS:						\$3,272,000	\$6,544,000	\$935,000	<b>\$7,459,000</b>	\$4,113,630

<b>City of Mission</b>	Item Number:	4.
<b>ACTION ITEM SUMMARY</b>	Date:	June 3, 2020
<b>Public Works</b>	From:	Celia Duran

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

**RE:** Lamar Avenue (Foxridge Drive to Shawnee Mission Parkway) Bike Lanes Contract Award

**RECOMMENDATION:** Approve a funding resolution with the Kansas Department of Transportation (KDOT) committing city funds for construction and construction inspection for the Lamar Avenue bike lanes project in an amount not to exceed \$96,000.

**DETAILS:** On April 22, 2020, the City Council approved a construction contract for the Lamar Avenue (Foxridge Drive to Shawnee Mission Parkway) Rehabilitation and Resurfacing project. Construction is currently under way and includes an Ultra-thin Bonded Asphalt Surface (UBAS) treatment; spot curb/gutter, pavement, joint, and sidewalk repair and replacement.

Bike lanes and permanent pavement markings will be constructed as a separate project following completion of the surface treatment. This portion of the project must be administered by the Kansas Department of Transportation (KDOT) because Safe Routes to School funds (SRTS) are being used. The City received a maximum of \$68,000 in federal funding for the bike lane portion of the project.

KDOT bid this project in May 2020 and the total cost, including construction and construction inspection, is \$164,000. The City's share of these costs is \$96,000 after deducting the SRTS funds of \$68,000. Staff originally estimated that the City's share for this project would be \$104,049, which results in project savings of \$8,049.

In order to award the contract, the City is required to execute an "Authority to Award Contract" with KDOT approving the contract and committing \$96,000 in city funds. This contract includes all project costs (including construction inspection and KDOT administration).

If the City Council approves this contract, construction will begin following the completion of the UBAS portion of the project. The work is estimated to be completed in 25 days or less.

**CFAA CONSIDERATIONS/IMPACTS:** The Lamar Ave. Resurfacing and Rehabilitation project supports a number of CFAA considerations, including sidewalk improvements and the construction of bike lanes to promote walkability and provide pedestrian modes of transportation for all ages.

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Street Sales Tax Fund/Capital Improvement Fund
Available Budget:	\$1,140,083



Dwight D. Eisenhower State Office Building  
700 S.W. Harrison Street  
Topeka, KS 66603-3745

Phone: 785-296-3861  
Fax: 785-296-6946  
kdot#publicinfo@ks.gov  
http://www.ksdot.org

Julie L. Lorenz, Secretary  
Michael J. Stringer, P.E., Chief

Laura Kelly, Governor

May 21, 2020

**Project Number: 046 N-0700-01  
TA-N070(001)**

City of Mission  
Ms. Celia Duran  
Public Works Director  
4775 Lamar Ave  
Mission, KS 66202-

Dear Ms. Duran:

We are listing below the bidder and the low bid received at Topeka, KS on 5/20/2020 for the above numbered project.

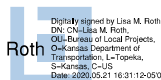
CONTRACTOR	TYPE OF WORK	AMOUNT
STREETWISE INC.	Mission: SRTS Phase 2 Facilities- Lamar Ave	\$139,983
GRANDVIEW, MO		

This is considered satisfactory when compared with the engineer's estimate, and we believe that contracts should be awarded to the low bidder. If this bid is acceptable to the City, please sign the enclosed resolution and return it to this office. In order to guarantee the low bid, we must receive the expected resolution on or before 6/12/2020. Upon receipt of the signed resolution and approval by the Secretary of Transportation the contract will be awarded.

A combination of bid items and construction engineering less a maximum of \$68,000 Federal funds will require City matching funds in the amount of \$96,000. The City remittance should be made on or before 7/9/2020.

Sincerely,

Lisa M. Roth



for Michael J. Stringer, P.E., Chief  
Bureau of Local Projects

mjs/tls/lmr  
Enclosures  
c Mayor/City Manager  
Ms. Rhonda Seitz, Chief of Fiscal Services  
Mr. Leroy Koehn, P.E., District One Engineer

**AUTHORITY TO AWARD CONTRACT  
 COMMITMENT OF CITY FUNDS  
 5/21/2020**

2 Copies to City  
 Project Number: 046 N-0700-01  
 TA-N070(001)

WHEREAS bids were received at Topeka, KS on 5/20/2020 for the performance of work covered by plans on the above numbered project, and

WHEREAS the bidder and the low bid or bids on work covered by this project were:

CONTRACTOR	TYPE OF WORK	AMOUNT
STREETWISE INC.	Mission: SRTS Phase 2 Facilities- Lamar Ave	\$139,983
GRANDVIEW, MO		

WHEREAS bids are considered satisfactory and have been recommended by the Secretary of Transportation of the State of Kansas, hereinafter referred to as the SECRETARY, for consideration and acceptance of the work on this project as covered by such bid or bids.

**A combination of bid items and construction engineering less a maximum of \$68,000  
 Federal funds will require City matching funds in the amount of \$96,000.**

BE IT FURTHER RESOLVED that City funds in the amount of \$96,000 which are required for the matching of Maximum Federal funds are hereby pledged by the City to be remitted to the Chief of Fiscal Services of the Department of Transportation of the State of Kansas on or before 7/9/2020 for use by the SECRETARY in making payments for construction work and engineering on the above designated project with final cost being determined upon completion and audit of the project.

The City certifies that no known or foreseeable legal impediments exist that would prohibit completion of the project and that the project complies with all applicable codes, standards and/or regulations required for completion.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_, Kansas.

Recommended for Approval:

\_\_\_\_\_  
 City Engineer/Road Supervisor

\_\_\_\_\_, Mayor

Attest:

(Seal)

\_\_\_\_\_, Member

\_\_\_\_\_, Member

\_\_\_\_\_  
 City Clerk



# INVOICE

\*Keep for your Records\*  
**Due on or before 7/9/2020**  
 PRELIMINARY STATEMENT OF COSTS  
 046 N-0700-01  
 TA-N070(001)

Please Remit Payment to:  
 Kansas Department of Transportation  
 Bureau of Fiscal Services  
 700 SW Harrison Street, 7th Floor  
 Topeka, KS 66603

Mission: SRTS Phase 2 Facilities- Lamar Ave

Construction and CE Breakdown	
Actual Bid	\$139,983
Water (for grading)	\$0
<b>Sub-Total Actual Bid Amount</b>	<b>\$139,983</b>
LPA CE Contract	\$23,333
<b>Sub-Total Construction and CE</b>	<b>\$163,316</b>
Federal-aid Non-Participating Const. Costs	\$42,451
Federal-aid Non-Participating CE	\$7,076
Participating PE Costs	\$0
Participating Railroad Costs	\$0
Participating ROW Costs	\$0
Participating Utility Costs	\$0
<b>Federal Participating Project Costs</b>	<b>\$113,789</b>
<b>Total Project Costs</b>	<b>\$163,316</b>

Federal/City Funding Summary	
<b>Total Project Costs</b>	<b>\$163,316</b>
100% City Funds Due to Non-Participating	\$49,527
Federal Participating Project Costs	\$113,789
Fund 1- Available Funding	\$85,000
80% Federal Funds	\$68,000
20% City Funds	\$17,000
100% City Funds Due to Max Funding	\$28,789

CE Breakdown	
Total LPA CE	\$23,333
Federal Non-Participating CE	\$7,076
Federal Participating CE	\$16,257

<b>Fund 1- Maximum Federal Funds 80/20</b>	<b>\$68,000</b>
--	-----------------

Key	
KDOT	Kansas Department of Transportation
LPA	Local Public Authority
CE	Construction Engineering (Inspection)
Const.	Construction

Totals				
	City Funds	Federal Funds	State Funds	Total Funds
Federal Non-Participating Construction	\$42,451			\$42,451
Federal Non-Participating CE	\$7,076			\$7,076
Fund 1- 80% Federal Funds		\$68,000		\$68,000
Fund 1- 20% City Funds	\$17,000			\$17,000
City Funds Due to Max Funding	\$28,789			\$28,789
<b>Total</b>	<b>\$95,316</b>	<b>\$68,000</b>	<b>\$0</b>	<b>\$163,316</b>

<b>Amount to Bill City (Rounded Up)</b>	<b>\$96,000</b>
---	-----------------



**BUREAU OF CONSTRUCTION & MATERIALS**

**As Read By Project (Bidders List by Individual Project)**

**Date:** 05/20/2020

**Contract Number:** 520052161

**Project Number:** 46 N 0700-01

**Federal Number:** TA-N070(001)

**Description:** PAVEMENT MARKING

**County:** JOHNSON

**State Ties:** --

**Total Records:** 1

[Helpful Definitions](#)

Contractor Name	Bid Amount
STREETWISE INC.	\$139,983.00

**TRAVELER INFORMATION**

TRAFFIC & TRAVELER INFO  
KANDRIVE  
SAFETY INFORMATION  
STATE MAPS  
TOURIST INFORMATION  
KANSAS BYWAYS  
ROAD WEATHER STATIONS  
KANSAS CITY METRO  
TOPEKA/LAWRENCE METRO  
WICHITA METRO

**DOING BUSINESS**

PERMITS  
BIDDING & LETTING  
COMMERCIAL VEHICLES  
DESIGN CONSULTANTS  
HIGHWAY CONTRACTORS  
LOCAL GOVERNMENTS  
OFFICE OF CONTRACT COMPLIANCE  
BRIDGE INSP. PORTAL  
LOCAL PROJECTS

**INSIDE KDOT**

ABOUT KDOT  
KANSAS CITY METRO  
TOPEKA/LAWRENCE METRO  
WICHITA METRO  
DISTRICTS  
PERFORMANCE

**PROJECTS/PUBLICATIONS**

T-WORKS  
PROJECTS/STUDIES  
TRANSPORTATION PLANNING  
PUBLICATIONS

**PUBLIC INFORMATION**

NEWS  
OPEN RECORDS  
MEDIA CONTACTS  
PROPERTY DAMAGE CLAIMS

**CONNECT WITH KDOT**

MEDIA CONTACTS  
CONTACT  
FACEBOOK  
TWITTER  
FLICKR  
YOUTUBE  
PINTEREST  
DIRECTORY

© Kansas Department of Transportation



To request an alternative accessible format of a KDOT publication, please contact Office of Public Affairs :  
Eisenhower Building - 700 SW Harrison, 2nd Floor West, Topeka, KS, 66603-3745, or (785) 296-3585 (Voice)/Hearing Impaired - 711.

<b>City of Mission</b>	Item Number:	5.
<b>ACTION ITEM SUMMARY</b>	Date:	June 3, 2020
<b>Community Development</b>	From:	Brian Scott/Kaitlyn Service

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

**RE:** Application for Special Purpose Permit for use of a public sidewalk - Sandhills Brewing

**RECOMMENDATION:** Approve the attached resolution issuing a Special Purpose Permit to Sandhills Brewing for the use of a portion of the public sidewalk at 5612 Johnson Drive for an outdoor dining area.

**DETAILS:** Sandhills Brewing is a small micro brewery located at 5612 Johnson Drive that brews small batches of beer for consumption in their tap room or for carry out in sealed cans and growlers. Sandhills recently approached the City about the possibility of using a portion of the public sidewalk in front of their location for the outdoor consumption of their product.

The Kansas Department of Revenue’s Division of Alcoholic Beverage Control has a number of regulatory policies regarding the production, sale, and consumption of alcoholic beverages. Article 21 of these administrative regulations pertains to the operation of a drinking establishment, and Section 14-21-21 - Extension of Premises provides the guidance for extending serving areas outside of a building (specific relevant sections are highlighted in underlined text) :

*“(a) A licensee may permanently or temporarily extend its licensed premises upon written approval by the director.*

*(b) A licensee shall request the director’s approval to extend its licensed premises in writing at least 10 days before the proposed extension.*

*(c) Each request shall be accompanied by a diagram of the extended premises, clearly showing the boundaries of the premises, entrances to and exits from the premises, and the area in which the service of alcoholic liquor would take place.*

*(d) For a temporary extension, the request shall include the dates on which and times during which the premises would be extended.*

*(e) If the licensee does not own or lease the area to be included in the temporarily extended premises, the request shall also include written permission from the governing body, owner, or property manager to extend the licensed premises into that area, unless the licensee is requesting an extension into a special event as defined by K.S.A. 41-719 and amendments thereto.*

*(f) No premises shall be extended permanently into an area for which the licensee does not possess a valid lease or deed.*

*(g) The boundary of any premises extended beyond the interior of a building shall be marked by a three-dimensional obstacle.*

Related Statute/City Ordinance:	KSA 41-2621 / Section 515.050 of the Mission Municipal Code
Line Item Code/Description:	NA
Available Budget:	NA

<b>City of Mission</b>	Item Number:	5.
<b>ACTION ITEM SUMMARY</b>	Date:	June 3, 2020
<b>Community Development</b>	From:	Brian Scott/Kaitlyn Service

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

*(h) The licensee shall maintain, on the licensed premises, a copy of the diagram showing the extended premises. The copy shall be available for inspection upon request by any law enforcement officer or any officer or agent of the director.”*

*(i) The licensee shall maintain, on the licensed premises, a copy of the director’s written approval to extend the licensed premises. The copy shall be available for inspection upon request by any law enforcement officer or any officer or agent of the director.*

*(j) Each licensee who elects to extend its premises into a special event, as defined by K.S.A. 41- 719 and amendments thereto, for which a temporary permit has been issued shall post a copy of the director’s written approval to extend the premises at each entrance to the special event area and at each entrance to the drinking establishment.*

*(k) No licensee, and no owner, employee, or agent of the licensee, shall allow the serving or consumption of alcoholic liquor on extended premises that have not been approved by the director.*

Thus, if Sandhills Brewing would like to provide an area for the outdoor consumption of their beer, it must be within an area that can be recognized as part of their premises and controlled by them. To accomplish this, they would need to create a clearly defined area on the public sidewalk in front of their location.

Section 515.050 of Mission’s Municipal Code allows the Governing Body to grant a permit for use of a portion of a sidewalk, street, or other public property. The Governing Body may grant a permit to the applicant under such terms, conditions and restrictions as it deems are in the public interest, and any permit granted will be subject to revocation by the Governing Body in the event the property is required for public purposes or if the abutting property owners fail or neglect to use the same for the purposes for which the permit was granted. Although this code provision has been in existence for some time, it has been used infrequently, so this is something of new ground.

The City’s Planner, Kaitlyn Service, has researched how other cities permit the use of public space such as sidewalks and has prepared a Sidewalk Cafe Handbook, which provides guidelines to applicants for the use of public sidewalks. It is anticipated that the handbook will be a living document that will evolve over time as unique circumstances or situations occur. Nevertheless, the handbook has served as a useful tool in the review of Sandhills Brewing request for an outdoor dining/seating area.

Related Statute/City Ordinance:	KSA 41-2621 / Section 515.050 of the Mission Municipal Code
Line Item Code/Description:	NA
Available Budget:	NA

<b>City of Mission</b>	Item Number:	5.
<b>ACTION ITEM SUMMARY</b>	Date:	June 3, 2020
<b>Community Development</b>	From:	Brian Scott/Kaitlyn Service

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

Of paramount concern with the use of the sidewalk is that the primary use of the sidewalk - as a pedestrian passageway - remains. Staff recommends that a six foot passageway be maintained at all times between the edge of the outdoor dining area and the edge of the sidewalk or any planter boxes, bicycle racks, benches or other permanent streetscape elements to ensure pedestrian movement is not impeded.

Secondly the appearance and care of the outdoor dining area is important. The applicant indicates that the outdoor dining area will be defined by a narrow high-top bar that will have a covered front serving as something of a wall. This high-top bar will run the length of the store front. At the west end, there will be a small area with picnic tables in an area defined by oak barrels that are connected with a chain. Edison style lights will be strung over the outdoor dining area to provide lighting in the twilight hours.

The attached resolution stipulates a number of conditions for the use of the sidewalk as an outdoor dining area including that the elements must be maintained in good condition, the area must be clean and not collect trash and debris, and that tables and chairs must be kept secure.

Staff will present the application at the June 3rd Community Development Committee meeting and the City Council will consider the attached resolution granting a Special Purpose Permit to Sandhills Brewing at the June 17th meeting. This application is particularly timely given the situation with drinking establishments re-opening in a COVID-19 environment and social distancing requirements.

**CFAA CONSIDERATIONS/IMPACTS:** Outdoor dining and other activities located on the public sidewalks is one of fundamental components that engages individuals in a public setting and makes downtown businesses corridors “lively.” However, pedestrian and ADA access must be ensured. The provision of a Special Purpose Permit helps to provide guidelines in regulating the use of public sidewalks so that activity can occur while also allowing for safe pedestrian passage.

Related Statute/City Ordinance:	KSA 41-2621 / Section 515.050 of the Mission Municipal Code
Line Item Code/Description:	NA
Available Budget:	NA

**CITY OF MISSION, KANSAS**  
**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION GRANTING A SPECIAL PURPOSE PERMIT TO SANDHILLS BREWING FOR THE USE OF A PORTION OF THE PUBLIC SIDEWALK AT 5612 JOHNSON DRIVE WITHIN THE CITY OF MISSION, KANSAS AS AN OUTDOOR DINING AREA.**

**WHEREAS**, a Special Use Permit was granted to Sandhills Brewing on August 15 2018 for property located at 5612 Johnson Drive to be used as a Drinking Establishment; and

**WHEREAS**, Sandhills Brewing, has recently expressed an interest in utilizing a portion of the public sidewalk in front of the property located at 5612 Johnson Drive for an outdoor dining area for the consumption of alcoholic beverages by their patrons; and

**WHEREAS**, Kansas Liquor Laws require that an area used for the consumption of alcohol beverages be clearly demarcated by three-dimensional objects; thus an outdoor dining area on the sidewalk will entail the erection of a barricade that clearly defines the area for its intended use; and

**WHEREAS**, Sandhills Brewing has submitted an application to the City for a Special Purpose Permit in accordance with Section 515.060 of the City of Mission Municipal Codes for use of a portion of said sidewalk as an outdoor dining area; and

**WHEREAS**, said application has been reviewed by the City's Planner and Public Works Director and deemed to be acceptable with certain conditions, and

**WHEREAS**, It has been determined that granting a Special Purpose Permit for the use of a portion of the sidewalk as an outdoor dining area will not interfere with the primary intended use of the sidewalk as a means of travel for pedestrians;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSION KANSAS:**

**Section 1. Granting of A Special Purpose Permit** - The City of Mission hereby grants a Special Purpose Permit to Sandhills Brewing, or its designated assignees, for the use of a portion of the public sidewalk located at the following address:

**5612 Johnson Drive**  
**Johnson County Parcel ID#KP27500000-0081**  
**In the City of Mission, Johnson County, Kansas**

**Section 2. Use of Special Purpose Permit** - The Special Purpose Permit is being granted specifically for the use of an approximately 250 square foot area of public sidewalk immediately adjacent to the store front addressed as 5612 Johnson Drive as an outdoor dining area.

**Section 3. Conditions for Special Purpose Permit** - The Special Purpose Permit is being granted with the following conditions:

- A. The outdoor dining area shall encompass a portion of the sidewalk no greater than 250 square feet.
- B. The outdoor dining area shall be immediately adjacent to the store front and not set apart from it.
- C. A pathway(s) of at least six feet in width shall be maintained on the sidewalk at all times for the clear, unobstructed travel of pedestrians. Such pathway(s) shall be measured from the edge of the outdoor dining area to the edge of the curb of the street or to the edge of any planter box, bicycle rack, bench or other existing element of the sidewalk.
- D. The outdoor dining area shall be defined by materials, structures, or barricades as more fully described in the application which is attached as Exhibit A.
- E. Said materials, structures, or barricades shall be maintained in good order with no fading or chipping of paint, no dents or twists that are not within the original design, no splintering of wood, no fading or fraying of cloth or ropes or any such type of material. If planting materials are incorporated into the design of the outdoor dining area, then said planting materials shall be maintained in good order without disease or death.
- F. Said materials, structure, or barricades shall not be permanently affixed to the surface of the sidewalk with bolts, screws, pins, or other means. There shall be no penetration of the sidewalk surface whatsoever.
- G. Items within the outdoor dining area including tables, chairs, benches, service counters, etc. shall be maintained in good order with no fading or chipping of paint, no dents or twists that are not within the original design, no splintering of wood, and no fading or fraying of cloth. Said items shall be secured in such manner when not in use so as to prevent them from being taken or blown out of the outdoor dining area.
- H. The outdoor dining area shall be maintained in a clean and orderly manner at all times. Trash and general debris will not be allowed to collect. Spills and broken materials must be cleaned in a timely manner. The outdoor dining area will be swept and/or hosed down on a regular basis.
- I. Sandhills shall provide the City with a certificate of insurance naming the City of Mission as additional insured on their insurance policy.

**Section 4. Special Purpose Permit Indemnification** - Sandhills Brewing will provide to the City, and shall maintain with the City, a certificate of Insurance naming the City of Mission, Kansas as an additional insured. Furthermore, Sandhills Brewing shall agree to hold harmless and indemnify the City of Mission, Kansas from any claims that may result from the use of the Special Purpose Permit that is herein be granted.

**Section 5. Term of Special Purpose Permit** - The granting of this Special Purpose Permit shall be effective immediately and shall remain in effect for as long as Sandhills Brewing, or its designated assignees, are at the above stated location. At such time when Sandhills Brewing, or its assignee, ceases to be in operation Special Purpose Permit shall become null and void, and the outdoor dining area must be removed and the sidewalk restored to its original condition.

**Section 6. Revocation of Special Purpose Permit** - The City reserves the right to revoke the Special Purpose Permit at any time due to either a failure on the part of Sandhills Brewing to comply with the conditions of the Special Purpose Permit as stipulated in Section 3 and Section 4, or if the Governing Body determines that the public sidewalk is required for public purposes.

**Passed by the City Council this 17th day of June 2020.**

**Approved by the Mayor this 17th day of June 2020.**

---

**Ronald E. Appletoft, Mayor**

**ATTEST:**

---

**Audrey M. McClanahan, City Clerk**



**APPLICATION FOR SPECIAL PURPOSE PERMIT  
USE OF PUBLIC PROPERTY**

Permit No. : 18-

Mission Municipal Code prohibits the obstruction of or encroachment on to public sidewalks, streets, alleys, easements on private property for public use, or other public property like parks for any private purpose without first receiving special permission from the City. Please complete all of the information below. Attach any additional items like photos, maps, or drawings which may aid in the review of your proposal.

Proposed Location/Address: 5612 JOHNSON DR MISSION KS 66202

Applicant's Name: JOSEPH CIZEK Business License # 18-257B

Applicant's Address: 9551 MONAWK DR OVERLAND PARK

Applicant's Phone No: 816-570-8949 Email: Joe@SANDHILLSBrewing.com

Description of the Proposed Use including duration, size, items, activity, etc:

ADDITION OF A PATIO FOR OUR PATRONS, ROUGHLY 300 SQ FT  
INCLUDE BAR SEATING AND TABLES

All of the information provided above for review by the City is true and correct to the best of my knowledge. I have read and understand the provisions of this permit process. I understand that if at any time it is found that these provisions of have not been met, this permit may be revoked.

By submitting this application, I hereby agree to at all times save and hold harmless the City of Mission, Kansas from all liability, costs, damages, and expenses of any kind, for the payment of which the City may become liable to any person, firm or corporation by reason of any claim or damages arising from the failure of the licensee, its employees, agents, servants, invitees, and patrons to exercise due care and diligence in the use of the sidewalk.

[Signature]  
Applicant Signature

5/27/2020  
Date

\_\_\_\_\_  
Reviewer Signature

\_\_\_\_\_  
Date

Please send the completed application to Kaitlyn Service at the address above or via email [kservice@missionks.org](mailto:kservice@missionks.org).

Please call with any questions,

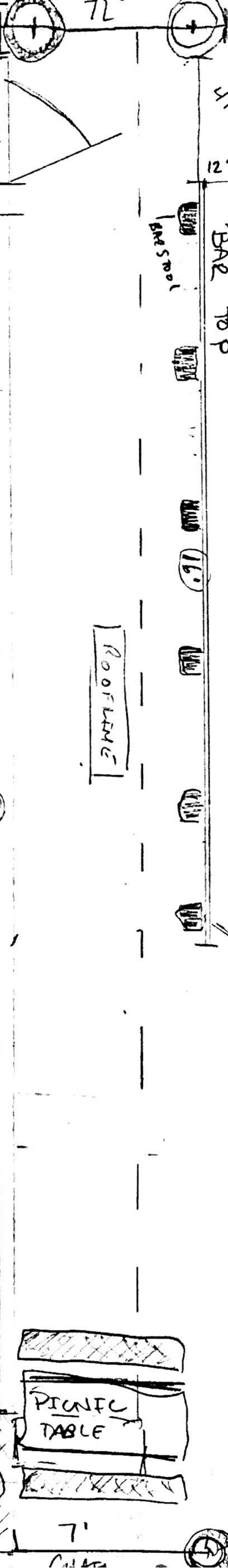
(913) 676.8360

SAND HILLS

30'

ALLEY

7'



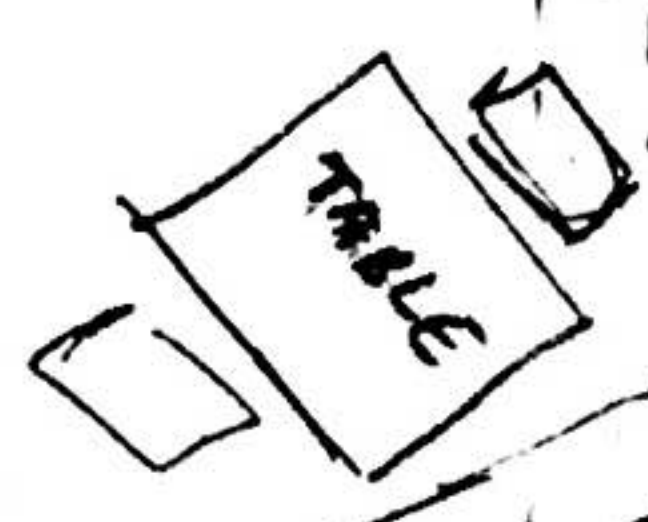
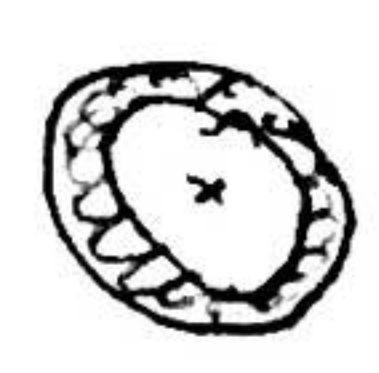
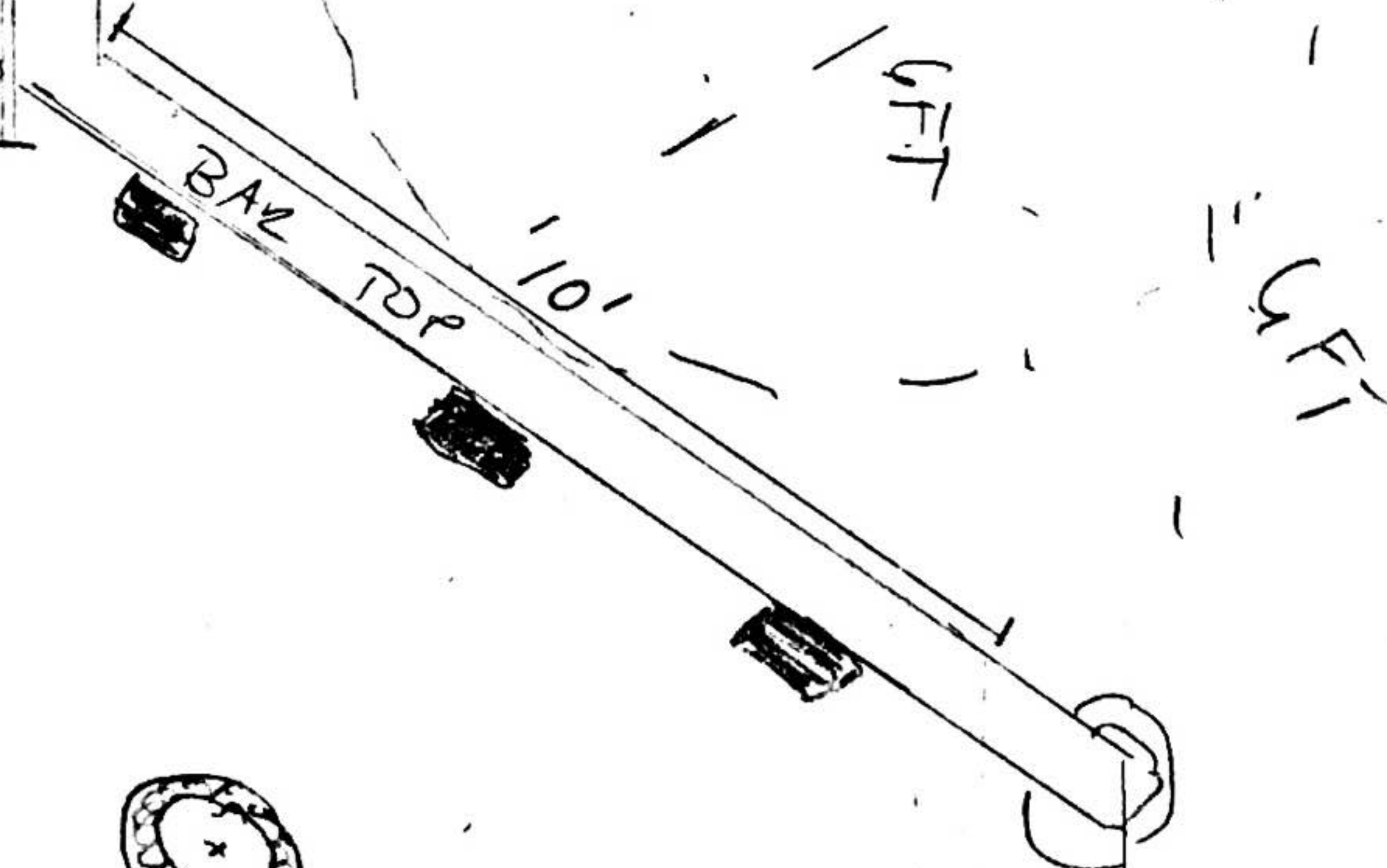
4 INCH  
CEL  
FAST &  
ALI

SIDE WALK

SIDEWALK DRIVEN

WALL

15'



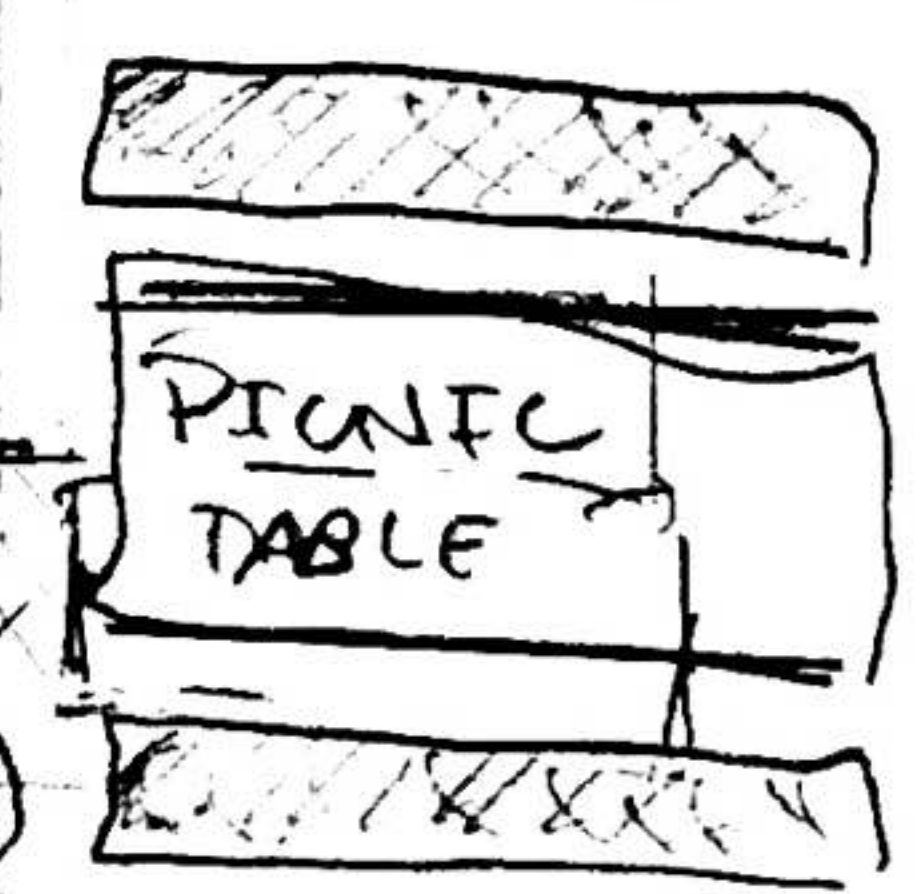
11 FT  
CHURN

9 FT  
CHURN

WELL



FLOR  
BOD



7'



WELL

6 FT

6 FT

---

## Patio Plans

---

**Joe Cizek** <joe@sandhillsbrewing.com>

Wed, May 27, 2020 at 7:14 PM

To: Kaitlyn Service <kservice@missionks.org>

Cc: Jonathan Williamson <jonathan@sandhillsbrewing.com>, Brian Scott <bscott@missionks.org>

Hi everyone!

I have attached our application and a drawing at the far bottom of the page, with the other information that has been requested in the body of this email. I am sure there are going to be questions.

First, we are working with several contractors on bids to make the alley way usable as a patio. We feel as of now it is not currently ready for a whole host of reasons, so please understand that in the updated drawings and sketches we will not be using the alleyway until updates can be made. Until this time it will be blocked off with a movable barrier and "no alcohol past this point" signs.

It was hard to show exact angles for the desired patio but the barrier will remain no closer than 6 feet to the nearest obstruction.

For the Construction of our patio we wish to carry the look and feel of the interior onto the sidewalk, to achieve this we will use many of the same style inside as the out. We also will look to incorporate some planters with flowers for color and texture

The barrier will be partially made up of chains and wine barrels these accommodate both the height for the measured chain and the barrels are already at 36 inches to the top.

We also would like to include an area on the patio that the barrier would consist of a 12 inch wide bar where customers could sit and face the street. This will be built of hardwoods and pipes (please see examples below), We will also include ADA compatible seating.

We will have a small amount of additional lighting to ensure safety for our guests and will accomplish this with string lights similar to inside our brewery. As for umbrellas only the small amount of tables will have those if possible and we will stay with a neutral though natural color like a beige or something similar.

Thank you for your time and consideration, any questions please call me on my cell  
816-520-8949





above is couple shots of the modest patio at our sister brewery in Hutchinson KS. Using the chain to barrel idea for a barrier.



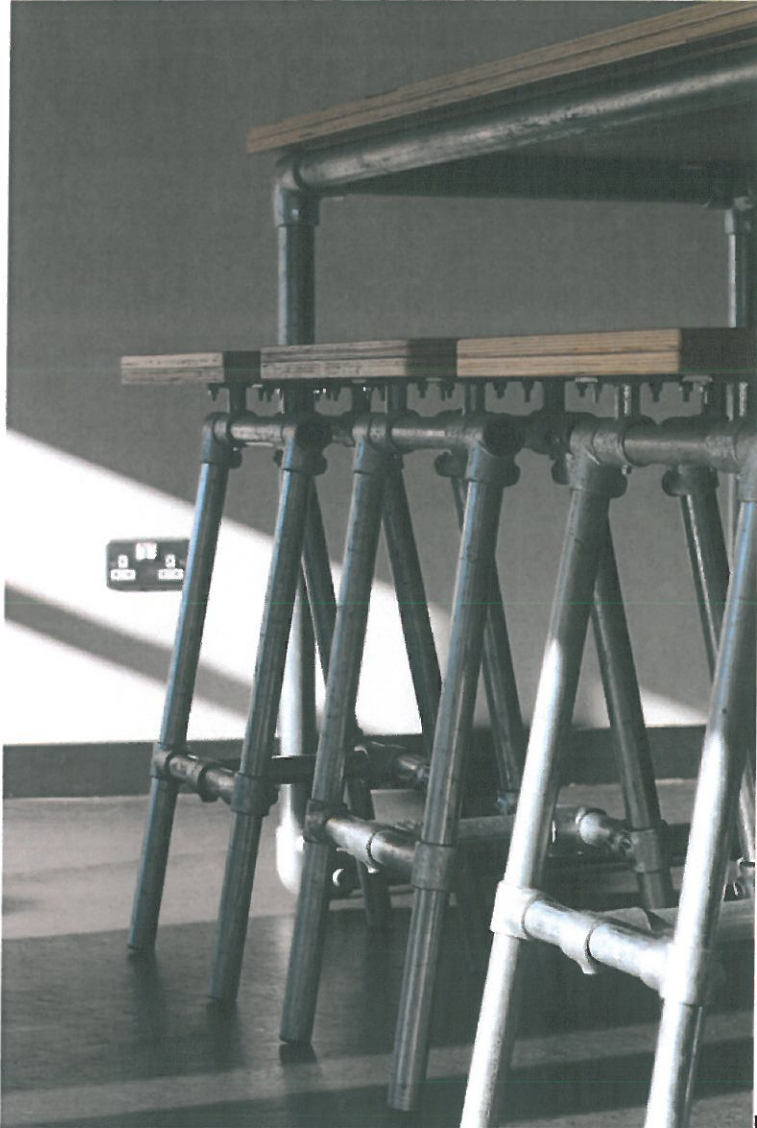
Planters for boundaries



to show a bar facing the street. Large enough for a laptop or a small meal



lighting for mood and safety



sturdy

using galvanized pipe is weather resistant durable and



couple ideas for construction of lets

[Quoted text hidden]

---

**2 attachments**

 **missionpatioapp.pdf**  
445K

 **Missionpatio.pdf**  
308K

<b>City of Mission</b>	Item Number:	6.
<b>DISCUSSION ITEM SUMMARY</b>	Date:	June 3, 2020
<b>PARKS &amp; RECREATION</b>	From:	Penn Almoney

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

**RE:** Policy on the Use of UAV (Drones) in the City of Mission.

**DETAILS:** The Parks, Recreation & Tree (PRT) Commission and Parks & Recreation staff discussed the concerns surrounding UAV (drone) use at Mission parks near residential areas. The catalyst for the discussion item at this time was the result of the long range planning for improvements at Mohawk Park. PRT Commission members remember the concern residents had in Prairie Village and the amount of time and deliberation involved in finalizing an ordinance to safeguard the proper use of drones in both private and public spaces.

The PRT Commission recommends the Community Development Committee discuss the benefits and challenges of a drone ordinance before the City is faced with the need to enforce the use of drones. An ordinance can assist both drone operators and the City of Mission by having clear expectations in place.

The most common purposes of drone use are:

- Aerial surveillance
- Film-making
- Real estate and construction exploration
- Recreational flight/acrobatics
- Deliveries

The most common risks associated with drone use are:

- Infringement of privacy
- Radio frequency interference
- New operators and loss of control
- Personal injury or damage

A copy of the policy adopted by the City of Prairie Village is enclosed as point of reference and discussion for the Committee. The cities of Mission Hills and Mission Woods have also enacted similar ordinances and policies in the last several years.

If Council is interested in pursuing this further, staff will draft a policy/ordinance for action at the July 1, 2020 Committee meeting.

**CFAA IMPACTS/CONSIDERATIONS:** The city prioritizes safety in parks and neighborhoods and seeks to develop policies which clearly communicate responsibilities and expectations for those using our amenities and a variety of recreational purposes.

Related Statute/City Ordinance:	n/a
Line Item Code/Description:	n/a
Available Budget:	n/a

## **CITY OF PRAIRIE VILLAGE, KS - MUNICIPAL CODE**

### **ARTICLE 16. UNMANNED AERIAL VEHICLES**

#### **11-1601 DEFINITIONS**

For purposes of this Article, the following terms and phrases shall have the meaning set forth below:

A. "City airspace" means the airspace above the land and waterways within the jurisdiction of the City.

B. "Recreational purposes" means any purposes governed or regulated pursuant to 49 U.S.C. 44809 (Section 349) of the FAA Reauthorization Act of 2018.

"Recreational purposes" may include, but are not limited to, enjoyment, educational, or hobby purposes not otherwise governed or regulated as provided in Section 11- 1603 of this Article.

C. "Operate" means to pilot, steer, direct, fly or manage a UAV through the air. The term "operate" includes managing or initiating a computer system that pilots, steers, directs, flies or manages a UAV.

D. "Surveillance" means the gathering, without permission and in a manner that is offensive to a reasonable expectation of privacy, of visual images, physical impressions, sound recordings, data, or other information involving the private, personal, business, or familial activities of another person, business or entity, or that otherwise intrudes upon the privacy, solitude, or seclusion of another person, business or entity, regardless of whether a physical trespass on to real property owned, leased, or otherwise lawfully occupied by such other person, business or entity, or into the city airspace above real property owned, leased, or otherwise lawfully occupied by such other person, business or entity occurs in connection with such surveillance.

E. "Unmanned aerial vehicle" or "UAV" means an aircraft that (1) is operated without the possibility of direct human intervention from within or on the aircraft, and (2) weighs less than 55 pounds at the time of operation, including the weight of any payload or fuel.

F. "Weapon" means any instrument, article or substance that, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or serious physical injury. (Ord. 2406, Sec. 1, 2019)

#### **11-1602 OPERATING REGULATIONS.**

All UAVs shall be operated in accordance with the Academy of Model Aeronautics Safety Code or such other community-based safety guidelines as the City may



approve from time to time. Except as otherwise provided in Section 11-1603, an unless any of the following prohibitions are superseded by applicable state or Federal law, no person shall operate any UAV for recreational purposes in city airspace:

A. intentionally or negligently, and in such proximity to any person who is not involved in the operation of the UAV that is offensive to a reasonable expectation of safety from bodily harm, without such person's consent;

B. intentionally or negligently, over an individual or over an open-air event venue wherein more than one hundred (100) individuals are gathered for such event, without the consent of both the venue owner or operator and the event sponsor or organizer;

C. intentionally or negligently, over property that the operator does not own, without the consent of the property owner or such other person lawfully occupying the property; and subject to any restrictions that may be placed on the operation by the property owner or such other person lawfully occupying the property; provided, that the foregoing shall not prohibit operation of a UAV for recreational or hobby purposes in a city-owned park so long as the operator and UAV comply with all other requirements and restrictions of this Article;

D. for the purposes of conducting surveillance;

E. while under the influence of alcohol, or other drug or drugs, that renders the operator incapable of operating the UAV;

F. that is equipped with a firearm or other weapon; or

G. otherwise in a reckless or careless manner. (Ord. 2406, Sec. 1, 2019)

#### 11-1603 LIMITATIONS ON OPERATING REGULATIONS.

A. Commercial operations Authorized by the FAA. Notwithstanding the provisions of Section 11-1602, nothing in this Article shall be construed to prohibit, limit or otherwise restrict any person who is authorized to fly a UAV as a commercial pilot pursuant to 14 CFR Part 107 (drones under 55 pounds) or under the Special Authority for Certain Unmanned Aircraft Systems at 49 USC § 44807 (drones over 55 pounds) by or other Federal Aviation Administration grant of authority for a specific flight operation(s), from conducting such operations(s) in accordance with authority granted by the Federal Aviation Administration.

B. Operations Prohibited by FAA—Clarification. Nothing in this Article shall be construed to authorize the operation of UAVs in city airspace in violation of any Federal statute or rules promulgated thereunder, including, but not limited to, any temporary flight restrictions or notices to airmen issued by the Federal Aviation Administration.

C. Operations by City for Law Enforcement Purposes. Notwithstanding the provisions of Section 11-1602, nothing in this Article shall be construed to prohibit

or restrict the use of a UAV by a law enforcement agency or for emergency response operations in accordance with applicable law. (Ord. 2406, Sec. 1, 2019)

11-1604 SEVERABILITY. Severability is intended throughout and within the provisions of this Article. If any section, subsection, sentence, clause, phrase, or portion of this

Article is held to be invalid, illegal, or unconstitutional by any court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Article. (Ord. 2406, Sec. 1, 2019)

11-1605 PENALTY. Violation of this article is a Class C misdemeanor. (Ord. 2406, Sec. 1, 2019)