

MINUTES OF THE MISSION COMMUNITY DEVELOPMENT COMMITTEE

July 1, 2020

The Mission Community Development Committee met virtually via ZOOM on, Wednesday, July 1 at 6:30 p.m. The following Committee members were present: Trent Boultinghouse, Hillary Thomas, Arcie Rothrock, Nick Schlossmacher, Kristin Inman, Debbie Kring, Sollie Flora and Ken Davis. Mayor Appletoft was also present. Councilmember Flora called the meeting to order at 6:30 p.m.

The following staff were present: 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 and Police Chief Ben Hadley.

Public Comments

Councilmember Flora 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.

Public Presentations

Communities for All Ages Update

Ms. Randel presented an update on the Communities for All Ages (CFAA) program which is supported by the Mid-America Regional Council and strives to promote livable communities, in the Kansas City region, for all ages. There are currently seventeen metro cities participating in the program which has three achievement levels (Bronze, Silver and Gold). The City of Mission received gold-level status/recognition in 2018 and has worked to maintain that status since that time. Mission's program checklist incorporates five categories including efforts to promote accessible public outdoor spaces and buildings, housing and commercial development, transportation and mobility, social inclusion and communication as well as civic participation and employment. Success in these categories has been achieved through things like handicap accessible park accommodations, improving pedestrian infrastructure and adding youth member seats on the Sustainability Commission and Parks, Recreation and Tree Commission. To further the progress of the program, City staff will work to assess where future development and adjustments are needed. There will also be integration of the program with the City's upcoming Comprehensive Plan Update facilitated by Confluence. Finally, the City will participate with other surrounding Cities to evaluate programs and continue adapting resources.

Acceptance of the June 3, 2020 Community Development Committee Minutes

Minutes of the June 3, 2020 Community Development Committee were provided to the Committee. There being no objections or corrections, the minutes were accepted as presented.

2020 Rock Salt Contract

Mr. Morton reported on the 2020-2021 Rock Salt Supplier Contract, communicating that rock salt is an essential commodity for snow removal activities. Salt effectively lowers the freezing point of water and acts as a melting agent. When applied to the pavement, it prevents frozen precipitation from sticking to surfaces and works in conjunction with plowing activities to penetrate ice and snow in order to remove it from the roadway.

The City went out to bid with Overland Park and several other surrounding cities for quotes from salt suppliers who guarantee the product will be available for delivery during winter storm events. The City's salt storage dome holds approximately 1,800 tons of salt. Based on the activity during the winter of 2019-2020, current salt stores were significantly reduced, leaving the dome approximately half full.

Public Works will be "restocking" it this year to have salt on hand. This contract locks in the price for 2020-2021 with the cost of salt decreasing from \$59.54 to \$48.14 per ton. During mild winters, any unused funds in the salt line item are rolled over into the General Fund fund balance. Bids were solicited from several suppliers with Central Salt LLC. being the lowest qualified bid. The 2020 Budget has \$42,000 allocated for the purchase of salt (reduced from the original \$60,000). If the City Council approves the price quoted by Central Salt LLC, staff will purchase 800 tons up front at a cost of \$38,512 to be able to refill the salt dome within the current budget parameters. This contract also allows the City to purchase additional salt later in the year if necessary.

Councilmember Davis recommended the contract with Central Salt, LLC. at a unit price of \$48.14 per ton of bulk deicing salt delivered be forwarded to Council for approval. All on the Committee agreed, this will be a consent agenda item.

Comprehensive Plan Update Restart

Mr. Scott reported on the recommendation to restart the Comprehensive Plan Update process. The City's most recent plan was prepared in 2007, and in order to comply with State statutes, a significant update is necessary to accurately reflect the values of the Community and emerging trends in land use management and development. After last summer's request for proposals was issued, the City selected Confluence to assist in this endeavor and a contract was approved by the City Council in late fall. Unfortunately, due to the Coronavirus pandemic and subsequent stay at home orders issued by the Governor and the Board of County

Commissioners, as well as the City closing its facilities and hosting no in-person meetings, plan update activity halted.

Chris Cline with Confluence presented information for re-initiating the plan update now that facilities have begun to reopen. During a joint City Council/Planning Commission retreat in March, Confluence used several visioning exercises to begin to identify potential opportunities and challenges to redevelopment in Mission. Positives included the City's location within the Kansas City metro area, enhanced parks, affordable housing, environmental policies, and young and diverse populations. The biggest challenges included aging infrastructure, affordable housing and new development versus existing character. Mr. Cline stated that Confluence will continue to engage the community through methods such as social media, project surveys, open houses, workshops and interviews. They also have been reviewing existing plans to gather and analyze information as well as identify areas of potential concern.

As part of their proposed tasks, Confluence will evaluate the population, housing, commercial and emerging trends. They will look at the transportation network and establish high-level goals, policy, and action item recommendations as needed. Their analysis of the City's technology infrastructure will provide a summary description of coverages with supporting mapping information. Finally, they will assess current land use classifications and zoning, and prepare detailed scenarios and recommendations for each component of the Comprehensive Plan.

Mr. Cline introduced a new, interactive, civic engagement tool that Confluence believes will be beneficial for Mission's plan update process going forward. This tool becomes a part of the website that is being created for the project and allows for Steering Committee members, and members of the public when appropriate, to make recommendations, comments and rate suggestions. There are survey tools available, and the ability to "pin" comments to a map of the City and for others to comment on those "pins." It takes the work that was originally planned to be conducted through in-person meetings and transitions it to a virtual environment.

Councilmember Kring asked how Crux and Confluence will interact or if they will be standalone entities with this project. Ms. Randel replied that during Crux's research phase they reached out to the community to gather information which has been passed along and is now being utilized by Confluence. Mr. Scott added that Confluence will take the work that Crux has completed, they will then review it as they have done with other master plans before applying the research to the Comprehensive Plan.

Councilmember Kring asked how the website will be produced and implemented. Mr. Cline said they can develop content for a page that is accessible on the City's website. The interactive website, which has the civic engagement tool, is standalone but can be linked to the City's website as well.

Councilmember Davis questioned the Steering Committee composition, if eleven members was a typical committee size and if there could be more diversity represented on the Committee.

Councilmember Flora commented about adding age diversity within the Committee to better support the Community for All Ages initiative. Mr. Scott replied that we can seek out those perspectives and welcome any recommendations for people who might be interested in the Committee. Mr. Cline commented that there will also be many individual interviews available for participation.

Councilmember Thomas had a request for staff to compare the timelines between Crux and Confluence to potentially have a better understanding of the how the City's rebranding rollout timeline would mesh with the Comprehensive Plan update.

Councilmember Davis recommended the proposed timeline and tools to be utilized for the comprehensive plan update process going forward, and review of the membership of the Steering Committee recommended to assist in facilitating the process be forwarded to Council for approval. All on the Committee agreed this will be under Committee Reports.

Playground Equipment Repairs

Mr. Almoney presented on the needed repairs for various playground structures in Mission. The playgrounds at Andersen, Broadmoor, Mohawk and Waterworks Parks were installed in 1996 and 2001, they have received no significant re-investment or upgrades since that time. Playgrounds generally have an anticipated useful life of 20 years depending on various elements. Continued impact, use and temperature changes along with UV rays deteriorate the structure components and play features over time. Playgrounds provide significant benefits to a community including social interaction, exercise, safe and family-friendly environments, and visually enhancing the perception of the park.

Staff used standards and guidelines established by the American Society for Testing and Materials (ASTM) and the Consumer Product Safety Commission (CPSC) to inspect Mission's playground structures. Any hazards identified are prioritized with guidance that high risk elements (priority 1 hazards) should be corrected immediately whereas medium risk elements (priority 2 hazards) should be corrected as soon as possible per ASTM F1487 standards. During the recent annual inspections at each park, staff found several medium to high risk elements on the playground decks, steps and hardware attachment points.

Mission is liable to ensure that playgrounds are as safe and secure as manufacturer designed intentions. During the June Parks, Recreation and Tree Commission (PRT) meeting, members and staff recommend resolving all risk elements immediately to show citizens that safety and proper operation of equipment is a priority for the City. Capital improvement project funds (CIP) of \$100,000.00 were budgeted for outdoor park improvements in 2020. The costs to repair the structures in all four parks has been quoted at \$54,564.45. The anticipated timeline for equipment order and repair is 4 weeks. The seriously damaged attachments at Mohawk Park have been closed using plywood, caution tape and fencing while staff awaits final direction on which course of action to take.

Miracle Custom Play Systems is a sole source vendor for this playground equipment and American Midwest Contractors is their bonded installer who guarantees compliance with manufacturer designs and specifications. The scope of installation is beyond the expertise of internal staff as there are certain attachments and play features that require manipulation of plastic using heat which could easily damage the integrity. For that reason, each manufacturer has a preferred installer who has been through rigorous training to ensure compliance with safety and design standards.

Councilmember Davis commented that this is a good idea to move forward and emphasized the importance of public safety and correcting these hazardous issues. Councilmember Thomas agreed and thanked Mr. Almoney for all the work they have done.

Councilmember Davis recommended the contract with Miracle Custom Play Systems for playground part replacement and repair in an amount not to exceed \$37,629.00 and a contract with American Midwest Contractors for playground part installation in an amount not to exceed \$16,935.45 be forwarded to Council for approval. All on the Committee agreed, this will be a consent agenda item.

Drone Ordinance

Mr. Almoney presented on the proposed Ordinance regulating the use of Unmanned Aircraft Systems (Drones) in the City. Unmanned aircraft systems (UAS) have a host of applications including law enforcement, land surveillance, wildlife tracking, search and rescue operations, disaster response and recreational use. During the April 2020 Parks, Recreation and Tree Commission (PRT) discussion of Mohawk Park and the anticipated improvements, the Commission addressed concerns of increased visitor activity paired with potential negative impacts from UAS trends. Their primary consideration being the frequent use of videography by real estate companies via UAS combined with operator ability, intent and permissions in public/private spaces. The PRT Commission and staff recommended, to the Community Development Committee, the consideration of an ordinance before the City is faced with the need to enforce the use of UAS. Council was supportive of the recommendation and directed staff to prepare the necessary ordinance for discussion in July.

Staff reviewed UAS content from state laws and various municipal ordinances and partnered with the Mission Police Department and the City Attorney to draft an ordinance. The ordinance considerations include drone registration, privacy concerns, event usage and permissions, reckless operating, property permissions, impeding or obstructing public safety operations and personnel, and penalty. The penalty mirrors the current structure associated with other general non-aggravating citations with the typical fine amount ranging between \$100 - \$150 including mandatory \$40 court costs. A judge has the flexibility to determine the fine amount and depending on circumstances suspending part or all of that penalty. Staff spoke with Judge Drill about whether the general provisions were appropriate to use for various offenses. He

supported the unclassified violation range due to the variation and severity of the misuse within each section and recommended that the amount not be added to the Fine Schedule.

Councilmember Flora clarified that such as with similar offenses, there is a penalty range then it is left to the Judge's discretion to determine appropriate violation reprimand. Councilmember Flora asked why real estate services were exempt as a private entity. Mr. Almoney answered that there is accountability with their information being publicly displayed on their vehicle or person, they are activity patrolling for a specific purpose and if there was an issue then the company could be easily referenced. If they were not identifiable then they would be considered under general hobbyist usage and the police could be contacted.

Councilmember Davis recommended the Ordinance outlining expectations for UAS use within Mission's public and private spaces be forwarded to Council for approval. All on the Committee agreed, this will be a non-consent agenda item.

Amendment to Special Purpose Permit Granted to Sandhills Brewing for Use of a Public Sidewalk for Outdoor Dining

Mr. Scott stated that this Special Purpose Permit for Sandhills Brewing regarding use of a public sidewalk for outdoor dining was brought to the Council last month. This is now an amendment to the permit, expanding the address to include both 5610 and 5612 Johnson Drive, and is presented through an ordinance.

Ms. Service reported on the amendment and expansion. On June 17, 2020, the City granted a Special Purpose Permit - Resolution 1057 - allowing Sandhills to use a portion of the public sidewalk in front of their location for an outdoor patio for the consumption of their product. Sandhills recently signed a lease to expand into the adjacent unit at 5610 Johnson Drive, which was formerly Mission Artists Workshoppe. They expect to take possession of the space no later than August 1, 2020. Sandhills is now requesting to amend the permit to allow the sidewalk patio to extend in front of the additional thirteen feet of storefront they will soon occupy.

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. 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 expanded patio will continue the aesthetic that was established in the original patio application. The additional thirteen feet of storefront space will be defined by oak barrels that are connected with a chain.

Councilmember Davis asked and was confirmed that this only extends the property to the east of Johnson Drive. He commented that this was a good idea and is pleased to see they will have more space to conduct business. Councilmember Schlossmacher agreed and clarified that this still conforms with ADA standards.

Councilmember Flora brought to the attention the address change that needed to be updated in Section 3 of the Ordinance. She asked about the size differentiation of the space and Mr. Scott confirmed that would be adjusted if necessary. Lastly, Councilmember Flora commented that this was a great project and thanked Ms. Service for her work on the sidewalk guideline resource.

Mr. Scott added he thought this would be better presented as an ordinance. This will provide a more effective mechanism for control and is more consistent with other zoning matters. In addition, staff is now recommending that a term of five years be placed on the permit. This will allow time to evaluate the use and make adjustments if necessary when Sandhills chooses to renew. All other conditions for the use of the sidewalk as an outdoor dining area remain the same as in the original Resolution.

Councilmember Davis recommended the amendment to Special Purpose Permit granted to Sandhills Brewing for use of a public sidewalk for outdoor dining be forwarded to Council for approval. All on the Committee agreed, this will be a consent agenda item.

Discussion Items

Summit Condominiums - Private Street Acceptance

Ms. Smith reported on The Summit Condominiums Homeowners Association (HOA) request for the City of Mission to consider accepting and taking over maintenance responsibilities for the private roads located within this housing complex at 48th/Horton (east of Lamar). When townhomes/condominiums are built, the developer constructs the streets within the community which remain private since they serve the residents and are not a thoroughfare for main traffic. When the development is initially created, there is a time to designate those streets as public and turn them over to the City with a declaration recorded through the County. Summit Condominiums' streets, with its forty-four residences, were private with no dedication recorded since construction. At other similar locations such as Apollo Gardens or Lincolnshire Townhomes, documentation was produced showing that the intent was to make the streets public. The Kennett Place subdivision did not want their streets to become public, however, through a longstanding agreement with the City they were able to receive some financial support for street maintenance.

Ms. Duran added that on June 12, 2020, the City enlisted our on-call engineers', Olsson, to evaluate the existing pavement and curb condition in order to determine maintenance costs should the City Council agree to accept the private street network as public streets. They

performed a site inspection and observed deteriorated pavement in poor condition with large areas of alligator cracking. Three pavement cores were collected at locations with two of the cores showing 0.2 feet or 2.4 inches of asphalt over an aggregate base of the same thickness. The third core showed 0.5 feet or 6 inches of asphalt over an aggregate base of the same thickness. This thin asphalt pavement indicates insufficient asphalt depth and base to support vehicles and heavy trucks over time, which will result in further deterioration of the road and ongoing maintenance. As a result, a 2-inch mill and overlay is not possible since there is not enough pavement structure left after the mill to overlay asphalt and a full depth reconstruction is necessary.

If the City decides to take over the private streets, Olsson estimates a construction cost of approximately \$470,000 in today's dollars to perform a full depth reconstruction and curb replacement, including design and construction inspection. Staff would recommend that the parking spaces and curbs adjacent to the parking spaces remain private, as well as the private lights inside the entrance median. This would be consistent with the position the City took with respect to the Lincolnshire Townhome development. Additionally, it would recommend that the HOA repair the parking spaces and curb at the time the City completes the full depth reconstruction and for the Condominiums to give a right-of-way easement for the streets.

Other considerations to take into account in regards to accepting maintenance responsibilities include:

- In general, typically streets are considered public only when they are connected to other public streets and benefit the entire city (i.e., provide a street network that serves more than just the residents that live in a housing complex).
- The City currently has numerous public streets that are in immediate need of maintenance and currently has limited funding to complete this existing work (although funding sources are currently being evaluated).
- If the City were to take on these private streets, this work would be prioritized against existing needs.
- Although current Councilmembers are not bound by decisions made by previous City Councils, a number of private streets in the past have been converted to public streets. Summit Condominium and Kennet Place streets are the only private streets left, within the City, except for streets and parking lots within complexes.

Councilmember Flora asked and Ms. Smith confirmed there has been no documentation with an intent to assume or an attempt to assist with repairs for the Condominiums.

Councilmember Boultinghouse thanked Ms. Smith and Ms. Duran for their presentation, stating that he would like to help out this Community but is worried about balancing this project with the current budget, since it has been impacted from the COVID-19 pandemic. He would like to see other options that could help out the Condominiums. While he would prefer to see all streets

under City control, he stressed the importance of making sure it is handled fairly, so all residential streets are receiving adequate attention and maintenance.

Councilmember Davis asked in terms of going forward, for future developments, what are the principles that are evaluated in relation to this issue. Ms. Smith replied the opportunity is limited since it's not predicted for a developer to be coming into the City and constructing a development that would require a new street system. If this does occur, then the developer would need to construct the streets to City standards with the possibility that they are deemed public once completed. The City would also have the challenge of outlining and developing a series of specific street standards to implement and reference.

Councilmember Flora liked the idea of staff evaluating other possibilities, such as special assessments, to assist the HOA over time rather than the City committing to a project of this cost. While the staff is assessing, Councilmember Flora recommends this be held for any further Council discussion until we receive the comprehensive Stantec results regarding street conditions. This would allow Council to see how many full-depth street reconstruction projects that the City will need to undertake.

Councilmember Thomas asked if there was an update on Stantec and their timeline. Ms. Duran replied that she is planning on bringing more information to the August Committee meeting, including details on the proposed street treatments with recommendations and a total cost analysis to bring the street up to a certain standard. Stormwater will also need to be considered and incorporated into final costs estimates. Next steps include looking at budget options and funding scenarios.

Councilmember Schlossmacher asked if Condominiums' streets were made public how would parking be affected, is there any precedent to have only private, resident parking, on a public street. Ms. Duran replied it would have to be enforced as far as concerns and accidents with no parking allowed on the public streets, since the space is not large enough. Ms. Smith added that the parking lot, including under the carports, would remain the property of the HOA as only resident/owner parking, they would have to enforce rules/regulations on those areas. However, the streets would be too narrow to allow for on-street parking.

Councilmember Boultinghouse stated for transparency that he lives at The Summit Condominium community.

Councilmember Flora suggested that the other options for assistance are assessed and that the Council is provided the Stantec report before future discussions on this item, the Council agreed.

Other

Department Updates

Ms. Duran provided an update on the Lamar Project with the contractor, Superior Bowen, finishing pavement the previous week. There are some manhole adjustments, in the street, that will need to be finished. They seeded all the soil areas behind the sidewalk, if it doesn't produce then they will come back in the spring to lay sod. Superior Bown completed this job thirty-days earlier than expected. Ms. Duran thanked Public Works Superintendent, Brent Morton, for all his hard work on this project to make it successful.

The next update was on the bike lanes and pavement markings. The City is working with KDOT to see if the contractor can complete the work, they are currently scheduling a pre-construction conference with anticipation completion in late July or possibly sooner.

They have removed trees on Rock Creek in order to build the wall and make the area more stable. They have also made progress on erosion control and have brought in fill-dirt with the expectation to start installing support blocks in the next couple weeks.

Finally, with the Johnson Drive reconfiguration as previously discussed, the traffic and pedestrian counts along with the evaluation was scheduled for Spring 2020. However, due to The Locale's lane usage and COVID-19, there have been reduced counts. They plan to bring options to Council for discussion in August, including the possibility of holding off on the evaluation until traffic increases or moving forward with data collection with a projected estimate of what it would represent under normal conditions.

Councilmember Schlossmacher asked if we had done a traffic analysis within the last two years and if that could be used for evaluation. Ms. Duran replied that it would be more helpful to have the counts on all intersections to see the volume on the side streets and what's going through the intersections.

Meeting Close

There being no further business to come before the Committee, the meeting of the Community Development Committee adjourned at 8:30 p.m.

Respectfully submitted,

Audrey M. McClanahan
City Clerk