

MINUTES OF THE MISSION COMMUNITY DEVELOPMENT COMMITTEE

August 7, 2019

The Mission Community Development Committee met at Mission City Hall, Wednesday, August 7, 2019 at 7:13 p.m. The following committee members were present: Pat Quinn, Hillary Thomas, Arcie Rothrock, Nick Schlossmacher, Debbie Kring, Kristin Inman, Ken Davis and Sollie Flora. Mayor Appletoft was also present. Councilmember Thomas called the meeting to order at 7:13 p.m.

Also present were City Administrator Laura Smith, City Clerk Martha Sumrall, Assistant to the City Administrator Emily Randel, Public Works Superintendent Brent Morton and Capt. Dan Madden.

Councilmember Thomas asked if there were any public comments on items not on the agenda. There were none.

Revised Agenda

Councilmember Davis moved, and Councilmember Flora seconded a recommendation to approve the Revised Agenda as printed. All on the committee agreed.

Replacement of Fire Sprinkler Heads at SPJCC

Ms. Smith stated that during a routine inspection in late 2018, a deficiency in the fire sprinkler heads at the Community Center was found. Staff has worked with GBA on this issue and any changes that are required to meet NFPA standards. The north side of the Community Center is the original building, which is now 20 years old. The sprinkler heads have received routine maintenance, but have reached the end of their useful life. The scope of this project includes replacing sprinkler heads that are over the pool area and embedded in the ceiling. Staff has worked to plan the safest and most cost effective method to replace the 360 sprinkler heads that are in need of replacement. Quotes were solicited from four firms with two submitting bids. There was a 73% difference in the two bids received, so staff worked with the low bidder, Advantage Fire Protection Systems, Inc. to be sure they were aware of the full scope of the project. Ms. Smith stated that following the walk-through by Advantage Fire Protection Systems, staff is recommending them for this project, but there was not enough time to add this issue to the original committee agenda, and it must be scheduled quickly to meet the timeline for the upcoming facility maintenance closure (when the pool is drained). If the project is not done now, it would require closure of the Community Center at a later date or during the 2020 facility maintenance shut-down. She also stated that this project was not included in the 2019 CIP, but there is approximately \$85,000 in savings from a recent flooring replacement and those funds can be used for this project. She asked that Council acknowledge that the City Administrator plans to proceed, under the emergency authorization provisions in Mission's Code, with a contract for \$40,375 with Advantage Fire Protection Systems to replace 360 fire

sprinkler heads in the north portion of the building in conjunction with the upcoming facility maintenance closure. This item will be under New Business on the August 21st Council Agenda.

The committee briefly discussed when emergency powers can be used.

This item will be considered under New Business on the August 21 City Council Agenda.

Acceptance of the July 10, 2019 Community Development Committee Minutes

Minutes of the July 10, 2019 Community Development Committee were provided to the committee. There being no objections or corrections, the minutes were accepted as presented.

A Resolution Setting a Public Hearing for the Purpose of Determining the Structure at 5399 Martway Street to be a Dangerous Structure and to Cause Said Structure to be Either Repaired or Demolished

Ms. Smith reported that that this item is one step in the process for considering whether this structure should be repaired or demolished. The structure at 5539 Martway is the Mission Bowl, which experienced a fire on April 3, 2015 resulting in extensive damage. The owners had planned to rebuild, but there was an issue with the restoration company and a failure to secure the property. This resulted in a claim and protracted litigation regarding the property. The owners no longer intend to restore the building and we have received many complaints about its condition. The property is in bankruptcy and Pete Heaven, Mission's land use attorney, entered a motion with the US Bankruptcy Court requesting permission to allow the City to proceed with the process of declaring the building dangerous and having it either repaired or demolished. The motion was granted in June. Mission's building inspector and Consolidated Fire District No. 2 inspected the building and prepared a written report on the status of the building. This report is presented to Council per state statute requirements. The proposed resolution will call a public hearing on this issue and allow the owners and other interested parties to speak to whether the building should or should not be condemned or ordered repaired or demolished. She also noted that the inspection report was sent to the owner, but no response has been received. If approved, this resolution would be published once a week for two consecutive weeks, which would allow for a public hearing to be held at the October 16th Council Meeting. Following the public hearing, Council will adopt "findings of fact" and direct staff to prepare a resolution stating whether the building should be repaired or demolished, and the time frame. That resolution would be considered in November. If demolition is approved, the property owner can do this at their expense or if the City demolishes the building the cost would be certified and assessed back against the property. The earliest demolition would occur would most likely be after the first of the year.

Councilmember Flora asked who would have the first position for a lien on the property if we must pay for the demolition and assess the cost to the property. Ms. Smith stated she believes

the City of Mission will, but she will confirm. Councilmember Schlossmacher asked if any objections to the demolition have been raised with the City and Ms. Smith stated that the restoration company has, but it was denied by the Court. Councilmember Kring requested additional information on the status of property taxes on the property and Ms. Smith stated that they are current.

Councilmember Davis recommended that the resolution providing notice and fixing a time and place to appear and show cause why the structure at 5399 Martway Street should not be condemned and ordered repaired or demolished as an unsafe structure in accordance with K.S.A. 12-1750 et seq should be forwarded to Council for approval. All on the committee agreed, but this will not be a consent agenda item.

**Agreement with State of Kansas Department of Transportation -
Transportation Alternatives Project**

Ms. Randel stated that through the Safe Routes to Schools application, Mission will receive funding for bike lanes and sharrows on Lamar between Foxridge and Shawnee Mission Parkway. This project is planned for the summer of 2020. This agreement enables funding for the project through the Federal Surface Transportation (STP) funds for Transportation Alternatives. The agreement is for a not to exceed amount of \$68,000 which is 80% of the total estimated cost of \$85,000. Design for the project is currently underway and when completed will be forwarded to the State.

The committee discussed the estimates for the bike lanes and whether there could be a change in this since the project is still a year away. Ms. Randel noted that the bike lanes have always been included in the scope of the project and something else could be scaled back if necessary. Mr. Morton stated the cost estimates were completed this year and should be good through next summer.

Councilmember Davis recommended approval of the Agreement between the City of Mission and the Kansas Department of Transportation for the Transportation Alternatives Project of constructing an off-street school route on Lamar Avenue be forwarded to Council for approval. All on the committee agreed. This will be a consent agenda item.

**Resolution Authorizing Release of Escrow Funds for Property Purchased by the City of
Mission at 5703 - 5715 Johnson Drive**

Ms. Smith stated in 2006, Mission purchased property at 5703-5715 Johnson Drive in order to remove it from the Rock Creek floodplain. At some point in time, there was a dry cleaner at this location and the property owner was required to place \$7,500 of the sale proceeds into escrow for any remediation of contamination that would be required. The City did not discover any contamination and the funds were never used. Recently, the title company holding the escrow funds contacted the City regarding disbursement. Jon Gilchrist, Payne & Jones, worked on this

issue initially and, after review, agrees the escrow funds should be released. This resolution provides Council's approval to release the escrow funds and authorizes the City Administrator to sign the Mutual Release of Escrow Funds.

Councilmember Davis recommended the resolution releasing escrow funds in the amount of \$7,500, plus any earned interest, to the sellers of the property purchased by the City of Mission at 5703-5715 Johnson Drive be forwarded to Council for approval. All on the committee agreed. This will be a consent agenda item.

Update on Hodges Planters

Ms. Smith introduced several members of the Hodges Planters Working Group in the audience: Ron Monson and Sara Newell, residents, and Dave Mennenga, GBA. A report on the work of the group was provided in the packet, which captures the historical discussion of the planters back to the 1970's. Ms. Smith provided highlights from the report, including:

- 61st Terrace, 62nd Street, and 62nd Terrace were originally dead-end streets in the 1950s.
- Residents requested guardrails be installed at these locations in the 1970s due to concerns with a proposed apartment development nearby. Apartments were not built and the area is single-family homes.
- In the 1990's the guardrails were removed and planters put in their place
- In 2018, a Police pursuit resulted in damage to one of the planters on 61st Terrace.
- The City has had ongoing concerns with the planters, particularly emergency responses to residents in the area, snow plowing, and the planters not conforming to highway safety standard requirements for barricades (reflectivity and breakaway/crash requirements).
- Conversations surrounding the planters began in the summer of 2018 and the neighborhood expressed their overwhelming opposition to their removal (form letters, phone calls, emails, and personal letters).
- A public meeting was held in November 2018, with approximately 45 residents attending. Comments at the meeting included the belief that dead-end streets increase property values; concern for increased traffic; dead-end streets allow for children to play/cycle/walk to school more safely; dead-end streets help to build a sense of community; planters increase safety as a deterrent to crime.
- City has worked to keep residents informed and involved as options and alternatives were considered.
- GBA has worked with the City on this issue, including street design standards and traffic control measures.
- A working group for this issue was established and met in March and May 2019. The group consensus was to keep a hard barrier in place to serve as a deterrent to crime and increase property values.

- Various design alternatives were provided to the working group and a final design based on the groups preferences was presented at the May meeting, including:
 - Island configuration at the intersection to accommodate stormwater issues.
 - Locked gate with public safety vehicles having a key to use when exiting the area only. This would eliminate them backing down the street.
 - Gate designed to meet highway safety crash/breakaway requirements and reflectivity. Pavers beneath the gate to support the weight of public safety vehicles, but also allow grass to grow between them.
 - The cost is approximately \$12,000-\$15,000 per intersection

Councilmember Kring asked if electric gates could be considered and Ms. Smith stated staff will look into the cost of this. Mayor Appletoft asked why snow plows would be excluded from using the key to exit the street. Ms. Smith stated they could be opened up, and Mr. Morton expressed his concerns with plows damaging the pavers. Councilmember Inman asked if the pavers would support the weight of a trash truck, and Mr. Smith stated that they would. Ms. Smith also stated that there are concerns with the more keys being issued to various departments, resulting in a greater possibility of the gates being left unlocked.

Ms. Smith provided information on additional options to consider for barriers at these intersections, including:

- Remove the remaining planters and install the design alternative selected by the working group at all three intersections.
- Install this design alternative at the 61st Terrace intersection where one planter is already damaged to evaluate the effectiveness without committing to this design for all intersections.
- Replace the planter at 61st Terrace and install reflective signage on all the planters. The City could then consider installing alternative design solutions when the streets are scheduled for reconstruction (mill and overlay or full depth). There are concerns about our liability in leaving the streets blocked as they are, particularly after discussing options. Ms. Smith stated that according to the City Attorney, the City does not specifically increase its risk/liability if the existing planters were to remain.
- Remove all the planters and open the streets to two way traffic. She stated that this is not supported by the residents in the area.

Councilmember Flora requested information on the cost of the gates alone. Ms. Smith stated approximately \$6,000-\$10,000 range depending on the locking mechanism. She also noted that signage would be added to the east end of the street as “No Outlet.” Councilmember Davis stated the conversation with the neighborhood began with the premise that we wanted their input and he feels we should honor this and their recommendations for improvements. He stated the option of just improving one intersection at this time allows us to see how it works, but we don’t know exactly when the streets in the area are due for reconstruction. Councilmember Flora stated she agrees and thanked the residents for their work on this issue. She feels

replacing only one at this time still leaves concerns with the other planters and suggested possibly removing all the planters and installing gates only at the intersections. Councilmember Kring supports the work of the group and would like electric gates with an access code considered depending on costs. Discussion continued on electric gates and whether they would be used to both enter and exit the street by public safety vehicles (exit only) and the need to supply power to the area. Councilmember Thomas stated she supports improving one intersection at this time and seeing how the pavers and grass hold up over time. The grass may turn brown and not be what the neighbors want. Ms. Smith stated the grass will be mowed as part of the City's mowing contract. The committee also discussed whether ground cover would work better than grass and whether solar gates are an option. Councilmember Rothrock expressed her support for improving one intersection at this time and adding reflectivity to the remaining planters.

Ms. Smith questioned whether installing the selected option of an island with pavers and a gate at one intersection and gates only at the other two intersections would be acceptable to the neighborhood. Mr. Monson stated he can not answer for the neighborhood, but feels if you improve the one intersection you can leave the remaining planters. Ms. Newell stated she prefers the planters over installing a gate only. Ms. Smith stated she will summarize this discussion and present these options to the neighborhood for additional feedback. Councilmember Davis again stated that he supports improving one intersection at this time and others as additional street reconstruction is scheduled. Councilmember Thomas referred to the option for the short white fencing/pickets included in the packet, which she likes and asked what the neighborhood thought of this option. Ms. Smith stated it was not selected by the group as it is not a hard barrier and can be driven over. The neighbors do not feel it would be a deterrent to crime. Discussion continued on this issue starting when a planter was damaged due to a police chase in the area resulting in one of the planters being damaged, and how often this actually occurs. Councilmember Schlossmacher feels this is an aesthetics issue and does not feel people would drive through the white picket barriers. Councilmember Schlossmacher also suggested that if a more expensive solution is desired by the neighborhood, discussion of a special assessment should be considered. Councilmember Davis noted that the City placed the barriers originally. Councilmember Schlossmacher stated he supports improvements to one intersection at this time and Councilmember Flora stated she would like to have gates only at this time, which would allow for greater flexibility in the future. Councilmember Inman stated she does not want this process to start over after the work that has been done to date, and asked staff to get additional input from the neighbors following this discussion.

Ms. Smith will provide to the working group/neighborhood information on the two solutions considered tonight to get their input. This issue, along with costs, will then come back to Council for a final decision.

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

Department Updates

Ms. Smith provided an update on the Community Center's annual maintenance that will occur August 19th to September 2nd, and will require the Center to be closed at that time. Improvements and maintenance to be completed include a full resurfacing of the hardwood floors, new flooring in Conference Rooms A and B (removal of carpet so more flexibility in room usage), replacement of fire sprinkler heads, painting, and replacement of the pool pak. Councilmember Rothrock asked if the outdoor pool will be open for Community Center patrons during the closure and Ms. Smith stated that it will be open mornings for lap swimming and classes.

Meeting Close

There being no further business to come before the Committee, the meeting of the Community Development Committee adjourned at 8:15 p.m.

Respectfully submitted,

Martha Sumrall
City Clerk