

**REVISED**  
**City of Mission**  
**Regular Meeting Agenda**  
**Wednesday, January 16, 2019**  
**7:00 p.m.**  
**Mission City Hall**

*If you require any accommodations (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify the Administrative Office at 913-676-8350 no later than 24 hours prior to the beginning of the meeting.*

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**1. PUBLIC HEARING**

- Roeland Court Townhomes Community Improvement District

**2. SPECIAL PRESENTATIONS**

- Consolidated Fire District No. 2 Update, Chief Tony Lopez
- Police Department Special Presentations
- Suzie Gibbs - Year End Report - Holiday Adoption Program

**3. ISSUANCE OF NOTES AND BONDS**

**4. CONSENT AGENDA**

*NOTE: Information on consent agenda items has been provided to the Governing Body. These items are determined to be routine enough to be acted on in a single motion; however, this does not preclude discussion. **If a councilmember or member of the public requests, an item may be removed from the consent agenda for further consideration and separate motion.***

**CONSENT AGENDA - GENERAL**

- 4a. [Minutes of the December 19, 2018 City Council Meeting](#)

**CONSENT AGENDA - Finance & Administration Committee**

[Finance & Administration Committee Meeting Packet 1-9-19](#)  
Finance & Administration Committee Meeting Minutes 1-9-19

- 4b. Resolution for the Destruction of Certain Records  
4c. Replacement of Computer Switches

**CONSENT AGENDA - Community Development Committee**

[Community Development Committee Meeting Packet 1-9-19](#)  
Community Development Committee Meeting Minutes 1-9-19

- 4d. Interlocal Agreement City of Overland Park - Chip Seal, Lamar South of Shawnee Mission Parkway
- 4e. Operation Green Light Interlocal Agreement

**5. PUBLIC COMMENTS**

**6. ACTION ITEMS**

**Planning Commission** ([Minutes page 4](#))

- 6a. Lot Split, 5529 Maple Street ([page 11](#))

**Miscellaneous**

**7. COMMITTEE REPORTS**

**Finance & Administration, Nick Schlossmacher**

[Finance & Administration Committee Meeting Packet 1-9-19](#)

Finance & Administration Committee Meeting Minutes 1-9-19

- 7a. Ordinance Establishing Roeland Court Townhomes Community Improvement District ([page 18](#))
- 7b. 2019 Legislative Program ([page 28](#))

**Community Development, Kristin Inman**

[Community Development Committee Meeting Packet 1-9-19](#)

Community Development Committee Meeting Minutes 1-9-19

- 7c. CARS Interlocal, Broadmoor (Johnson Drive to Martway) ([page 70](#))
- 7d. Stormwater Repairs - 50th & Dearborn Street ([page 79](#))

**8. UNFINISHED BUSINESS**

**9. NEW BUSINESS**

- 9a. **Storm Debris Clean-up**

**10. COMMENTS FROM THE CITY COUNCIL**

**11. MAYOR'S REPORT**

**Appointments**

**CIP Committee**

- Lea Loudon, Ward II
- Bill Nichols, Ward IV

### **Parks, Recreation & Tree Commission**

- Anne O'Leary, Ward I
- Lekha Sreedhar, Ward I
- Mellissa Currie, Ward II
- Mary Funk, Ward IV
- Mark Raduziner, Ward IV

### **Sustainability Commission**

- Hannah McFarland, Ward I
- Josh Thede, Ward II
- Andy Hyland, Ward II (previously Ward III)
- Manny Trillo, Ward III

### **City Officials**

- Keith Drill, Municipal Court Judge
- Jeffrey Austin, Municipal Court Judge Pro-tem
- David Bell, Municipal Court Judge Pro-tem
- Peter Simonsen, Municipal Court Judge Pro-tem

### **Bond Counsel, Financial Advisor, and Land Use Attorney**

- Gilmore & Bell, Bond Counsel (contract expires January 15, 2020)
- Ehlers, Inc., Financial Advisor (contract expires January 15, 2020)
- Pete Heaven, Spencer Fane, Land Use Attorney (contract expires January 15, 2020)

## **12. CITY ADMINISTRATOR'S REPORT**

## **13. EXECUTIVE SESSION**

## **ADJOURNMENT**

# **MINUTES OF THE PLANNING COMMISSION MEETING**

**December 17, 2018**

The regular meeting of the Mission Planning Commission was called to order by Chairman Mike Lee at 7:00 PM Monday, December 17, 2018. Members also present: Pete Christiansen, Robin Dukelow, Burton Taylor, Brad Davidson, Charlie Troppito and Frank Bruce. Also in attendance: Brian Scott, Assistant City Administrator, and Martha Sumrall, City Clerk.

## **Approval of Minutes from the October 22, 2018 Meeting**

**Comm. Dukelow moved and Comm. Bruce seconded** a motion to approve the minutes of the October 22, 2018, Planning Commission meeting.

The vote was taken (7-0). The **motion carried**.

## **Public Hearing - Case # 18-12 Lot Split 5529 Maple Street**

Chair Lee: This will be a public hearing. We'll start with staff.

Mr. Scott: Thank you, Mr. Chair. As stated, this is a lot split, Lot 58 of Missionhill Acres, more commonly known as 5529 Maple Street here in Mission. The applicant is Clayton House, LLC. Mr. Clayton is a home builder in the area. He's built quite a few homes in northeast Johnson County over the years. He purchased the lot. His intention and desire is to split the lot, demolish the house, and build two new houses, one on each lot. If this sounds kind of familiar, it is familiar because we had a lot split about six months ago, literally right across the street at the corner of 55th Street and Maple. It's kind of the same story, different chapter. Our zoning regulations require a minimum lot width of not less than 70 feet and average depth of 110 feet. However, there is an exception to this. The lot may be split to a minimum width of 60 feet and depth of 110 feet if it complements the overall character of the adjacent neighborhood. In considering applications for a lot split to a width of less than 70 feet, the lot width of any newly-created lot may not be less than seventy-five percent (75%) of the average front lot width of lots within the subject property's block. So, we did an analysis of this. The block is defined by 55th Street to the north and Maple Street to the west, 56th Street to the south and Nall Avenue to the east. Homes along Nall are actually in the city of Roeland Park and not the city of Mission. Just about every one of the lots is 60 feet wide, with the exception of the lot that we're looking at, at 5529 Maple, which is 125 feet. If we were to split this in half, it would be 62.5 feet wide for each lot, which is above the minimum threshold of 47 feet, which would meet the average of 75 percent. There are no plans currently for the two homes, but, of course, they would have to comply with the zoning regulations for R-1 in terms of setbacks, rear yard, back yard, and all that.

That's the staff report. I believe there is a gentleman here in the audience that wanted to speak at this public hearing. So, if you want to take comments, or if you have any questions.

Chair Lee: Is the applicant here this evening?

**MINUTES OF THE PLANNING COMMISSION MEETING**  
**December 17, 2018**

*Steve Clayton, Applicant, appeared before the Planning Commission and made the following comments:*

Mr. Clayton: Yes, I am.

Chair Lee: Is there anything you'd like to say?

Mr. Clayton: Really, I think he nipped it in the bud right there. Told what it is. I think I can improve the area, putting in two very nice, new homes. Not something I haven't done. I've built four or five here in Mission already. I'm accustomed to knowing what it is you are looking for. I'm not looking to put in mansions, which some cities are balking over. I don't like building them. So, that's about all I can say on this. I'd like the opportunity to split the lot and build two homes. Any questions of me? [None] Thank you.

Chair Lee: Thank you. Any questions for staff? [None] Okay, at this time we will open the public hearing.

*Dane Miller, 56th and Maple, appeared before the Planning Commission and made the following comments:*

Mr. Miller: I live at the corner of 56th and Maple. I actually live adjacent to the property you guys were talking about earlier that got torn down and rebuilt. I have nothing but good things to say about how that went. I got a flyer in the mail and I wanted to come and say I think you guys should allow the split because it can do nothing but improve the value of homes in the neighborhood. The home is an eyesore. It will never get re-sold again. It will just sit there until somebody decides they want to try and do this again. This is a perfect opportunity to spruce up the neighborhood. So, as a citizen and resident of the community living down the street, I would love to see that house get demolished and have something, whether it's two houses or one house, be built there. Go for it.

Chair Lee: Thank you. Anyone else like to speak? [None] Seeing no one, we will close the public hearing. Discussion?

Comm. Troppito: I used to live in that neighborhood. My first home was in that neighborhood, very close to this property. It's something I'm familiar with for quite a while. I think this would do nothing but improve the neighborhood. It would turn a liability into an asset for the City.

Chair Lee: Other comments or discussion? [None] I would entertain a motion.

Comm. Dukelow: I will make a motion. That the Planning Commission recommend approval of Case No. 18-12, Lot Split, 58 Missionhill Acres at 5529 Maple Street.

Comm. Christiansen: Second.

The vote was taken (7-0). The **motion carried**.

**Case # 18-13 Permit of Non-Conforming Improvements - 6767 Johnson Drive**

Mr. Scott: This is the McDonald's located on Johnson Drive. We're all familiar with that property. It was originally built in the late 1980's. A typical look of a McDonald's for that time period is sort of a brick with a mansard roof, a very corporate look. Around 2001, the

## MINUTES OF THE PLANNING COMMISSION MEETING

December 17, 2018

owners reskinned the building to get a more 1950's diner look, which I think was a look that the restaurant corporation was going with a lot of restaurants across the nation. It has an off-white EIFS with a red tile, wainscoting base, with a jutting roof with two yellow arches on either end of the jutting roof.

Stantec Architecture, the applicant, an architectural firm in Chicago representing McDonald's, submitted an application late this summer for essentially a refresh of the building to yet another kind of corporate look. You can see in the elevations that were provided they're wanting to give it a modern look, which is in keeping with a lot of the restaurants that McDonald's is now designing and refurbishing. It would have earth tone colors, repaint the EIFS to more earth tone colors, kind of a taupe, if you will. They would replace the red tile, wainscoting, with black tile. Place the McDonald's in the middle there, on the side of the building. The arches would remain, as well as the jutting roof. It would also place a metal trim on the fascia to accent the roofline a little bit. They are also proposing some minor site improvements, in particular providing better ADA parking on the west side of the lot, with an actual access to the sidewalk on Barkley. And then, enhanced landscaping on site and the drive-through. We did request that they provide some landscaping along Barkley to hide the parking, if you will. That is one of the requirements of our zoning code.

What makes this awkward is that, when I look at these things, I start with a base plan, a base zoning, if you will. It is zoned CP-1 and the restaurant as it currently stands is a permitted use within the CP-1. But it also falls within the Form Based Code district, which is pretty much everything on Johnson Drive from Lamar to Metcalf. What do you do with the Form Based Code? I began looking at that and discussing this with Pete Heaven, our land use attorney. He pointed me to a particular section of the zoning code that pertains to non-conforming site improvements, Section 420.190 of our zoning code, which pertains to: When an addition to or repairs or renovation of any structure or site improvement proposed on a lot with any non-conforming site improvements, the Board of Zoning appeals, in the case of conventional zoning, or the Planning Commission, in the case of a planned zoning district - which is what this is - may approve a non-conforming situation permit, allowing such addition, repair or renovation if it defines under its three findings of fact.

So, we did a staff analysis of the street findings of fact. Number 1: The non-conforming site improvements is the only non-conforming situation pertaining to the property. The structure itself is the primary non-conforming situation on the property. The Form Based Code stipulates a mid-rise structure with a minimum height of two stories and a setback of no more than 10 feet. The current structure is only one story and sits further back on the property. The proposed improvements to the structure are cosmetic in nature and will not add to or increase the non-conformity of the structure.

Number 2: Compliance with the site improvement requirements applicable to the zoning district in which the property is located is not reasonably possible. The Form Based Code stipulates a mid-rise structure with a minimum height of two stories and a setback of no more than ten feet. The current structure is only one story and sits further back from the

## MINUTES OF THE PLANNING COMMISSION MEETING

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property than 10 feet. To comply with the Form Based Code would mean that the structure needs to be substantially renovated or demolished and rebuilt all together, which would not be reasonable.

Finding Number 3: The property can be developed as proposed without any significant adverse impact on surrounding properties or the public health or safety. The property has existed as is for over 25 years without an adverse impact to surrounding properties. The proposed improvements are cosmetic in nature and will not substantially change the structure, and thus will not have any impact on the surrounding properties. In fact, as presented, the improvements will provide a fresh look to the structure that is more in keeping with other recent developments and facade improvements along the Johnson Drive corridor. Elements of the proposed design including landscaping to comply with the Form Based Code where feasible.

So, staff's recommendation would be to approve a permit of non-conforming improvements for the site. We're certainly open for questions. There is a gentleman here with the civil engineering firm representing McDonald's, so if you have questions about site improvements or the project, he's certainly available to answer those questions.

Chair Lee: Thank you. Questions for staff?

Comm. Troppito: I was wondering if you could comment on something. In looking at the proposal here, it's pretty obvious that this is going to add property value to the city. Certainly improve the assessed value of the property. Did you come up with any numbers of what the benefit to the City would be?

Mr. Scott: I did not. That's a good point. I didn't really think about it from that perspective.

Comm. Troppito: I don't see how it could not. The site in question is, nothing is mentioned about tax abatements, so I would presume that there is no plans on the part of the owners to receive that, that would offset any tax benefit. Is that...? Did you say no?

Mr. Scott: Yes, correct. There is no application for tax abatement associated with this.

Comm. Troppito: Thank you.

Chair Lee: Questions for the applicant?

Mr. Scott: The value of the building as it currently sits is \$418,160. The value of the land is actually \$500,000. So, Commissioner Troppito is correct. It's safe to assume that any improvements would be an enhanced value on the building at the time of reappraisal. I would add why I wanted to bring this to you tonight. I have talked with other owners of property along Johnson Drive, like Burger King. They are wanting to do a similar refacing of their building. There are also two vacant restaurants immediately to the east that are wanting to do something with those two buildings, as well, similar to this. So, we want to be consistent with what we do along Johnson Drive as all those properties are under the Form Based Code.

Chair Lee: Discussion?

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Comm. Dukelow: I have a question with regard to Mr. Scott's last comment regarding multiple properties and looking at consistency. The thing that stands out to me is that two of the aforementioned properties have been non-operational for some time. One certainly longer than the other. So, when I start to think about consistency, I guess I wonder, what is our...? If it has not been occupied and not been operational for a period of time, are they really the same? And what's the trigger in terms of time or...? Is there a threshold?

Mr. Scott: That's a good question. I wondered about that myself. I would say typically six months or longer. Both of those properties closed this summer, so we're coming up on that six month mark. The city clerk and I were discussing beforehand, the old Taco Bell, that was vacant for quite a while before it was renovated into the Starbucks that's there now.

Comm. Dukelow: If I may interject. Not to be rude, but that was under the Form Based Code also at the time that Starbucks...

Mr. Scott: Correct.

Comm. Davidson: What about the Applebee's was it...?

Mr. Scott: It's Form Based Code as well, yeah.

Comm. Dukelow: They were built before the Form Based Code.

(inaudible)

Mr. Scott: Yeah. I was thinking about that, as well. They made application about a year ago for, again, some cosmetic improvements. I don't think as extensive as what McDonald's is wanting to do. Essentially replacing awnings, etc. Again, kind of a stylized, modern metal screen on the face of the building to provide some texture to the front of the building, if you will. I don't think those improvements would have been greater than 10 percent of the value of the building. We're probably okay to do an administrative review on that. But certainly, with the Burger King and the other two properties, any improvement would be greater than 10 percent.

Comm. Dukelow: So, do we have any idea, or is there anything that you can think of off the top of your head...? And getting maybe blindsided by this at the last minute as a question, but is there anything that you know of offhand in the zoning ordinances or Form Based Code that would require those properties that have been vacant to follow the Form Based Code, whereas a property that's a continued use maybe not?

Mr. Scott: I can't think of anything specifically off the top of my head that I can point to, other than that standard six-month rule. A good example of that would be the old JC Penney call center. We've had a lot of folks come to us, wanting to know what they can do with that property. We tell them that it falls under the Form Based Code, and as it exists today, there's nothing you can really do with the building. Any kind of improvement would have to comply with the Form Based Code.

The other challenge - and I need to do a little more investigation with the two properties to the east - is that they are actually a part of the larger shopping center. So, there is



## MINUTES OF THE PLANNING COMMISSION MEETING

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some different treatment of that under the Form Based Code given the size of the entire property as a whole. So, to say that those would have to comply literally with the Form Based Code, they would have to be two-story and built up next to the sidewalk. The Form Based Code does allow for some leniency in larger properties. We saw that with the Cornerstone property to the west. The applicant was able to make some adjustments to the size of the buildings based on that.

Chair Lee: Would you have the same thing with the Burger King? Isn't that part of a larger...?

Mr. Scott: No, the Burger King is a standalone parcel of property. Separate ownership.

Chair Lee: Additional comments? [None] Okay, I would entertain a motion.

Comm. Troppito: I move that the Planning Commission adopt the findings of fact contained in the staff report, page 5 - I won't read them individually - and grant a non-conforming use situation in Case No. 18-13, 6767 Johnson Drive.

Comm. Dukelow: Second

The vote was taken (7-0). The **motion carried**.

### Old Business

Chair Lee: Anything to discuss, Brian?

Comm. Troppito: Mr. Chairman. I think something that should be part of what we do is the memo with the attached, that was attached to the email regarding Pete Heaven's opinion concerning technical studies.

Mr. Scott: Yes. Sidebar conversations with Commissioner Troppito led to a question regarding whether the Planning Commission as a whole or, or a member, can request - even staff, for that matter - can request additional reports or studies of an applicant.

Comm. Troppito: Well, it was broader than that. The Planning Commission or City Council can require an applicant to meet certain standards. (inaudible). I would request that those be placed into the record and made part of the minutes (Attached). Just be sure that there's no confusion about it in the future.

Mr. Scott: Yeah, we can do that.

Comm. Troppito: Thank you. Sorry to interrupt you.

Mr. Scott: No, that's... I placed the memo in my file, as well. Anyway, that memo simply states that the Planning Commission can, if they like, request additional studies, and certain standards provide for those studies. That's the only item of old business.

### Staff Updates

Mr. Scott said there will be no meeting in January. Also, there are five Planning Commission reappointments up for approval on Wednesday's City Council agenda. Also, there is a plan for Pete Heaven to provide general training and information to the Planning Commission sometime this winter.

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Commissioner Troppito provided a general update regarding historic markers. He is asking fellow commissioners to assist in identifying locations that should be labeled as a historic marker. Part of this effort is to formulate a specific definition of what constitutes a historic marker. Mr. Scott said there is no formal list of historical markers.

**ADJOURNMENT**

With no other agenda items, **Comm. Dukelow moved and Comm. Bruce seconded a motion to adjourn.** (Vote was unanimous). The **motion carried.** The meeting adjourned at 7:40 P.M.

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Mike Lee, Chair

**ATTEST:**

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Martha Sumrall, City Clerk

<b>City of Mission</b>	Item Number:	6a.
<b>ACTION ITEM SUMMARY</b>	Date:	January 3, 2019
<b>COMMUNITY DEVELOPMENT</b>	From:	Brian Scott

**RE:** Lot Split Lot 58 Missionhill Acres, 5529 Maple Street

**DETAILS:** In accordance with the presented survey, the applicant proposes to split the subject property, Lot 58 of Missionhill Acres, into two lots. The dimensions of both of the proposed lots would be 62.5 feet wide by 140 feet deep. The applicant is the current owner the subject property. If the lot split is approved, the applicant will demolish the existing single-family home (built in the 1920's) on the lot and build a new home on each lot for sale.

The proposed lot split met all applicable code requirements. No non-conformities would be created.

One resident came to the public hearing held by the Planning Commission at their regular meeting on December 17, 2018. He spoke in favor of the proposed lot split, stating that the construction of two new homes in the neighborhood would be a good investment.

A similar lot split across the street was approved this past summer.

**Planning Commission Recommendation**

The Planning Commission, at their December 17, 2018 meeting, voted 9-0 to adopt the findings of fact contained in the staff report and recommend approval of the proposed lot split Case #18-12 to the City Council.

**CFAA CONSIDERATIONS/IMPACTS:** NA

Related Statute/City Ordinance:	Including but not limited to 455.090, 410.010, 405.020, 415.010
Line Item Code/Description:	NA
Available Budget:	NA

**STAFF REPORT**  
**Planning Commission Meeting December 17, 2018**

**AGENDA ITEM NO.:** 1.

**PROJECT # / TITLE:** Case # 18-12

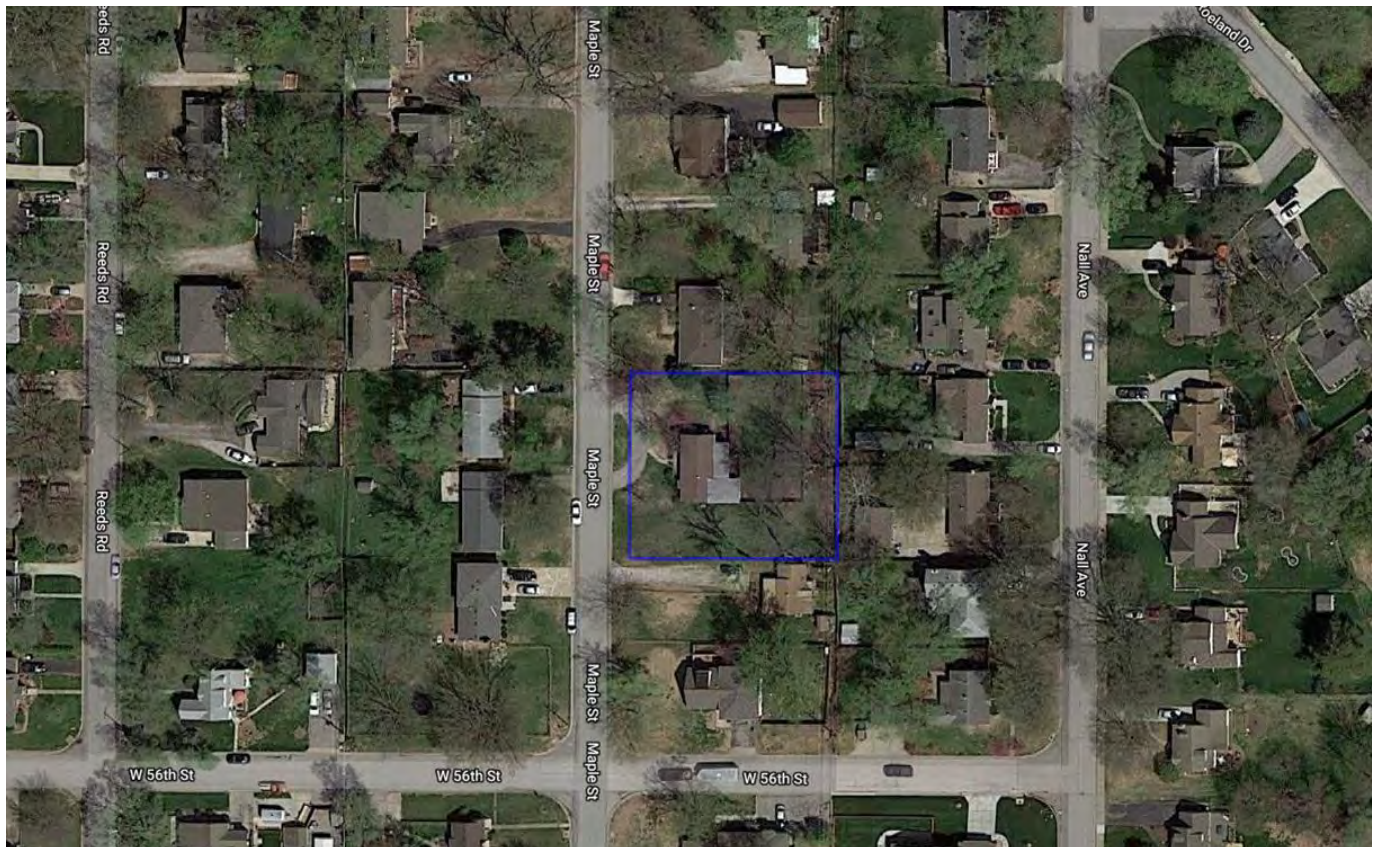
**REQUEST:** Lot Split-Lot 58 Missionhill Acres

**LOCATION:** 5529 Maple St.  
Mission, Kansas 66202

**PROPERTY OWNER/APPLICANT:** Clayton House, LLC  
5529 Maple St  
Mission, KS 66202

**PUBLIC HEARING:** December 17, 2018 (Published November 27, 2018 The Legal Record)

**STAFF CONTACT:** Brian Scott, Assistant City Administrator



**Property Information:**

**Zoning of the Subject Property**

The subject property is currently zoned "R-1" Single-family residential.

Surrounding properties are zoned and developed as follows:  
North/East/South/West-“R-1” Single-family residential, detached dwellings.

Comprehensive Plan Future Land Use Recommendation for this area:  
The Comprehensive Plan indicates this area is appropriate for low-density residential neighborhoods with a variety of housing types and schools, religious institutions, parks, and other civic uses.

**Background:**

The structure on this property is a one-story single-family home built in 1920. This house has been vacant for some time. The applicant is the current owner. If the lot split is approved, the applicant intends to demolish the existing home and build a new home on each lot to be sold .

**Analysis:**

Lots

In the presented survey the applicant proposes to split the subject property, Lot 58 of Missionhill Acres, into 2 lots. The dimensions of both of the proposed lots are 62.5 feet wide by 140 feet deep.

City Code Section 410.010 (I) states any single-family dwelling constructed, reconstructed or altered shall require a lot having a width of not less than seventy (70) feet and an average depth of one hundred ten (110) feet, with the following exception:

Any lot may be split to a minimum width of sixty (60) feet and depth of one hundred ten (110) feet if it complements the overall character of the adjacent neighborhood. In considering applications for a lot split to a width of less than seventy (70) feet, the lot width of any newly created lot may not be less than seventy-five percent (75%) of the average front lot width of lots within the subject property's block.

Section 405.020 defines a block as a, “piece or parcel of land entirely surrounded by public highways or streets other than alleys.”

The subject block is bounded by Maple Street, 56th Street, Nall Avenue and 55th Street.

The dimensions of the surrounding lots on the subject block are as follows:

Address	Front Lot Width (Ft)	Address	Front Lot Width (Ft)
5501 Maple St	60.0	5500 Nall Ave.	60.0
5505 Maple St	60.0	5502 Nall Ave.	60.0
5509 Maple St.	60.0	5504 Nall Ave.	60.0

5511 Maple St	60.0	5508 Nall Ave.	60.0
5519 Maple St	60.0	5510 Nall Ave.	60.0
5521 Maple St	60.0	5522 Nall Ave.	60.0
5529 Maple St	125.0	5528 Nall Ave.	60.0
		5532 Nall Ave.	60.0
5539 Maple St	60.0	5538 Nall Ave.	60.0
5543 Maple St	60.0	5542 Nall Ave.	60.0



The average lot width (mean) on the subject block is 63.25'.

Seventy-five percent (75%) of average lot width would be 47.44'.

The proposed lot width is 62.5' and the depth is 140'.

All lots in this block are 140' deep.

In addition, a similar lot split at 5538 Maple St. (across the street) was approved this spring by the Planning Commission and the City Council.

Lots are defined as, "parcel of land occupied or to be occupied by one (1) main building or unit group of buildings and the accessory buildings or uses customarily incident thereto, including such open spaces as are required under these regulations." A "lot", as used in this Title, may consist of one (1) or more platted lots or tract or tracts as conveyed or parts thereof.

Lots on the subject block are highlighted in blue.

**Section 445.360 - Floor area**

All new single-family dwellings must have a minimum ground floor area of

864 square feet. A building permit is required prior to construction. This standard and all other zoning requirements will be reviewed at that time.

**Suggested Findings of Fact - 455.090 Regulation Governing Lot Splits.**

All lot splits must have Planning Commission and City Council approval. New lots so created must conform to current zoning width and depth requirements. Applications for lot splits must be accompanied by a survey showing the new lots to be created along with a legal description of each new lot.

The proposed lot split is greater than 75% of the average lot width of the surround block as required by the current zoning standards. A survey and legal descriptions have been provided. No non-conformities are created by the lot split.

**Staff Recommendation**

Staff recommends the Planning Commission adopt the findings of fact contained in this staff report and recommend approval of the proposed lot split, Case # 18-12 to the City Council.

**Planning Commission Recommendation**

The Planning Commission held a public hearing at its regular meeting on Monday, December 17, 2018 to consider this application. Upon taking comments from the public and discussing the application, the Planning Commission voted 9-0 to recommend approval of Case #18-12 - a Lot Split for Lot 58 Missionhill Acres - to the City Council.

**City Council Action**

City Council will meet on Wednesday, January 16, 2019 to consider the recommendation of the Planning Commission regarding this application.

# CERTIFICATE OF SURVEY

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DATE: 7/30/18

ORDERED BY: Client

FOR: Brian Reed  
5529 Maple  
Mission, Kansas



7133 West 80th Street, Suite 210  
Overland Park, KS 66204  
Phone: (913) 381-4488  
FAX: (913) 381-3048

JOB NO. 2937.13

RECOMMENDED  
DESCRIPTION:

## TRACT I

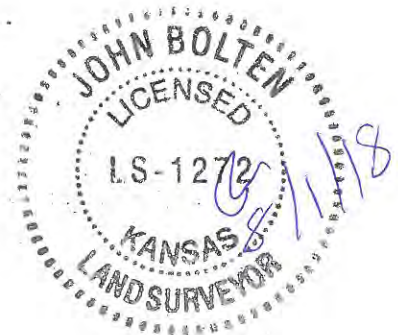
All that part of Lot 58, MISSION HILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.

Beginning at the Northwest corner of said Lot 58: thence North  $89^{\circ}34'10''$  East 140 feet (plat) 140.13 measured along the North line of said Lot 58 to the Northeast corner of said Lot 58: Thence South along the East line of said Lot 58, 62.5 feet to a point: thence South  $89^{\circ}34'10''$  West 140 feet (plat) 140.13 measured to a point in the West line of said Lot 58: Thence North (assumed) 62.5 feet to the point of beginning.

## TRACT II

All that part of Lot 58, MISSION HILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas, except that part described as follows:

Beginning at the Northwest corner of said Lot 58: thence North  $89^{\circ}34'10''$  East 140 feet (plat) 140.13 measured along the North line of said Lot 58 to the Northeast corner of said Lot 58: Thence South along the East line of said Lot 58, 62.5 feet to a point: thence South  $89^{\circ}34'10''$  West 140 feet (plat) 140.13 measured to a point in the West line of said Lot 58: Thence North (assumed) 62.5 feet to the point of beginning.





# CERTIFICATE OF SURVEY

Page 1 of 2

DATE: 7/18/18

ORDERED BY: Client

FOR: ~~Brian Reed~~  
5529 Maple  
Mission, Kansas

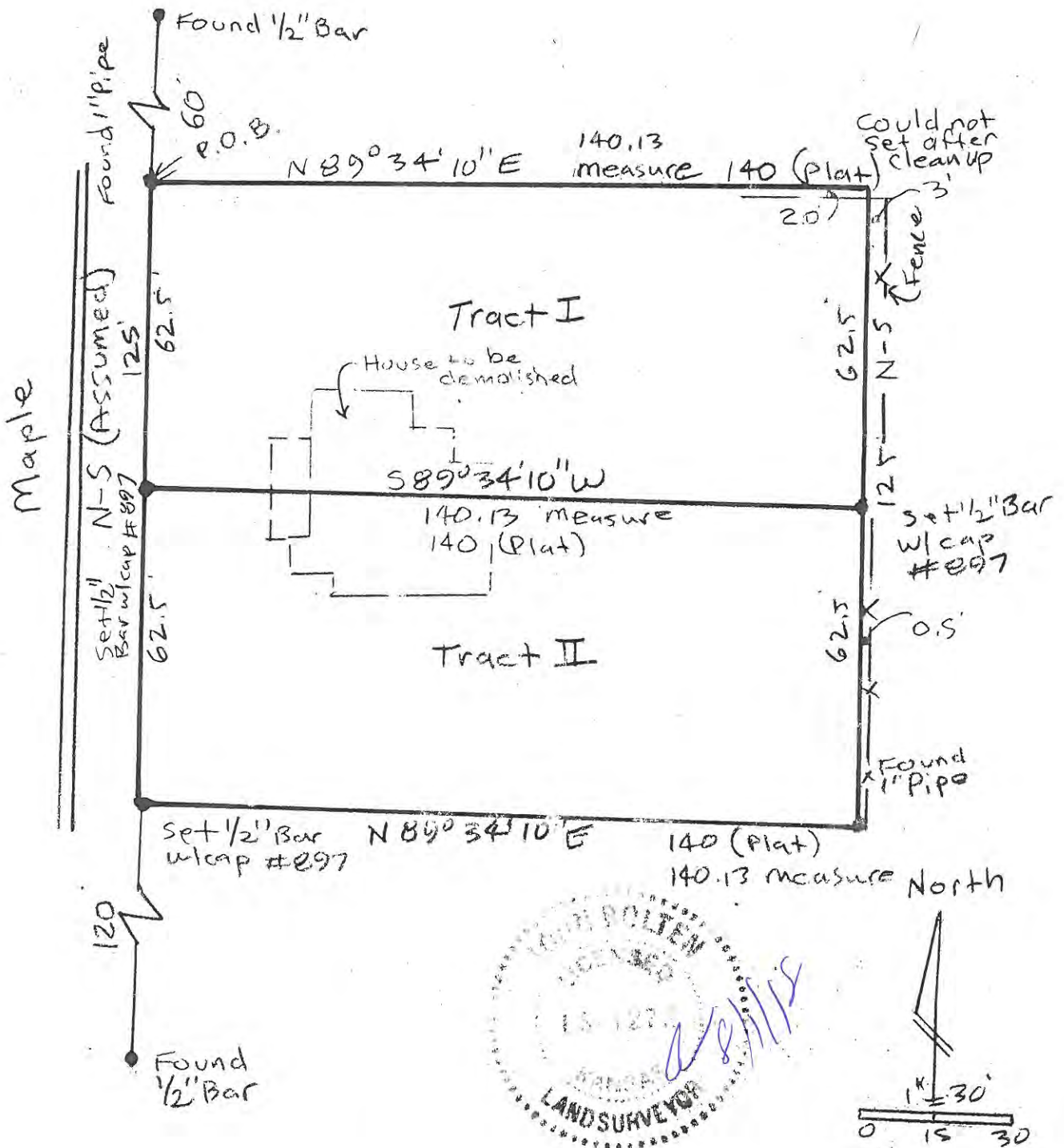


7133 West 80th Street, Suite 210  
Overland Park, KS 66204  
Phone: (913) 381-4488  
FAX: (913) 381-3048

RECORD

JOB NO. 2937.13

DESCRIPTION: Lot 58, MISSION HILL ACRES, a subdivision in the City of Mission, Johnson County, Kansas.



<b>City of Mission</b>	Item Number:	7a.
<b>ACTION ITEM SUMMARY</b>	Date:	January 3, 2019
<b>ADMINISTRATION</b>	From:	Laura Smith

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

**RE:** Ordinance authorizing creation of the Roeland Court Townhomes Community Improvement District.

**RECOMMENDATION:** Approve the Ordinance creating the Roeland Court Townhomes Community Improvement District, authorizing the making of certain project improvements, approving estimated costs of such project improvements, and providing for the method of financing the same, including imposition of special assessments.

**DETAILS:** On August 21-22, 2017, a subsidence of the parking lot/parking area of the Roeland Court Homes Association (RCHA) occurred. Since that time, City staff have been working with the residents, consultants and engineers to address the situation. After more than a year of investigation, conversation and a desire to effectively solve the problem, a cooperative solution is ready for Council consideration.

The City and the RCHA acknowledged that there would likely continue to be fundamental differences in the findings regarding the cause(s) of the subsidence and decided that exploring a cooperative solution was the most desirable route. Staff, the RCHA and GBA worked to develop a solution that would create a Community Improvement District (CID). A CID would allow a special assessment component to be activated to allow property owners a longer period of time over which to repay repair costs. Before a CID could be considered by the City Council, the RCHA would have to guarantee that property owners representing at least 55% of the land area within the proposed district and 55% of the assessed valuation within the proposed district would sign the CID petition.

On December 6, a valid CID petition was submitted. The first step in the creation of the CID was for the Council to consider a Resolution calling a public hearing on the Community Improvement District. At the December 19, 2018 meeting, the City Council passed Resolution 1015 which set the date and time of the public hearing for January 16, 2019 at 7:00 p.m. Following the adoption of Resolution 1015, notice was provided in accordance with state statutes.

The Public Hearing will be conducted at the City Council meeting on January 16, 2019.

Related Statute/City Ordinance:	K.S.A. 12-6a26 <i>et. seq.</i>
Line Item Code/Description:	NA
Available Budget:	NA

<b>City of Mission</b>	Item Number:	7a.
<b>ACTION ITEM SUMMARY</b>	Date:	January 3, 2019
<b>ADMINISTRATION</b>	From:	Laura Smith

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

If, at the conclusion of the public hearing, the Council is ready to proceed with creation of the District, an ordinance would need to be adopted. In anticipation of this process, a draft ordinance which would establish the Roeland Court Townhomes Community Improvement District has been prepared and will be reviewed at the Committee meeting. At the Council's discretion, action on the creation of the district (adoption of the ordinance) may be deferred to a future meeting should there be additional questions or concerns that need to be addressed.

The draft ordinance was prepared by the City's Bond Counsel, Gilmore & Bell.

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

Related Statute/City Ordinance:	K.S.A. 12-6a26 <i>et. seq.</i>
Line Item Code/Description:	NA
Available Budget:	NA

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE CREATION OF THE ROELAND COURT TOWNHOMES COMMUNITY IMPROVEMENT DISTRICT IN THE CITY OF MISSION, KANSAS; AUTHORIZING THE MAKING OF CERTAIN PROJECT IMPROVEMENTS RELATING THERETO; APPROVING THE ESTIMATED COSTS OF SUCH PROJECT IMPROVEMENTS; AND PROVIDING FOR THE METHOD OF FINANCING THE SAME, INCLUDING IMPOSITION OF SPECIAL ASSESSMENTS.**

**WHEREAS**, K.S.A. 12-6a26 *et. seq.* (the “Act”) authorizes the governing body of any city or county to create community improvement districts to finance projects within such defined area of a city or county and to levy a community improvement district sales tax and/or levy special assessments upon property within the district to finance projects; and

**WHEREAS**, a petition (the “Petition”) was filed with the City Clerk on December 6, 2018, proposing the creation of the Roeland Court Townhomes Community Improvement District (the “District”) under the Act and the imposition of special assessments in order to pay a portion of the costs of projects as described in the Petition; and

**WHEREAS**, the Petition was signed by the required number of owners of record, whether resident or not, as required by the Act and no signatures have been withdrawn from the petition before the governing body began consideration of the Petition; and

**WHEREAS**, the governing body of the City of Mission, Kansas (the “City”) intends to create the District and to impose special assessments within the District as requested in the Petition (the “Special Assessments”); and

**WHEREAS**, the Act provides that prior to creating any community improvement district and imposing a community improvement district sales tax, the governing body shall, by resolution, direct and order a public hearing on the advisability of creating such community improvement district and the construction of such community improvement district projects therein, and to give notice of the hearing by publication at least once each week for two (2) consecutive weeks in the official City newspaper and by certified mail to all property owners within the proposed community improvement district, the second publication to be at least seven (7) days prior to the hearing and such certified mail sent at least ten (10) days prior to such hearing; and

**WHEREAS**, the governing body adopted Resolution No. 1015 on December 19, 2018, directing that a public hearing on the proposed District and imposition of the Special Assessments be held on January 16, 2019, and requiring that the City Clerk provide for notice of such public hearing as set forth in the Act; and

**WHEREAS**, the notice of public hearing containing all information required by the Act was mailed by certified mail to all property owners within the proposed District on December 27, 2018, and published once each week for two (2) consecutive weeks in *The Legal Record*, the official City newspaper, on January 1, 2019 and January 8, 2019; and

**WHEREAS**, on January 16, 2019, the governing body conducted a public hearing on the proposed District, the proposed District projects and maximum costs thereof, and the method of financing the same; and

**WHEREAS**, the governing body hereby finds and determines it to be advisable to create the Roeland Court Townhomes Community Improvement District and set forth the boundaries thereof, authorize community improvement district projects relating thereto, approve the estimated costs of such community improvement district projects and approve the method of financing the same, all in accordance with the provisions of the Act.

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

**SECTION 1. Creation of Community Improvement District; Boundaries.** The governing body hereby finds and determines that the Petition is sufficient, that proper notice of the public hearing was given in accordance with the Act and that it is advisable to create the District within the City to be referred to as the “Roeland Court Townhomes Community Improvement District”. A map generally outlining the boundaries of the proposed District set forth on Exhibit A, attached hereto and incorporated by reference herein. A legal description of the boundaries of the District is set forth on Exhibit B attached hereto and incorporated by reference herein.

**SECTION 2. Authorization of Community Improvement District Project and Estimated Costs.** The governing body of the City hereby authorizes the Project and approves the estimated cost thereof as described below:

(a) General Nature of the Project. The Roeland Court Townhomes are generally located northwest of the intersection of West 60<sup>th</sup> Terrace and Roeland Drive in Mission, Kansas. Roeland Court is a collection of twenty (20) townhomes with garages and parking in the back of the units.

The project is to restore the parking and common areas shared by the Roeland Court Homes Association and its various members and to make improvements to the adjacent creek channel (the “Project”). The general description of the Project, estimated schedule and the estimated costs of the Project are set forth on Exhibit C attached hereto and incorporated by reference herein.

(b) Estimated Cost. The total estimated cost of the Project to be funded by the District is \$963,885. The City’s portion of such costs is \$620,132, and the District’s portion of such costs is \$343,753 (the “CID Portion”).

**SECTION 3. Method of Financing; Special Assessments.**

The costs of the proposed Project will be financed by through the issuance of full faith and credit bonds, Special Assessments, and/or other available funds of the City. The city will pay all financing costs for the Project. The total aggregate amount of the Special Assessments will not exceed \$17,188 per lot located within the District, excluding the common area. The method of assessment for the Special Assessments will be equally per lot located within the District, excluding the common area. The maximum amount to be paid by Special Assessments for the Project will be limited to the CID Portion.

No community improvement district sales tax will be levied for the Project.

**SECTION 4. Segregation of Special Assessment Revenue.** All revenues derived from the collection of the Special Assessments shall be deposited into a special fund of the City to be designated as the

Roeland Court Townhomes Community Improvement District Revenue Fund. Such revenues shall be used to pay the costs of the Project, including debt service on any bonds or notes issued by the City to pay the costs of the Project.

**SECTION 5. Effective Date.** This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City and publication once in the official City newspaper.

**SECTION 6. Recording.** The City Clerk shall file a certified copy of this Ordinance with the Register of Deeds of Johnson County, Kansas.

[Balance of page intentionally left blank]

**PASSED** by the governing body of the City and **SIGNED** by the Mayor this 16th day of January, 2019.

**CITY OF MISSION, KANSAS**

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

[SEAL]

ATTEST:

\_\_\_\_\_  
Martha Sumrall, City Clerk

# EXHIBIT A

## MAP OF PROPOSED ROELAND COURT TOWNHOMES COMMUNITY IMPROVEMENT DISTRICT

The following property located in the City of Mission, Johnson County, Kansas:





**EXHIBIT B**

**LEGAL DESCRIPTION OF PROPOSED ROELAND COURT TOWNHOMES  
COMMUNITY IMPROVEMENT DISTRICT**

Lots 1 through 5, inclusive, Block 1; Lots 1 through 5, inclusive, Block 2; Lots 1 through 5, inclusive, Block 3; and Lots 1 through 5, inclusive, Block 4, ROELAND COURT, a subdivision in the City of Mission, Johnson County, Kansas.

And

The "Common Ground" as shown on the Plat of ROELAND COURT, a subdivision in the City of Mission, Johnson County, Kansas, which Plat was recorded on the 25<sup>th</sup> day of November, 1986 in the Office of the Register of Deeds of Johnson County, Kansas in Plat Book 64, at Page 26.

**EXHIBIT C**

**DESCRIPTION OF PROJECT AND ESTIMATED COSTS**

Item Description	Quantity	Unit	Unit Cost	Project Cost	City of Mission %	City of Mission Cost	HOA Percentage	HOA Cost
Mobilization	1	LS	\$50,000	\$50,000	60%	\$30,000	40%	\$20,000
Construction Staking	1	LS	\$2,500	\$2,500	50%	\$1,250	50%	\$1,250
Traffic Control	1	LS	\$2,500	\$2,500	50%	\$1,250	50%	\$1,250
Gravel Construction Entrance	2	Ea	\$1,583	\$3,166	50%	\$1,583	50%	\$1,583
Remove & Store Concrete Barrier	10	Ea	\$490	\$4,900	0%	\$0	100%	\$4,900
4' Temporary Fencing	350	LF	\$4	\$1,400	0%	\$0	100%	\$1,400
Vegetation Clearing and Grubbing	16000	SF	\$2	\$32,000	50%	\$16,000	50%	\$16,000
Remove & Dispose 8" Asphalt	3000	SF	\$4	\$12,000	0%	\$0	100%	\$12,000
Remove & Dispose Flumes, Curbs and Sidewalk	441	SF	\$1	\$441	0%	\$0	100%	\$441
Excavation and Haul Off Unsuitable Soil	1863	CY	\$55	\$102,478	50%	\$51,239	50%	\$51,239
4" Underdrain	500	LF	\$10	\$5,000	50%	\$2,500	50%	\$2,500
Granular Backfill	1157	CY	\$52	\$60,176	100%	\$60,176	0%	\$0
Biaxial Geogrid	1667	SY	\$5	\$8,333	100%	\$8,333	0%	\$0
Big Block Retaining Wall	3030	SFF	\$75	\$227,250	100%	\$227,250	0%	\$0
Heavy Riprap	98	CY	\$115	\$11,308	100%	\$11,308	0%	\$0
Compaction of Imported Fills	694	CY	\$60	\$41,667	40%	\$16,667	60%	\$25,000
Concrete Flume	174	SF	\$12	\$2,088	0%	\$0	100%	\$2,088
Concrete Curb and Gutter	356	LF	\$24	\$8,544	0%	\$0	100%	\$8,544
12" AB-3 Pavement Subgrade	861	SY	\$24	\$20,661	0%	\$0	100%	\$20,661
6" Asphalt Base	789	SY	\$24	\$18,933	0%	\$0	100%	\$18,933
2" Asphalt Surface	867	SY	\$11	\$9,533	0%	\$0	100%	\$9,533
5' Concrete Sidewalk	225	SF	\$6	\$1,350	50%	\$675	50%	\$675
Reset Landscaping Blocks	60	SFF	\$45	\$2,700	0%	\$0	100%	\$2,700
6' Wood Fence	310	LF	\$25	\$7,750	0%	\$0	100%	\$7,750
12" Imported Topsoil	363	CY	\$50	\$18,148	60%	\$10,889	40%	\$7,259
Mulching / Seeding	9500	SF	\$2	\$19,000	60%	\$11,400	40%	\$7,600
8" Straw Waddles	250	LF	\$11	\$2,750	60%	\$1,650	40%	\$1,100
2" Caliper Landscaping Tree	20	Ea	\$400	\$8,000	0%	\$0	100%	\$8,000
<b>Construction Subtotal</b>				<b>\$684,577</b>	<b>66%</b>	<b>\$452,170</b>	<b>34%</b>	<b>\$232,407</b>

Survey, Engineering and Permitting Services	15%		\$102,687	\$102,687	60%	\$61,612	40%	\$41,075
Geotechnical Services (5%)	5%		\$34,229	\$34,229	50%	\$17,114	50%	\$17,114
Construction Observation Services (8%)	8%		\$54,766	\$54,766	60%	\$32,860	40%	\$21,906
<b>Consultant Services Subtotal</b>				<b>\$191,682</b>	<b>58%</b>	<b>\$111,586</b>	<b>42%</b>	<b>\$80,096</b>
Contingency	10%			\$87,626	64%	\$56,376	36%	\$31,250
<b>TOTAL ESTIMATED COST</b>				<b>\$963,885</b>	<b>64%</b>	<b>\$620,132</b>	<b>36%</b>	<b>\$343,753</b>

<b>City of Mission</b>	Item Number:	7b.
<b>ACTION ITEM SUMMARY</b>	Date:	January 3, 2019
<b>Administration</b>	From:	Laura Smith

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

**RE:** City of Mission 2019 Legislative Program

**RECOMMENDATION:** Adopt the 2019 Legislative Program for the City of Mission.

**DETAILS:** Each year the City of Mission adopts policies and priorities for the upcoming State legislative session. Additional issues or concerns may be addressed throughout the session as bills are introduced, but this document is helpful in communicating the City's general position to our legislators. Once approved, a copy of the Program will be provided to all of our legislators.

As in the past, the 2019 Program includes some issues of municipal interest as identified in the 2019 *Statement of Municipal Policy* prepared by the League of Kansas Municipalities. In general, there was support to continue with the City's 2018 Program as the foundation for 2019. Several additional policy issues were identified by various Councilmembers for potential inclusion in the 2019 program. Those policy issues have been identified in a separate memorandum included in the packet.

At the January 9, 2019 Finance & Administration Committee meeting, staff will look for Council direction and guidance on the legislative positions and priorities to be included in the final 2019 Legislative Program for the City of Mission.

**UPDATE:** At the Committee meeting the Council reviewed and discussed the additional policies and priorities submitted and revised the 2019 Legislative Program to include twelve additional positions. The document has been updated for final review and consideration at the City Council meeting.

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

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



# **2019 Legislative Program**

6090 Woodson  
Mission, Kansas 66202  
Phone: (913) 676-8350  
Fax: (913) 722-1415  
[www.missionks.org](http://www.missionks.org)

January 2019



January 16, 2019

Dear Reader:

The Governing Body of the City of Mission annually adopts a state legislative platform to present Mission’s legislative initiatives and policy positions.

The cornerstone of the legislative program is the belief that the governing of public affairs should be as close to the people as possible. Supporting activities that promote and encourage the exercise of authority and responsibility by locally elected officials is a top priority of the City of Mission. This belief is exemplified in local home rule authority, an amendment to the Kansas Constitution that was approved by the citizens of the state over half a century ago.

Generally, the City of Mission supports the Statement of Municipal Policy of the League of Kansas Municipalities and the legislative agenda of Johnson County, Kansas. The City Council works cooperatively each year with the League and other cities to enhance the mutual benefits of Kansas cities.

If you have any questions concerning the 2019 Legislative Program, please, do not hesitate to contact me or other members of the City Council.

Sincerely,

Ron Appletoft  
Mayor

## **Governing Body**

### **Mayor**

Ron Appletoft

### **Ward I**

Pat Quinn  
Hillary Parker Thomas

### **Ward II**

Nick Schlossmacher  
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Kristin Inman  
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Sollie Flora  
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## 2019 Legislative Program

*State and municipal governments work together to provide citizens with many services they require and have come to expect. As the local branch of government, the City of Mission understands our citizens' needs and is equipped to respond to them effectively and efficiently. While we respect the State government's role, we continue to advocate for the protection of home rule authority to ensure citizens' needs are met. We support the preservation of local authority, maintenance of local control of local revenue and spending, and oppose the devolution of State duties to local units of government without planning, time and resources. The City of Mission advocates on the following issues in the interests of our elected representatives and on behalf of those who live and work in our community.*

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### **Finance and Taxation**

#### **Alternative Property Valuation (Dark Store Theory)**

The City supports proven techniques to define commercial properties at their highest and best use. We oppose any legislation based on hypothetical lease valuations or the dark store theory, which suggests that occupied big-box stores should be valued as-if-vacant and available for sale or rent to a future hypothetical user rather than in the current use, which is often a functioning, occupied store. The Kansas Board of Tax Appeals should be required to consider all three methods of valuation - cost minus depreciation, sales comparison, and income - when determining a property's true value.

#### **Internet Sales Tax Collections**

The inability of governments to collect local option sales or compensating use tax on remote sales continues to erode a viable and fair revenue source. Mission encourages the Kansas Legislature to pass legislation establishing a program to help the State collect state and local sales and compensating use taxes due from in-state purchasers. Remitted taxes should be distributed using existing methods/formulas for the state and local governments. Mission further supports the adoption of the safe harbor provisions based on the U.S. Supreme Court decision in *South Dakota v. Wayfair, Inc et al.*, 138 S. Ct. 2080 (2018) in order to bring tax fairness to Kansas brick-and-mortar businesses.

#### **Repeal the Property Tax Lid and Maintain Local Control Revenue and Spending**

The City of Mission opposes actions by the state to impose constitutional or statutory limits on the authority of local governments to establish appropriate levels of taxation. The City supports the repeal of the property tax lid. Arbitrary caps on taxing or spending limits the City's ability to meet the needs of its own citizens. Absent repeal, the state-imposed tax lid on local governments should be modified to remove the election process and replace it with a protest petition. The City also supports additional exemptions which would make the law more workable.

## **Tax Policy**

The City supports stable revenues, and urges the Legislature not to further restrict the tax base, including limitations on ad valorem appraised valuation growth or industry specific, special tax treatment through exemptions or property classification. We do not support changes in State taxation policy that would narrow the tax base, significantly reduce available funding for key programs, or put Kansas counties and cities at a competitive sales tax disadvantage with Missouri. We do not support a sales tax on professional services.

### **Retain the Local Government Sales Tax Exemption**

Mission supports the current law that exempts local government and public construction projects from sales tax. Imposing sales tax on current government purchases and projects will have only one effect: increased local taxation. Only the State government benefits from this sales tax and our citizens would pay the bill through higher property taxes.

### **Support Maintenance of State Funding**

The issue of maintaining local government revenues is a prime concern for Mission. State transfers to local government have significantly been reduced or eliminated over the last ten to fifteen years. Mission urges for the preservation of local government revenues which pass through the State's treasury. These funds come from a longstanding partnership between local governments and the State and are generated via economic activity at the local level. Both alcoholic liquor tax funds and the local portion of motor fuel tax should not be withheld from local governments and siphoned into the State General Fund.

## **Government Policies and Procedures**

### **Preserve Local Authority in the Use of Economic Development Tools**

Mission supports local jurisdiction's authority both in determining how and when to use existing economic development tools and in creating new incentive programs to meet community goals. These goals are identified and supported through land-use planning, infrastructure allocation, and financial incentive tools that local communities and stakeholders develop through ongoing communication and prioritization. Each economic development or redevelopment project is unique, and may not be possible without the availability of these tools or the authority to use them. Tools such as Tax Increment Financing (TIF), the Neighborhood Revitalization Act, the Downtown Redevelopment Act, the Transportation Development District Act and the Community Improvement District Act should be maintained with maximum flexibility and allow for efficient use by communities.

### **Open Records and Open Meetings**

We believe that an open government is essential to building public confidence, and that all levels of government should be subject to the same open meeting and open records requirements. State laws governing open records should balance the public's right of access with the necessity of protecting the privacy of individual citizens, the costs of producing requested records, and the ability of public agencies to conduct their essential business functions. Mission supports the current requirements of the Kansas Open Meetings Act and the permitted subject matters for executive sessions. We also support the retention of the current exceptions in the Kansas Open Records Act and the existing allowances for cost recovery for open record requests.



## **Preserve the Ability to Advocate and Educate**

The City supports local officials and their representatives' ability to freely participate in the legislative process to advocate and educate on issues affecting local governments. We should not be restricted on the use of public funds to accomplish this purpose. Local officials, representing their citizens and taxpayers, must retain the authority to make decisions regarding membership in organizations and to participate in the legislative process without cumbersome reporting requirements.

## **Maintain Non-Partisan Local Elections**

The City supports local elections remaining separate from state and national elections. Additionally, we are opposed to any legislation that would require local elections to be conducted with partisan identification.

## **Restore Local Control of Right-of-Way**

2016 Legislation granting the automatic placement of cell towers in city and county owned right of way, should be repealed. Regulation of the placement of cell towers should be subject to reasonable local zoning processes which review important community values such as safety and neighborhood concerns.

## **Restore Local Gun Control**

The City of Mission supports the local regulation of firearms and weapons. We believe that local government should have the ability to regulate and enforce the possession and use of weapons within city-owned facilities, including City Hall, public parks, the outdoor pool, community center and City vehicles.

## **Education**

### **K-12 Education Financing**

Mission is supportive of the Kansas Legislature adequately and equitably funding primary and secondary education to a level that places Kansas among the leading states in support of a "world class" education. We support Johnson County schools in their efforts to craft a new school finance formula that supports local components and treats local property tax contributions fairly for local property taxpayers and schools. We oppose any amendment to the Kansas Constitution that would remove the State's obligation to adequately and equitably fund Kansas' public schools.

## **Human Resources**

### **Support Full Funding of the Kansas Public Employees Retirement System**

The City supports achieving a fully-funded public employees' retirement system within a reasonable period of time. The State should fully fund its portion of the employer contributions at the Actuarial Required Contribution (ARC) levels and at the required times. The system should accumulate sufficient assets during members' working lifetimes to pay all promised benefits when members retire. We support current provisions as they relate to accumulated leave and other human resources policies to determine retiree benefits for both KPERs and KP&F employees. Changes to the KPERs system should not impact a city's ability to hire and retain qualified public employees, particularly in competitive employment markets.

## **Infrastructure and Energy**

### **Alternative Energy Sources**

As a traditional agricultural leader and a state with tremendous natural resources, Kansas is positioned to be a forerunner in renewable energy production. The City supports the use of alternative and renewable energy sources and encourages the Kansas Legislature to provide incentives for such energy sources that protect air quality and reduce dependence on oil. More specifically, the City supports policies which allow and encourage homeowners and businesses to utilize and invest in alternative energy rather than imposing fees or additional barriers which result in discouraging investment that can save residents and businesses money.

### **Energy Efficiency**

The City supports public and private incentives to encourage energy efficiency by local governments and citizens.

### **Statewide Energy Policy**

We support the development of a coordinated and comprehensive energy policy, including the use of renewables, developed with strong input from cities. We encourage the state to adopt legislation providing the mechanism and staff support for the development of such policy.

### **Comprehensive Transportation Plan**

To ensure the critical well-being of Kansas infrastructure, we urge the Kansas Legislature to follow through on the commitments in the Comprehensive Transportation Plan, also known as T-WORKS. The current funding level is far from adequate to address ongoing statewide infrastructure funding needs in areas of preservation, maintenance, and safety; therefore, it is critical for our state highway funds to be used for the purpose they are collected. Funds should be allocated strategically to ensure there is an identifiable long-term return on investment for the entire state. Additionally, because investment in growth areas is vital to creating a sustainable revenue stream that will address statewide infrastructure needs, we encourage the state to invest in public transportation that specifically demonstrates regional coordination in both rural and urban areas, and to support innovative platforms like ridesharing to increase access to employment and educational opportunities, as well as ease congestion and delay the need for costly road expansion. We oppose any use of these funds to balance the state's General Fund budget.

### **Infrastructure Funding**

The City of Mission supports increased federal and state funding to assist local communities with their water, wastewater, stormwater, levee and dam infrastructure and associated security needs.

## **Human Services**

### **Investment in the Social Safety Net**

The City supports restoring funding to social services programs that provide a safety net for the most vulnerable in our communities, including without limitation those focusing on promoting child welfare and mental health services. Continued support for these programs at the state level is imperative in order to keep our communities safe, productive, and vibrant.

## **Medicaid Expansion**

The City supports the expansion of Medicaid in Kansas. An estimated 150,000 additional people would be covered if the state accepted expansion. Accordingly, we anticipate that statewide expansion of Medicaid will assist uninsured City residents in obtaining needed medical insurance and services.

## **Moderate Income Housing Program**

Mission supports the continued funding of the Moderate Income Housing Program to promote affordable housing options. Accessibility to such housing stock is important to job growth and economic success in communities.

## **Substance Abuse Prevention and Treatment**

We support increased funding for proven state tobacco prevention programs to improve the State's "F" grade by the American Lung Association. We also support criminal justice reform measures targeted toward the treatment of drug use as a health issue, not a criminal one.

## **Other**

### **Amendment of the Kansas Act Against Discrimination**

The City supports expanding the protections of the Kansas Act Against Discrimination, Kan. Stat. Ann. § 44-1001, *et seq.*, to protect against discrimination on the basis of sexual orientation or gender identity throughout Kansas.

### **Increase Minimum Age for Sale and Purchase of Tobacco Products**

The City supports a statewide policy which would increase the minimum age of sale and purchase of tobacco products, e-cigarettes, vapor products and paraphernalia to 21 years.

### **Increase in Tobacco Sales Tax**

With the Kansas cigarette sales tax rate well-below the national average, the City supports a statewide increase in the tobacco sales tax as a deterrent to tobacco use.

### **Legalization of Marijuana**

The City supports legalization of marijuana in Kansas. At a minimum, the State should adopt legalization of medical marijuana. In 2017 in neighboring Colorado, recreational and medical-use sales topped \$1.5 billion and the state collected \$247 million in taxes and fees. The City supports similar legalization and taxation in Kansas that would provide much needed sales tax revenue to the state, as well as local governments.



# **2019 Legislative Program**

6090 Woodson  
Mission, Kansas 66202  
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January 2019



January 16, 2019

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If you have any questions concerning the 2019 Legislative Program, please, do not hesitate to contact me or other members of the City Council.

Sincerely,

Ron Appletoft  
Mayor

**Governing Body**

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## 2019 Legislative Program

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### **Repeal the Property Tax Lid and Maintain Local Control Revenue and Spending**

The City of Mission opposes actions by the state to impose constitutional or statutory limits on the authority of local governments to establish appropriate levels of taxation. The City supports the repeal of the property tax lid, ~~passed by the 2015 Legislature and amended by the 2016 Legislature.~~ Arbitrary caps on taxing or spending limits the City's ability to meet the needs of its own citizens. Absent repeal, the state-imposed tax lid on local governments should be modified to ~~remove the election process and replace it with a protest petition. require a public vote based on a protest petition provision.~~ The City also supports additional exemptions which would make the law more workable, ~~including such things as human resources costs.~~

### **Tax Policy**

The City supports stable revenues, and urges the Legislature not to further restrict the tax base, including limitations on ad valorem appraised valuation growth or industry specific, special tax treatment through exemptions or property classification. We do not support changes in State taxation policy that would narrow the tax base, significantly reduce available funding for key programs, or put Kansas counties and cities at a competitive sales tax disadvantage with Missouri. We do not support a sales tax on professional services.

### **Retain the Local Government Sales Tax Exemption**

Mission supports the current law that exempts local government and public construction projects from sales tax. Imposing sales tax on current government purchases and projects will have only one effect: increased local taxation. Only the State government benefits from this sales tax and our citizens would pay the bill through higher property taxes.

### **Support Maintenance of State Funding**

The issue of maintaining local government revenues is a prime concern for Mission. State transfers to local government have significantly been reduced or eliminated over the last ten to fifteen years. Mission urges ~~for the preservation of local government revenues which pass through the State's treasury. These funds come from a longstanding partnership between local governments and the State and are generated via economic activity at the local level. Both alcoholic liquor tax funds and the local portion of motor fuel tax should not be withheld from local governments and siphoned into the State General Fund. the Legislature to meet its fiscal responsibilities to cities by maintaining state funding to local governments. The City supports a balanced state budget that does not rely on reduction in funding for local government; more~~

~~specifically, the state should honor its partnership with local governments via alcoholic liquor tax funds and motor fuels tax receipts.~~

## **Comprehensive Transportation Plan**

To ensure the critical well-being of Kansas infrastructure, we urge the Kansas Legislature to follow through on the commitments in the Comprehensive Transportation Plan, also known as T-WORKS. The current funding level is far from adequate to address ongoing statewide infrastructure funding needs in areas of preservation, maintenance, and safety; therefore, it is critical for our state highway funds to be used for the purpose they are collected. Funds should be allocated strategically to ensure there is an identifiable long-term return on investment for the entire state. Additionally, because investment in growth areas is vital to creating a sustainable revenue stream that will address statewide infrastructure needs, we encourage the state to invest in public transportation that specifically demonstrates regional coordination in both rural and urban areas, and to support innovative platforms like ridesharing to increase access to employment and educational opportunities, as well as ease congestion and delay the need for costly road expansion. We oppose any use of these funds to balance the state's General Fund budget.

## **Preserve Local Authority in the Use of Economic Development Tools**

Mission supports local jurisdiction's authority both in determining how and when to use existing economic development tools and in creating new incentive programs to meet community goals. These goals are identified and supported through land-use planning, infrastructure allocation, and financial incentive tools that local communities and stakeholders develop through ongoing communication and prioritization. Each economic development or redevelopment project is unique, and may not be possible without the availability of these tools or the authority to use them.

## **K-12 Education Financing**

Mission is supportive of the Kansas Legislature adequately and equitably funding primary and secondary education to a level that places Kansas among the leading states in support of a "world class" education. We support Johnson County schools in their efforts to craft a new school finance formula that supports local components and treats local property tax contributions fairly for local property taxpayers and schools. We oppose any amendment to the Kansas Constitution that would remove the State's obligation to adequately and equitably fund Kansas' public schools.

## **Open Records and Open Meetings**

We believe that an open government is essential to building public confidence, and that all levels of government should be subject to the same open meeting and open records requirements. State laws governing open records should balance the public's right of access with the necessity of protecting the privacy of individual citizens, the costs of producing requested records, and the ability of public agencies to conduct their essential business functions. Mission supports the current requirements of the Kansas Open Meetings Act and the permitted subject matters for executive sessions. We also support the retention of the current exceptions in the Kansas Open Records Act and the existing allowances for cost recovery for open record requests.

## **Preserve the Ability to Advocate and Educate**

The City supports local officials and their representatives' ability to freely participate in the legislative process to advocate and educate on issues affecting local governments. We should not be restricted on the use of public funds to accomplish this purpose. Local officials, representing their citizens and taxpayers, must retain the authority to make decisions regarding membership in organizations and to participate in the legislative process without cumbersome reporting requirements. ~~Any new required reporting system should not increase the administrative burden on local governments.~~

## **Support Full Funding of the Kansas Public Employees Retirement System**

The City supports achieving a fully-funded public employees' retirement system within a reasonable period of time. The State should fully fund its portion of the employer contributions at the Actuarial Required Contribution (ARC) levels and at the required times. The system should accumulate sufficient assets during members' working lifetimes to pay all promised benefits when members retire. We support current provisions as they relate to accumulated leave and other human resources policies to determine retiree benefits for both KPERS and KP&F employees. ~~Changes to the KPERS system should not impact a city's ability to hire and retain qualified public employees. Possible policy changes could have a negative impact on local government employee recruitment and retention, particularly in the competitive Johnson County employment markets.~~

## **Maintain Non-Partisan Local Elections**

The City supports local elections remaining separate from state and national elections. Additionally, we are opposed to any legislation that would require local elections to be conducted with partisan identification.

## **Restore Local Control of Right-of-Way**

2016 Legislation granting the automatic placement of cell towers in city and county owned right of way, should be repealed. Regulation of the placement of cell towers should be subject to reasonable local zoning processes which review important community values such as safety and neighborhood concerns.

## **Restore Local Gun Control**

The City of Mission supports the local regulation of firearms and weapons. We believe that local government should have the ability to regulate and enforce the possession and use of weapons within city-owned facilities, including City Hall, public parks, the outdoor pool, community center and City vehicles.

## **Statewide Energy Policy**

We support the development of a coordinated and comprehensive energy policy, including the use of renewables, developed with strong input from cities. We encourage the state to adopt legislation providing the mechanism and staff support for the development of such policy.

## **Infrastructure Funding**

The City of Mission supports increased federal and state funding to assist local communities with their water, wastewater, stormwater, levee and dam infrastructure and associated security needs.





## MEMORANDUM

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**Date:** January 3, 2019  
**To:** Mayor and City Council  
**From:** Laura Smith, City Administrator  
**RE:** 2019 Legislative Program

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Each January, the City prepares a Legislative Program which outlines priorities and areas of interest or concern to be communicated to our state legislators at the outset of the legislative session.

During the December 12, 2018 Finance & Administration Committee meeting, staff discussed the process and presented the 2019 Statement of Municipal Policy prepared by the League of Kansas Municipalities. In previous years, there had also been a joint City/County legislative program which was reviewed and addressed as part of the City's annual program. A joint platform was not developed for 2019.

In anticipation of finalizing the 2019 Legislative Program, Council was asked to submit any suggested priorities to the City Administrator in advance of the Committee meeting so that they could be incorporated for review and discussion. Based on the general feedback received, the consensus was to retain the items included in the 2018 Program as the foundation for the current year. An updated copy of the 2018 program with some minor changes redlined is included in the packet.

The goal at the Committee meeting will be to review the base program and the additional priorities submitted in order to reach a decision on a recommended 2019 Program. In addition to recommending the issues to be included, if there is additional emphasis or priority desired for certain items, those should be discussed as well.

Included below are the additional priorities that were submitted for consideration. Issues submitted by more than one Council member are noted with an asterisk. (Others follow in alphabetical order).

***Alternative Property Valuation (Dark Store Theory)\****

The City supports proven techniques to define commercial properties at their highest and best use. We oppose any legislation based on hypothetical lease valuations or the dark store theory, which suggests that occupied big-box stores should be valued as-if-vacant and available for sale or rent to a future hypothetical user rather than in the current use, which is often a functioning, occupied store. The Kansas Board of Tax Appeals should be required to consider all three methods of valuation - cost minus depreciation, sales comparison, and income - when determining a property's true value.



## MEMORANDUM

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### ***Amendment of the Kansas Act Against Discrimination\****

The City supports expanding the protections of the Kansas Act Against Discrimination, Kan. Stat. Ann. § 44-1001, *et seq.*, to protect against discrimination on the basis of sexual orientation or gender identity throughout Kansas.

### ***Internet Sales Tax Collections\****

The inability of governments to collect local option sales or compensating use tax on remote sales continues to erode a viable and fair revenue source. Mission encourages the Kansas Legislature to pass legislation establishing a program to help the State collect state and local sales and compensating use taxes due from in-state purchasers. Remitted taxes should be distributed using existing methods/formulas for the state and local governments. Mission further supports the adoption of the safe harbor provisions based on the U.S. Supreme Court decision in *South Dakota v. Wayfair, Inc et al.*, 138 S. Ct. 2080 (2018) in order to bring tax fairness to Kansas brick-and-mortar businesses.

### ***Cybersecurity\****

Organizations of every size constantly face cyber-related incidents. Mission encourages the State to provide collaborative discussions, training programs, and feasibility studies for the impact of cyber-attacks on cities. Cities will use information provided by the state government to determine best practices and policies for municipal implementation.

### ***Energy Efficiency\****

The City supports public and private incentives to encourage energy efficiency by local governments and citizens.

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### ***Alternative Energy Sources***

The City supports the use of alternative and renewable energy sources and encourages the Kansas Legislature to provide incentives for such energy sources that protect air quality and reduce dependence on oil. More specifically, the City supports policies which allow and encourage homeowners and businesses to utilize and invest in alternative energy rather than imposing fees or additional barriers which result in discouraging investment that can save residents and businesses money.

### ***Body Cameras***

The City supports the ability of local governments to determine when and how body cameras will be used by law enforcement officers. We support the establishment of reasonable



## MEMORANDUM

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regulations concerning public access to recordings, balancing the needs of law enforcement and the individuals whose images are captured in the recordings.

### ***Budget Timeline***

The City supports legislation to allow the adoption of City budgets by November 30 but keep the August 25 deadline for certification of the amount of ad valorem tax revenue needed. The current statutory framework for the adoption of municipal budgets makes it difficult for cities to plan for budgets that must be presented to governing bodies five months before the start of the fiscal year.

### ***Cooperation with KDOT***

We support the continued efforts of the Kansas Department of Transportation to work with cities on cooperative programs, including the transportation revolving loan fund and various economic development projects.

### ***Increase Minimum Age for Sale and Purchase of Tobacco Products***

The City supports a statewide policy which would increase the minimum age of sale and purchase of tobacco products, e-cigarettes, vapor products and paraphernalia to 21 years.

### ***Increase in Tobacco Sales Tax***

With the Kansas cigarette sales tax rate well-below the national average, the City supports a statewide increase in the tobacco sales tax as a deterrent to tobacco use.

### ***Installation of Elected Officials***

Mission supports local decision-making in determining the proper time to install newly elected officials.

### ***Investment in the Social Safety Net***

The City supports restoring funding to social services programs that provide a safety net for the most vulnerable in our communities, including without limitation those focusing on promoting child welfare and mental health services. Continued support for these programs at the state level is imperative in order to keep our communities safe, productive, and vibrant.

### ***Land Use and Zoning***

We support the ability of local officials to make land use and zoning decisions within their community, including decisions about the location, placement, size, appearance and siting of transmission and receiving facilities and any other communications facilities.



## MEMORANDUM

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### ***Law Enforcement and Public Safety***

The City believes cooperative efforts, rather than state and federal mandated requirements, are vital to the efficient and effective development of local law enforcement and public safety programs.

### ***Legalization of Marijuana***

The City supports legalization of marijuana in Kansas. At a minimum, the State should adopt legalization of medical marijuana. In 2017 in neighboring Colorado, recreational and medical-use sales topped \$1.5 billion and the state collected \$247 million in taxes and fees. The City supports similar legalization and taxation in Kansas that would provide much needed sales tax revenue to the state, as well as local governments.

### ***Legalization of Medical Marijuana***

The City supports legalization of medical marijuana in 2019. The medical marijuana taxation opportunities, as seen in neighboring states, could create a significant revenue stream for our city. Additionally, this legitimate medicine should not be withheld from Mission or Kansas residents.

### ***Medicaid Expansion***

The City supports the expansion of Medicaid in Kansas. An estimated 150,000 additional people would be covered if the state accepted expansion. Accordingly, we anticipate that statewide expansion of Medicaid will assist uninsured City residents in obtaining needed medical insurance and services.

### ***Moderate Income Housing Program***

Mission supports the continued funding of the Moderate Income Housing Program to promote affordable housing options. Accessibility to such housing stock is important to job growth and economic success in communities.

### ***Protection of the First Amendment***

The right of the people through their democratically elected and appointed officials to petition and speak to their government officials shall not be abridged. Mission supports cities' First Amendment right of freedom of association to work together to accomplish common goals.

### ***Revitalization Tools***

We support the continued use of the Neighborhood Revitalization Act, the Downtown Redevelopment Act, the Transportation Development District Act and the Community Improvement District Act to promote local neighborhood development.



## MEMORANDUM

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### ***Sales Tax Exemptions***

Given the current and future budget challenges facing state and local governments, we oppose the continued erosion of the state and local sales tax base by the passage of new exemptions. The Legislature Should actively review existing exemptions to determine if they should continue or be repealed. Mission supports the continuation of sales tax exemptions for municipal services.

### ***Substance Abuse Prevention and Treatment***

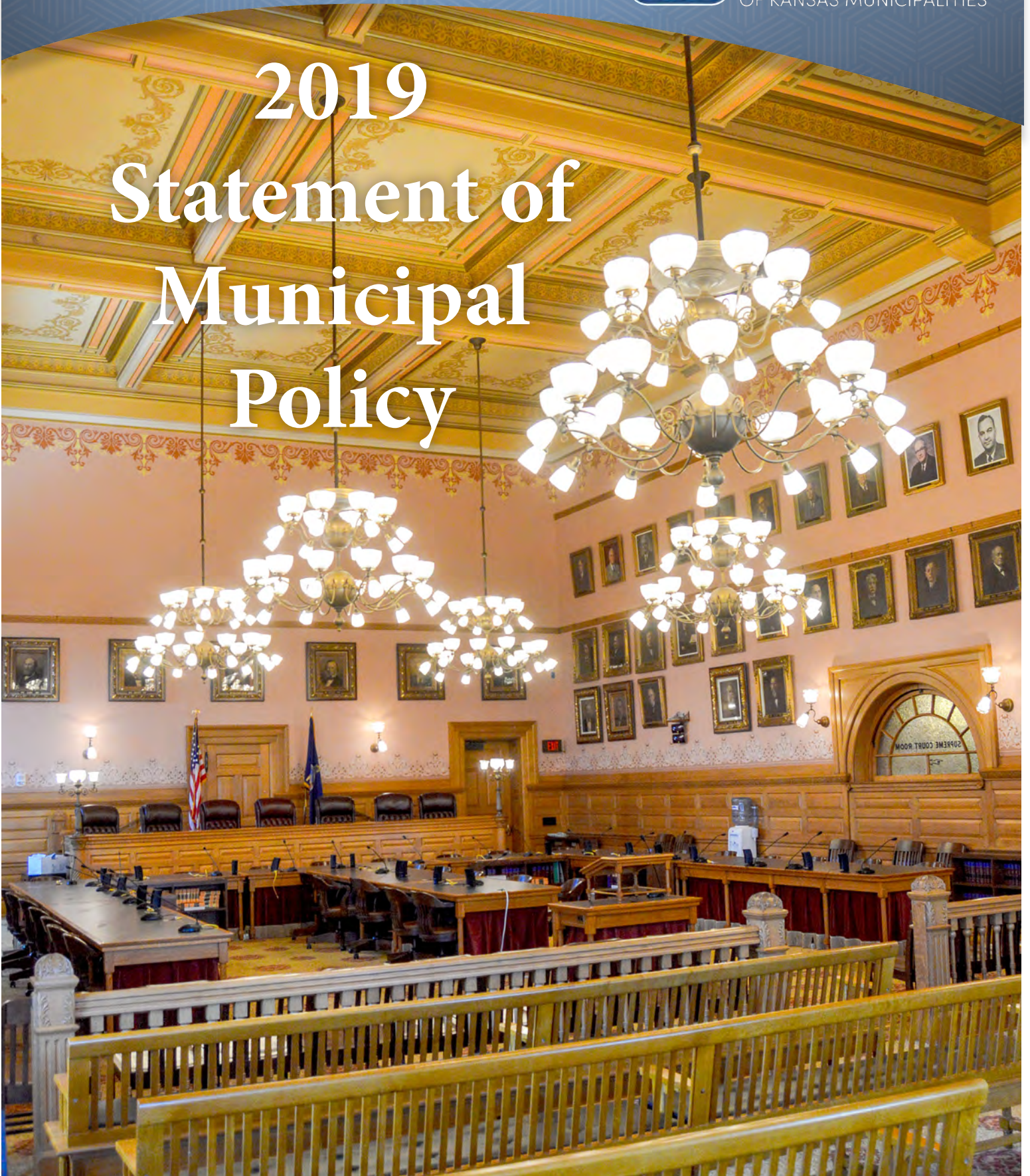
We support increased funding for proven state tobacco prevention programs to improve the State's "F" grade by the American Lung Association. We also support criminal justice reform measures targeted toward the treatment of drug use as a health issue, not a criminal one.

### ***Tax Increment Financing (TIF)***

The City supports the continued use of TIF to promote economic development. TIF laws should allow maximum flexibility and allow for efficient use by communities.

Any priorities or issues agreed to by the Committee at the meeting on January 9 will be advanced as an action item to the January 16 Council agenda.

# 2019 Statement of Municipal Policy



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## MISSION STATEMENT

*The mission of the League shall be to strengthen and advocate for the interests of the cities of Kansas to advance the general welfare and promote the quality of life of the people who live within our cities.*

## 2018-2019 GOVERNING BODY



PRESIDENT  
Daron Hall  
City Manager, Pittsburg



VICE PRESIDENT  
John McTaggart  
Mayor, Edwardsville



IMMEDIATE  
PAST PRESIDENT  
Jeff Longwell  
Mayor, Wichita

### PAST PRESIDENTS

Kim Thomas, Mayor, Stockton  
Mike Boehm, Mayor, Lenexa  
John Deardoff, City Manager, Hutchinson  
Carl Gerlach, Mayor, Overland Park  
Terry Somers, Mayor, Mount Hope

### DIRECTORS

Gary Adrian, Mayor, Colby  
David Alvey, Mayor, Unified Government of Wyandotte County/Kansas City  
Sara Caylor, Commissioner, Ottawa  
Michelle De La Isla, Mayor, Topeka  
Darrell Dupree, Councilmember, Cimarron  
Mark Govea, Mayor, Osawatomie  
Jason Jones, Councilmember, Hesston  
Jerry Lovett-Sperling, City Clerk, Lindsborg  
David McDaniel, Mayor, Ellis  
Scott Moore, City Administrator, Ellsworth  
James Toews, Mayor, Inman  
Joyce Warshaw, Commissioner, Dodge City  
Toni Wheeler, City Attorney, Lawrence  
J. Michael Wilkes, City Manager, Olathe

### EXECUTIVE DIRECTOR

Erik Sartorius



# ABOUT THE LEAGUE

## *Supporting Kansas Cities*

*A Trusted Voice for Kansas Cities Working to Strengthen Our State.*

**T**he League of Kansas Municipalities is a membership association that advocates on behalf of cities, offers training and guidance to city appointed and elected officials, and has a clear purpose of strengthening Kansas communities. Since 1910, the League has been a resource for cities across Kansas and has acted as a body to share ideas, facilitate communication between members and provide information on best practices in city operations.

Our 500 plus member cities consist of both the largest communities and the smallest cities. The League is governed by members through a Governing Body of elected officials and city-appointed staff.





# 2019 ACTION AGENDA

The prosperity of the State of Kansas is absolutely dependent upon the prosperity of our cities. Over 82% of Kansans live in an incorporated city. In an effort to promote healthy and sustainable communities, the elected and appointed city officials of Kansas hereby establish the following as our action agenda for 2019:

**HOME RULE.** Consistent with the Home Rule Amendment of the Kansas Constitution approved by voters in 1960, we support local elected officials making decisions for their communities, particularly local tax and revenue decisions.

**PROTECTION OF THE FIRST AMENDMENT.** The right of the people through their democratically elected and appointed officials to petition and speak to their government officials shall not be abridged. We support cities' First Amendment right of freedom of association to work together to accomplish common goals.

**TAX LID REPEAL.** We support repeal of the property tax lid.

**INTERNET SALES TAX COLLECTIONS.** The inability of governments to collect local option sales or compensating use tax on remote sales continues to erode a viable and fair revenue source. The League supports state legislation establishing a program to help the state collect state and local sales and compensating use taxes due from in-state purchasers. Remitted taxes should be distributed using existing methods for the state and local governments.

**ALTERNATIVE PROPERTY VALUATION.** We support proven techniques to define commercial properties at their highest and best use. The Kansas Board of Tax Appeals should be required to consider all three methods of valuation — cost minus depreciation, sales comparison, and income — when determining a property's true value.

**BUDGET TIMELINE.** We support legislation to allow the adoption of City budgets by November 30 but keep the August 25 deadline for certification of the amount of ad valorem tax revenue needed. The current statutory framework for the adoption of municipal budgets makes it difficult for cities to plan for budgets that must be presented to governing bodies five months before the start of the fiscal year.

**WORKERS' COMPENSATION.** We support reasonable and just benefits for employees injured within the course and scope of their public employment, and effective enforcement of the Workers' Compensation Act.



# FINANCE & TAXATION

**A**n adequate source of revenue is necessary to fund the essential services of city government. Each city is unique in both services provided and the ability to pay for such services; maximum flexibility should be granted to local governing bodies to determine the amount and source of funding for city services.

**TAX/SPENDING LID.** Local spending and taxing decisions are best left to the local officials representing the citizens that elected them. We strongly oppose any state-imposed limits on the taxing and spending authority of cities and support repeal of the property tax lid.

**TAX LID.** We support repeal of the tax lid. If repeal of the tax lid does not occur, the cost of elections and timing of the budget approval process, in coordination with such an election, make the tax lid unfeasible. We support removing the election process under the tax lid and replacing with a protest petition. We support additional exemptions to make the law more workable.

**ALTERNATIVE PROPERTY VALUATION.** We support proven techniques to define commercial properties at their highest and best use. The Kansas Board of Tax Appeals should be required to consider all three methods of valuation--cost minus depreciation, sales comparison, and income--when determining a property's true value.

**INTERNET SALES TAX COLLECTIONS.** The inability of governments to collect local option sales or compensating use tax on remote sales continues to erode a viable and fair revenue source. The League supports state legislation establishing a program to help the state collect state and local sales and compensating use taxes due from in-state purchasers. Remitted taxes should be distributed using existing methods/formulas for the state and local governments. The League further supports the adoption

of the safe harbor provisions as used by South Dakota to ensure constitutional compliance with the recent U.S. Supreme Court decision in *South Dakota v. Wayfair, Inc et al.*, 138 S. Ct. 2080 (2018) in order to bring tax fairness to Kansas brick-and-mortar businesses.

**EMS/HOSPITAL FUNDING.** Municipal hospitals and emergency medical services (EMS) are challenged in meeting their communities' needs. Between 2009 and 2014, city and county tax revenue budgeted for hospitals increased 33.3% to meet these needs. We support the expansion of Medicaid in Kansas to allow such entities access to federal funding, helping cities maintain and provide critical services for their citizens.

**TAX POLICY.** The League supports the long-established philosophy of balancing revenue from income, sales, and property taxes to assure the fiscal ability of the state and local governments to provide the services citizens want and need. Changes to tax policies should not be undertaken without a full understanding of the overall impact upon all taxpayers, taxing entities, and the sources and amounts of tax revenues to be generated or eliminated by such policy changes.

**BUDGET TIMELINE.** We support legislation to allow the adoption of City budgets by November 30 but keep the August 25 deadline for certification of the amount of ad valorem tax revenue needed. The current statutory framework for the adoption of municipal budgets makes it difficult for cities to plan for budgets that must be presented to governing bodies five months before the start of the fiscal year.

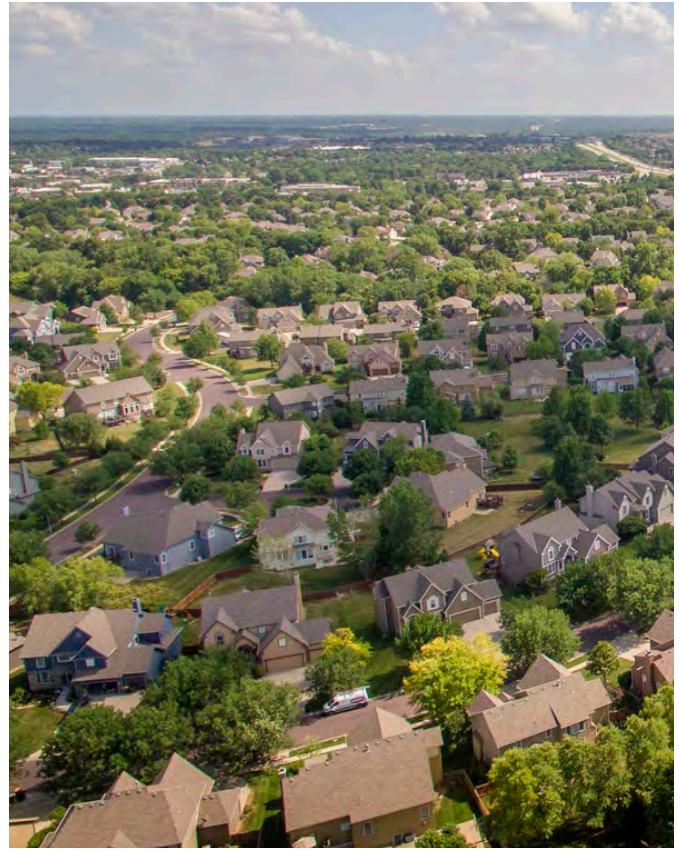
**FINANCE POLICIES.** Cities should be allowed to set financial policies in-line with bond rating requirements and other generally accepted best practices for municipal management.

**PROPERTY TAX EXEMPTIONS.** We support a broad tax base and believe the existing property tax base should be protected. We encourage the Legislature to resist any proposal to further exempt any specific property classification from taxation, including industry-specific exemptions. We support the current statutory definition of machinery and equipment and the exemption should not be expanded. The Legislature should actively review existing exemptions to determine if they should continue or be repealed.

**SALES TAX EXEMPTIONS.** Given the current and future budget challenges facing state and local governments, we oppose the continued erosion of the state and local sales tax base by the passage of new exemptions. The Legislature should actively review existing exemptions to determine if they should continue or be repealed. We support the continuation of sales tax exemptions for municipal services.

**SALES TAX HOLIDAY.** Should the state establish any sales tax holidays, the law should allow an opt-in for local governments.

**UNFUNDED MANDATES.** We oppose unfunded mandates. If the state or federal governments seek to promote particular policy objectives, such mandates should be accompanied by an appropriate level of funding.



**PROPERTY VALUATION.** To maintain fair and equal taxation, we support appraisals based on fair-market value. We oppose caps in property valuations as unconstitutional and inequitable.

**LAVTR.** The State Legislature, as required by Kansas statutes, should help to relieve the burden on property taxpayers by funding the Local Ad Valorem Tax Reduction (LAVTR) program. This should include keeping the promises made with reference to the machinery and equipment mitigation legislation, future gaming revenues and the existing statutory formula.

**CITY AND COUNTY REVENUE SHARING.** The State Legislature should fund existing city and county revenue sharing programs as required by Kansas statutes.

**ALTERNATIVE REVENUE SOURCES.** Cities should be authorized to approve alternative revenue sources in order to maintain appropriate levels of funding for the health, safety and welfare of our citizens.

**TELECOMMUNICATIONS TAXES.** We support cities' continued ability to impose and collect taxes and fees on telecommunications providers.

**LOCAL SALES TAXES.** We support the existing statutory authority for all cities to impose local sales taxes and seat taxes and the existing statutory distribution for all sales taxes.

**BANKING AND INVESTMENT RESTRICTIONS.** We support maximum banking and investment choices for local government. At a minimum, all cities, counties and school districts should have the same banking and investment authority the state has granted to itself.

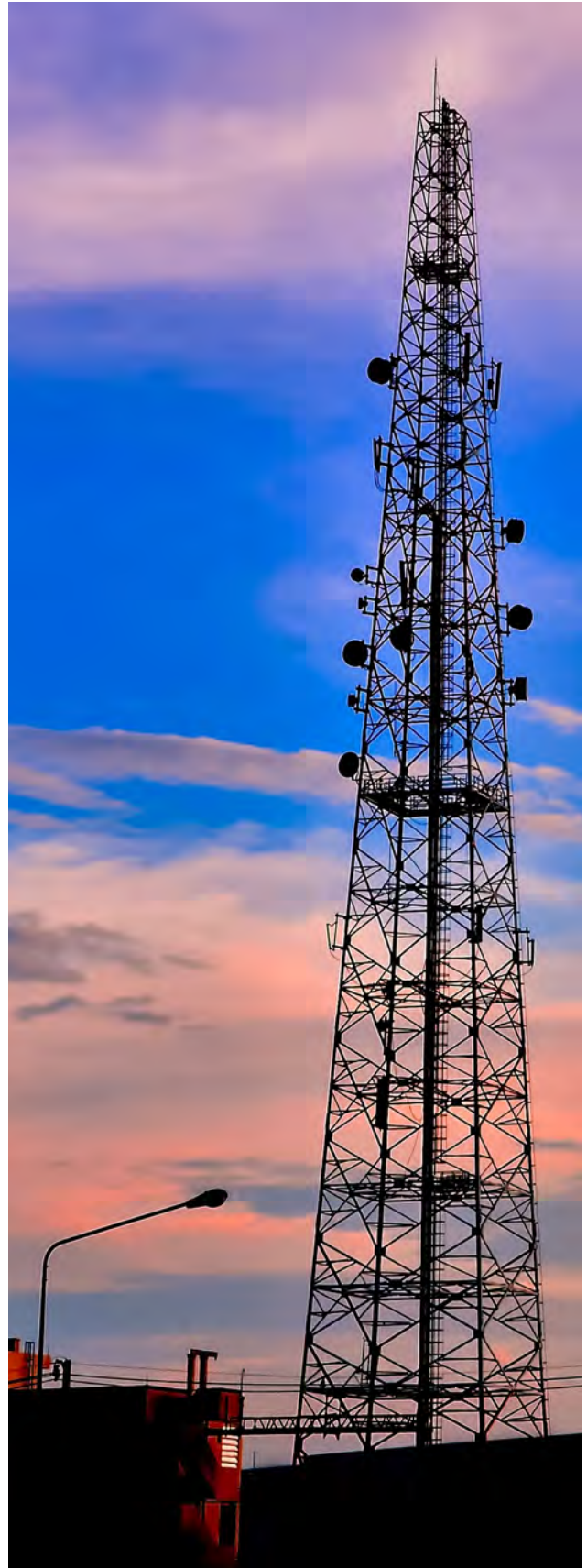
**FEDERAL LOAN PROGRAMS.** We support changes to allow local governments to participate directly in federal loan programs.

**TAX CREDITS.** We support the continued availability of tax credits as a tool for economic development.

**SUMMARY PUBLICATION OF RESOLUTIONS.** We support legislation allowing cities to publish a summary of a resolution, with the full text of any resolution posted on the city's official website, in lieu of publication of the full resolution.

**TAXES PAID UNDER PROTEST.** Due to the effect that taxes paid under protest can have on cities, the state and the county where the city is located should be required to notify cities when taxes, including compensating use and ad valorem taxes, are paid under protest so that cities have accurate data when making budgetary decisions.

**EXPANDED GAMING.** If the State Legislature authorizes expanded gaming, cities should receive funds to offset the impact, similar to agreements for other gaming that occurs in Kansas.





# PUBLIC SAFETY

Cities play a critical role in the protection of the health and safety of the citizens of Kansas. Because mandated programs are costlier and less efficient, government at all levels should cooperate in the development of health and safety programs.

**ASSET FORFEITURE.** We support the option of civil asset forfeiture as an important component in reducing financial gains from criminal acts while providing civil due process. All assets forfeited, or the proceeds of the sale of the same, should remain with the local government that seizes the property.

**MUNICIPAL COURT.** Municipal courts serve a vital role protecting an individual's right to equal protection under the law following arrest or detainment. We support the local control of, and judicial authority of, municipal courts. All assessed court funds under a municipal court order, other than restitution collected and payable to a third party and state assessments paid under K.S.A. 12-4117, shall be retained by the local municipality. We support municipalities' ability to set appropriate fines and fees.

**LAW ENFORCEMENT AND PUBLIC SAFETY.** We believe cooperative efforts, rather than state and federal mandated requirements, are vital to the efficient and effective development of local law enforcement and public safety programs.

**EMERGENCY 911 SERVICES.** Cities and counties should maintain local control of the 911 system and the 911 tax should continue to include both wireline and wireless communications. We support legislation providing flexibility for local governments to utilize these funds to provide emergency services. 911 funds should not be diverted by the legislature for other uses.

**EMERGENCY MANAGEMENT.** We request the Adjutant General and the State of Kansas review the role of cities in the state emergency management plan. Because cities play a crucial role in effective emergency management, implementation strategies must promote cooperative efforts between federal, state and local governments.

**MEDICAL CHARGES.** The cost of health care services for prisoners and individuals in custody is a growing concern for cities. We strongly believe the first person responsible for the payment of medical costs should be the individuals in custody. Another needed change, to begin addressing these costs, is to clarify that the entity charging for a crime is responsible in the event those costs cannot be recovered. We support the pooling of resources between all state and local law enforcement agencies.

**LAW ENFORCEMENT DISCRETION.** We support local governments' discretion in establishing law enforcement vehicle pursuit policies and the ability of law enforcement officers to use discretion in determining when to make an arrest.

**SERVICE ANIMAL FRAUD.** We recognize the important role service animals play for the disabled community. The use of such animals is being tainted, by service animal fraud. We support strengthening and redefining the crime of service animal fraud to disincentivize individuals from asserting their animal is a service animal in order avoid vicious animal, exotic, livestock, or breed-specific ordinances.

**ALCOHOL & CMB REGULATION.** We support the authority of cities to license and regulate alcoholic liquor and cereal malt beverage retailers and establishments.

**FIREARMS AND WEAPONS.** We support the local regulation of firearms and weapons.

**HOMELAND SECURITY.** First responders at the local level serve as the front line defense in the prevention and response to terrorism and other security risks. Local governments should be granted maximum flexibility and discretion over implementation of monies and strategies regarding homeland security.

**AMUSEMENT PARK RIDES.** We support reasonable regulations of amusement park rides to protect public safety.

**DRIVING UNDER THE INFLUENCE.** We support legislation bringing the driving under the influence laws into compliance with recent court cases.

**CYBERSECURITY.** Organizations of every size constantly face cyber-related incidents. We encourage the State to provide collaborative discussions, training programs, and feasibility studies for the impact of cyber-attacks on cities. Cities will use information provided by the state government to determine best practices and policies for municipal implementation.





# INFRASTRUCTURE

Cities construct, manage, operate and maintain numerous infrastructure components that provide a high quality of life. Infrastructure involving transportation, municipal utilities, energy services, and water and environmental structures are all dependent on the ability of local officials to self-determine what's appropriate for their own communities. This self-governance relies on the expectation of cooperation from the state government and full funding as required by law under current statutory programs from both the state and federal government.

## TRANSPORTATION

**CONNECTING LINKS.** The State should increase KDOT's funding for connecting link programs to contract with cities to provide for the maintenance of state highways within city limits. The last increase in the connecting link program was in 1999. We support full funding of the City Connecting Link Improvement Program (CCLIP).

**CITY-COUNTY HIGHWAY FUND.** The City-County Highway Fund is essential to maintaining local roads and bridges and should be fully funded and not be diverted for other purposes. Such funding should include the transfer of fees from the registration of out-of-state commercial vehicles, as directed by K.S.A. 9-3425i. The proceeds from any increases to the motor fuel tax rates should be allocated in accordance with current statutory provisions.

**COMPREHENSIVE TRANSPORTATION PROGRAM.** We support full funding of the Kansas comprehensive transportation program. We oppose any use of these funds to balance the state's General Fund budget. Any reduction in funding jeopardizes existing programs.

**FEDERAL FUND EXCHANGE PROGRAM.** We support legislation to codify the Federal Fund Exchange Program, including allowing the banking of funds for a minimum of three years and a fixed exchange rate.

**TRANSPORTATION SAFETY.** The State should work in cooperation with local governments to continue to provide safe roads and bridges within Kansas.

**TRANSPORTATION MAINTENANCE.** Because transportation infrastructure is critical to state and local development activities, we support the continued maintenance of the transportation infrastructure in Kansas.

**AIRPORT FUNDING.** We support the continued use of state economic development dollars (EDIF funds) to enhance airport facilities and services.

**TRANSPORTATION DEVELOPMENT DISTRICTS.** We support the continued ability of cities to establish transportation development districts to meet the economic development and transportation infrastructure needs in the community.

**RECREATIONAL TRAILS.** We support the development of recreational trails, including rails to trails, aquatic trails, and hike-and-bike on levee trails projects, and oppose any legislation that would make such development more burdensome or costly.



**COOPERATION WITH KDOT.** We support the continued efforts of the Kansas Department of Transportation to work with cities on cooperative programs, including the transportation revolving loan fund and various economic development projects.

**RAIL SERVICE.** We support existing and enhanced passenger and freight rail service in Kansas and seek a strong partnership with the state and federal government to achieve meaningful improvements.

## MUNICIPAL UTILITIES

**BROADBAND.** Access to reliable broadband service, as defined by the FCC minimums for “served areas” is increasingly important to the economic health of Kansas cities. We support the 2018 establishment of the Statewide Broadband Expansion Planning Task Force as a means for identifying ways the state can best facilitate broadband expansion in Kansas. Recommendations from the task force must recognize the important role local governments play in such expansion and they must not remove important planning and right of way authority from local governments. Further, we support legislation that promotes full disclosure of transport and connection fees by internet providers.

**SERVICE TERRITORY.** Municipalities must retain the authority to purchase, construct, or extend the infrastructure necessary to supply the cities and their inhabitants with public utilities, including electric services. We believe in the current statutory framework which allows cities’ jurisdictional limits to change over time, due to the annexation of land, including land located within the service territory of another utility provider.

**MUNICIPAL OPERATION.** We support the ability of cities to operate municipal gas, water, electric, sewer, telecommunications, broadband, solid waste, stormwater or other utility services. We further support the ability of cities to set and control the rates for locally owned and operated utilities, and support the current defined service territory statutes.

**RIGHT OF FIRST REFUSAL.** We support municipal utilities having the ability to invest in new electric/transmission projects in order to provide reliable, affordable service to local customers. We oppose efforts prohibiting competition for transmission projects in Kansas.

**FRANCHISE AUTHORITY.** We oppose any legislation restricting the current franchise authority for cities, including limits on franchise fees.



**MANDATES.** We oppose unfunded federal and state mandates regulating the operation of municipal gas, water, electric, sewer, telecommunications, solid waste, stormwater utilities or other utility services. Any mandates passed down to cities should not be imposed without a cost-benefit analysis and should be accompanied by appropriate funding. In addition, regulations should provide for a reasonable implementation schedule.

#### **PUBLIC WATER SUPPLY SUPERVISION PROGRAM.**

We support changes to the statutory language increasing the funding stability for the Kansas Department of Health and Environment's Public Water Supply Supervision program. These changes must balance municipal cost concerns and recognize the state has a responsibility to contribute to these important public health matters. In addition, we recognize a need to update standards to meet federal clean drinking water standards.

## **ENERGY**

**ELECTRIC UTILITY DEREGULATION.** Community-owned and operated municipal electric utilities make long-term power supply decisions and investments with the goal of benefiting their overall community. We support continued local control over power supply decisions.

**STATEWIDE ENERGY POLICY.** We support the development of a coordinated and comprehensive energy policy, including the use of renewables, developed with strong input from cities. We encourage the state to adopt legislation providing the mechanism and staff support for the development of such policy.

**ENERGY EFFICIENCY.** We support public and private incentives to encourage energy efficiency by local governments and citizens.



## WATER AND ENVIRONMENT

**WATER QUALITY.** We support a clean and safe public water supply and the protection of public health and aquatic life. We endorse regional and cooperative solutions to water quality challenges that address point and non-point source pollution while balancing municipal cost concerns.

**WATER QUANTITY.** Government at all levels should aggressively pursue the conservation, protection and development of current and future municipal water supplies. We support cost-effective efforts to extend the life of reservoirs and to expand reservoir storage for use by municipal water suppliers. We support immediate state action, in consultation with municipal providers, to address over-appropriated surface and groundwater resources while respecting priority of water rights.

**WATER PLANNING.** We support increased municipal representation on the Kansas Water Authority; broad-based revenue sources and distribution for the state Water Plan Fund; and a re-evaluation of the process for adopting the annual state Water Plan Fund budget.

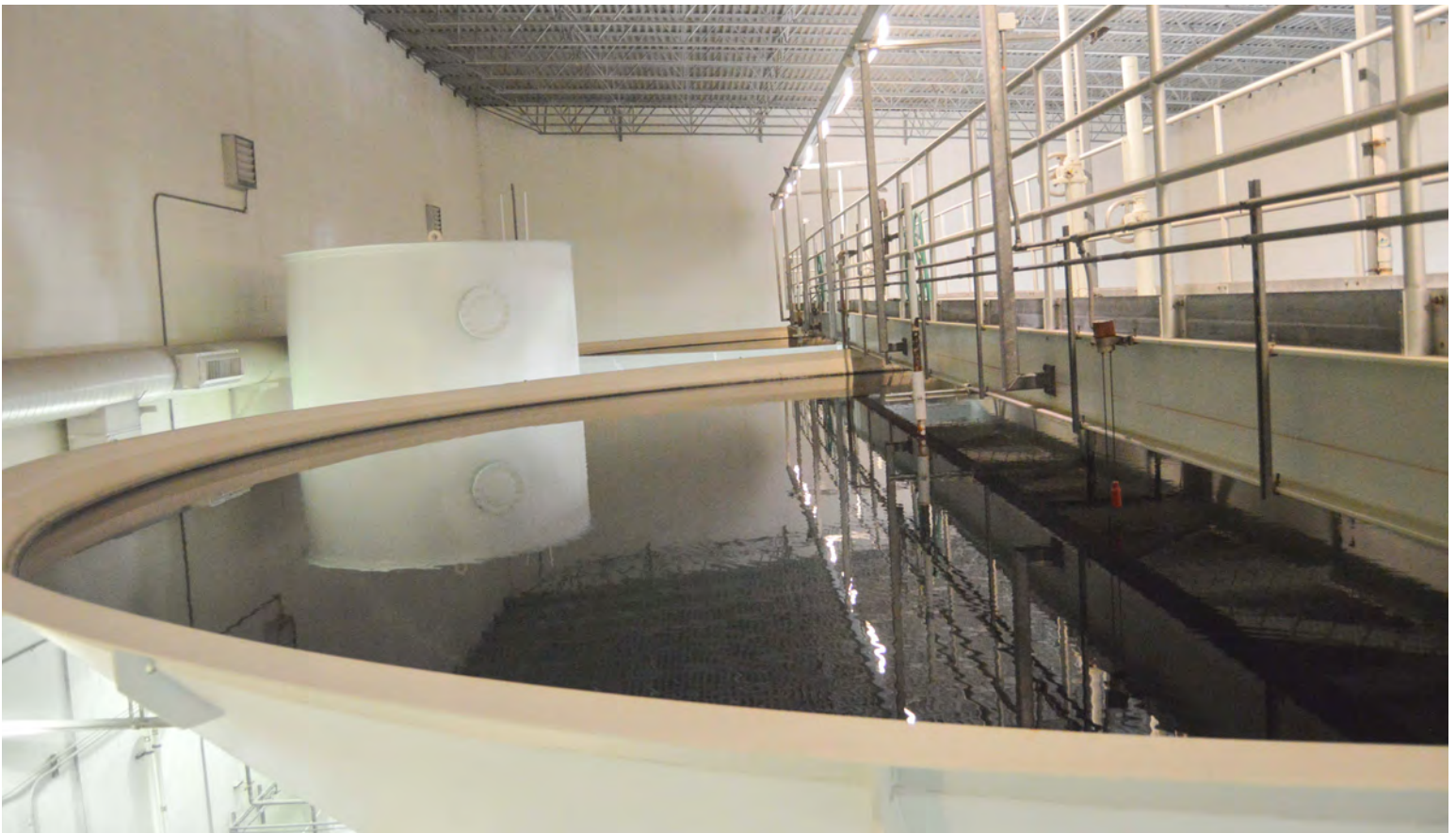
**INFRASTRUCTURE FUNDING.** We support increased federal and state funding to assist local communities with their water, wastewater, stormwater, levee and dam infrastructure and associated security needs.

**STORMWATER MANAGEMENT.** We endorse regional and cooperative solutions to stormwater quality and quantity challenges that address point and non-point source pollution.

**SOLID WASTE.** The home rule powers of cities to dispose of and manage municipal solid waste should not be restricted.

**HAZARDOUS WASTE.** We support a comprehensive state-local approach to provide assistance in identifying hazardous wastes and to develop programs to monitor and dispose of such wastes. We encourage state agencies to work cooperatively with local governments in the development and approval of programs to identify, monitor and dispose of hazardous waste. Further, appropriate education and training should be provided prior to the implementation of such programs.

**CLEAN AIR.** We support air quality controls and a state-developed air quality plan that protects the health and safety of Kansans while balancing municipal cost concerns.



# HUMAN RESOURCES

City employees are the foundation of effective city government. City governing bodies must have the authority to develop local personnel policies to attract and maintain a high quality public workforce.

**WORKERS' COMPENSATION.** We support reasonable and just benefits for employees injured within the course and scope of their public employment, and effective enforcement of the Workers' Compensation Act.

**KPERS & KP&F.** We support the full funding of the Kansas Public Employees Retirement System (KPERS) and Kansas Police & Fire (KP&F) retirement systems and honoring all commitments that have been made by KPERS and KP&F. The local KPERS system should remain separate from the state and school retirement system. Changes to the KPERS system should not impact a city's ability to hire and retain qualified public employees, including any undue burden on hiring KPERS retirees, or reduce benefits promised to employees.

**PUBLIC EMPLOYER-EMPLOYEE RELATIONS ACT (PEERA)/COLLECTIVE BARGAINING.** We oppose any federal or state mandate requiring collective bargaining at the local level.

**PERSONNEL MANDATES.** We oppose state and federal mandates involving public personnel.

**WEAPONS AND FIREARMS.** We support the ability of local governments to set policies regarding the carrying of weapons and firearms by municipal employees while they are engaged in their work.

**PREVAILING WAGE.** We oppose federal and state mandates requiring or prohibiting the payment of prevailing wage.

**HEALTH CARE & OTHER BENEFITS.** We support cooperation and active study of ways to relieve the financial burden of securing employee health care coverage, including the continued option for cities to participate in the state health care program.

**UNEMPLOYMENT.** We support reasonable and just benefits for employees who are qualified individuals under the Kansas Employment Security Law. We oppose the finding that volunteers, who are paid a nominal stipend, are considered a qualified individual. We support legislation to define "volunteer" in Kansas employment law such that it is consistent with federal law.





# GOVERNMENT POLICIES & PROCEDURES

**A**bid by the longstanding constitutional Home Rule authority of Kansas cities, there is a need to ensure local governments maintain autonomy and the authority of self-governance to create a safe and sustainable quality of life for residents. In an effort to construct appropriate policies for their community, such as economic and community development initiatives, cities should be committed to implementing procedures which ensure ethical and transparent governance from their officials.

**HOME RULE.** Consistent with the Home Rule Amendment of the Kansas Constitution approved by voters in 1960, we support local elected officials making decisions for their communities, particularly local tax and revenue decisions.

**PROTECTION OF THE FIRST AMENDMENT.** The right of the people through their democratically elected and appointed officials to petition and speak to their government officials shall not be abridged. We support cities' First Amendment right of freedom of association to work together to accomplish common goals.

**CITY ELECTIONS.** City elections should remain non-partisan and separate from state and national elections.

**INSTALLATION OF ELECTED OFFICIALS.** We support local decision-making in determining the proper time to install newly elected officials.

**ANNEXATION.** The ability of cities to grow is inherent in the economic growth and development of the state. Therefore, we support local jurisdictions' ability to make their own decisions regarding orderly growth through annexation.

**SIGN REGULATION.** We support the authority of local government to regulate signs in compliance with federal law.

**PUBLIC PROPERTY & RIGHTS-OF-WAY.** We support the ability of cities to control and manage public property and rights-of-way and to impose franchise or use fees on those entities that utilize the rights-of-way.

**EMINENT DOMAIN.** Eminent domain is a fundamental municipal power. The authority to acquire property through condemnation proceedings is critical for public improvement projects. We support increased flexibility for local governments to use eminent domain for economic development purposes, including blight remediation, without seeking legislative approval.

**INTERLOCAL COOPERATION.** We support the principle of voluntary cooperation among all levels of government.

**GOVERNMENTAL IMMUNITY.** We support continued immunity for cities from tort liability and legislation strengthening the Kansas Torts Claims Act.

**POLICE POWERS.** We support the authority of cities to regulate in order to protect the health, safety, and welfare of the public.

**CONSOLIDATION.** We support processes for local consolidation without undue statutory barriers. We further believe the issue of consolidation is an inherently local one and the voters should be allowed to determine whether consolidation with another unit of government occurs.

## COMMUNITY DEVELOPMENT

**ABANDONED AND BLIGHTED HOUSING.** We support legislation that streamlines and expedites the process for local governments, neighborhood organizations and private businesses to deal with the blight of abandoned, nuisance, foreclosed housing, and commercial structures to protect the rights and property values of surrounding property owners.

**ECONOMIC DEVELOPMENT PARTNERSHIPS.** State and regional partnerships are vital to the sustained growth of the state and should be supported by policy and with adequate funding.

**TAX ABATEMENTS.** We support the authority of cities to offer tax abatements to encourage business investment in their communities.

**TAX INCREMENT FINANCING (TIF).** We support the continued use of TIF to promote economic development. TIF laws should allow maximum flexibility and allow for efficient use by communities.

**REVITALIZATION TOOLS.** We support the continued use of the Neighborhood Revitalization Act, the Downtown Redevelopment Act, the Transportation Development District Act and the Community Improvement District Act to promote local neighborhood development.

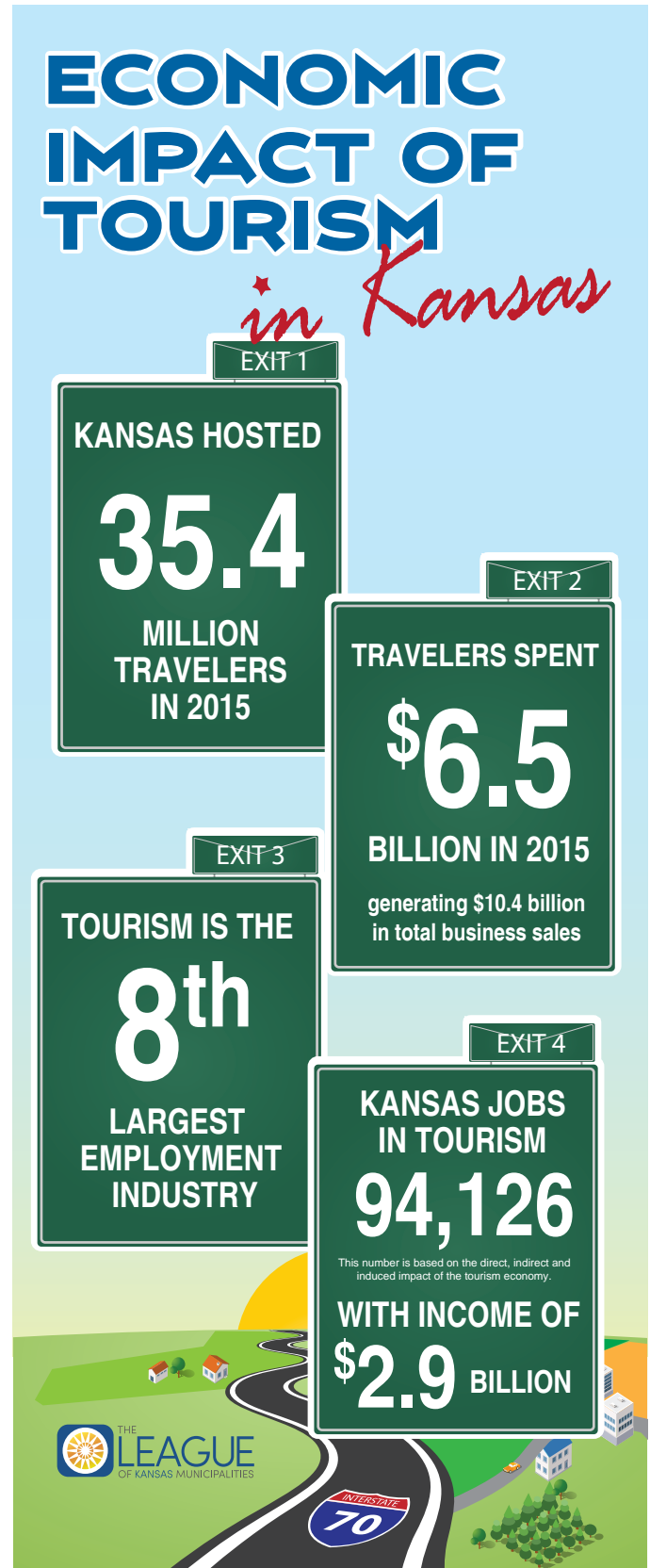
**TOURISM.** We support cooperative ventures between the state and local government in Kansas to promote tourism as an industry that is vital to growth and development all across the state.

**STAR BONDS.** We support the ability of cities to utilize STAR bonds to promote economic development in their communities.

**LAND USE AND ZONING.** We support the ability of local officials to make land use and zoning decisions within their community, including decisions about the location, placement, size, appearance and siting of transmission and receiving facilities and any other communications facilities.

**MODERATE INCOME HOUSING PROGRAM.** We support the continued funding of the Moderate Income Housing Program to promote affordable housing options. Accessibility to such housing stock is important to job growth and economic success in communities.

**EXPORTS.** We support the Kansas Department of Commerce providing assistance to Kansas businesses who may become Kansas exporters, whether by direct provision of services or through outsourcing.





# The Effects of BLIGHTED PROPERTY



Abandoned and blighted property is not just a big-city issue. It is a statewide issue. This issue impacts public safety, the values of adjoining properties, and discourages improvements to adjoining property.

**4+**  
*years*



The median length of time a property was reported as abandoned was **four years**. One-third of responding cities noted some of the properties had been **abandoned for 10 or more years**.\*

**89%**

*of member cities identify abandoned or blighted property as a significant or very significant concern in their communities.\**

Abandoned property affects the health, safety, and welfare of the entire community - taxpayers, property owners, and residents. Other concerns associated with abandoned property include **increased police calls** for theft, prowlers, drug issues, and squatting. Additionally, cities reported an **increase in fire calls** responding to accidental fires and arson.\*



Code enforcement issues related to abandoned property include **overgrown vegetation, dilapidated structures, wildlife, illegal dumping, and additional demand for sanitation services**.\* Abandoned properties have a strong potential to become dangerous structures as they continue to deteriorate.



**Unpaid property taxes** on abandoned properties **creates a higher tax burden** on others to provide necessary city services. As these properties fall further into disrepair, the neglect can cause a blighting effect and result in **loss of property values of surrounding properties**.\*



Abandoned property and blight is a welcoming **environment for pests and vermin** as well as a potentially **dangerous nuisance** for a neighborhood.

\* The League completed several member surveys about the impact of blighted and abandoned property. The median population of responding cities was 2,500.

## TRANSPARENCY IN GOVERNMENT

**OPEN MEETINGS.** All levels of government should be subject to the same open meetings requirements. These laws should not be unduly burdensome.

**OPEN RECORDS.** All levels of government should be subject to the same open records requirements. State laws governing open records should balance the public's right of access, with the necessity of protecting the privacy of individual citizens, and the ability of public agencies to conduct their essential business functions. We support a city's ability to recoup reasonable costs associated with open records requests.

## INTERGOVERNMENTAL DIALOGUE.

Communication between all levels of government is critical to the successful delivery of public services to the citizens of Kansas. Representatives from cities provide facts and information crucial to intergovernmental relations, and as such, should have the same rights and responsibilities as private interest lobbyists. We support current law regarding the use of state and local public moneys to provide information and advocate on behalf of our cities and citizens. Any reporting system should not increase the administrative burden on local governments.

**BODY CAMERAS.** We support the ability of local governments to determine when and how body cameras will be used by law enforcement officers. We support the establishment of reasonable regulations concerning public access to recordings, balancing the needs of law enforcement and the individuals whose images are captured in the recordings.







# FEDERAL ISSUES

Local officials welcome the opportunity to work together with federal and state officials on policies impacting local communities. Federal agencies should research and understand the fiscal impact on local units of government when implementing new guidelines or laws. Cities manage their finances, infrastructure and personnel more effectively without unfunded federal mandates.

**COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG)** – We support continued funding for Community Development Block Grants, Community Service Block Grants and HOME Grants. These programs’ funding is an essential component of cities’ strategies to fund critical community services and infrastructure needs.

**MUNICIPAL BONDS.** We support the removal or modification of overly burdensome and costly restrictions affecting the issuance of municipal bonds. Further, we support the continued tax-exempt status for municipal bonds.

**BROADBAND DEPLOYMENT & MUNICIPAL OVERSIGHT.** Access to reliable broadband service is increasingly important to the economic health of Kansas cities. However, federal action via legislation or orders from federal agencies must recognize the key role local governments play in such expansion, and it must not remove important planning and right of way authority from local governments. Cities must be afforded the continued right to address safety, health and welfare for both their citizens and other entities with valuable infrastructure in the right of way. In addition, the right of way serves as an important resource for citizens, and the right to offset costs of management and levy taxes should not be limited.

**OVERTIME RULE.** We support modernizing rules for overtime, but have concerns about the fiscal impact of the changes, particularly if they include automatic increases in the overtime threshold. As employers, absorbing the impact of sharp increases would have a significant negative impact on municipal budgets.

**IMMIGRATION REFORM.** We support a federal solution to immigration reform. Any immigration policy should not negatively impact local governments with additional law enforcement or administrative burdens. We support Congress continuing assistance to under-served areas with large immigrant populations, who are attempting to remain in compliance with the United States Citizenship and Immigration Services.

**TRANSPORTATION.** We support funding the Fixing America’s Surface Transportation Act (FAST ACT), which allows investment in critical infrastructure.

**STORMWATER.** We support simple and flexible federal regulations of municipal stormwater run-off that allow for orderly and cost-effective development. The federal government should appropriate funds for research and for the development of pilot projects on stormwater management.

**WATER QUALITY.** We support a clean and safe public water supply and the protection of public health and aquatic life. We endorse federal investments and cooperative solutions that address water quality challenges and take into account municipal cost concerns.

**HAZARDOUS WASTE.** We urge federal agencies to work cooperatively with state and local governments in the development and approval of programs to identify, monitor and dispose of hazardous waste. Appropriate education and training should be provided prior to the implementation of such programs.

**TELECOMMUNICATIONS DATA.** We support the continued ability of public safety officials to access data from telecommunications companies in times of emergencies to assist investigations.

**RAIL SERVICE.** We support existing and enhanced passenger and freight rail service in Kansas. In many cases, this service is the only affordable alternative to highway transportation in communities. Changes to Amtrak service should not sacrifice this alternative nor the investments in the service by cities.

**RAILROAD QUIET ZONES.** We urge Congress to reexamine the Train Horn Rule with the Federal Railroad Administration. Rules for implementing quiet zones should be less burdensome and allow for differences in community circumstances while continuing to protect public safety. We also request Congress provide federal funds for the purpose of establishing quiet zones and consider new technology which may enhance the safety of quiet zones while minimizing or eliminating train horn noise.



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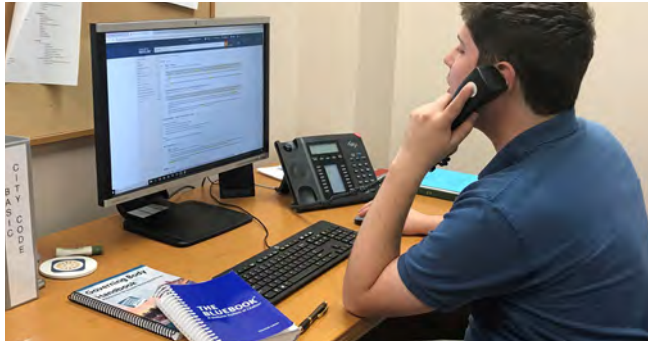
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## POLICY DEVELOPMENT

This *Statement of Municipal Policy* defines the core principles of the organization. It was developed by city officials through the League's policy committees. There are three policy committees that are focused in specific areas: Finance & Taxation, Public Officers & Employees, and Utilities & Environment. The fourth committee, the Legislative Policy Committee, reviews the entire Statement and the recommendations of the three specific committees. The Statement is then submitted to the Governing Body and is ultimately adopted by the Convention of Voting Delegates at the League's Annual Conference. For more information about the League policy committees or process, check out the League website at [www.lkm.org](http://www.lkm.org) or contact us at (785) 354-9565.

### THE LEAGUE ADVOCATES FOR CITIES

The League advocates on our members' behalf to sponsor and encourage beneficial legislation for cities and oppose legislation that would be detrimental to our members' interest.



### THE LEAGUE OFFERS GUIDANCE

Member cities can contact the League with a legal inquiry or question. Additionally, we provide sample ordinances and guidance on legislation and rulemaking from both the state and federal level.

### COMMUNICATIONS & OUTREACH

Since 1914, the League has published the *Kansas Government Journal*, a publication for city, county and state government officials that is printed ten times a year. The League publishes a weekly e-newsletter, researches municipal issues affecting Kansas communities and develops programs for cities to use to engage their residents and reinforce the importance of civic engagement.



### MUNICIPAL TRAINING & EDUCATION

The League offers members a variety of education and training opportunities throughout the year. Our annual conference brings together leaders in municipal government to offer innovative ideas for cities. Throughout the year, the League works with professionals in the field to train, inspire and solve problems facing municipal leaders at all levels. The League offers over 30 manuals and publications on municipal issues ranging from finance and budgeting, personnel, planning, economic development, open meetings and open records to traffic ordinances.

### CONTRACT SERVICES

The League offers members a competitive rate to have the League engage in contract services, which include codification services, executive personnel search program (LEAPS) and personnel policies.





THE  
**LEAGUE**  
OF KANSAS MUNICIPALITIES

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A Publication of The League of Kansas Municipalities  
*October, 2018*

<b>City of Mission</b>	Item Number:	7c.
<b>ACTION ITEM SUMMARY</b>	Date:	1/2/2019
<b>Public Works</b>	From:	Brent Morton

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

**RE:** Johnson County CARS 2019 Interlocal Agreement for funding of public improvements to Broadmoor Drive (Johnson Drive to Martway).

**RECOMMENDATION:** Approve the Interlocal Agreement with Johnson County for the public improvement of Broadmoor Drive (Johnson Drive to Martway) (CARS Project No. 320001308) using 2019 CARS Program funding in an amount not to exceed \$453,000.

**DETAILS:** Broadmoor Drive, between Johnson Drive and Martway, is a 38 foot wide minor collector serving multi-family residential, commercial, and industrial traffic. The existing pavement, curb, and stormwater infrastructure is in poor condition. Sidewalks are in poor condition and are not compliant with ADA standards.

The project was identified in the City's Capital Improvement Program for construction in 2019, and is approved for funding through the Johnson County CARS Program. Up to 50% of the project's construction and construction inspection costs are eligible to be reimbursed by the CARS Program. Costs associated with design, utility relocation and ROW/easement acquisition are not eligible for CARS participation. Total project costs are currently estimated at \$1,162,706

The Interlocal Agreement specifies the County's participation in the project for a total cost not to exceed \$453,000, and commits the City's funds to the project. Approval of the interlocal agreement is the final step with the County to move the Broadmoor Drive reconstruction project forward in the County's CARS approval process. Internally, Olsson is completing final design documents, staff is working on ROW and easement acquisition, and we anticipate the project will be put out for bid in early spring.

**CFAA CONSIDERATIONS/IMPACTS:** This project supports a number of the checklist items in the Transportation and Mobility category. This project will address ADA compliance and sidewalk connectivity to provide pedestrian modes of transportation. New street lighting will be added to ensure adequate lighting in the corridor.

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	40-90-805-09 Capital Projects - Street Sales Tax Fund 25-90-805-60 CARS Projects - Capital Improvement Fund
Available Budget:	\$1,162,706

**Agreement between Johnson County, Kansas,  
and the City of Mission, Kansas, for the Public Improvement of  
Broadmoor Dr from Johnson Dr to Martway  
(320001308)**

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2019 by and between the Board of County Commissioners of Johnson County, Kansas ("Board") and the City of Mission, Kansas ("City").

WITNESSETH:

WHEREAS, the parties have determined that it is in the best interests of the general public in making certain public improvements to Broadmoor Dr from Johnson Dr to Martway (the "Project"); and

WHEREAS, the laws of the State of Kansas authorize the parties to this Agreement to cooperate in undertaking the Project; and

WHEREAS, the governing bodies of each of the parties have determined to enter into this Agreement for the purpose of undertaking the Project, pursuant to K.S.A. 12-2908 and K.S.A. 68-169, and amendments thereto; and

WHEREAS, the Project has been approved, authorized, and budgeted by the Board as an eligible project under the County Assistance Road System ("CARS") Program; and

WHEREAS, the Board has, by County Resolution No. 106-90, authorized its Chairman to execute any and all Agreements for County participation in any CARS Program project which has been approved and authorized pursuant to the Policies and Guidelines adopted by the Board and for which funding has been authorized and budgeted therefore; and

WHEREAS, the governing body of the City did approve and authorize its Mayor to execute this Agreement by official vote on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, and for other good and valuable consideration, the parties agree as follows:

1. **Purpose of Agreement.** The parties enter into this Agreement for the purpose of undertaking the Project to assure a more adequate, safe and integrated roadway network in the developing and incorporated areas of Johnson County, Kansas.

2. **Estimated Cost and Funding of Project**

a. The estimated cost of the Project (“Project Costs”), a portion of which is reimbursable under this Agreement, is One Million One Hundred Sixty Two Thousand Seven Hundred Six Dollars (\$1,162,706).

b. Project Costs include necessary costs and expenses of labor and material used in the construction of the Project and construction inspection and staking for the Project.

c. The Project Costs shall be allocated between the parties as follows:

i. The Board shall provide financial assistance for the Project in an amount up to but not exceeding Fifty Percent (50%) of the Project Costs. However, the Board's financial obligation under this Agreement shall be limited to an amount not to exceed Four Hundred Fifty Three Thousand Dollars (\$453,000). For purposes of this Agreement, Project Costs shall not include any portion of costs which are to be paid by or on behalf of any state or federal governmental entity or for which the City may be reimbursed through any source other than the general residents or taxpayers of the City. Further, it is understood and agreed by the parties hereto that the Board shall not participate in, nor pay any portion of, the Costs incurred for or related to the following:

1. Land acquisition, right-of-way acquisition, or utility relocation;
2. Legal fees and expenses, design engineering services, Project administration, or financing costs;



3. Taxes, licensing or permit fees, title reports, insurance premiums, exactions, recording fees, or similar charges;
4. Project overruns;
5. Project scope modifications or major change orders which are not separately and specifically approved and authorized by the Board; and;
6. Minor change orders which are not separately and specifically approved and authorized by the Director of Public Works & Infrastructure of Johnson County, Kansas ("Public Works Director"). Minor change orders are those which do not significantly alter the scope of the Project and which are consistent with the CARS Program Policies and Guidelines and administrative procedures thereto adopted by the Board.

It is further understood and agreed that notwithstanding the designated amount of any expenditure authorization or fund appropriation, the Board shall only be obligated to pay for the authorized percentage of actual construction costs incurred or expended for the Project under appropriate, publicly bid, construction contracts. The Board will not be assessed for any improvement district created pursuant to K.S.A. 12-6a01 et seq., and amendments thereto, or any other improvement district created under the laws of the State of Kansas.

- ii. The City shall pay One Hundred Percent (100%) of all Project Costs not expressly the Board's obligation to pay as provided in this Agreement.

3. **Financing**

- a. The Board shall provide financial assistance, as provided in Paragraph 2.c. above, towards the cost of the Project with funds budgeted, authorized, and appropriated by the Board and which are unencumbered revenues that are on-hand in deposits of Johnson County, Kansas. This paragraph shall not be construed as limiting the ability of the Board to finance its portion of the costs and expenses of the Project through the issuance of bonds or any other legally authorized method.
- b. The City shall pay its portion of the Project Costs with funds budgeted, authorized, and appropriated by the governing body of the City.

4. **Administration of Project.** The Project shall be administered by the City, acting by and through its designated representative who shall be the City public official designated as Project Administrator. The Project Administrator shall assume and perform the following duties:

- a. Cause the making of all contracts, duly authorized and approved, for retaining consulting engineers to design and estimate the Project Costs.
- b. Submit a copy of the plans and specifications for the Project to the Johnson County Public Works Director for review, prior to any advertisement for construction bidding, together with a statement of estimated Project Costs which reflects the Board's financial obligation under the terms of this Agreement. The Public Works Director or his designee shall review the copy of the plans and specifications for the Project and may, but shall not be obligated to, suggest changes or revisions to the plans and specifications.
- c. If required by applicable state or federal statutes, solicit bids for the construction of the Project by publication in the official newspaper of the City. In the solicitation of bids, the appropriate combination of best bids shall be determined by the City.
- d. Cause the making of all contracts and appropriate change orders, duly authorized and approved, for the construction of the Project.
- e. Submit to the Public Works Director a statement of actual costs and expenses in the form of a payment request, with attached copies of all invoices and supporting materials, on or before the tenth day of each month following the

month in which costs and expenses have been paid. The Public Works Director shall review the statement or payment request to determine whether the statement or payment request is properly submitted and documented and, upon concurrence with the Finance Director of Johnson County, Kansas, (“Finance Director”) cause payment to be made to the City of the Board's portion of the Project Costs within thirty (30) days after receipt of such payment request. In the event federal or state agencies require, as a condition to state or federal participation in the Project, that the Board make payment prior to construction or at times other than set forth in this subsection, the Public Works Director and the Finance Director may authorize such payment.

- f. Except when doing so would violate a state or federal rule or regulation, cause a sign to be erected in the immediate vicinity of the Project upon commencement of construction identifying the Project as part of the CARS Program. The form and location of the sign shall be subject to the review and approval of the Public Works Director.

Upon completion of the construction of the Project, the Project Administrator shall submit to each of the parties a final accounting of all Project Costs incurred in the Project for the purpose of apportioning the same among the parties as provided in this Agreement. It is expressly understood and agreed that in no event shall the final accounting obligate the parties for a greater proportion of financial participation than that set out in Paragraph 2.c. of this Agreement. The final accounting of Project Costs shall be submitted by the Project Administrator no later than sixty (60) days following the completion of the Project construction.

It is further understood and agreed by the City that to the extent permitted by law and subject to the provisions of the Kansas Tort Claims Act including but not limited to maximum liability and immunity provisions, the City agrees to indemnify and hold the County, its officials, and agents harmless from any cost, expense, or liability not expressly agreed to by the County which result from the negligent acts or omissions of the City or its employees or which result from the City's compliance with the Policy and Procedures.

This agreement to indemnify shall not run in favor of or benefit any liability insurer or third party.

In addition, the City of Mission shall, and hereby agree to, insert as a special provision of its contract with the general contractor ("Project Contractor") chosen to undertake the Project construction as contemplated by this Agreement the following paragraphs:

The Project Contractor shall defend, indemnify and save the Board of County Commissioners of Johnson County, Kansas and the City of Mission harmless from and against all liability for damages, costs, and expenses arising out of any claim, suit, action or otherwise for injuries and/or damages sustained to persons or property by reason of the negligence or other actionable fault of the Project Contractor, his or her sub-contractors, agents or employees in the performance of this contract.

The Board of County Commissioners of Johnson County, Kansas shall be named as an additional insured on all policies of insurance issued to the Project Contractor and required by the terms of his/her agreement with the City.

**5. Acquisition of Real Property for the Project**

- a. The Board shall not pay any costs for acquisition of real property in connection with the Project.
- b. The City shall be responsible for the acquisition of any real property, together with improvements thereon, located within the City's corporate boundaries, which is required in connection with the Project; such real property acquisition may occur by gift, purchase, or by condemnation as authorized and provided by the Eminent Domain Procedure Act, K.S.A. 26-201 et seq. and K.S.A. 26-501 et seq., and any such acquisition shall comply with all federal and state law requirements.

6. **Duration and Termination of Agreement**

- a. The parties agree that this Agreement shall remain in full force and effect until the completion of the Project, unless otherwise terminated as provided for in Paragraph 6.b. herein below. The Project shall be deemed completed and this Agreement shall be deemed terminated upon written certification to each of the parties by the Project Administrator that the Project has been accepted as constructed. The City shall provide a copy of the Project Administrator's certification to both the Public Works Director and the Finance Director within thirty (30) days of the Project Administrator's determination that the Project is complete.
- b. It is understood and agreed that the Public Works Director shall review the status of the Project annually on the first day of March following the execution of this Agreement to determine whether satisfactory progress is being made on the Project by the City. In the event that the Public Works Director determines that satisfactory progress is not being made on the Project due to the City's breach of this Agreement by not meeting the agreed upon project deadlines or otherwise not complying with the terms of this Agreement, the Public Works Director is authorized to notify the City that it shall have thirty (30) days from receipt of such notification to take steps to cure the breach (the "Cure Period"). It is further understood and agreed that the Board shall have the option and right to revoke funding approval for the Project and terminate this Agreement should the Board find, based upon the determination of the Public Works Director, that satisfactory progress is not being made on the Project and that the City has not taken sufficient steps to cure the breach during the Cure Period. Should the Board exercise its option as provided herein, it shall send written notice of the same to the City and the Board shall have no further liability or obligation under this Agreement.

7. **Placing Agreement in Force.** The attorney for the City shall cause sufficient copies of this Agreement to be executed to provide each party with a duly executed copy of this Agreement for its official records.

IN WITNESS WHEREOF, the above and foregoing Agreement has been executed by each of the parties hereto and made effective on the day and year first above written.

**Board of County Commissioners of  
Johnson County, Kansas**

**City of Mission, Kansas**

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Ed Eilert, Chairman

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Ronald E. Appletoft, Mayor

Attest:

Attest:

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Lynda Sader  
Deputy County Clerk

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City Clerk

Approved as to form:

Approved as to form:

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Robert A. Ford  
Assistant County Counselor

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City Attorney

<b>City of Mission</b>	Item Number:	7d.
<b>ACTION ITEM SUMMARY</b>	Date:	1/2/20019
<b>Public Works</b>	From:	Brent Morton

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

**RE:** 50th and Dearborn Street Stormwater Repair

**RECOMMENDATION:** Approve the task order from GBA for survey, design, and bid phase services for repairs to the storm drainage infrastructure failure at 50th and Dearborn Street in an amount not to exceed \$28,179.50

**DETAILS:** Due to the age and condition of the stormwater infrastructure in this neighborhood, a portion of corrugated metal pipe (CMP) under the driveway of the residence at 5028 Dearborn collapsed late last fall. Sinkholes formed adjacent to the failures causing unsafe conditions for the public. Public Works installed a steel plate, as a temporary solution, to provide access to the resident while a permanent solution could be evaluated.

Because of the condition of other pipe in the area, some of which travels underneath the roadway, the limits of the project were expanded to ensure that the repairs would address longer term stability for the roadway. This was of particular concern as Dearborn is a dead end street, providing just one one in and one way out of the neighborhood.

The design includes removal, replacement, or abandonment of existing stormwater pipe in this area, as well as a bid alternate to design slip lining of the storm culvert under Dearborn Street. The benefits of slip lining the street crossing include allowing for the roadway not to be disturbed by culvert repair, no traffic interruptions during installation and potential damage to underground utilities is avoided.

The scope and fees identified in the task order from GBA includes surveying, site investigation, and development of plans for repairs this location. Project administration and bid phase services are included in the proposal also. Estimated construction costs for completion of the work are not yet available, but are anticipated to be paid from the Stormwater Utility Fund.

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

Related Statute/City Ordinance:	
Line Item Code/Description:	22-61-207-03
Available Budget:	\$150,000

December 21, 2018

Brent Morton  
Superintendent Public Works  
4775 Lamar Ave  
Mission, KS 66202

**SUBJECT:** West 50<sup>th</sup> Street and Dearborn Street  
Authorization of Services

Brent,

Please review the scope of services below for the proposed storm sewer improvements in the vicinity of West 50<sup>th</sup> Street and Dearborn Street:

**SCOPE OF SERVICES**

This project consists of assisting the City of Mission, Kansas (Mission) with survey, design, and limited bid phase services for addressing storm sewer deficiencies and providing new curbs and gutters along W 50<sup>th</sup> Street and Dearborn St. GBA will provide design and survey services to review existing storm system issues, recommend and discuss courses of action, prepare design drawings, prepare specifications for bidding, and assist with bid review. Refer to attached Exhibit for boundary of project area.

**Task 1 Project Administration**

**\$2,496**

- a. Invoices. Prepare and submit an invoice for the completed work.
- b. Project Management. Manage and administer project including invoicing, and allocate resources to complete the project within schedule and budget limitations. Project meetings will be limited to a maximum of 1. It is assumed that all project related meetings will take place at the Mission Public Works facility. In the event there is consideration to change the scope of the project, the Consultant shall develop and present the potential scope adjustment to Mission on all anticipated cost and schedule impacts on the Consultant's work.

**Task 2 Survey and Design**

**\$19,730**

- a. Site visit of repair location to evaluate existing conditions and confirm and validate design solutions.
- b. Identification and coordination with any utilities in the project area. Survey of project area for flowline information of existing system, roadway limits, sidewalks, landscaping, and any other existing surface conditions which may affect the construction cost of the



repair. Tie down rights-of-way adjacent to proposed storm improvements. Preparation of basemap with collected survey data. Obtain ownership and encumbrances for the three properties west of Dearborn on the south side of 50<sup>th</sup> Street. If necessary, based on project design, prepare temporary construction easements (maximum of 3).

- c. Compose a memorandum with recommended design and opinion of probable construction costs.
- d. Preparation of plan and profile design drawings, up to 5 sheets, for approximately 380-foot length of project area. Plan sheets shall be 11"x17" in size.

**Task 3 Limited Bid Phase Services**

**\$3,664**

- a. Provide special conditions, measurement and payment, bid form, and opinion of probable cost.
- b. Assist Mission with the distribution of plans to a select number of bidders. Answer questions from bidders and provide an addendum as necessary.
- c. Assist Mission with the review of the bids, development of bid tabulation, and make a recommendation of award.

**Expenses Mileage, Equipment, Printing, and Locates**

**\$2,290**

**PROPOSED FEE = \$28,180**

**ASSUMPTIONS AND EXCLUSIONS**

1. Three easement document preparations are included on Scope Item 2. If repairs are determined, through the course of the design, to be outside of easements or right of ways a scope adjustment will be necessary.
2. Mission shall provide, or provide access to, all necessary CCTV, reports, as-builts, and existing maps of existing pipe segments as needed for GBA to review to aid in design of plans.
3. No pre-bid meeting.
4. Proposed improvements will not include completing hydrologic or hydraulic calculations.

5. Contractor shall coordinate site access issues, utilities, and develop traffic control plans, as necessary.
6. Vacuum excavation of utilities for up to 8 hours have been included on the Expenses Scope Item.
7. Traffic control plans have not been included as part of this scope of work.
8. No permitting or assistance to obtain permits will be done as part of this project.

**SCHEDULE**

Anticipated schedule: January 14<sup>th</sup> through March 15, 2019.

**BASIS OF PAYMENT**

GBA will complete the work tasks described in the above listed Scope of Services on an hourly rate plus expenses basis. The fee is based on the performance of the scope of services outlined in the Master Agreement for Professional Services with the City of Mission, Kansas and GBA effectively dated January 1, 2019. Invoices will be submitted for all work completed during each previous month, including an itemized task summary as required by the City staff, and will become due and payable within thirty (30) days.

We appreciate the opportunity to help Mission on this stormwater project. If you agree with the project scope, schedule, and fee, please sign the following project authorization form and mail the original back to GBA at our attention.

Respectfully submitted,

**GEORGE BUTLER ASSOCIATES, INC.**



Leslie G. Barnt, PE  
Principal



Doug Carpenter, CPESC  
Stormwater Group Leader

I hereby authorize George Butler Associates, Inc. (GBA) to perform the tasks in the above listed Scope of Services. I acknowledge and agree with the listed project schedule and fee. I further agree to pay the monthly invoices from GBA for the services provided within thirty days of receipt.

Authorized by: \_\_\_\_\_

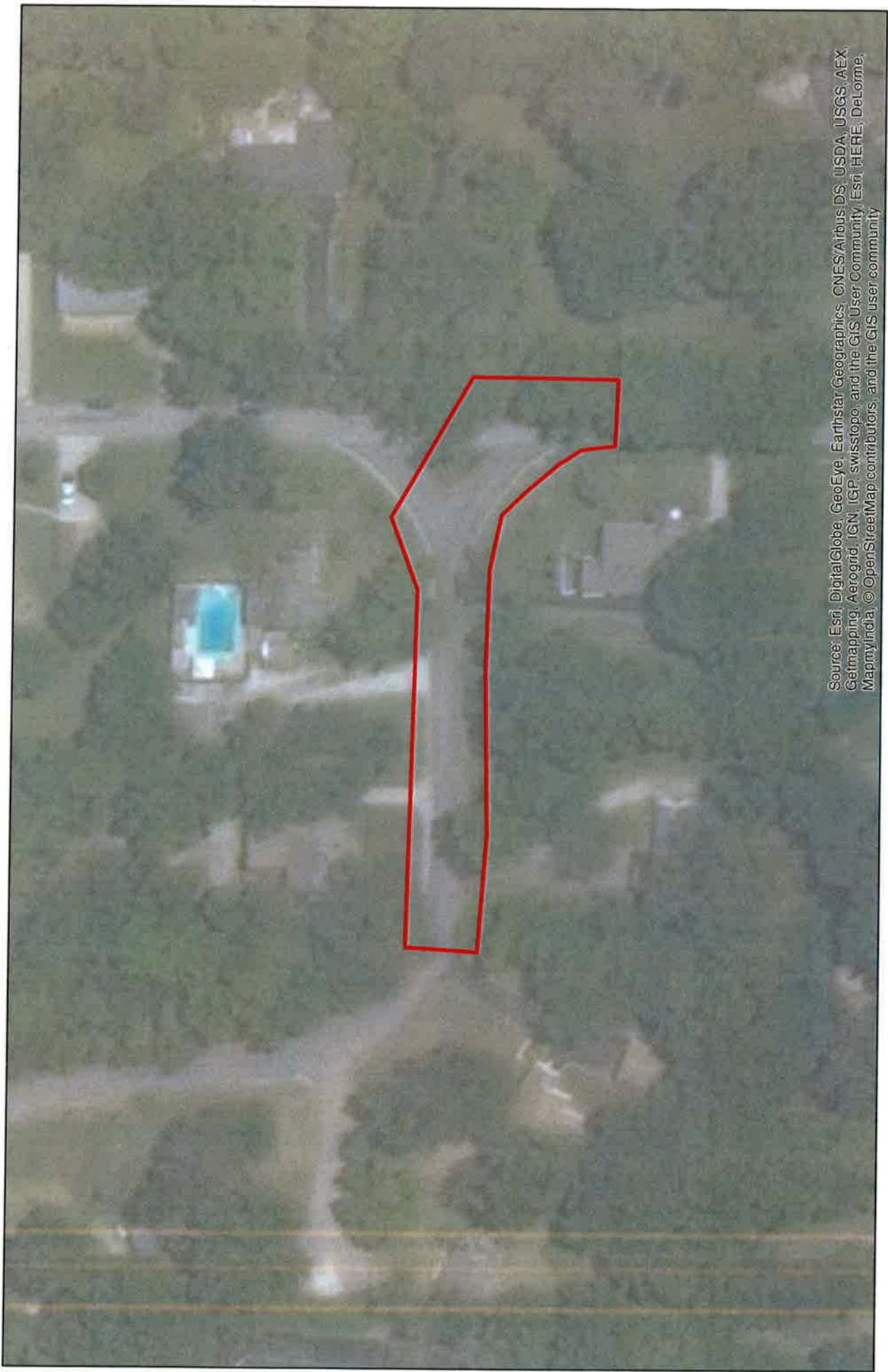
Title: \_\_\_\_\_

Date: \_\_\_\_\_

**FEE ESTIMATE**

Mission On Call Storm Repairs  
12/21/2018  
City of Mission, Kansas

Task	Task Description	Classification and Standard Hourly Rate (2018)											Hours	Fee		
		Principal \$276.00	Sr. Assoc. \$232.00	Sr. AES \$160.00	AES 1 \$132.00	SPLS \$136.00	PLS \$125.00	PT \$105.00	2MANSP \$170.00	Admin 1 \$72.00						
0001	Project Administration															
a.	Invoices		4	8									4		4	\$268.00
b.	Project Management		4	8	0	0	0	0					4		12	\$2,208.00
	<b>TOTAL TASK 0001</b>	0	4	8	0	0	0	0					4		16	<b>\$2,496.00</b>
0002	Survey and Design															
a.	Site Visit to Repair Location			8											8	\$1,280.00
b.	Research/Utility Locates/Titlework														2	\$250.00
	Survey Fieldwork														10	\$1,762.50
	Basemapping														14.5	\$1,578.00
	Temporary Easement Preparation														9.5	\$1,043.00
c.	Preparation of Memorandum with Summary and Recommendation			18	12										30	\$4,464.00
d.	Preparation of Drawings (Preliminary, Final)		1	24	40										65	\$9,352.00
	<b>TOTAL TASK 0002</b>	0	1	50	52	1	6	19.5	10	0	0	0	0	139.5	<b>\$19,729.50</b>	
0003	Bid Phase Services															
a.	Provide Special Conditions, Up Front Docs		1	8											9	\$1,512.00
b.	Assist Mission with the Distribution of Plans			4											4	\$640.00
c.	Assist Mission with the Review of Bids		1	8											9	\$1,512.00
	<b>TOTAL TASK 0003</b>	0	2	20	0	0	0	0	0	0	0	0	0	22	<b>\$3,664.00</b>	
EXPN																
a.	Mileage and Printing															\$770.00
b.	Survey Equipment (RTK-GPS)															\$120.00
c.	Utility Locate															\$1,400.00
	<b>TOTAL EXPENSES</b>															<b>\$2,290.00</b>
	<b>TOTAL CLASSIFICATION HOURS</b>	0	7	78	52	1	6	19.5	10	4				177.5	<b>\$28,179.50</b>	
	<b>TOTAL CLASSIFICATION FEE</b>	\$0.00	\$1,624.00	\$12,480.00	\$6,864.00	\$136.00	\$750.00	\$2,047.50	\$1,700.00	\$288.00					<b>\$28,179.50</b>	
	<b>TOTAL FEE ESTIMATE</b>														<b>\$28,179.50</b>	



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

## Mission Storm Repairs West 50th Street and Dearborn Street

— Project Boundary



1"=100'

