

## **MINUTES OF THE MISSION CITY COUNCIL MEETING, MARCH 20, 2019**

The Mission City Council met in regular session at Mission City Hall on Wednesday, March 20, 2019. The meeting was called to order by Mayor Ron Appletoft. The following councilmembers were present: Ken Davis, Sollie Flora, Kristin Inman, Debbie Kring, Pat Quinn, Arcie Rothrock, Nick Schlossmacher, and Hillary Thomas.

Mayor Appletoft welcomed the public and provided a brief overview of meeting procedures.

### **PUBLIC HEARING**

#### **Roeland Court Townhomes Community Improvement District**

Ms. Smith stated this public hearing for the Roeland Court Townhomes Community Improvement District (CID) is a requirement by State statutes for the establishment of a CID. We have been working on this project since August 2017 when there was a subsidence of the parking area behind Roeland Court Townhomes. Engineers have worked to find a solution to repair the area, and a CID would allow the property owners to pay their share of the expense over multiple years. Usually a CID is used with sales tax, but it can also be a special assessment. She stated that this CID would allow the property owners 22 years to pay for the required repairs to the parking/driveway area. A CID petition was presented to the City in December 2018, which would have assessed the property owners \$711 per unit per year to pay for the repairs. In January, the Roeland Court Townhomes Homeowners Association decided they would like to expand the project to include all of the parking area. This would increase the yearly assessment to \$911 per unit per year. Because of this, the process needed to begin again with a revised CID petition. A valid revised CID petition was presented to the City with 13 of the 20 property owners signing. The next step in this process is this public hearing followed by Council's consideration of an ordinance to establish the CID at their April 17th City Council meeting.

Mayor Appletoft opened the Public Hearing on the Roeland Court Townhomes Community Improvement District and invited comments.

Sheldon Bucl, Roeland Court Townhomes property owner and president of the Roeland Court Townhomes HOA, thanked the City for their work on this project, and for working with them as they made adjustments to the project and presented a revised CID petition. He stated that he and other property owners are excited to move forward with the project.

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There being no further public comments, the public hearing was closed. Mayor Appletoft stated that the next step in the CID process is for Council to consider adoption of an ordinance formally establishing the CID. This will be presented at the April 3rd Finance & Administration Committee meeting and will then move to Council for consideration at the April 17th City Council Meeting.

### **SPECIAL PRESENTATIONS**

There were no Special Presentations.

### **CONSENT AGENDA**

**Moved by Kring, seconded by Quinn** to approve the Consent Agenda, items 4a through 4k.

- 4a. Minutes of the February 20, 2019 City Council Meeting
- 4b. Computer Replacements
- 4c. Revisions to Chapter 600 - Alcoholic Beverages
- 4d. Rotary Street Solicitation Application
- 4e. Resolution Designating City-sponsored Festival Events
- 4f. CMB License Application, CVS
- 4g. Lease Renewal with Johnson County Wastewater for Community Garden
- 4h. Super Pool Pass Agreements
- 4i. Mowing Services Contract
- 4j. Turf Management Contract
- 4k. Approval of Costs for Limb Removal / Disposal

Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas.

**Motion carried.**

### **PUBLIC COMMENTS**

There were no public comments.

### **FINANCE & ADMINISTRATION COMMITTEE**

Councilmember Schlossmacher stated the Finance & Administration Committee met on March 6th and discussed six items, including approval of the meeting minutes. All items were considered on tonight's Consent Agenda. As part of the Department Updates

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during the meeting, the committee also discussed changing the time for upcoming work sessions from 7:00 p.m. to 6:30 p.m. This will be considered tonight under New Business.

### **COMMUNITY DEVELOPMENT COMMITTEE**

Councilmember Inman stated the Community Development Committee also met on March 6th and discussed 11 items. These included approval of the committee minutes, updates on the 51st Street and Lamar signal repairs, Broadmoor Project right-of-way/easement acquisition, and the Hodges planters. Five of the action items discussed at the committee meeting were approved on tonight's Consent Agenda and there are two additional items for consideration.

### **Public Works Equipment Purchases**

Councilmember Inman reported the 2019 Budget includes \$385,000 in Public Works capital line items to fund the replacement of vehicles and equipment. Quotes were solicited for each of the items scheduled for replacement in 2019 and include:

- One 2019 Kenworth T470 Dump Truck
- One Ford F-450 1.5 ton truck with extended cab
- One Ford F-450 1.5 ton truck with crew cab
- Two electronic message boards
- One Billy Goat Leaf Vacuum

These purchases will result in a savings of approximately \$31,311.50 over what was budgeted for 2019. These savings and the proceeds from the sale of the surplus vehicles and equipment will be transferred to the Equipment Replacement Fund.

**Moved by Inman, seconded by Schlossmacher** to approve the purchase of one 2019 Kenworth T470 dump truck, one Ford F-450 1.5 ton truck (extended cab), one Ford F-450 1.5 ton truck (crew cab), two electronic message boards, and one Billy Goat Leaf Vacuum in an amount not to exceed \$351,188.50. There was no discussion on this item. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.**

### **Broadmoor Construction Inspection Services**

Councilmember Inman stated the Broadmoor project, Martway to Johnson Drive, is included in the City's CIP for construction in 2019. This project includes a number of

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improvements including pavement, curb, sidewalk, street lighting, and stormwater infrastructure. To ensure these items are built to plan specifications, it is critical to have a certified inspector on site while the work is being done. This task order with George Butler Associates (GBA) is based on a 16 week construction timeline with an additional 3 weeks built in for potential delays associated with installation of the traffic signal. The City will only be billed for the actual time spent on the project. This is a CARS project which means that 50% of construction and construction inspection expenses are eligible for reimbursement. This proposed task order with GBA for construction inspection services is in an amount not to exceed \$139,399.70.

**Moved by Inman, seconded by Kring** to approve a task order with George Butler Associates for Broadmoor construction inspection services in an amount not to exceed \$139,399.70. There was no discussion on this item. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.**

### **NEW BUSINESS**

#### **Renewables Direct Participation Agreement with KCPL**

Ms. Smith reported KCPL has established a new program which is open to their commercial and industrial customers, including cities. Information on this program was provided to Council at the March 6th Community Development Committee Meeting, and staff was asked to gather and present additional information on this program at this meeting. Renewables Direct is the program name for the Renewable Energy Rider Tariff (RER Tariff) approved by the Kansas Corporation Commission in 2018. The program functions on a first come first served basis. Ms. Smith stated staff has been working with KCPL representatives to gauge our ability to participate in this program and at what level. The program allows commercial and industrial customers with a minimum average monthly peak demand of 200 kW or greater to subscribe to replace all or a portion of their current electric usage capacity through subscription to a renewable resource, which will be wind power. Mission currently has an average monthly subscribed capacity of 712 kW. If the City subscribes to the program, the current fuel factor charge (ECA) on our bill will be replaced with a Renewable Participation Charge (RPC) which is anticipated to trend lower than the ECA. Information was provided in the packet regarding our current usage and ECA charge. Ms. Smith stated that once the program is full, they will then build the wind farm which should take approximately 18 months. Participants have the ability to sign an agreement for 5, 10, 15 or 20 years, and Ms. Smith noted that if we sign for less than 20 years there is an additional administrative charge added to the RPC. If a shorter term is elected, we would have the first right of refusal to renew for an additional term. She

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also provided information on the ability of customers to either round up or down in 200 kW increments when selecting their level of participation. Initially the thought was to round down to 600 kW but, after gathering further information, she stated there is no risk to round up to the 800 kW capacity. Information was provided on the 600 kW vs. 800 kW capacity and its impact to Mission. She also stressed that this program does not guarantee a savings and that if a longer term is selected, we would be locked in even if newer technology comes along, although the risk when selecting the five or ten year term is low for this.

Drew Robinson, KCPL representative, provided additional information on the program, including:

- RPC is a fixed price over the duration of the term of the agreement.
- If the RPC for wind were to go higher than the EPC on Mission's 800 kW participation, KCPL would look at the 12 month impact and an adjustment would be made based on how much our share generates (provided a specific formula for calculation).
- Information on terminating the agreement early.
- The City would benefit from energy credits and promote sustainability efforts if we were to participate in the program.
- Discussed the variations in generation of wind energy, noting that the most wind is generated in the spring and October, and if there is an excess of energy generated over the year, KCPL will buy this so we will receive a credit.
- There is one annual "true up" for those that subscribe which is done at the end of the year so any credit or recovery would be seen on the next year's bills.

Discussion by Council continued on the following:

- Whether there is any contingency in the agreement for possible development of enhanced technology. Mr. Robinson stated the contract is based on wind development with a 20 year fixed cost. At this time they are not sure who will develop their wind farm, but there are several shovel-ready projects in Kansas.
- Whether the cost could increase since a specific developer has not yet been identified. Mr. Robinson stated the agreement is at a not to exceed cost of 2 cents per kWh for our share of the renewable resource production, and if the price comes back higher than the 2 cents, Mission would have the option to cancel the contract. He stated some customers are not concerned with this as they are committed to "green" energy.
- How the true up will work if the City is required to pay additional amounts.

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- If the City elects the 800 kW option, but consistently uses less than this amount, the excess will be assigned to someone else by KCPL. Mr. Robinson confirmed that they would speak with the City prior to making this change (dropping Mission to 600 kW) and then bring on another customer from the wait-list.
- Prairie Village is the only other city to sign on at this time. Other cities and counties have signed on to a similar program through Westar Energy, and the program has been very successful.
- Prairie Village has agreed to participate in the program at the 400 kW level for 20 years. Mr. Robinson stated they are participating at a lower level as it is based on their energy usage, noting that they do not have a community center. He discussed the benefits associated with signing on for the full 20 years.
- Mission's streetlights are not metered and therefore can not be in the program.
- The possible redevelopment of City Hall within the next 20 years, making it more energy efficient. Ms. Smith stated it is hard to predict capacity changes in the future. Mr. Robinson stated the agreement could be modified with a justifiable reason, and there is also the option to ask for more capacity or to switch accounts in the program (same net result).

Ms. Smith stated with the new information received from KCPL, staff is recommending participating at the 800 kW level and it is up to Council to determine the timeframe for participation (5, 10, 15, 20 years). She noted that once the program is full, there is still an anticipated 18 months for the wind farm to be built resulting in our commitment for about 7 years if we select a 5 year participation level. She also stated that with conservative budgeting, we would be leaving less than \$1,000 on the table if we selected 5 years vs. paying a termination fee, which could be substantial. Staff recommends participating at the 800 kW level for 5 years, or the 10 year option at the most. Mr. Robinson noted that if 5 years is selected, Mission would have first right of refusal to extend our agreement, but the break in cost for the full 20 years is only available if that option is selected at the onset. Discussion continued by Council on other possible energy solutions (solar), tariffs, and government subsidies for renewable energy and possible effects on the program if these are eliminated (price for this program is fixed regardless of subsidies). Mr. Robinson also provided information on why Westar's program has a cost of 1.8 cents per kWh, and discussed how the energy moves through the marketplace.

**Moved by Davis, seconded by Kring** to authorize the participating agreement with KCPL to purchase electric energy from a renewable resource intending to replace 100% of 800 kW of our current capacity for a five year term.

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**Moved by Flora, seconded by Rothrock** to amend the original motion to a ten year term. Councilmember Flora stated that ten years shows a commitment to renewable energy and is a “happy medium” to avoid risk. Councilmember Schlossmacher agreed and Councilmember Thomas stated this would be a safe choice with a locked-in rate. Councilmember Davis stated he accepted the amendment as a friendly amendment.

The question was called on the amendment to the original motion. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.**

**The question was called on the original motion as amended (800 kW of our current capacity for a ten year term).** Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.**

Councilmember Flora thanked staff for moving so quickly to gather information for Council consideration of this program.

### **Meeting Time Change for City Council Work Sessions**

Ms. Smith stated the time for Council Work Sessions is set by ordinance at 7:00 p.m. Several have stated it is more efficient to begin at 6:30 p.m. and if Council would like to make this change to upcoming work sessions through the budget season (end of August), a vote is required.

**Moved by Schlossmacher, seconded by Quinn** to approve a start time of 6:30 p.m. for all upcoming work sessions through August 31, 2019, including the 2019 Budget Work Sessions. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.**

### **COMMENTS FROM THE CITY COUNCIL**

Councilmember Davis stated he appreciated the opportunity to attend the National League of Cities Congressional Cities Conference in Washington, DC. This conference was very informative and they received a great deal of valuable information.

Councilmember Thomas announced the upcoming Ward I Meeting on April 10th at the Community Center, 6:30 p.m. She also stated that she will be on maternity leave soon so she may miss a few meetings in the coming months.

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Councilmember Flora stated she and Councilmember Thomas have been active in the Metro Metro KC Climate Action Coalition, working with State representatives on sustainability issues. She encouraged others interested in participating to contact her.

### **MAYOR'S REPORT**

Mayor Appletoft reported that Dorwin Lamkin, former Mission resident and Pearl Harbor Survivor, passed away. Mr. Lamkin was a longtime resident of Mission, frequent visitor to the Community Center, and instrumental in establishing Mission's Pearl Harbor Park and our annual remembrance event. Each year on December 7th Mission hosts an event to remember Pearl Harbor and will continue to do so. Mr. Lamkin was 96 years old and the last Pearl Harbor Survivor in our area.

### **CITY ADMINISTRATOR'S REPORT**

Ms. Smith announced the following:

- In remembrance of Mr. Lamkin, Ms. Smith recommended that a tree be planted at Pearl Harbor Park in his memory.
- The Arbor Day Poster Contest presentation will be on Friday, March 22nd at Rushton Elementary and Council was invited to attend.
- There will be a City Council Work Session on March 27th at 6:30 p.m. Two items will be discussed - Tobacco 21 and a policy on Council liaisons to our boards and commissions.
- There will be a City Council Retreat on Saturday, March 30th from 9:00 a.m. - 12:00 noon at the Community Center.
- Mayor Appletoft has spoken with Chris Carroll at ATT and the manholes at Johnson Drive and Broadmoor that have been of concern are patched and plated. Permanent repairs will be completed within the next few weeks.

### **EXECUTIVE SESSION**

**Moved by Davis, seconded by Quinn** to recess to executive session under the consultation with an attorney exception to discuss a contractual matter, K.S.A. 75-4319 (b)(2). Also attending will be City Administrator Laura Smith and City Attorney David Martin. The open meeting will resume in Council Chambers at 8:10 p.m. (10 minutes). Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas.  
**Motion carried.**



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Council recessed to Executive Session at 8:00 p.m.

Council reconvened in Council Chambers at 8:10 p.m.

**ADJOURNMENT**

**Moved by Quinn, seconded by Kring** to adjourn the meeting at 8:12 p.m. All present voted AYE. **Motion carried.**

Respectfully submitted by Martha Sumrall, City Clerk.

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Ronald E. Appletoft, Mayor

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Martha M. Sumrall, City Clerk