

MINUTES OF THE MISSION CITY COUNCIL MEETING, APRIL 15, 2020

The Mission City Council met virtually via ZOOM for the regular meeting on Wednesday, April 15, 2020. The meeting was called to order by Mayor Ron Appletoft. The following councilmembers participated virtually: Trent Boultinghouse, Ken Davis, Sollie Flora, Kristin Inman, Debbie Kring, Arcie Rothrock, Nick Schlossmacher, and Hillary Thomas.

Mayor Appletoft stated that because of the COVID-19 social distancing recommendations, this meeting is being held virtually via ZOOM. City Councilmembers are participating remotely, the Mayor is in Council Chambers, and Ms. Smith and Ms. Sumrall are participating from their desks. Other staff are participating remotely. The public is invited to participate in the meeting by using the instructions included in the City Calendar item listed on the front page of Mission's website. Public participants will be allowed to make public comments through the comments feature and participants should note that comments are visible by all participants. Members of the public are asked to state their name and city of residence when making a public comment. Mayor Appletoft also asked all to be conscientious of others trying to speak, and to speak clearly and slowly.

REVISED AGENDA

Mayor Appletoft stated that the agenda has been revised to add an additional item under "New Business."

Moved by Kring, seconded by Davis to adopt the Revised Agenda as presented. Voting AYE: Boultinghouse, Davis, Flora, Inman, Kring, Rothrock, Schlossmacher, Thomas.
Motion carried.

SPECIAL PRESENTATIONS

SevenDays Supportive City Proclamation

Mayor Appletoft stated this proclamation recognizes the Faith Always Wins Foundation that is working to make a difference against hateful acts through kindness and interfaith dialogue. This year's event, SevenDays Make a Ripple, Change the World, will be April 21-27, and during these seven days the Faith Always Wins Foundation is planning events that promote the importance of kindness, respect, and understanding - values that our community embraces not only during these seven days, but at all times. Their activities, like those of others, have been impacted by the COVID-19 situation and they have transitioned to virtual events for 2020. This proclamation will be shared on social media.

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Ms Smith stated that along with the proclamation, links to virtual events will be shared. A blood drive scheduled to be hosted at the Community Center will be rescheduled for a time when it is safe.

Fair Housing Month Proclamation

Mayor Appletoft stated this proclamation recognizes Fair Housing Month in Mission. This April marks 52 years since the signing of the Federal Fair Housing Act. It is important that we recognize and raise awareness of each individual's rights under fair housing. Mission is committed to equal housing opportunities in our community. He proclaimed April as Fair Housing Month in Mission.

CONSENT AGENDA

Moved by Boultinghouse, seconded by Davis to approve the Consent Agenda, items 4a through 4c.

- 4a. Minutes of the March 18, 2020 City Council Meeting and Minutes of the April 1 2020 Special City Council Meeting
- 4b. Surplus Property Resolution
- 4c. Update to Tree Plan

Voting AYE: Boultinghouse, Davis, Flora, Inman, Kring, Rothrock, Schlossmacher, Thomas. **Motion carried.**

PUBLIC COMMENTS

There were no public comments.

FINANCE & ADMINISTRATION COMMITTEE

Councilmember Flora reported the Finance & Administration Committee met on April 8 and considered two items, including acceptance of the meeting minutes. A resolution approving surplus property for sale or disposal was approved on the Consent Agenda tonight. There are no additional items from the committee for consideration tonight.

COMMUNITY DEVELOPMENT COMMITTEE

Councilmember Thomas reported the Community Development Committee also met on April 8 and considered five items. These included acceptance of the committee minutes and an update to the City's Tree Plan, which was approved on tonight's Consent Agenda. There are three additional items related to the Lamar Rehabilitation and Resurfacing Project for consideration tonight.

Lamar Rehabilitation and resurfacing (UBAS) Contract Award

Councilmember Thomas reported this project includes rehabilitation and resurfacing of Lamar between Foxridge Drive and Shawnee Mission Parkway, including the use of UBAS surface treatment. The project also includes bike lanes that will be funded through a Safe Routes to Schools grant. The bike lanes will be bid separately through KDOT. The scope and scale of the project has evolved in the last few years, and both CARS funds and a Safe Routes to Schools grant are now available to fund a portion of the project. In March 2019, Council authorized a task order with Olsson for design to move the project forward toward construction. During the design process a walk-through of the entire street was undertaken and it was determined that there were many areas requiring base and joint repair, which were not included in the preliminary budget estimates. Because of this, the engineer's estimate is over what was originally approved in the CIP budget. The project was bid in February and two bids were received. Following receipt of the bids, crack sealing costs were removed from the engineer's estimate and both bids, as it is not recommended prior to a UBAS treatment. The lowest and most responsive bid received was from Superior Bowen Asphalt Company in the amount of \$928,994.15. This bid exceeds the engineer's estimate by 2.8% but, based on bid negotiations, modifications to construction inspection services, and additional CARS funding through a change order, staff is recommending approval of this contract as there are sufficient funds in the Street Program CIP to proceed.

Moved by Thomas, seconded by Schlossmacher to approve a contract with Superior Bowen Asphalt Company, LLC for the Lamar Avenue (Foxridge Drive to Shawnee Mission Parkway) Rehabilitation and Resurfacing Project in an amount not to exceed \$928,994.15. Councilmember Flora stated that this was discussed extensively at the committee meeting and, although the project may seem very large to proceed with during current financial uncertainty, this is an important and highly traveled road in Mission and CARS funding is available at this time. Councilmember Inman asked when we anticipate the project beginning and how long it will take. Ms. Duran stated we anticipate the project getting underway in May and taking 90 days depending on the weather. Ms. Smith stated the 90

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day timeline is for the UBAS treatment and bike lanes will follow. Ms. Duran stated KDOT has been delayed in the bike lane portion of this project due to COVID-19, but that temporary striping will go down once the UBAS portion of the road is complete. Voting AYE: Boultinghouse, Davis, Flora, Inman, Kring, Rothrock, Schlossmacher, Thomas. **Motion carried.**

Lamar Construction Inspection Services Contract

Councilmember Thomas reported that the Lamar project includes UBAS treatment, spot curb/gutter, pavement, joint and sidewalk repair and replacement, and bike lanes. The bike lanes are a separate project that will be administered by KDOT using Safe Routes to Schools funds, and will be added following completion of the surface treatment. Since KDOT is administering the bike lane portion of the project, the City is required to select a construction inspector from their list of qualified firms. Pfefferkorn Engineering & Environmental, LLC had submitted a statement of qualifications to KDOT for inspection services and will be performing these services for the bike lane portion of the project. The City requested they submit a proposal for inspection of the rehabilitation and resurfacing portion of the project as well. The proposal includes part-time inspection of the project for a period of 90 working days. Based on Pfefferkorn's experience and qualifications performing inspection of KDOT projects, and to ensure continuity throughout the project, staff is recommending approval of the construction inspection services agreement in an amount not to exceed \$39,040. The contract is based on a 90-day construction timeline and the City will only be billed for actual time present on the project.

Moved by Thomas, seconded by Kring to approve a Construction inspection Services Agreement with Pfefferkorn Engineering & Environmental, LLC (Pfefferkorn) for construction inspection services for the Lamar Rehabilitation and Resurfacing (UBAS) project in an amount not to exceed \$39,040. Voting AYE: Boultinghouse, Davis, Flora, Inman, Kring, Rothrock, Schlossmacher, Thomas. **Motion carried.**

Lamar Interlocal Agreement for CARS Funding

Councilmember Thomas stated the Lamar project is eligible for Johnson County CARS funding for a portion of the construction and construction inspection costs. The conceptual project costs submitted to CARS in 2019 totaled \$938,060. Following the project bid opening in March, the total project cost is now estimated at \$1,140,083 due to the factors previously described. This interlocal agreement obligates CARS funding for the project in an amount not to exceed \$422,000. The project is also eligible for additional CARS

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funding through a change order in an amount up to \$75,000, and this additional funding has been requested by the City.

Moved by Thomas, seconded by Davis to approve the Interlocal Agreement with Johnson County for the public improvement of Lamar Avenue (Foxridge Drive to Shawnee Mission Parkway) (CARS Project No. 320001323) using 2020 CARS Program funding in an amount not to exceed \$422,000. Voting AYE: Boultinghouse, Davis, Flora, Inman, Kring, Rothrock, Schlossmacher, Thomas. **Motion carried.**

NEW BUSINESS

Resolution - 2020 Virtual Earth Day

Ms. Smith stated this proclamation honors the 50th Anniversary of Earth Day, which was established in 1970 to bring awareness to environmental issues. Earth day remains an opportunity to renew our commitment to preserving and protecting the environment, and all are encouraged to engage in activities to recognize Earth Day 2020. She stated that due to COVID-19, activities are encouraged virtually, and suggested activities will be added to our website.

Moved by Davis, seconded by Kring to approve a resolution in honor of the 50th Anniversary of Earth Day and encouraging Mission residents to participate in virtual Earth Day celebrations. Councilmember Flora thanked Ms. Randel and the Sustainability Commission for their work in supporting this virtual event. Voting AYE: Boultinghouse, Davis, Flora, Inman, Kring, Rothrock, Schlossmacher, Thomas. **Motion carried.**

Change in Meeting Times for Upcoming City Council Work Sessions

Ms. Smith reported that Council typically votes to move the time of work sessions during the budget process from 7:00 p.m. to 6:30 p.m.

Moved by Kring, seconded by Boultinghouse to approve a start time of 6:30 p.m. for all upcoming work sessions through August 31, 2020. Voting AYE: Boultinghouse, Davis, Flora, Inman, Kring, Rothrock, Schlossmacher, Thomas. **Motion carried.**

State of Emergency / Disaster Proclamation

Ms. Smith reported that following the Governor's press conference late this afternoon, consideration of amendments to the current City of Mission State of Emergency / Disaster

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Proclamation were added to the agenda, rather than putting this off and needing a special meeting at a later date to consider these. The state-wide orders from Governor Kelly extend the stay at home order to May 3, and it is expected that Governor Parsons of Missouri will do this also. The "Core 4" metro group has not yet made a decision on this, but it is anticipated to be extended past the state deadline to May 15th. The last amendment to the proclamation extended our facility closures and staff compensation to coincide with Johnson County's stay at home order expiring on April 24th. Ms. Smith stated she would like feedback on extending Mission's proclamation to May 15th, noting that the state and County orders would still take precedent. She provided history on the initial proclamation and amendments to it. There are several questions for Council to consider this evening including whether City facilities should remain closed without a specific date being included in the proclamation, but following state and county orders. Municipal Court has been postponed until May 12th and additional adjustments may be needed to this schedule and future court dockets. Court represents the greatest number of people who come to City Hall. The Community Center, although a government facility, is not considered essential so it would not be allowed to be open, but it also impacts many people. She stated that along with facility closures, meetings will continue to be held virtually. The second question for Council concerns employee compensation.

Discussion by the group continued on facility closures. Councilmember Flora stated she supports continued closure of facilities through the longer "Core 4" date of May 15th. She stated the Governor has called for continued social distancing for at least another two weeks so the May 15th date makes sense. This can be revised if necessary.

Mayor Appletoft stated he agrees with following the State and Johnson County stay at home orders for our facility closures, and that we should align our proclamation with them.

Councilmember Davis stated he also agrees and feels it is prudent especially with the increase in number of cases reported. We should continue to be in line with the Core 4 and Johnson County.

Councilmember Thomas asked if we can confirm the May 15th date. Ms. Smith stated our proclamation can state that we are observing facility closures through any existing State or Johnson County stay at home order. This makes information easily communicated to residents. It is anticipated Johnson County will extend their order through May 15th. Councilmember Schlossmacher, Boultinghouse and Inman all stated that they agree with the extended closure of City facilities.

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Ms. Smith stated staff appreciates Council's action on April 1st to approve compensating both full and part-time employees, regardless of whether they are working regular hours, staggered schedules, remotely or not at all (part-time employees) based on their regularly scheduled hours to keep them whole and financially secure during the COVID-19 pandemic. Compensation at this level was previously approved through April 24th to coincide with the County's stay at home order. If this is extended to May 15th, there are an additional three weeks to consider. She stated all recognize we are financial stewards of City funds. She provided information on the first payroll since the stay at home order, which included:

- Of the \$197,460 payroll for two weeks, approximately \$37,000 of that is COVID-19 hours which represents 16% of payroll.
- The "lion's share" of these COVID-19 hours are for part-time employees at the Community Center - approximately \$16,000. Councilmember Inman asked for information on paying Social Security for COVID-19 hours and Ms. Smith stated we are still seeking clarity on that issue. She stated if we have the opportunity to use tax credits, we will.
- The Public Works staff is working staggered schedules with two crews.
- We are getting better at assigning work and projects for employees working remotely, although Public Works is challenging due to social distancing. She stated there are opportunities to be more creative with work/projects while maintaining social distancing so that employees can get closer to 40 hours worked each week.
- The estimated payroll due to COVID-19 through previous proclamations is \$75,800. If the same compensation guidelines are continued for an additional three weeks the estimated payroll impact is \$56,000.
- The approximate total for keeping employees whole through stay at home orders would be \$132,800, which is about 1.7% of our total personnel costs.

Ms. Smith provided additional information on current revenues stating our first quarter sales tax revenues are on track and department heads are looking at scenarios to reduce their budgets. There are currently several position vacancies, our costs for health insurance in 2020 did not increase although a 12% increase had been budgeted for, and the planner position was budgeted for a full year but did not come on board until April so there are savings in that position also. This all results in budget flexibility in personnel services.

Councilmember Kring asked if there are currently any employment offers "on the table." Ms. Smith stated that there are several in the Police Department as these always take a long time to fill. Councilmember Flora stated that she supports continuing the current

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compensation to May 15th. She does not feel this can go on indefinitely, but with the budget information provided we can continue to do this for a limited time and keep employees whole.

Councilmember Schlossmacher asked if pool and seasonal workers are being hired for the summer. Ms. Smith stated that we are interviewing and giving conditional offers. If the pool and Community Center are able to open, we will be ready to finalize the hiring and open. She stated we are having difficulty recruiting for these positions and again stressed that conditional offers only are being extended. This will allow us to react quickly and have staff in place to support opening these facilities if possible. Mayor Appletoft asked Ms. Smith to confirm that we would not be able to open the Community Center or outdoor pool without part-time staff, and Ms. Smith stated this is correct.

Councilmember Davis stated he supports maintaining salaries through May 15th. Councilmember Boultinghouse agreed, noting the importance of keeping our staff and their talents.

Councilmember Thomas also agreed and requested additional information on the current payroll relative to COVID-19, including the percentage of staff not working due to child care issues. Ms. Smith stated we currently do not have anyone taking advantage of COVID-19 extended FMLA leave for child care. In the Police Department, staff has worked together to make shift adjustments to accommodate those with child care needs. She provided information on the Municipal Court staff who are working staggered schedules, but are not able to work remotely as their software is only on computers at City Hall and they need to be available for the many phone calls received. They are able to take some paperwork home (i.e. stuffing envelopes). With improvements in the weather there are also additional opportunities for Public Works staff to be working more hours while staying safe. Most full-time staff at the Community Center and City Hall are able to work remotely, and she noted we will look for ways for employees to work across department lines when possible.

Ms. Smith provided possible language for the motion to amend the current proclamation, including:

- City facilities will remain closed to the general public and all governmental functions (meetings) that constitute a large public gathering will be suspended or conducted remotely through the period of any statewide or county-issued stay at home order.
- All city employees regardless of whether they are working on regular or staggered schedules, or remotely will be compensated in accordance with the greater of the actual hours worked or their regularly scheduled hours each week up to and

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including Friday, May 15th. Part-time employees who are not able to report to work will be compensated through this same period of time based on an average of their regularly scheduled hours each week. No employee will be required to use their own accrued leave time for COVID-19 related situations.

- Employees who have physically reported to work will continue to be provided with 8 hours of vacation for every 40 hours worked. She stated that is is not a lot of time for the City to give to employees and they should be rewarded.

Councilmember Davis recommended a provisional motion to authorize Ms. Smith to draft the amendments, forward them to Council via email, and authorize the Mayor to sign the proclamation be considered. All agreed.

Moved by Davis, seconded Schlossmacher to authorize Ms. Smith to draft amendments to the State of Emergency / Disaster Proclamation as discussed, forward these to Council, and authorizing the Mayor to approve (sign) the amended proclamation. Voting AYE: Boultinghouse, Davis, Flora, Inman, Kring, Rothrock, Schlossmacher, Thomas. **Motion carried.**

COMMENTS FROM THE CITY COUNCIL

Councilmember Boultinghouse announced there will be a Ward I meeting via ZOOM on Wednesday, April 22nd.

Councilmembers thanked Ms. Sumrall, City Clerk for her service to the City of Mission as she is retiring April 30th.

MAYOR'S REPORT

Mayor Appletoft also thanked Ms. Sumrall for her service to the City of Mission.

CITY ADMINISTRATOR'S REPORT

Ms. Smith stated that due to COVID-19, Arbor Day has been postponed and will be held in September.

The City has worked with Harvesters to schedule four Mobile Food Pantry events on the fifth Saturdays of the year. Harvesters recently reached out to the City to request an additional event, which has been scheduled for Saturday, May 9th. Masks will be provided to volunteers and social distancing training will be provided. She stated the Public Works

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staff agreed to this additional food pantry event without hesitation. Donations of cloth masks for volunteers are requested.

Ms. Smith thanked Ms. Sumrall for her work on behalf of the City for the past 20 years.

ADJOURNMENT

Mayor Appletoft announced that the public video from tonight's meeting will be available through a link on the City's website - missionks.org.

Moved by Davis, seconded by Kring to adjourn the meeting at 7:58 p.m. All present voted AYE. **Motion carried.**

Respectfully submitted by Martha Sumrall, City Clerk.

Ronald E. Appletoft, Mayor

Martha M. Sumrall, City Clerk