

## **MINUTES OF THE MISSION CITY COUNCIL MEETING, APRIL 17, 2019**

The Mission City Council met in regular session at Mission City Hall on Wednesday, April 17, 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. He also welcomed the many students in attendance.

### **SPECIAL PRESENTATIONS**

#### **Fair Housing Month Proclamation**

Mayor Appletoft announced April as Fair Housing Month in Mission. April marks the 51st year since the signing of the Federal Fair Housing Act. It is important to recognize and raise awareness of each individual's rights under fair housing. Mission is committed to equal housing opportunities, and he stated he is honored to proclaim April as Fair Housing Month in Mission. Ms. Smith stated we proclaim Fair Housing Month annually in April and this is important to promote fair housing and to affirm that we are a diverse and inclusive community. She stated this year with the recent passage of our non-discrimination ordinance, we are able to provide more protections in our community.

#### **National Small Business Week Proclamation**

Mayor Appletoft proclaimed the week of May 5-11th as National Small Business Week in Mission. He stated each business in our City, large or small, contributes to the overall success of our community, making it a place for all to not only live, but also to shop and conduct business. He encouraged all to support the many small businesses in Mission not only during Small Business Week, but throughout the year. These businesses play a large part in making Mission a unique destination. Many of Mission's small businesses are located in our Downtown District, and he introduced Kevin Fullerton, President of the Mission Business Partnership, to accept the proclamation. Mr. Fullerton, Springboard Creative, and Cathy Casey, Casey's Auto Repair, accepted the proclamation and thanked the Mayor and Council on behalf of all the small businesses in Mission.

### **CONSENT AGENDA**

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

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- 4a. Minutes of the March 20, 2019 City Council Meeting
- 4b. Update to 2019 Classification and Compensation Plan
- 4c. Revisions to City Council Policy No. 111
- 4d. Declaration of Surplus Property
- 4e. Update to Tree Plan
- 4f. Olsson Task Order - Engineering for 2019 Lamar UBAS Treatment
- 4g. 51st Street & Lamar Traffic Signal Repairs
- 4h. Foxridge Concrete Repairs
- 4i. Stormwater BMP Interlocal Agreement Renewal
- 4j. Ordinance Revising Membership for Parks, Recreation and Tree Commission

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

**Motion carried.**

### **PUBLIC COMMENTS**

Becky Fast, Johnson County Commissioner District 1, provided an update on activities at the County, including:

- She plans to come back before Council in the fall to provide additional information on the County's 2020 Budget.
- Meadowbrook Park will be opening June 1st and will include a variety of unique nature-centered amenities, including a playground, fishing, composting, environmental learning opportunities, etc.
- She thanked Councilmember Schlossmacher for his update on the potential dog park in Mission.
- The County recently approved Mission's lease renewal for the Community Garden.
- Renovation of the Nelson Plant wastewater treatment facility will move forward and they anticipate having town halls to share information. She also provided information on a new reporting service via the County website for issues with odors. This will allow them to react immediately if an issue. This will be shared on our website and through social media/newsletter.
- Commissioner Fast serves as the liaison to Johnson County Mental Health Board and she stated that crisis response is a top priority.
- The Sheriff is looking at increasing the daily prisoner fee that is paid by cities.

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- She is the liaison to the Solid Waste Committee and they are looking for community input as they consider ways to reduce our waste and extend the life of our landfills.
- Housing affordability is a priority.
- Johnson County Libraries will be undergoing renovations.
- Local breweries have contacted the County Commission to request that the 30% food requirement be removed from their licensing requirements. The Commission is considering this request, which would need to be changed by a County-wide vote (not just Commission vote).

She encouraged all to text or email her with questions or concerns as she is our representative and voice on the County Commission.

### **FINANCE & ADMINISTRATION COMMITTEE**

Councilmember Schlossmacher stated the Finance & Administration Committee met on April 3rd and discussed eight items, including approval of the meeting minutes. Three of those items were considered on tonight's Consent Agenda and there are three additional items for consideration. Information on the election of Council President and Vice President was provided at the meeting as a discussion item, and these elections are on tonight's agenda under New Business.

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

Councilmember Schlossmacher reported following a subsidence of the parking lot / common area at the Roeland Court Townhomes, staff began working with the residents, and consultants and engineers, to address the situation and find a cooperative solution. It was determined that the creation of a Community Improvement District (CID) would allow for a special assessment through the CID that would allow property owners a longer period of time over which to repay repair costs. A valid petition was submitted in December 2018 and Council held a public hearing on January 16th as required by State statutes. In February, the Roeland Court Homes Association expressed an interest in exploring an increase to the maximum annual assessment to potentially repair and upgrade all of the parking area, as opposed to just the area that was damaged. After meeting with and a vote by the property owners, the HOA submitted a revised and valid petition that would increase the maximum annual assessment from the original \$781 per year per unit to \$911 per year per unit. A public hearing on the revised petition was held on March 20th. All required notices were provided following the passage of both

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resolutions calling public hearings. Adoption of this proposed ordinance, which was prepared by our Bond Counsel, is the next step in formally establishing the Roeland Court Townhomes Community Improvement District.

**Moved by Schlossmacher, seconded by Davis** to adopt 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.

Ms. Smith stated the next steps will be consideration of the design and financing for the project. This has been discussed with the CIP Committee and they support moving forward with the full project. She stated she has been working with Mr. Kimmel, Ehlers, on financing options. Council will need to make a decision on whether to design and make improvements to all of the creek in this area, or just this portion behind the Roeland Court Townhomes. She anticipates this coming to committee in June. There is a 60-day protest period prior to issuing bonds for this project, which will put Council action in line with the June timeframe. Councilmember Schlossmacher thanked staff for working cooperatively with the property owners on this issue.

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

### **Space Needs Analysis Contract Award**

Councilmember Schlossmacher stated in February, a request for qualifications seeking proposals for a facility space needs assessment for City Hall and the Police Department was released. Six responses were received and all six firms were interviewed by a panel that included Councilmember Quinn and Councilmember Thomas. Based on the results of the interviews and a follow-up with references, it is recommended that the City enter into an agreement for Space Needs Analysis with SFS Architecture. The proposal from SFS Architecture is in two phases, with the City having the option to proceed with Phase II should Phase I determine the current building space is suitable for renovation. The cost of the Phase I Space Needs Assessment is in an amount not to exceed \$15,760.

**Moved by Schlossmacher, seconded by Quinn** to approve a contract with SFS Architecture for a Phase I Space Needs Assessment of the City Hall and Police Department facility in an amount not to exceed \$15,760. Councilmember Thomas

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stated that SFS Architecture stood out during the interviews and she feels this is a very worthy investment. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.**

### **Council Liaisons to Appointed Boards / Commissions**

Councilmember Schlossmacher stated that during the Council's January retreat, interest was expressed in establishing formal Council liaison positions to the Parks, Recreation and Tree Commission, Sustainability Commission, and the Capital Improvement Program Committee. This proposed City Council Policy creates the liaison positions, and outlines roles and responsibilities. The liaison is intended to serve as a point of contact and connection for the commission or committee, rather than an advocate for or ex-officio member. Up to two liaison positions are created for each group and appointments will be made by the Mayor for a period of two years. Following initial adoption, Council liaisons appointments will be made in December of odd-numbered years or as vacancies occur. Following adoption of this policy, the Mayor will make appointments under the Mayor's Report at this meeting.

**Moved by Schlossmacher, seconded by Kring** to approve City Council Policy 130 detailing roles and responsibilities related to City Council communication and interaction with certain appointed commissions and committees, and establishing City Council liaisons to same. Councilmember Davis stated he supports this policy and feels it will strengthen relationships between commission and committee members and City Council, and will help them with reporting to Council. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.** Mayor Appletoft stated he will make Council Liaison appointments under Agenda Item 11 on tonight's agenda.

### **COMMUNITY DEVELOPMENT COMMITTEE**

Councilmember Inman stated the Community Development Committee also met on April 3rd and discussed 10 items. These included approval of the committee minutes, and discussion of the CARS Program and 51st Street traffic safety concerns. Six of the action items discussed at the committee meeting were approved on tonight's Consent Agenda and we have one additional item for consideration.

**Broadmoor Reconstruction Construction Contract Award**

Councilmember Inman reported the existing pavement, curb, and stormwater infrastructure on Broadmoor between Johnson Drive and Martway is in poor condition and needs to be reconstructed. In October 2018, Council adopted a resolution establishing the design concept for this project. Improvements include full-depth reconstruction, new curb, storm sewer infrastructure, ADA improvements, pavement, pavement markings, street signs, as well as the installation of a new signal at Johnson Drive and Broadmoor. This project is included in the 2019 CIP and will receive funding from the Johnson County CARS Program.

Bids for this project were received from three contractors. All bids exceeded the engineer's estimate, with Amino Brothers Company being the lowest and most responsive bidder. Staff has secured a change order for this project from the County, resulting in an additional \$75,000 in CARS funding. The recommended contract from Amino Brothers Company is in an amount not to exceed \$1,081,404.69.

**Moved by Inman, seconded by Thomas** to approve a contract with Amino Brothers Company, Inc. for improvements to Broadmoor, Johnson Drive to Martway, in an amount not to exceed \$1,081,404.69.

Councilmember Kring asked if the contractor had been contacted to clarify the increased costs in the bid. Ms. Smith stated that she, Mr. Morton and Paul Moore, Olsson, spoke with Amino Brothers via conference call last week and they provided additional information on their bid. She also provided information on why the engineer's estimate was lower, including the timeline for this process and not having the opportunity to formally change the budget as the project changed, the increase in cost related to the traffic signal (\$75,000 increase), and additional stormwater structures identified for the project following WaterOne's work in the street this past February. In March of this year, three categories were identified where costs increased (excavation, sidewalks, concrete/curb work). She stated Amino Brothers discussed the limited construction site requiring slower construction due to more work being done by hand, and the requirement to maintain access to the businesses during construction which will require creative staging of the project. She also stated Amino Brothers did a phenomenal job in working with the businesses during the Johnson Drive project and they are aware of our expectations. Even with the change order secured from the County, this project is over budget, but there are potential savings (construction inspection if signal comes in sooner). There are funds available in the Street Program, and she noted that the Foxridge Project came in under budget, so there is some give and take. Councilmember Kring also stated that the engineer came unprepared to the committee meeting to provide an explanation for the bids coming in over the engineer's estimate. Ms. Smith stated she has talked with our engineer and also discussed

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changes to our internal process to help avoid this situation in the future if possible.

Councilmember Flora stated she has had ongoing concerns with this project and its design, but now with the construction costs over budget and a plan that she does not feel is in the best interest of the City, she can not support it.

Voting AYE; Davis, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. NAY: Flora. **Motion carried.**

### **NEW BUSINESS**

#### **Election of Council President and Council Vice President**

Mayor Appletoft stated the election of Council President and Vice President takes place in April of odd-numbered years. First will be the election of Council President and, after nominations are made, the vote will be taken with each councilmember stating the name of the person they are voting for, if more than one nomination. Councilmember Davis asked if the election this year has any impact on this and Mayor Appletoft stated it did not as anyone could leave at any time.

#### **Council President:**

**Moved by Thomas, seconded by Davis** to nominate Councilmember Flora for the position of Council President with a term expiring April 2021.

**Moved by Kring, seconded by Schlossmacher** to nominate Councilmember Rothrock for the position of Council President with a term expiring April 2021.

With no further nominations, the vote was taken as follows:

To elect Councilmember Flora as Council President: Davis, Flora, Inman, Thomas.

To elect Councilmember Rothrock as Council President: Kring, Quinn, Rothrock, Schlossmacher.

Mayor Appletoft broke the tie voting for Councilmember Rothrock. **Councilmember Rothrock elected as Council President with a term expiring April 2021.**

#### **Council Vice President:**

**Moved by Thomas, seconded by Davis** to nominate Councilmember Flora for the position of Council Vice President with a term expiring April 2021.

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**Moved by Quinn, seconded by Rothrock** to nominate Councilmember Schlossmacher for the position of Council Vice President with a term expiring April 2021.

With no further nominations, the vote was taken as follows:

To elect Councilmember Flora as Council Vice President: Davis, Flora, Inman, Thomas.  
To elect Councilmember Schlossmacher as Council Vice President: Kring, Quinn, Rothrock, Schlossmacher.

Mayor Appletoft broke the tie voting for Councilmember Schlossmacher.  
**Councilmember Schlossmacher elected as Council Vice President with a term expiring April 2021.**

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

Councilmember Flora congratulated Councilmember Rothrock and Councilmember Schlossmacher on their election as Council President and Vice President, and stated she looks forward to working with them.

Councilmember Kring stated she will not be at the May committee meetings as she will be attending the Federal Advisory Environmental Protection Committee.

Councilmember Davis asked if the April 24th worksession has been cancelled, and Ms. Smith confirmed that it has.

Councilmember Thomas stated she will not be at our May meetings as her baby is due in the next week or so. She anticipates being back at meetings in June.

Councilmember Inman announced the Ward III meeting scheduled for Thursday, April 18th, 7 p.m. at the Community Center. All were invited to attend.

Mayor Appletoft provided information on the upcoming Harvesters Mobile Food Pantry scheduled for May 11th in partnership with Mission and held in the Shawnee Mission North parking lot. He stated Harvesters provide all the food, but approximately 25-30 volunteers are needed to facilitate the event. There are a variety of volunteer opportunities available (logistics, parking control, handing out food, etc.). Volunteers will be needed at 8:30 a.m. with the event open to the public from 9:30 to approximately



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11:00 a.m. Recently, he, Ms. Smith and several others visited a similar event in south Johnson County. Ms. Smith stated that particular event had approximately 160 cars come through to pick-up food and lasted for about 1.5 hours. Mission's interest in this program stemmed from Harvesters having food collection in our area and our interest in serving the residents of Northeast Johnson County. Meetings have been held with Harvesters, and we plan to work with the social workers at our local schools to identify those in need. She also noted that no one is turned away from these events. There will be training available for key project managers. Those interested should contact Mayor Appletoft or Suzie Gibbs, and Ms. Smith will email information on volunteer duties to Council to share with others.

### **MAYOR'S REPORT**

Mayor Appletoft stated he tried to give everyone their first choice as liaison, but was not always able to. He appreciates the flexibility of councilmembers in their willingness to serve on their second choice commission or committee, if their first choice was not available. Mayor Appletoft put forth the following as Council Liaisons. Appointments are for one year.

- Councilmember Kristin Inman and Councilmember Ken Davis to the CIP Committee
- Councilmember Nick Schlossmacher and Councilmember Hillary Thomas to the Parks, Recreation and Tree Commission
- Councilmember Debbie Kring and Councilmember Sollie Flora to the Sustainability Commission
- Councilmember Arcie Rothrock and Councilmember Nick Schlossmacher to the Family Adoption Committee
- Councilmember Pat Quinn and Councilmember Kristin Inman to the Mission Magazine Committee.

**Moved by Schlossmacher, seconded by Davis** to uphold the City Council Liaison appointments as presented by the Mayor. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.**

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

Ms. Smith announced the following:

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- The April 24th work session has been cancelled. Those items that were scheduled for that meeting will be discussed at the May 1 Finance & Administration Committee meeting.
- She asked Council to forward to her any specific goals or objectives for the 2020 budget consideration.
- Bunny Eggstravaganza is scheduled for Saturday, April 20th from 10:00 a.m. - 12:00 noon.
- We are working with both the Girl Scouts and Boy Scouts from Rushton Elementary on projects at Waterworks Park. The first project will be the Boy Scouts planting a tree on Monday, April 22nd.
- The annual Arbor Day event with Rushton 2nd Graders is scheduled for Friday, April 26th, 9:30 - 11:00 a.m. at Waterworks Park.
- The First Suburbs Coalition will meet on Friday, April 19th at Gladstone Community Center. The summit on affordable housing that is scheduled for July and sponsored by the National League of Cities is gaining momentum, and she anticipates some great partnerships coming out of this project.
- She will be participating on a panel with United Community Services in May on affordable housing.
- She recently attended a meeting with Johnson County city administrators and managers and the Sheriff regarding a proposed increase in daily prisoner costs paid by cities. The last increase was approximately 30 years ago and they are looking at not only increasing fees, but also working with the District Attorney on alternative strategies to help keep costs down (booking procedures, etc.). The Sheriff also shared information on his Drug Task Force.
- It has been announced that Cinergy has signed a lease at the Gateway Project. The developer has stated he anticipates construction on the project resuming in the next week.

Councilmember Kring announced that Keith & Associates Dentistry will be holding an open house on Friday, April 19th from 5:00 - 7:00 p.m.

### ADJOURNMENT

**Moved by Quinn, seconded by Kring** to adjourn the meeting at 7:55 p.m. All present voted AYE. **Motion carried.**

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Respectfully submitted by Martha Sumrall, City Clerk.

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Ronald E. Appletoft, Mayor

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Martha M. Sumrall, City Clerk