

MINUTES OF THE MISSION CITY COUNCIL MEETING, APRIL 19, 2017

The Mission City Council met in regular session at Mission City Hall on Wednesday, April 19 2017. The meeting was called to order by Mayor Schowengerdt. The following councilmembers were present: Ron Appletoft, Tom Geraghty, Suzie Gibbs, Kristin Inman, Debbie Kring (via phone), Pat Quinn, Arcie Rothrock, and Nick Schlossmacher.

AMENDED AGENDA

Moved by Quinn, seconded by Geraghty to amend the agenda for the April 19, 2017 City Council Meeting to add item 8b. Under "New Business" for the consideration of a traffic signal at the intersection of Johnson Drive and Woodson. Voting AYE: Geraghty, Kring, Quinn, Rothrock. NAY: Appletoft, Gibbs, Inman, Schlossmacher. Mayor Schowengerdt voted AYE breaking the tie. **Motion carried.**

PUBLIC HEARING

Mayor Schowengerdt opened the Public Hearing concerning the Establishment of a Redevelopment District - EPC Real Estate (Lamar & Johnson Drive). Ms. Smith introduced Steve Coon, EPC Real Estate Development. Mr. Coon provided an overview the results of the Conservation Study and made a presentation on the proposed plan which includes 203 apartments with retail on the first floor. The plan also includes an outdoor plaza area, a four level parking garage, and courtyard with pool. Councilmember Appletoft requested additional information on the proposed first floor retail. Mr. Coon stated that he has both retailers and unique restaurants interested. He stated that the proposed plan is for the 6201 Johnson Drive location only.

The audience was invited to comment. Sandi Russell, Mission resident and business owner, asked if the current circle parking on the site will become on-street parking. Mr. Coon confirmed that it would. Councilmember Schlossmacher asked if there are any concerns with increased traffic with this development. Mr. Coon stated that their traffic engineers have said it will have minimal impact except at peak hours, and that that impact will be relatively minimal.

Ms. Smith stated that when the notice of this public hearing was published, the map for the district included several adjoining parcels. Following the conservation study, it was determined that only the 6201 Johnson Drive parcel will be included in the district. The ordinance, legal description and map to be considered by Council at this meeting reflects this smaller district.

There being no further comments, the public hearing was closed.

SPECIAL PRESENTATIONS

**Presentation to Abigail Weding,
Rushton 5th Grade Arbor Day Poster Contest Winner**

Ms. Humerickhouse introduced Abigail Weding, winner for the annual Arbor Day Contest at Rushton Elementary. Ms. Weding is in 5th grade and she placed first out of 43 participants. Her framed poster was presented to her by Karin Capron and Jacque Gameson, Parks, Recreation & Tree Commission members. Ms. Weding was congratulated by all and her family was introduced.

Tree City USA Presentation and Proclamation

Ms. Humerickhouse provided information on the national Tree City USA program and its history. This is the 15th year that Mission has achieved this designation. We will be celebrating Arbor Day on March 28th at Waterworks Park with the Rushton Elementary 2nd Graders and all were invited to attend.

CONSENT AGENDA

Moved by Gibbs, seconded by Quinn to approve the Consent Agenda, items 3a through 3f.

- 3a. Minutes of the March 15, 2017 City Council Meeting
- 3b. Interlocal Agreement for a Coordinated Law Enforcement Records Management System
- 3c. Stormwater BMP Contract Renewal
- 3d. Interlocal Agreements for Cooperative Use of Pools (Super Pool Pass Program)
- 3e. Mission Family Aquatic Center Pool Painting
- 3f. Community Center Parking Lot Engineering and Inspection Services

Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher.
Motion carried.

PUBLIC COMMENTS

There were no public comments.

ACTION ITEMS - Planning Commission
Revisions to Sign Code Ordinance

Ms. Sitzman provided an update on recommended changes to the sign ordinance from the Planning Commission. These changes will be made through adoption of an ordinance and resolution designating fees. She stated that those signs affected by the proposed changes include temporary signs, window signs and monument signs. Public hearings on the proposed changes were held as part of the Planning Commission's process.

Moved by Quinn, seconded by Gibbs to adopt an ordinance amending Sections 430.020, 430.030, 430.040, 430.050, 430.060, 430.070, 430.080, 430.090, 430.100, 430.110, 430.120, 430.140, 430.150, 420.220, and 445.180 of the Code of the City of Mission, Kansas.

Councilmember Schlossmacher stated that he would like to amend the previous motion to include the exemption of commercial real estate signs from the permit requirements and fee schedule. Pete Heaven, the City's Land Use Attorney, stated that he recommends the exemption from the fee only and that they still be required to obtain a permit. This would require adopting the ordinance as presented, but amending the resolution designating the fees. Councilmember Gibbs asked if Mike Lee, Planning Commissioner or Ms. Sitzman have any input on this suggestion. Ms. Sitzman stated that this concern was not raised by the business community during the public hearing process, but that Mr. Heaven's suggestion of exempting commercial real estate signs from the fee is "doable" and that we can address again in the future if any problems arise. Councilmember Schlossmacher stated that a member of the business community had reached out to him with their concerns stating that they do not have to pay a permit fee in any other community. Real estate agents are trying to bring businesses to our community, and residents with real estate signs in their yard do not need to pay a fee.

The question was called. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

Moved by Schlossmacher, seconded by Rothrock to approve a resolution establishing a sign permit fee schedule, and exempting commercial real estate signs from the fee requirement. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

FINANCE & ADMINISTRATION COMMITTEE

**Ordinance Creating Redevelopment District - EPC Real Estate Project
(Johnson Dr. & Lamar)**

Councilmember Appletoft stated that Council approved a Predevelopment Agreement with EPC Real Estate in March, designating them as the “developer of record” for a period of 120 days. The predevelopment agreement contemplated consideration of Tax Increment Financing by the City. The first step is the establishment of the physical boundaries of the Redevelopment (TIF) District and the second provides for approval of a specific project plan within the district. The public hearing for consideration of this district was held at the beginning of our meeting tonight and Council will now consider the ordinance formally establishing the Redevelopment District as required by State statute. He noted that when Council approved a resolution calling the public hearing for this district, the proposed redevelopment district included the 6201 Johnson Drive parcel where EPC plans to develop an apartment complex, as well as neighboring parcels to the east and west. In preparing the Conservation Study, neither adjacent parcels met enough of the criteria to qualify under the guidelines established in State statutes. Therefore, it is recommended to reduce the size of the redevelopment district from what was originally planned to include the 6201 Johnson Drive parcel only. Following approval of this proposed ordinance, the School District and County will have 30 days following its adoption to exercise their veto powers. This ordinance does not commit the Council to providing specific incentives to the developer. The next step in this process will be consideration of a project plan and redevelopment agreement.

Moved by Appletoft, seconded by Quinn to adopt an ordinance making certain findings with respect to the establishment of a redevelopment district in the City of Mission, Kansas and establishing a Redevelopment District (The Place at Mission Apartments). There was no discussion on this item. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

Ordinance Amendments to Add Youth Commission Members

Councilmember Appletoft stated that a goal of the Communities for All Ages initiative has been to encourage intergenerational conversations and activities. Allowing for and encouraging high school students to be members of the Parks, Recreation and Tree Commission and Sustainability Commission is an important step in accomplishing this goal and widening the perspectives of our students. The proposed ordinance would allow for two youth members on each commission. Applicants must be a sophomore,

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junior or senior from public, private or home schools and must complete an application, including a letter of reference, to be considered. Service on the commissions will begin in September 2017. This is an excellent opportunity to groom future leaders.

Moved by Appletoft, seconded by Kring to adopt an ordinance amending Chapter 230 and Chapter 260 of the Code of the City of Mission, Kansas to reflect the addition of two youth members to both the Parks, Recreation and Tree Commission and the Sustainability Commission. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

COMMUNITY DEVELOPMENT COMMITTEE

Resolution Approving 2018-2022 CARS List

Councilmember Rothrock stated that the CARS program provides funds to cities to construct and maintain certain eligible streets. Each year, cities submit a 5-year road improvement plan to the County, which is then scored and projects are selected for funding up to 50% of the project's construction and construction inspection costs. Mission's resolution and 5-year CARS list serves as a budgeting and forecasting tool, and final approval of individual projects occurs through specific interlocal agreements.

This year's resolution includes:

- Broadmoor from Johnson Drive to Martway in 2019
- Foxridge Phase II in 2020
- Johnson Drive from Metcalf to Lamar in 2022

She also stated that approval of this resolution does not commit the City to the expenditure of any funds.

Moved by Rothrock, seconded by Geraghty to approve a resolution approving a Five-year City/County Street Improvement Program. There was no discussion on this item. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

Traffic Signal Modifications - Martway & Broadmoor

Councilmember Rothrock stated that a traffic signal was installed at Martway and Broadmoor in 2013 in connection with the Martway Street Rehabilitation Project, and at that time a protected left turn was warranted for westbound Martway only. At the direction of Council, a traffic signal analysis was completed in March of this year which determined that protected left turns for all directions are warranted. Design of the signal

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modifications was covered in an existing task order for Olsson Associates, and the cost from Total Electric to complete the signal modifications is 4,679.00.

Moved by Rothrock, seconded by Gibbs to authorize staff to execute any and all documents necessary to complete modifications of the traffic signal at Martway and Broadmoor to accommodate protected left turns in all directions. There was no discussion on this item. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

NEW BUSINESS

Election of Council President and Vice President

Mayor Schowengerdt stated that Council must select a Council President and Vice President, and requested nominations.

Moved by Appletoft, seconded by Rothrock to nominate Councilmember Pat Quinn for the position of Council President for a term expiring April 2019. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

Moved by Quinn, seconded by Kring to nominate Councilmember Ron Appletoft for the position of Council Vice President for a term expiring April 2019. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

Installation of Traffic Signal at Johnson Drive & Woodson

Mayor Schowengerdt stated that with the approved revised agenda, Council will consider the installation of a traffic signal at the intersection of Johnson Drive and Woodson.

Moved by Geraghty, seconded by Quinn to authorize the Mayor to execute a task order with Olsson Associates to design the traffic signal for the intersection of Johnson Drive and Woodson, and authorize the Mayor to take any and all remaining steps, including seeking competitive bids, to install a traffic signal at this intersection for a cost not to exceed \$307,000 with funds to be appropriated from General Fund reserves.

Councilmember Appletoft stated that all on Council are concerned with safety along Johnson Drive, and that at the recent Community Development Committee Meeting 11

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options were reviewed and narrowed down to three preferences, which included a signal at this intersection, the installation of a Hawk Signal, and restriping Johnson Drive to three lanes. This issue was debated by the committee, but no action was taken to move this forward at this time. It was agreed that a public forum would be held to gain additional input from residents and business owners. The committee did not say “no” to the signal, but agreed that additional time was needed to make the best decision possible for Johnson Drive and to follow the process agreed upon. He stated that voting “yes” is saying that the process does not matter. He feels a one month delay is in order so there is time to hold the public forum on this issue.

Councilmember Kring stated that she believes when an issue is brought to Council it should be accepted on the agenda and then Councilmembers may vote “no” on the issue if they choose.

Councilmember Gibbs stated that in the past Council has included the Johnson Drive businesses in the process and she is sad that they will not be included. She would like to wait one month to sort out facts and gain additional input. She stated that some businesses may have been asked if they would like a stoplight at Johnson Drive and Woodson, but they were not also given information on other alternatives. The committee agreed to hold a public forum and she would like to continue within the agreed process.

Mayor Schowengerdt stated that due to the EPC and Gateway development processes and the budget, he feels there are too many meetings coming up. He would like to move forward with the signal now and further consideration of the other alternatives (3 lanes) could be considered after the budget is adopted. Councilmember Gibbs expressed her concerns with moving forward and read from the “Mayor’s Letter” for the upcoming newsletter that requests additional input. She feels it is counterproductive to not follow the process and various merchants have different concerns. She also stated that some of the Mission Project participants cross Johnson Drive at Beverly and she does not feel the installation of a signal at Johnson Drive and Woodson will be of benefit to those crossing at Beverly. She stated that a three lane configuration would be more helpful, and feels we owe it to the businesses and residents to consider these changes in the “correct way.”

Councilmember Schlossmacher stated that he agrees public feedback is needed on the other options available. He would like to see a comprehensive plan for these improvements so we do not make a bad decision. He does not feel moving forward at this time is transparent for the public, and a public forum should be held. The signal at

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Johnson Drive and Woodson helps one intersection only and does not help with backing-out issues.

Councilmember Quinn stated that the committee discussed holding a public hearing on all alternatives, particularly the impact three lanes would have on Johnson Drive. He feels there was consensus on the need for a signal at Johnson Drive and Woodson, and that the traffic signal is the best option, followed by the Hawk signal. He does not want to put this issue off and stated it will take more than one month before Council can consider this issue again. It is a safety issue so he wants to address it now. For those turning onto Johnson Drive from other cross streets, he stated that the best option will be to drive a couple blocks to Woodson to cross or turn at the light. He also stated that he does not believe it is a good practice to not approve bringing items onto an agenda.

Councilmember Gibbs stated that she is interested in the Hawk signal and would like to discuss this option further. Mayor Schowengerdt stated that he does not feel it is sufficient, and with summer coming there will be more people crossing the street, particularly children. He believes the traffic signal is the best option. Councilmember Schlossmacher stated that Mr. Coons with EPC Development mentioned the "walkability" of Johnson Drive as a benefit to their development, and he would like to see a comprehensive plan that addresses safety the length of Johnson Drive. Discussion continued on warranted vs. unwarranted signals. Mayor Schowengerdt stated that he wants to be proactive rather than reactive. Councilmember Schlossmacher stated that it is proactive to look at the entire Johnson Drive corridor and he again expressed his concerns with not holding a public forum. Councilmember Gibbs stated that three experts recommended the three lane configuration and Council should "listen to" their recommendation.

Councilmember Inman stated that most forward looking cities are considering "road diets" that look at motorists, pedestrians and bicyclists when considering modifications to streets. She feels a comprehensive review of the alternatives is needed and that approving the installation of the signal at this time is a "knee jerk" reaction.

Sandi Russell, Mission resident and business owner, expressed her concerns with the committee agreeing to hold public meetings and send out a survey, and now this process is not being followed. She stated that the committee had the best intentions to share information on alternatives with the business owners and residents as any changes will impact those coming into, living and working in Mission. She would like for the City to try the three lane configuration first as this would eliminate swerving around

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cars stopped in the right-hand lane for pedestrians, and provide additional room when backing out of parking.

Councilmember Geraghty stated that these are all good points, but he has had two “near misses” at this intersection and has observed pedestrians having difficulty crossing the street. He stated that we previously had a light at this intersection and by re-installing it the traffic will be slowed and there will be increased safety for pedestrians.

Councilmember Schlossmacher asked for a review of costs associated with the three alternatives. Ms. Smith provided the following approximate costs:

- Hawk Signal - \$95-100,000
- Traffic Signal - \$307,000
- Restriping to 3-lane - \$150,000

The question was called. Voting AYE; Geraghty, Kring, Quinn, Rothrock. NAY: Appletoft, Gibbs, Inman, Schlossmacher. Mayor Schowengerdt broke the tie voting AYE. **Motion carried.**

MAYOR'S REPORT

Mayor Schowengerdt did not have a report

CITY ADMINISTRATOR'S REPORT

Ms. Smith reported the following:

- Rushton Elementary Art Show will be at the Community Center from Friday, April 21st through May 4th.
- Budget Worksession is scheduled for Wednesday, April 26th at 6:00 p.m.
- Food Truck Market Kick-off Party is scheduled for Tuesday, May 2nd from 4:30-7:30 p.m.
- EPC Development's redevelopment project will be considered by the Planning Commission at their May meeting.
- Celebration Trees have been planted in Legacy Park.
- We have received a great response from the community for appointments to the CIP Committee.

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COMMENTS FROM THE CITY COUNCIL

Councilmember Kring announced that there will be a Ward III Meeting on Thursday, April 20th at 7:00 p.m. at the Community Center. All are invited to attend.

Councilmember Gibbs provided an update on the three bicycles that are being auctioned off through the first week in May. She encouraged everyone to view the Rushton student's artwork at the Community Center. The Mission Magazine will be in the mail in the next few days. On May 6th, there will be a neighborhood clean-up in the Highlands neighborhood. Anyone who would like to help was encouraged to participate. This year Highlands Elementary will be celebrating their 65th Anniversary. She encouraged everyone to attend their celebration in May. The Santa Fe Elementary Carnival will be Friday, April 28th.

Councilmember Schlossmacher gave a "shout out" to the Police Department and the Citizen's Academy. He said it has been a great program and recommended that those who have not attended consider doing so.

ADJOURNMENT

Moved by Quinn, seconded by Geraghty to adjourn the meeting at 8:15 p.m. All present voted AYE. **Motion carried.**

Respectfully submitted by Martha Sumrall, City Clerk.

Steve Schowengerdt, Mayor

Martha M. Sumrall, City Clerk