

MINUTES OF THE MISSION CITY COUNCIL MEETING, JUNE 21, 2017

The Mission City Council met in regular session at Mission City Hall on Wednesday, June 21, 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, Pat Quinn, Arcie Rothrock, Nick Schlossmacher

SPECIAL PRESENTATIONS

Appointment of Alexander Goodwin as Honorary Police Chief

Chief Hadley introduced Alexander Goodwin who is in the Kansas City area receiving cancer treatment. Alexander is 10 years old and lives in England. Sgt. Danny Smith stated that he first met Alex when he arrived in Kansas City, that his father is a police officer in England, and spoke about his treatments since arriving, positive attitude, and upcoming book signing for a book recently written by his father. A video was shown of Alex and his father.

Chief Hadley announced that Alexander is being appointed Honorary Police Chief of the City of Mission. The City Clerk administered the oath of office to Alexander and Chief Hadley presented him with an official Chief of Police Badge. Alexander and his mother thanked everyone for this honor. Alexander stated that his first official action as Police Chief would be to declare Friday, June 23rd at "Big Monster Friday" and staff was encouraged to talk about their favorite monsters with coworkers during breaks.

Jackson Shepard - Eagle Scout Presentation

Jenny Smith, Recreation Program Supervisor, introduced Jackson Shepard who she has been working with on his Eagle Scout project.

Jackson Shepard thanked Jenny Smith and City Administrator Laura Smith for their assistance with his project to build and install three bat boxes in Streamway Park. Each bat box can hold up to 500 bats, helping to keep insects in control. The project resulted in 100 hours of service, the installation of bat boxes at three sites, and he noted that it takes from six months to two years for bats in the area to become adapted to the boxes. Mr. Shepard responded to various questions about bats and their benefit to the environment. Councilmember Kring recognized Jackson's parents Karla and Dave and acknowledged their role in helping Jackson to become an Eagle Scout. All thanked Jackson for his project in Mission and Mayor Schowengerdt presented him with a certificate of appreciation. Everyone was encouraged to go see the boxes in Streamway Park.

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CONSENT AGENDA

Moved by Gibbs, seconded by Kring to approve the Consent Agenda, items 3a through 3d.

- 3a. Minutes of the May 17, 2017 City Council Meeting, May 24, 2017 Special City Council Meeting, and June 7, 2017 Special City Council Meeting
- 3b. Salt Contract
- 3c. Contract for the Construction and Use of a Trash Dumpster on City Owned Property at 5919 Woodson
- 3d. Easement - 7080 Martway

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

PUBLIC COMMENTS

There were no public comments.

ACTION ITEMS

Planning Commission

Mission Trails Preliminary Site Plan - EPC Development

Ms. Sitzman stated EPC is proposing a development near the southeast corner of Johnson Drive and Lamar that would include a five-story building with apartments, retail and office space. There would be 200 apartments with a restaurant, small retail, and their leasing office on the first floor of the building. The project would also include a four level parking garage with 325 parking spaces. The Planning Commission considered this preliminary site plan and on a 6-2 vote is recommending approval by the City Council with several stipulations. The stipulations include:

- A deviation to the height to allow maximum building height of five stories or 65 feet.
- A deviation to allow for residential and office uses on the ground floor with the condition that retail and service uses be required to make up the majority of the Johnson Drive frontage.
- A final traffic study and final stormwater drainage design plan must be submitted for review with the final site plan. The appropriate text, maps, drawings and tables must be included.

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- Staff reserves the right to provide additional comments or stipulations on development plans until all traffic or storm drainage related concerns have been addressed.

The required public hearing for this preliminary site plan has been held with three comments received. Ms. Sitzman also provided Council with information on their options regarding this item, which include approval, to override the recommendation ($\frac{2}{3}$ vote required), or to return this to the Planning Commission with specific comments.

Councilmember Kring requested additional information on the deviation to the height requirement. Ms. Sitzman stated that height restrictions were originally set replicate the character of downtown, but because this is a planned district, deviations are allowed to obtain a better development project. She also provided information on the Johnson Drive Design Guidelines in this area.

Moved by Quinn, seconded by Geraghty to approve Case #17-04 Preliminary Site Plan for Mission Trails with the conditions recommended by the Planning Commission.

Mayor Schowengerdt asked for public comments on this issue.

Virginia Cuppage, Mission Square resident, stated that many of her questions were answered at a recent meeting at Mission Square. She expressed her concerns with the proposed height of the development and stated that she would like to see the project lowered to four stories at the most, preferably three stories.

Kathryn Koca, Mission Square resident, stated that she has lived in Mission Square since it opened and expressed her concerns with additional traffic to the area if this project is built.

Mary Horvatin, Yoga Fix owner, stated that she understands this project will change the landscape in the area, but she is excited to see a project moving forward on the west end of the downtown district. She is encouraged by the younger crowd and energy the project will bring to the area, and feels that the project as shown in the renderings is welcoming and will fit in with what Mission is trying to accomplish.

Kevin Fullerton, Springboard Creative owner and Mission resident, stated that as a business owner he is excited to see this project moving forward. He believes it will bring people to the area and increase activity, which will help local businesses with regular traffic. It will also serve as a center point for the City.

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Steve Coon, EPC Development, thanked Ms. Sitzman for her presentation and discussed the need for five stories for the project. He stated that four stories is not feasible, and provided information on their other developments in the metro. He stated that they are successful and quality projects, and through these they have learned what works. He discussed economy of scale, noting that 200 units is the ideal size. He also described the building noting it is stair-stepped from the corners so that it does not feel like five stories, and has a "Mission" style that is unique and highly designed with a distinctive feeling. He also noted that it would not be the tallest building in Mission.

Councilmember Quinn asked for additional information on the traffic impact. Mr. Coon stated that it would add one additional car per minute in peak hours. Based on their studies the project will have minimal impact on traffic as people come and go during different times of the day.

Councilmember Schlossmacher asked if there will be additional retail on the first floor of the project. Mr. Coon stated that the east corner has a courtyard and he anticipates retail (massage/nail/hair) on the west corner of the building.

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

FINANCE & ADMINISTRATION COMMITTEE

Ordinances to Extend Gateway CID Districts #1 and #2

Ms. Smith stated that Council previously approved ordinances establishing the Community Improvement Districts for the Gateway Redevelopment Project, and extended the effective dates on three subsequent occasions. The developer has requested another extension to July 1, 2018. Delaying the activation date of the districts provides Council with the greatest degree of flexibility in evaluating how funds generated by the districts might be used. The developer has submitted a new CID application associated with the current Gateway Project, which is intended to replace the two separate districts currently in place. The existing districts will be terminated upon approval of the new CID. She also stated that the developer has informed us that he is working with a possible office tenant. Building the office building would increase the project budget. Because the CID application numbers and those included in the last TIF project plan differ, it is recommended that we step back and republish our public hearings on the CID application and TIF Project plan for August. The amended project

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plan will be considered by the Planning Commission at their June 26th meeting and there will be a special council meeting on June 28th.

Moved by Schlossmacher, seconded by Quinn to to adopt an ordinance amending Ordinance Numbers 1376, 1408, 1428, and 1440 authorizing the creation of the Mission Gateway Community Improvement District #1 in the City of Mission, Kansas; authorizing the making of certain project improvements relating thereto; approving the estimated costs of such project improvements; levying a 0.5% CID Sales Tax, providing for special assessments and providing for the method of financing the same, including the issuance of special obligation bonds and full faith and credit bonds. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

Moved by Schlossmacher, seconded by Geraghty to adopt an ordinance amending Ordinance Numbers 1377, 1409, 1429, and 1441 authorizing the creation of the Mission Gateway Community Improvement District #2 in the City of Mission, Kansas; authorizing the making of certain project improvements relating thereto; approving the estimated costs of such project improvements; levying a 0.5% CID Sales Tax, providing for special assessments and providing the method of financing the same, including the issuance of special obligation bonds and full faith and credit bonds. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock. NAY: Schlossmacher. **Motion carried.**

Ordinance Repealing Transportation Utility Fee

Ms. Smith stated that on April 7th the Kansas Supreme Court published a decision upholding the findings of the Court of Appeals determining that the TUF was illegal. It is now appropriate to formally repeal Chapter 145 of Mission's Municipal Code related to the Transportation Utility Fee.

Moved by Kring, seconded by Rothrock to adopt an ordinance repealing Chapter 145 Transportation Utility Fee and deleting it from the Code of the City of Mission, Kansas. There was no discussion on this item. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

Replacement of Police Vehicles

Councilmember Schlossmacher stated that the 2017 budget included \$55,000 to purchase two new vehicles for the Police Department. After review of the fleet, the

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department determined it does not need two vehicles at this time, and is requesting to purchase one. The vehicle will be secured under MARC's cooperative purchasing agreement and purchased from Shawnee Mission Ford at a cost of \$30,760.

Moved by Schlossmacher, seconded by Kring to approve the purchase of one 2017 Ford Explorer for the police department at a cost not to exceed \$30,760. There was no discussion on this item. Voting Aye: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

COMMUNITY DEVELOPMENT COMMITTEE

2017 Chip Seal Program Contract

Councilmember Inman reported that chip sealing is an intermediate street maintenance treatment which focuses on preserving the streets that are already in good condition by extending their useful life. The 2017 program will chip seal approximately 5.38 lane miles of streets. Bids were solicited for this program, with Harbour Construction being the only bidder in an amount not to exceed \$105,833.70. Following concerns expressed at the June committee meeting regarding the 2016 chip seal work completed by Harbour Construction, staff has contacted the contractor to ensure that problem streets have been repaired. Repairs will be completed by Harbour Construction this week.

Moved by Inman, seconded by Geraghty to approve the contract with Harbour Construction for the completion of the City of Mission's 2017 Chip Seal Program in an amount not to exceed \$105,833.70. Councilmember Quinn asked if staff has discussed the bid amount with the contractor. Mr. Belger stated that the main driver for the cost increase is quantity of material necessary for the program. As the quantity decreases, the price often increases. Last year's program was done in conjunction with the City of Lenexa which helped ensure a lower cost due to the much larger quantity of material used. Councilmember Kring asked for an update on the contractor redoing 52nd Street. Mr. Belger stated that the contractor completed another chip seal on this street today. Councilmember Inman confirmed that the street looks good. Councilmember Gibbs asked if there have been any other streets have had problems with chip seal. Mr. Belger stated that the 62nd Street cul-de-sac was redone and the contractor is confident they will not have the same problem this year that they did last year with cul-de-sacs. There is also a two-year maintenance bond with the contracts and the recent work was completed at no additional cost to the City. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

Stantec Street Inventory Contract

Councilmember Inman stated that a contract with Stantec is recommended to inventory and assess all streets, curbs and sidewalks in the City, and assign a condition rating to each asset. This information is critical in planning the residential street maintenance program for future years. In 2016, Council approved a contract with Cartegraph to complete a similar inventory, but staff was advised that because of a change in their imagery provider, Cartegraph expected to double the contract price. Contracting with Stantec to complete the inventory will result in savings of approximately \$13,300.

Moved by Inman, seconded by Kring to approve a contract with Stantec to perform a Street Asset Inventory and Condition Update, including sidewalks and curbs, in an amount not to exceed \$30,000. There was no discussion on this item. **Motion carried.**

Pole Sign Incentive Program

Councilmember Inman stated that after nearly a year of research, discussion and evaluation, the Planning Commission and City Council recently made several revisions to the City's sign code. During the process, Council expressed an interest in creating an incentive program that might encourage businesses with detached nonconforming signs to make changes sooner. The recommended program would utilize \$15,000 of the remaining MCVB Fund Balance to create the program, and businesses would be awarded up to \$3,000 for actual costs. The program would be offered on a first come, first served basis.

Moved by Inman, seconded by Quinn to authorize \$15,000 from the MCVB Fund to create a one-time incentive program to address detached nonconforming signs. Councilmember Kring asked what will happen once all funds are spent. Ms. Smith stated that the City would work with the Mission Business Partnership. All owners of nonconforming signs will be notified of this program. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

2017 Public Works Capital Equipment Purchases

Councilmember Inman reported that the 2017 Budget included \$315,000 in the Public Works capital line item to fund replacement of vehicles and equipment. The wheel loader was purchased earlier this year leaving a budget of \$175,000 for the remaining items. Quotes were solicited on each of the requested items, and it is recommended that the purchase of two 61" Grasshopper mowers, one Ford F-250 ¾ ton truck, one Ford F-450 1.5 ton truck, and one EMAX shop air compressor be approved. The

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quotes secured for the purchases will result in a savings of approximately \$39,439. Replaced equipment will be surplus. Budget savings and proceeds from the sale of surplus items will be transferred to the Equipment Replacement Fund.

Moved by Inman, seconded by Kring to approve the purchase of two 61" Grasshopper mowers, one Ford F-250 ¾ ton truck, one Ford F-450 1.5 ton truck, and one EMAX shop air compressor in a total amount not to exceed \$120,362.20. There was no discussion on this item. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

NEW BUSINESS

Councilmember Quinn stated that he would like to see the City increase the amount available for fireworks purchased for the Mission Summer Family Picnic. The Krings traditionally purchase these and in the past few years have personally contributed above and beyond the amount approved.

Moved by Quinn, seconded by Gibbs to increase the funding for the Mission Summer Family Picnic fireworks to \$750 from the previously approved \$600. Mayor Schowengerdt stated that he greatly appreciates the Krings volunteering to purchase fireworks for this event. Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

COMMENTS FROM THE CITY COUNCIL

Councilmember Gibbs reminded all that there will be Tip A Cop event at Johnny's BBQ on Thursday, June 29th and encouraged all to attend. She also reported that the Mission Magazine will be in homes next week and one story highlights Councilmember Geraghty's medical missions abroad.

Councilmember Kring stated that the annual Mission Summer Family Picnic will be July 8th at 6:00 p.m. in Broadmoor Park and encouraged all to attend.

MAYOR'S REPORT

Mayor Schowengerdt stated that he is proud of Chief Hadley, Sgt. Danny Smith, and the entire Police Department for all they have done for Alex Goodwin, and thanked them for their efforts.

CITY ADMINISTRATOR'S REPORT

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Ms. Smith reported that the Backyard Campout will be held Friday, June 23rd in Andersen Park. There will be a City Council Worksession and Special Meeting on June 28th at 6:00 p.m. A Redevelopment Update Breakfast has been scheduled for Friday, July 14th at 7:30 a.m.

Councilmember Kring reminded all that the Mission merchants will be holding a sidewalk sale on Saturday.

EXECUTIVE SESSION

Moved by Kring, seconded by Quinn to adjourn to Executive Session for consultation with our attorneys on matters deemed privileged in an attorney-client relationship. Also attending will be Tom Murray, Lathrop & Gage, City Attorney Dave Martin, and City Administrator Laura Smith. Council will reconvene in Council Chambers at 8:33 p.m. (20 minutes). Voting AYE: Appletoft, Geraghty, Gibbs, Inman, Kring, Quinn, Rothrock, Schlossmacher. **Motion carried.**

Council adjourned to executive session at 8:13 p.m.

Council reconvened in Council Chambers at at 8:33 p.m.

ADJOURNMENT

Moved by Quinn, seconded by Gibbs to adjourn the meeting at 8:34 p.m. All present voted AYE. **Motion carried.**

Respectfully submitted by Martha Sumrall, City Clerk.

Steve Schowengerdt, Mayor

Martha M. Sumrall, City Clerk