

MINUTES OF THE MISSION CITY COUNCIL MEETING

July 15, 2020

The Mission City Council met virtually for a regular meeting on Wednesday, July 15, 2020 at 7:00 p.m. The meeting was called to order by Mayor Ron Appletoft. The following councilmembers participated virtually: Trent Boultinghouse, Ken Davis, Sollie Flora, Debbie Kring, Arcie Rothrock, Nick Schlossmacher and Hillary Thomas. Councilmember Inman was absent.

The Mayor stated that because of the COVID-19 social distancing recommendations, this meeting was being held virtually via ZOOM. The Mayor, City Councilmembers and staff joined remotely. While the City Administrator, Laura Smith and City Clerk, Audrey McClanahan, participated from their own work stations at City Hall. The public was invited to participate in the meeting by using the instructions included in the City Calendar item listed on the front page of the website. The public may join or just listen, or join with audio and/or video using a webcam or smartphone. The public will be allowed to make comments through the "chat" feature and should note that comments are visible by the group. Members of the public are requested to state their name and city of residence when making a public comment. Mayor Appletoft also asked all to be conscientious of others talking and to speak clearly and slowly.

SPECIAL PRESENTATIONS

Parks and Recreation Month Proclamation

Mayor Appletoft reported that July is Parks and Recreation Month which recognizes the integral work that staff does to create and maintain programs that are vitally important to the quality of life in our Community, ensuring the health of all citizens, and contributing to the economic and environmental well-being of the region.

He thanked Parks and Recreation Director, Penn Almoney and his staff, for all the hard work they do so that we all have the opportunities to enjoy our Parks and Recreation facilities. Then stated that they help everyone be healthier and are an important part of our community. Also, the creativity and continued commitment of staff to serving our residents has been especially appreciated through these challenging times.

CONSENT AGENDA

Moved by Davis, seconded by Kring to adopt the Consent Agenda as presented.

- 4a. Minutes of the June 17, 2020 City Council Meeting and July 6, 2020 Special City Council Meeting
- 4b. Surplus Property Resolution

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- 4c. 2020 Rock Salt Contract
- 4d. Playground Equipment Repairs
- 4e. Amendment to Special Purpose Permit Granted to Sandhills Brewing for Use of a Public Sidewalk for Outdoor Dining

Voting AYE: Boultinghouse, Davis, Flora, Kring, Rothrock, Schlossmacher, Thomas.

Motion Carried.

PUBLIC COMMENTS

Zachary Green, Mission resident, thanked the Council for allowing the public to participate and expressed concern with a situation recently reported by the KC Star at R.J.'s Bob-Be-Que Restaurant regarding the mandatory mask ordinance and a confrontation between a patron and staff at the restaurant. Mr. Green communicated that he hoped Council would continue to support mask wearing and address and condemn any adverse actions taken in regards to enforcement. Mayor Appletoft thanked Mr. Green for his comments and added they were appreciated by the Council.

FINANCE & ADMINISTRATION COMMITTEE

Councilmember Kring stated that the Finance & Administration Committee met on July 1 and considered three items including acceptance of the meeting minutes. The Surplus Property Resolution was approved under the Consent Agenda. There was one additional item for consideration on the regular agenda.

Racial Equity and Social Justice Council and Community Conversations

Councilmember Kring stated that in the weeks following the death of George Floyd, Mission, like many other cities across the region and the nation have been engaged in conversations surrounding racial equity, social justice, implicit bias and how our local government operations, including law enforcement, are impacted by the same. The Council has been actively involved in conversation, since the June 17 Council meeting, working to find an appropriate way to address these important issues for the Community.

At the July 1 Committee meeting, we discussed a desire that as a full City Council we wanted to join with Mayor Appletoft and Chief Hadley in publicly condemning the action/inaction of the Minneapolis Police and to establish our intent to advance actionable steps surrounding accountability and conversations around racial equity well into the future. A draft statement was presented to the Committee for consideration. In addition, specific action steps were outlined and a formal adoption

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of those action steps will help communicate goals and objectives with the public. Therefore, in order to continue to advance conversations in the most productive manner, two separate motions were offered for Council consideration at this time.

Councilmember Kring added that the public can continue to check www.missionks.org for dates on upcoming dialogue sessions.

Moved by Kring, seconded by Flora to approve the statement of the Governing Body condemning the murder of George Floyd and committing to on-going conversations and dialogue surrounding issues of racial equity, social justice and accountability. Voting AYE: Boultinghouse, Davis, Flora, Kring, Rothrock, Schlossmacher, Thomas. **Motion Carried.**

Moved by Kring, seconded by Davis to confirm the action plan to be put into motion beginning with a meeting (date TBD) in August 2020. Voting AYE: Boultinghouse, Davis, Flora, Kring, Rothrock, Schlossmacher, Thomas. **Motion Carried.**

COMMUNITY DEVELOPMENT COMMITTEE

Councilmember Flora stated that the Community Development Committee also met on July 1 and considered six items. These included acceptance of the meeting minutes, 2020 Rock Salt Contract, Playground Equipment Repairs and the Amendment to the Special Purpose Permit granted to Sandhills Brewing for use of a public sidewalk for outdoor dining which were all approved on the Consent Agenda. There were two additional items for the Council's consideration on the regular agenda.

Comprehensive Plan Update Restart

Councilmember Flora reported that the City engaged Confluence last fall to assist in an update of the City's comprehensive land use plan which is required by State statute to be maintained and reviewed periodically. Since the last plan was updated in 2007, the City felt it was crucial to update the plan in a manner that accurately reflects the values of the Community and the emerging trends in land use management and development.

A kick-off meeting was held in early March, at the very beginning of the Coronavirus on-set and subsequent stay-in-place orders issued by the Governor, County Commission, and the City resulted in delay of any further activity. Now that the stay-in-place orders have been lifted, staff recommends the process be re-initiated. This will include public engagement methods that conform with

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COVID-19 safety precautions such as a new, interactive, civic engagement tool that will be incorporated into the City's website allowing for community feedback. Also, members of the Steering Committee were identified and presented and include representation from the City Council, Sustainability Commission, Planning Commission, Parks, Recreation and Tree Commission, and other community members.

In response to Councilmember Davis' request at the July 1 committee meeting, staff reached out to several additional residents and business owners in an effort to enhance the diversity of the Steering Committee. The City contacted Mission resident, Lolly Cerda, who is a Diversity & Inclusion Manager at Shook, Hardy & Bacon, LLP., as well as a member of the Board of Directors of the Mid-America LGBT Chamber of Commerce. She accepted the invitation to participate in the Steering Committee. Also, TJ Roberts who is a resident of Mission and business owner on Johnson Drive with Farm Bureau Financial Services, has agreed to participate. Mr. Scott recommended they be added to the list of Committee members.

Mayor Appletoft informed the meeting that Councilmember Thomas had to leave the meeting due to an emergency.

Councilmember Davis asked if additional names should be added to the list through an amendment and Mr. Scott confirmed that would be acceptable.

Councilmember Rothrock asked for Mission resident Cherron Williams to be included on the Committee since she had expressed an interest in participating and added she would be a valuable member.

Moved by Davis, seconded by Boultinghouse to amend the membership of the Steering Committee by adding Ms. Cerda, Mr. Roberts and Ms. Williams. Voting AYE: Boultinghouse, Davis, Flora, Kring, Rothrock, Schlossmacher. **Motion Carried.**

Moved by Flora, seconded by Kring to approve the proposed timeline and tools to be utilized for the comprehensive plan update process going forward and review the membership of the Steering Committee recommended to assist in facilitating the process. Voting AYE: Boultinghouse, Davis, Flora, Kring, Rothrock, Schlossmacher. **Motion Carried.**

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Drone Ordinance

Councilmember Flora reported that unmanned aircraft systems (UAS), commonly called drones, have a host of applications including law enforcement, land surveillance, wildlife tracking, search and rescue operations, disaster response, and recreational use. However, the Parks, Recreation and Tree Commission along with staff thought it was important to address UAS concerns such as operator ability, usage intent and permissions in public and private spaces.

Staff reviewed UAS content from state laws and various municipal ordinances then partnered with the Mission Police Department and the City Attorney to draft an ordinance that encompasses expectations of operations and appropriate locations. Other considerations addressed in the Ordinance are UAS registration, privacy considerations, event use and permissions, impeding and obstructing public safety operations and personnel as well as applicable penalties. The penalty mirrors the current structure associated with other general non-aggravating citations with a typical fine amount between \$100-\$150 including mandatory \$40 court costs. Staff spoke with Judge Drill about whether the general provisions were appropriate to use for various offenses. He supported the unclassified violation range due to the variation and severity of the misuse within each section and recommended that the amount not be added to the fine schedule.

Moved by Flora, seconded by Davis to approve the Ordinance outlining expectations for UAS use within Mission's public and private spaces. Voting AYE: Boultinghouse, Davis, Flora, Kring, Rothrock, Schlossmacher. **Motion Carried.**

NEW BUSINESS

State of Emergency/ Disaster Proclamation Extension

Ms. Smith reported that on March 13, 2020 the State of Emergency Disaster Proclamation was issued which allows the City to be eligible for reimbursement for disaster management related expenses associated with the COVID-19 Pandemic through FEMA. The Resolution was amended on March 18, 2020, April 1, 2020, April 15, 2020 and May 13, 2020 and the current Emergency Declaration was valid through July 15, 2020. Although stay-at-home orders issued by the State and Johnson County had expired in May, the City decided on an extension in order to gauge the success of various reopening and recovery plans.

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Over the last two months, various recommendations for reopening City facilities, programs and services have been developed, reviewed and approved by the City Council. Extending the state of emergency allowed the City to maintain the umbrella protection of the emergency declaration while also preserving the greatest degree of flexibility in reacting and responding to changes in public health information and gating criteria in order to respond appropriately. In early June, Governor Kelly and leadership in the Legislature were able to reach agreement on a compromise bill (HB 2016) addressing emergency powers and extending the statewide emergency declaration through September 15, 2020. Staff recommends the Council consider extending the City Proclamation through September 16 (our regularly scheduled City Council meeting) in order to remain in alignment with the State order.

The State and County have seen increases in COVID-19 cases and the City has been evaluating those implications to reopening plans, specifically in relation to the opening of the Community Center and Municipal Court. Earlier this month, the City held its first in-person court meeting and yesterday was the second. There have been measures initiated to reduce docket sizes and handle cases, outside of the courtroom, when possible. On July 7, there were thirty participants in court, and through the usage of social distancing markers, plexiglass shields and door monitoring, court patrons and staff were able to safely move through the building and complete the docket.

Ms. Randel added that they conducted a debrief after the first court date and there were no major recommendations for changes. Also, the volume of cases that have been processed outside of court the traditional court docket has been very positive and productive.

Ms. Smith added Johnson County District Court had to adjust their processes this week. However, there is a significant difference in case volume between District and Municipal Court, and if we can keep our docket sizes to thirty or fewer staff believes we can continue to hold in-person court dockets. Current processes will continue to be evaluated on a week-by-week basis.

Ms. Smith reminded the Council that prior to reopening of the Community Center, a member survey was completed to gauge patron expectations and intent to return. Not surprisingly, the survey revealed many were hesitant to return too quickly. Since the reopening, attendance numbers continue to increase gradually (175-225 patrons per day), as anticipated we are not returning to pre-COVID attendance levels. Staff currently feels positive about the protections and protocols in place and wants to avoid a complete shutdown, if possible. There have been discussions about the reduction of services offered and staff has assessed what the facility usage has

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been since reopening in order to improve the experience for patrons and help staff better manage the environment safely.

Mr. Almoney added that one stressor was having the basketball courts completely open with some individuals not wanting to abide by the regulations, causing an issue for staff. It was recommended that the courts close as well as suspending the opening of the track lanes, which is anticipated to present a problem with social-distancing and patrons being able to follow the directives to keep everyone safe. Staff will also look at adjusting the spacing of the cardio equipment to move them farther apart. Staff is also having discussions about ventilation systems, deciding that fans or anything that moves the air, in confined spaces, are shut off.

Ms. Smith added that the pool will still operate on a reservation system with the recommendation to close for a certain period of time to allow for pool staff to be utilized in other areas of the building to assist in cleaning and support. We are also looking at closing the facility to fitness activities on Saturdays, as the main usage has been the basketball courts and with that activity being closed along with the issue of finding staff available to work on the weekend shift, it doesn't make sense to try and keep the facility open. There have been discussions on maintaining the Saturday rentals, which would require bringing two staff members in, and would be subject to the forty-five person gathering size limits with everyone being required to wear masks at all times. Mr. Almoney commented on the recommendation to amend the hours of operation to close at 6:00pm since the bulk of the facility usage ends around 5:30pm. Ms. Smith explained that they feel these changes in the operating procedures would help advance the Center in the right direction while being flexible in responding to patron and staff concerns.

Councilmember Flora asked as we are looking at plans to continue to utilize the Community Center and prevent closure, that Staff considers a consistent mask policy throughout the Center that would allow for easier enforcement.

Ms. Smith commented that there also has been plexiglass installed at the front entry desk counter and they have talked about conducting another survey that would allow for feedback on what modifications would make people comfortable.

Councilmember Schlossmacher asked what the repercussions would be if the motion did not pass. Ms. Smith explained that there is the potential of not being able to be reimbursed for COVID-19 related expenditures that might occur.

Moved by Davis, seconded by Boultinghouse to approve the extension of the City of Mission's State of Emergency/Disaster Proclamation related to COVID-19 through September 16, 2020. Voting AYE: Boultinghouse, Davis, Flora, Kring, Rothrock, Schlossmacher. **Motion Carried.**

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COMMENTS FROM THE CITY COUNCIL

Councilmember Schlossmacher responded to the comments by Zachary Green, stating while he condemns the actions that happened at R.J.'s Restaurant, he wanted to clarify that the Mission Police Department was not called at the time of the incident and there was no inclination from the involved party to press any charges. Mr. Green thanked Councilmember Schlossmacher for addressing that issue and commented that his experience with the Mission Police Department has been helpful and responsive.

Councilmember Boultinghouse informed that there would be a Ward 1 meeting on July 29 which would most likely be virtual.

Councilmember Kring commented on the wonderful work of staff over the last four months, Police and Public Works have been doing an amazing job, Lamar looks fantastic and that even though these difficult times, we are experiencing a great City with a great staff.

MAYOR'S REPORT

There was no Mayor's report.

CITY ADMINISTRATOR'S REPORT

Ms. Smith thanked Councilmember Kring for her kind words and asked how the Council wanted to proceed with future meetings, assuming that the Budget Work Session and Community Dialogue meeting would continue as virtual next week.

Mayor Appletoft asked if there were any modifications being made to the Council Chambers. Ms. Randel replied that adjustments have been made, including spacing and numbers of chairs and adding plexiglass barriers. The microphones have been modified in order to expand the volume area and allow for anyone in the lobby to hear.

Councilmember Flora recommended that since cases are going up that they continue to meet remotely and asked that if Council did decide on in-person meetings, if there would be a remote option, especially for the public who might not feel comfortable coming in. Ms. Randel replied that they have talked about technology options and accommodations in relation to maintaining interactions.

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Councilmember Davis commented that he is reluctant to resume in-person meetings and has been comfortable with the virtual format. Councilmember Boultinghouse commented that with the spike in cases, he prefers continuing virtually.

Ms. Smith recommended that the Council commits through the August Committee meetings then reassess going forward. Mayor Appletoft replied that there is enough concern among the Councilmembers to continue with the plan of at least another month of virtual meetings.

Ms. Smith added that they needed to determine a date to have the racial equity community conversations meeting regarding policies, data and statistics. After the Council decides on the date then it will be posted for the public.

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 7:54p.m. All present voted AYE. **Motion carried.**

Respectfully submitted by Audrey McClanahan, City Clerk.

Ronald E. Appletoft, Mayor

Audrey M. McClanahan, City Clerk