

MINUTES OF THE MISSION CITY COUNCIL MEETING, SEPTEMBER 18, 2019

The Mission City Council met in regular session at Mission City Hall on Wednesday, September 18, 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.

Mayor Appletoft introduced Adie Basey, a student from Shawnee Mission North High School, attending the meeting as a requirement for her American Government Class.

REVISED AGENDA

Moved by Davis, seconded by Kring to approve the revised agenda as printed. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.**

SPECIAL PRESENTATIONS

Legislative Update from Representative Rui Xu

Kansas State Representative Rui Xu presented Council with a legislative update. Representative Xu shared about discussions on his committees of Financial Institutions, Education Policy, and Agriculture. He shared some of the larger themes and activity around a tax lid exception, school funding, Medicaid expansion, election bills, and predictions for what will receive attention in the 2020 session including abortion, school funding, Tobacco 21, and gun safety.

Suicide Prevention Month 2019

Mayor Appletoft presented a proclamation in recognition of National Suicide Prevention Awareness Month. Chief Ben Hadley accepted the proclamation.

Diaper Need Awareness Week 2019

Mayor Appletoft presented a proclamation for Diaper Need Awareness Week. The City has hosted a diaper drive to donate diapers to HappyBottoms.org. City Administrator Laura Smith pledged to match the amount of diapers donated from the public and will deliver all the diapers to HappyBottoms.

CONSENT AGENDA

Moved by Davis, seconded by Kring to approve the Consent Agenda, items 4a through 4g.

- 4a. Minutes of the August 21, 2019 City Council Meeting
- 4b. Participation in County-wide Housing Inventory
- 4c. Franchise Agreement with Bluebird Network
- 4d. Contract Award for 50th & Dearborn Stormwater Improvements
- 4e. Authorization of Task Order for Construction Inspection Services - 50th & Dearborn Stormwater Improvements
- 4f. Contract Award for Repairs to Reeds Road Bridge
- 4g. Authorization of Task Order for Construction Inspection Services - Repairs To Reeds Road Bridge

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

PUBLIC COMMENTS

There were no public comments.

FINANCE & ADMINISTRATION COMMITTEE

Councilmember Flora stated the Finance & Administration Committee met on September 4 and considered three items, including approval of the meeting minutes. Both of the action items on the committee's agenda were considered on tonight's Consent Agenda.

COMMUNITY DEVELOPMENT COMMITTEE

Councilmember Thomas reported the Community Development Committee also met on September 4 and discussed ten items. These included approval of the committee minutes, and discussion of the Roeland Park Deannexation and the Turkey Creek Trail. Four action items from the committee were approved on tonight's Consent Agenda, and there are three more items for consideration.

Contract Award for Stormwater Inventory and Condition Assessment

Councilmember Thomas stated that the City's last stormwater inventory and condition assessment was completed in 2005 and, over the past ten years, Mission has had a considerable problem with sinkholes caused by deteriorating stormwater infrastructure. Funds to begin work on an updated inventory and condition assessment are included in the 2019 CIP. As staff began developing an RFP for this work, the Johnson County SMAC program announced they would make matching funds available in 2019 to assist cities in converting estimated condition ratings into "observed" conditions. The SMAC program will make 50% matching funds available to inventory structures and pipes that have an estimated risk of 3.2 or higher on a 5-point scale.

An RFP was issued in June with four responses received. The proposal from BHC Rhodes is recommended as the best and most responsive bid. The initial proposal received was based on the total number of eligible structures documented in the County's AIMS system, but we learned that the 2005 inventory information had never been uploaded to AIMS. That information was not available as of the September 4, 2019 Community Development Committee meeting. Following the upload and further evaluation, the Staff is proposing an approach that will not only maximize the SMAC funding but will maximize the City funds in the project to complete the inventory. The proposed contract with BHC Rhodes to perform a stormwater inventory and condition assessment is in an amount not to exceed \$158,038.

Moved by Thomas, seconded by Quinn to approve the contract with BHC Rhodes to perform a stormwater inventory and condition assessment in an amount not to exceed \$158,038. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.**

Agreement with Johnson County for Funding of Stormwater Inspections

Councilmember Thomas stated that the scope of the stormwater inventory and condition assessment project is to develop and update the overall condition rating system of the City's stormwater collection system. The inventory will involve field inspection of existing curb inlets and area inlets, as well as video/camera inspection of each end of eligible pipes. Funding from Johnson County is available for stormwater structures or lines with an estimated condition rating of 3.2 or higher. The goal of this program is to assign a more accurate "observed" rating, and once inventoried these structures would become eligible for maintenance project funding through SMP in future years. This proposed interlocal agreement specifies the County's participation in the project for a total cost not to exceed \$115,146, which is 50% of the estimated inspection costs, and commits the City's funds to

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the project. Approval of this interlocal is the final step with the County to move the stormwater inventory project forward in the County's SMAC approval process. Based on the structures and lines determined to meet the SMAC eligibility criteria, we anticipate receiving SMAC funds in the amount of \$43,038. It is still appropriate to approve the Interlocal Agreement at the higher amount in the event we discover more structures meet the eligibility criteria.

Moved by Thomas, seconded by Quinn to approve the Interlocal Agreement with Johnson County for the Stormwater System Inspection Project (Mission Stormwater Inspection Project #1-1-MI-2019-I-1) using 2019 SMAC program funding in an amount not to exceed \$230,292. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.**

Hodges Planters

Councilmember Thomas stated that over the past year following damage to one of the planters in the area, discussions have been on-going regarding the options to repair, replace or remove the planter boxes along Hodges at the intersections of 61st Terrace/Juniper, 62nd Street, and 62nd Terrace. A summary report of the history of the planters and the work that has occurred regarding this issue was presented to the Community Development Committee at their August 7th meeting. The committee directed staff to convene the Hodges Planters Working Group for one final meeting to discuss the neighborhood's preference between two options for barriers at 62nd Street and 62nd Terrace. It was the consensus of the working group that the existing planters at these two intersections be left in place. Construction improvements including an island configuration with a gate at 61st Terrace/Juniper and Hodges will be completed using funds from the CIP.

Councilmember Flora thanked the neighborhood members who participated in the working group to find a solution. Councilmember Davis thanked the staff for the work of compiling the background information and meeting with the working group.

Moved by Thomas, seconded by Davis to authorize staff to proceed with the construction of the improvements to the intersection of 61st Terrace/Juniper and Hodges, and to install appropriate signage on the existing planters at the intersections of 62nd Street/Hodges and 62nd Terrace/Hodges. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.**

NEW BUSINESS

Resolution Calling a Public Hearing Concerning the Exclusion of Certain Real Property from Mission's Corporate Limits

Ms. Smith stated that since December 2018, the City of Mission and the City of Roeland Park have been in conversations regarding redevelopment and deannexation of a portion of property, approximately .7 of an acre at the northeast corner of Johnson Drive and Roe Boulevard. There has been activity regarding the property in recent weeks including a special meeting held by the City of Roeland Park. The City of Mission made a request of the City of Roeland Park that, as a sign of good faith in continuing with negotiations for deannexation, Roeland Park would assume 25% of the costs of the traffic signal at that intersection going forward. The City of Roeland Park agreed to do that and has submitted a letter to KCPL. That arrangement will be in effect regardless of what occurs with deannexation. The City of Roeland Park would like to proceed with deannexation as quickly as possible which is in the best interest of the developer. There is an active development project that is currently under consideration of the Mission Planning Commission and the Roeland Park Planning Commission. The City of Roeland Park had asked the City of Mission to complete the deannexation by September 23 when the developer is scheduled for the Mission Planning Commission. That timeframe is not possible due to the legal notice requirements. Following the Roeland Park Special Meeting, staff and attorneys of both cities have met to move the process forward.

The deannexation process requires the property owner that wishes to have property excluded from a city's corporate boundaries submit a petition. That City calls a public hearing, notice of the public hearing must be published, and the public hearing may not be held sooner than 20 days after publication. The public hearing allows anyone who may object or be harmed by the deannexation to come forward. Following the public hearing, the Mission City Council would consider an ordinance to exclude that certain property from within Mission's corporate boundaries. If the City of Mission takes that step, the City of Roeland Park would hold a special meeting on that same day to adopt an ordinance to annex that portion of land into their own corporate limits. If it is not possible to accomplish both the deannexation and annexation on the same day, the cities would be required to receive approval from Johnson County. Staff of both cities feel like accomplishing both on one day is possible. The Kansas Department of Transportation (KDOT) maintains some portion of right of way along Johnson Drive in this section. KDOT is not a member of the petition, but has signed the consent for the exclusion. Council is asked to consider a resolution accepting the petition and setting a public hearing for October 16, 2019. If the City Council approves the resolution, notice for the public hearing would be published on

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Tuesday, September 24, in advance of the 20 day requirement. Roeland Park would plan to hold a Special Meeting following the public hearing in Mission on October 16.

A rezoning is required in the City of Mission, because that portion of the property was not zoned previously. That process carries with it certain notice provisions, which had been set for the September 23 Planning Commission meeting. The item will go forward to the Planning Commission, they will hold a public hearing, then close it and not take action on that item. That process allows the developer's process to move forward whether or not deannexation is accomplished.

There are still aspects of the deannexation agreement that have not been resolved, such as the 50% sharing of the signal costs, and the installation of public art on that corner. The installation of art is shown on the current project plans, and should be accounted for through the planning process.

Moved by Davis, seconded by Kring to adopt the Resolution providing for notice of a public hearing at 7 p.m. on October 16, 2019 concerning the exclusion of certain real property from the City of Mission's corporate limits pursuant to K.S.A. 12504 *et. seq.*

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

Motion carried.

COMMENTS FROM THE CITY COUNCIL

Councilmember Kring shared that several councilmembers will be attending the National League of Cities City Summit in San Antonio in November. She serves on the Energy, Environment and Natural Resources Sub-Committee. Councilmember Kring will be taking forward the Energy Efficiency Block Grant to serve smaller communities to get funding for energy efficiency projects. Councilmember Kring invited anyone with items they would like to see brought forward at the Summit to share them with the representatives attending.

Councilmember Rothrock shared an updated from the Harvesters Mobile Food Truck event in August. The event distributed 12,640 lbs or 6.32 tons of food, which is an average of 95.8 lbs per family. The next event is scheduled for February 29, 2020. Councilmember Rothrock shared a letter of thanks from a representative from Harvesters passing along the impact to the recipients.

Councilmember Flora shared that Mission had the best showing of representatives among the cities at the ClimateActionKC Summit on September 24. Members of the Planning

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Commission, Sustainability Commission, City Council, staff and residents attended the Summit. Councilmember Flora will share the presentations once they are available online.

Councilmember Rothrock reminded everyone that she and Councilmember Schlossmacher will host a Ward II meeting on Thursday, September 26 at 7:00 p.m. at The Bar.

Councilmember Davis stated that he will be absent from the next two committee meetings.

MAYOR'S REPORT

Mayor Appletoft did not have a report.

CITY ADMINISTRATOR'S REPORT

Ms. Smith noted that both Penn Almoney and Celia Duran have started in their new positions as Parks and Recreation Director and Public Works Director. She welcomed them again to the City of Mission.

Ms. Smith reminded everyone about the Community Paper Shredding and Electronics Recycling event Saturday, September 21 and the Composting Class on Tuesday, September 24.

EXECUTIVE SESSION

Preliminary Discussion of the Acquisition of Real Property

Moved by Kring, seconded by Rothrock to recess to executive session under the preliminary discussion of the acquisition of real property exception, K.S.A. 75-4319 (b)(6). Also attending the meeting will be City Administrator Laura Smith and City Attorney Dave Martin. The open meeting will resume in Council Chambers at 7:46 p.m.

Council recessed to Executive Session at 7:36 p.m.

Council resumed the meeting in Council Chambers at 7:43 p.m.

Purchase of Real Property at 5122 W. 60th Terrace:

Moved by Quinn, seconded by Rothrock to authorize the City Administrator to execute a contract to purchase the real property at 5122 W. 60th Terrace Mission, KS 66202 in an

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amount of \$220,000 for work associated with the Rock Creek stormwater improvements. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas.
Motion carried.

ADJOURNMENT

Moved by Quinn, seconded by Davis to adjourn the meeting at 7:47 p.m. All present voted AYE. **Motion carried.**

Respectfully submitted by Emily J. Randel, Assistant to the City Administrator.

Ronald E. Appletoft, Mayor

Emily J. Randel, Assistant to the City Administrator