

## **MINUTES OF THE MISSION CITY COUNCIL MEETING, SEPTEMBER 19, 2018**

The Mission City Council met in regular session at Mission City Hall on Wednesday, September 19, 2018. The meeting was called to order by Council President Pat Quinn. The following councilmembers were present: Ken Davis, Sollie Flora, Kristin Inman, Debbie Kring, Pat Quinn, Arcie Rothrock, Nick Schlossmacher, and Hillary Thomas. Absent: Mayor Appletoft

### **SPECIAL PRESENTATIONS**

#### **Proclamation Recognizing National Suicide Prevention Awareness Month**

Councilmember Quinn stated that September is National Suicide Prevention Awareness Month. Many organizations and individuals throughout our community work to support each other and raise awareness of suicide prevention resources available to all. Some of those on the front lines working to help those in need are our educators, mental health professionals and police officers. He stated that Taylor Hopkins, Mission's Mental Health Co-responder is at the meeting this evening. She works closely with the police department to assist those in the community who are in crisis. He thanked Ms. Hopkins for the work that she does to help our residents and visitors at critical times in their lives, and presented her with a proclamation recognizing September as National Suicide Prevention Awareness Month.

Councilmember Quinn also provided statistics related to suicides amongst those serving on active duty and veterans. He stated that the suicide rate among active duty personnel and veterans is 20.6%, with 16.8% being veterans and 3.8% active duty service members. He stressed the importance of raising awareness of suicide prevention measures and asked that the contact information for the National Suicide Prevention Hotline be added to the front page of Mission's website.

#### **Police Department Special Presentations**

Chief Hadley introduced Officers Warren Neff and Tony Palmieri for promotions. Cpl. Neff was introduced and his promotion to Sergeant was announced. Officer Palmieri was introduced and his promotion to Corporal was announced. Both invited members of their family forward for the pinning ceremony. Both were congratulated and Councilmember Quinn thanked the Police Department for the fantastic job that they do.

**Introduction of Jenna Dickman, Aquatics Coordinator**

Ms. Smith introduced Jenna Dickman who recently joined Mission as our Aquatics Coordinator. Ms. Dickman comes to Mission from Lifetime Fitness. Ms. Dickman was welcomed to Mission.

**Summer Camp Season Review and  
Mission Family Aquatic Center Season Review**

Ms. Smith introduced Nick Shepherd, Recreation Coordinator, for an overview of the 2018 Summer Camp season, which included:

- Camp overview
- Weekly camp breakdown including the number of campers by week, both resident and non-resident participants, and camp themes
- Overview of add-on activities for campers such as swim, tennis, guitar, basketball skills, art/drawing, ballroom dance, soccer skills, LEGO camp and Youth Tech (robotics, video game design, iGame creator, animation)
- Breakdown of participants for add-on activities
- Financial overview including total expenses and revenues resulting in a cost recovery of 167%.

Councilmember Thomas asked if the camp scholarship was utilized and Mr. Shepherd stated that it was. This scholarship covers a portion of the weekly fee and he hopes to expand this program in the future.

Ms. Smith introduced Luis Benavides, Aquatics Manager, for an overview of the 2018 Mission Family Aquatic Center season, which included:

- 2018 season highlights, noting that the staff loved their jobs and there were only five shut-down days during the season.
- Revenue summary (\$135,783) - the menu was changed for concessions which was helpful, and there were a variety of special events including two "dive in" movies.
- Expense summary (\$233,853) - there was an increase in personnel costs in 2018 due to Council approving increased wages for staff so that we are competitive with other facilities.
- Statistics on membership and daily pass utilization

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- Statistics on Super Pool Pass utilization, noting that patrons commented on the cleanliness of our facility and attentiveness of our guards.

Councilmember Davis stated that he has suggest the MFAC program their own music and include announcements about City/Parks and Recreation events. Mr. Benavides stated that this is a good idea and they would like to try it. It will allow staff to control the type of music and commercials that are being played (vs. local radio station).

Councilmember Thomas asked why the facility is not open to the public during the morning hours. Mr. Benavides stated that the Mission Marlins Swim Team has practice in the competitive pool from 5:45 -11:45 a.m. daily and that the zero-depth pool is open mornings for a variety of programs including Kiddie Pool Playtime, and to daycare patrons. He stressed that the pools are being used throughout the day.

### **ISSUANCE OF NOTES AND BONDS**

#### **ORDINANCE AUTHORIZING ISSUANCE OF IRBs - MISSION APARTMENTS LLC**

Councilmember Quinn stated that the Industrial Revenue Bonds (IRBs) for Mission Apartments LLC are for the development group for the Mission Trails Apartments at 6201 Johnson Drive. The IRBs will allow Mission Apartments LLC to secure a sales tax exemption on certain construction materials and building fixtures as they proceed with the project. These bonds are not a general obligation of the City and are not backed by the full faith and credit of the city.

**Moved by Davis, seconded by Kring** to adopt an ordinance authorizing the City of Mission, Kansas to issue Taxable Industrial Revenue Bonds (Mission Apartments LLC Project), Series 2018, in a principal amount not to exceed \$20,000,000 for the purpose of providing funds to pay the cost of acquiring, purchasing, constructing, installing and equipping commercial facilities, including land, buildings, structures, improvements, fixtures, machinery and equipment; authorizing the City to enter into certain documents and actions in connection with the issuance of said bonds (sales tax exemption only). There was no discussion on this item. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.**

### **CONSENT AGENDA**

**Moved by Inman, seconded by Schlossmacher** to approve the Consent Agenda, items 4a through 4e.

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- 4a. Minutes of the August 15, 2018 City Council Meeting and Minutes of the August 15, 2018 Special City Council Meeting
- 4b. Surplus Property Resolution
- 4c. 52nd Street Mill & Overlay
- 4d. 2018 Concrete Repairs
- 4e. Granting of Utility Easement to Mission Apartments

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

### **PUBLIC COMMENTS**

Tom Geraghty, Mission resident and former councilmember, stated that the need for additional space / new City Hall and Police Department has been discussed over the past few years. He wants to get this issue “out again” and noted that we are anticipating a 10% increase in the population within approximately three years as new developments in the City are completed. The current building is inadequate, noting that there are not enough bathrooms, the Police Department’s locker rooms are small and overcrowded, there is inadequate lighting, the building does not include a sprinkler system, and is not ADA compliant. He stated that we need to be preparing for growth and made several suggestions, including tearing down the current building and putting a dog park in its place, building a new city hall on Martway across the street from the Community Center, or consider building a new city hall on the former Mission Bowl property. He would like to get this issue moving along. Council President Quinn stated that he concurs.

Ms. Smith stated that Council approved funding for a space needs analysis in this year’s budget and that it is critical that this analysis be completed so that we know what options are available to us.

### **ACTION ITEMS**

#### **Planning Commission**

#### **Preliminary Development Plan, 5438 Johnson Drive**

Mr. Scott reported that the property for this preliminary development plan is 5438 Johnson Drive, which is at the northeast corner of Johnson Drive and Nall. The property is owned by JMK Equities and a public hearing was held on this preliminary development plan at the August 27th Planning Commission Meeting. Pride Cleaners is currently in the building and it is zoned MS1. The properties to the east and west are

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also zoned MS1 and to the north it is MS2. The total land area of the property is 11,546 sq. ft. and the building is 1,412 sq. ft. The building was built in 1950 and was previously a gas station. The owner wants to invest in the property by demolishing the current building and constructing a new structure. He stated that the proposed structure will have an approximate footprint of 4,420 sq. ft. and a height of 28 ft., although the owner is not yet sure if it will be one- or two-story. With the MS1 zoning for the property a variety of uses on the ground floor are possible. The proposed design shows the building built to the sidewalk along both Johnson Drive and Nall with on-street parking on both streets. There are no parking requirements, but the proposed project would add three parking spaces on Johnson Drive, seven parking spaces on Nall, and four behind the building. He noted that there is not much room on the site for landscaping, but a fire hydrant will be moved closer to the alley behind the building and a privacy fence will be built along the north side of the property. The alley behind the building will be widened to 25 ft. He stated that this proposal meets the Johnson Drive Guidelines and will include an inset courtyard area with full length windows in the building. The developer feels this building will create a presence at this important corner. The property drains southeast and there is a stormwater inlet on Johnson Drive. This project will also be reviewed by the Sustainability Commission. During the August 27th Planning Commission meeting, a family member from owner of the property to the north spoke during the public hearing and expressed their concerns that lighting and noise be addressed and wanted to know the intended use.

Mr. Scott stated that the Planning Commission voted 9-0 to recommend to the City Council approval of the Preliminary Site Plan for Case #18-09, 5438 Johnson Drive with the following stipulations:

- Detailed site survey will be required with the final site development plan indicating site dimensions; building dimensions; on-street and off-street parking dimensions; dimensions of interior traffic ways; sidewalk width; placement and dimensions for all off-site, public improvements, landscape and streetscape improvements; and dedication of public right-of-way.
- Detailed building drawings will be required with the final site development plan indicating dimensions, number of stories, materials, and furnishings.
- Private sign criteria plan will be required with final site development plan.
- A final traffic study and final stormwater drainage design plan must be submitted for review with the final site development plan; the appropriate text, maps, drawings and tables must be included.
- Staff reserves the right to provide additional comments or stipulations on development plans until all traffic or storm drainage related concerns have been addressed.
- A Phase I Environmental Site Assessment and required subsequent

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assessments will need to be completed and report submitted with the Final Site Development Plan.

Mr. Scott noted that the property owner has already completed a Phase I and Phase II Environmental Assessment. He stated that the applicant is present to answer any questions.

Councilmember Flora stated that the language in the Planning Commission minutes does not exactly match the recommendation in the staff report. Councilmember Inman stated that the minutes discuss "prior use." Councilmember Flora read from the Planning Commission minutes and asked if language should be included in that stipulation for the land use. Mr. Scott discussed the motions at the Planning Commission Meeting.

**Moved by Kring, seconded by Inman** to uphold the recommendation of the Planning Commission and approve the Preliminary Site Development Plan for Case #18-09, 5438 Johnson Drive with the stipulations as previously defined by Mr. Scott (listed below).

- Detailed site survey will be required with the final site development plan indicating site dimensions; building dimensions; on-street and off-street parking dimensions; dimensions of interior traffic ways; sidewalk width; placement and dimensions for all off-site, public improvements, landscape and streetscape improvements; and dedication of public right-of-way.
- Detailed building drawings will be required with the final site development plan indicating dimensions, number of stories, materials, and furnishings.
- Private sign criteria plan will be required with final site development plan.
- A final traffic study and final stormwater drainage design plan must be submitted for review with the final site development plan; the appropriate text, maps, drawings and tables must be included.
- Staff reserves the right to provide additional comments or stipulations on development plans until all traffic or storm drainage related concerns have been addressed.
- A Phase I Environmental Site Assessment and required subsequent assessments will need to be completed and report submitted with the Final Site Development Plan.

Councilmember Thomas requested clarification of the site analysis and the whether parking spots (#8, 9 & 10) on Johnson Drive currently exist. Mr. Scott stated that are currently egress. Councilmember Thomas noted that they are 30 ft. back, but it is similar to the parking in front of Mr. Goodcents and it is often hard to back out onto Johnson Drive close to the intersection. She asked if there would be a spot for these three spaces elsewhere. Mr. Scott stated that it would be a challenge to move them,

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that our traffic engineer did review this, and that parking on Nall could also be challenging with people turning the corner. He discussed the handicapped parking included and stated that a formal traffic study will be required. Councilmember Inman noted that in this zoning district they are not required to have dedicated parking.

Councilmember Davis asked if the family of the neighboring property was present and wanted to speak. David Bryant, Lenexa, stated that the home has been in their owned by a family member for three generations, and that currently a fourth generation family member resides there. He stated that they are excited about this plan and applaud the owner for wanting to redevelop the property. He stated that the family's concerns were noted at the Planning Commission Meeting and they look forward to seeing the final plan for this site.

Jeff Rouse, JKM Equities, stated that they are not affiliated with Pride Cleaners - Pride is a tenant. They look forward to finding a use for the property that will benefit the growth of Mission and is consistent with other redevelopment in the City. Councilmember Davis asked if they have received any interest in the property. Mr. Rouse stated that they have, but it has been very preliminary.

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

### **FINANCE & ADMINISTRATION COMMITTEE** **Request to Revise Gateway CID #3 Implementation Date**

Councilmember Schlossmacher stated that Council adopted an ordinance establishing the Mission Gateway Community Improvement District (CID) #3 in October 2017. This CID will impose a .01% sales tax on all retail transactions that occur within the district. The ordinance established January 1, 2019 as the effective date for the imposition of the sales tax. The Gateway Developers have requested that the effective date of the CID be moved back to July 1, 2020 to align with the completion of the development and the beginning of retail activity. The original implementation date was established with the best information available at the time, understanding that a request for a revision was possible based on leasing timelines, plan review, and other factors. The developer has currently met all project milestones established in the redevelopment agreement, and this is not the result of project delays.

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**Moved by Schlossmacher, seconded by Inman** to adopt an ordinance amending Ordinance No. 1469 of the City of Mission, Kansas regarding the Mission Gateway Community Improvement District #3.

Councilmember Flora stated that at the committee meetings she has raised some concerns regarding this extension, but staff has answered her questions and she is comfortable supporting adoption of this ordinance. She stated that this should not be considered an opportunity to extend any other part of the project. Councilmember Schlossmacher stated that he has given this a great deal of consideration and he feels we need to honor our original agreement for a 22 year term for the CID. Councilmember Thomas stated that she agrees and discussed perceptions with the project. She also stated that in 2020, the new implementation date for the CID, she can not vote for another extension. Councilmember Schlossmacher noted that per the Development Agreement, the project completion date is April 2020.

Joshua Sturgis, Mission resident, stated that he supports responsible development and is impressed by how the city and other developers have worked together. He feels that Cameron Group switching to Aryeh Realty is a sign of financial distress by the developer and noted lawsuits against the developer. He understands that it makes sense to extend the CID implementation date, but expressed his concerns with what progress has been made with the project over the last 11 months since the CID was first approved. He stated that although the taxes for the site have been paid this is not proof of financing for the project. He discussed a development project in Cass County. Mr. Sturgis asked Council to table this item and get proof of financing before moving forward. He does not feel this is time sensitive and feels Council should "hit pause" for six weeks.

Ms. Smith stated that this issue is time sensitive as the State must be notified by September 30th of the extension of the implementation date. She stated that the taxes have been paid by the developer and there have been some delays, but building permits have been issued and Phase I of the project will be completed with the developers equity so no City funds are involved in Phase I. She also noted that there are no General Obligations bonds with this project, only Special Obligation bonds.

Korb Maxwell, Polsinelli and attorney for the developer, stated that time is of the essence for passage of this ordinance. He stated that the developer is meeting all the requirements of the development agreement and they anticipate pouring footings/foundation for this phase of the project by October 30th.



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

### **Ordinances Adopting the STO and UPOC**

Councilmember Schlossmacher reported that each year, the League of Kansas Municipalities publishes a comprehensive public offense code (UPOC) and uniform traffic code (STO) for all cities in Kansas. Mission adopts these publications by ordinance, allowing us to maintain uniformity with agencies in the area, the State of Kansas, and the actions of the State Legislature. The City does have the option to opt out of certain provisions, and the ordinances that have been adopted by the City to address local issues remain in place. These include provisions addressing maximum speed limits, school zone fines, smoking restrictions, and animal cruelty. At the committee meeting, provisions in the UPOC addressing marijuana were discussed and it was recommended that the proposed ordinance be reviewed by the City Attorney and revised as necessary. The proposed ordinance adopting the UPOC has been updated and includes Section 4, which deletes Sections 9.9.1 and 9.9.2 from the UPOC as these are covered by Mission's Municipal Code.

**Moved by Schlossmacher, seconded by Kring** to adopt an ordinance adopting the Standard Traffic Ordinance, 2018 Edition, and amending the Code of the City of Mission. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.**

**Moved by Schlossmacher, seconded by Rothrock** to adopt an ordinance adopting the Uniform Public Offense Code, 2018 Edition, and amending the Code of the City of Mission. Capt. Madden provided an update stating that the current section in the UPOC addressing marijuana/THC would leave Mission with no other mechanism for charging other misdemeanor drug crimes. It is therefore recommended that we maintain our current code language. Councilmember Thomas requested information on the definition of "animal cruelty." Capt. Maden stated that Mission's ordinance is more stringent and covers issues such as animals being left in cars. Voting AYE: Davis, Flora, Inman, Kring, Quinn, Rothrock, Schlossmacher, Thomas. **Motion carried.**

### **COMMUNITY DEVELOPMENT COMMITTEE**

Councilmember Inman did not have a report.

**COMMENTS FROM THE CITY COUNCIL**

Councilmember Flora stated that Urban Prairie Coffee Shop recently had their soft opening. The shop includes local art and a mural. She encouraged all to visit the business.

Councilmember Kring stated that the Mayor and several councilmembers served as judges for the recent Shawnee Mission North High School Homecoming Parade. It was a great event. She stated that she also serves on the site council for Rushton Elementary and encouraged others to become more involved with our schools.

Councilmember Davis thanked Ms. Randel and offered “kudos” for the monthly email newsletter. He also stated that the recent concrete repairs at City Hall look great.

Councilmember Thomas said the Mission Market has had a great season and there will be a Food Truck Event tomorrow night. All were encouraged to attend. Mission businesses will be holding a sidewalk sale on Saturday, October 6th.

Councilmember Schlossmacher announced that the Friends of the Dog Park group will have a tent at the Market tomorrow night, and a survey has been published online.

Councilmember Rothrock reminded all that there will be a quarterly Ward II meeting on Thursday, September 27th at Johnny’s BBQ in conjunction with the Tip A Cop event that evening.

Councilmember Quinn thanked staff for getting the concrete project at City Hall completed. He also stated that Frank Bruce, City Historian, is working to develop a historic walking tour of the City. Mr. Bruce stated that he is working on this project with more information to come at a later date.

**MAYOR’S REPORT**

No report.

**CITY ADMINISTRATOR’S REPORT**

Ms. Smith provided the following updates:

- Tomorrow will be the Third Thursday Food Truck Event at the Market

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- The annual recycling event will be held Saturday, September 22nd in Fairway
- Tip A Cop will be held from 5-8 p.m. on Thursday, September 27th at Johnny's BBQ. The Ward II Meeting will also be held at the same time at Johnny's
- The Dog Park Survey has been distributed by the grassroots Friends of the Dog Park group.

Ms. Smith thanked Mr. Belger for his many years of service to the City of Mission (full comments attached to these minutes) and announced that there will be a reception in his honor on Thursday, September 20th at 2:00 p.m. at City Hall. All were invited to attend.

Mr. Belger thanked all for the opportunity to serve Mission. He stated that he feels Public Works has made big strides, Mission is a city unlike others as everyone knows each other, and it has been an honor to work here for the past eight years. He feels he is leaving Mission better than how he found it and this has been possible with the help of many people. He will keep in touch and stated that he may be able to help Mission in the future through his new position.

### **ADJOURNMENT**

**Moved by Davis, seconded by Kring** to adjourn the meeting at 8:35 p.m. All present voted AYE. **Motion carried.**

Respectfully submitted by Martha Sumrall, City Clerk.

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Ronald E. Appletoft, Mayor

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Martha M. Sumrall, City Clerk

## **Farewell Comments for John Belger, Public Works Director City Council Meeting, September 19, 2018**

I know we are having a farewell reception tomorrow afternoon, but I wanted to take the opportunity tonight “on the record” to recognize John Belger and his contributions to Mission over the last 8 years.

John was hired as the Public Works Superintendent in July 2010 at a time when the efforts were focused on moving the Department from mowing in the summer and painting in the winter to more traditional public works activities like street maintenance, stormwater repairs and park maintenance.

Starting as the supervisor of the field staff gave John an important “hands on” look at the operations, and provided many opportunities for him to apply his knowledge and expertise to help move the Department in a different, forward-thinking direction.

He has consistently demonstrated that he is a caring and compassionate leader - the safety of his employees was always top of mind. Getting them home safely to their families at the end of the day was job one for John - something we shouldn't ever take for granted.

Most of you know we have the “Mission Way” of doing things. John learned early of Mission's reputation for snow plowing and never missed a step in carrying that commitment to service out each winter. Mother Nature has let him off easy the last few years, but we always knew John and his crews were “at the ready.”

John's hard work and dedication as Public Works Superintendent did not go unnoticed, and he was promoted to director in December 2013. Transitioning into more of a project manager's role presented John with many learning and professional development challenges and, I think he would agree, gave him lots of “growth opportunities!”

In our work as public servants, you hope to know you've left your “mark” on the community you serve when you move on. It's not ego driven - just what motivates those who have a true calling or passion for public service.

I think we can all agree that John can look back on his tenure in Mission and know that he has accomplished just that. The best example, and his biggest project to date was Jo Drive - full time presence, accessible, willing to listen, tried to problem solve, all the while maintaining a sense of fairness and equity, something he brings to every project he works on.

He built a reputation with the citizens and businesses as someone who was willing to listen and who would work to find a reasonable solution. But everyone who worked with John also understood that he had a commitment to quality and doing things the right way. I'll bet John

would also tell you that his time in Mission has certainly helped him appreciate the “art of compromise” - but compromise through collaboration - an important distinction.

We are sad to see John go, but excited for the opportunity that his new position provides for he and his family. He’s just going to be down the road in Lenexa, so we’ve made him promise not to be a stranger (or to change his phone number).

I invite you all to join us tomorrow at 2 p.m. here in the Council Chambers for a small reception in John’s honor, and know you will join me now in thanking John for his dedicated service to the City of Mission.