

MINUTES OF THE MISSION FINANCE & ADMINISTRATION COMMITTEE

November 14, 2018

The Mission Finance & Administration Committee met at Mission City Hall, Wednesday, November 14, 2018 at 6:30 p.m. The following committee members were present: Hillary Thomas, Arcie Rothrock, Nick Schlossmacher, Debbie Kring, Kristin Inman, Ken Davis and Sollie Flora. Absent: Pat Quinn. Mayor Appletoft was also present. Councilmember Schlossmacher called the meeting to order at 6:30 p.m.

Also present were City Administrator Laura Smith, Assistant City Administrator Brian Scott, City Clerk Martha Sumrall, Chief Ben Hadley, and Assistant to the City Administrator Emily Randel.

Presentation from Auditors

Mr. Scott stated that Berberich, Trahan & Company will conduct the City's annual audit for the year ending December 31, 2018, and they will begin the process in December with on-site field work in February 2019. He introduced Emily Sheldon, Berberich, Trahan & Company to provide an overview of the process as outlined in their planning letter to the Mayor and Council (included in the packet).

Ms. Sheldon stated that this is their firm's second year conducting Mission's audit and noted the following:

- Communication - they will meet with the Mayor to discuss any concerns he may have and they will communicate to the Governing Body immediately if there are any instances of fraud involving senior management or that causes a material misstatement, noncompliance with laws and regulations, or serious disagreements with management.
- Independence - their policies and procedures are designed to provide reasonable assurance that their firm complies with applicable professional independence standards.
- Planning Process - they will be looking at internal controls to help understand how the City runs.
- Materiality in Planning and Executing the Audit - provided information on how they apply the concept of materiality in the audit.
- Internal Controls - they will work to understand our internal controls, but they do not provide assurances on the effectiveness of internal controls.
- Timing - preliminary audit field work will begin December 16th and final field work on-site beginning February 18th.

Councilmember Davis requested additional information on what the on-site work will entail. Ms. Sheldon stated that in December they will begin their review of information and test controls. In February they will be testing financial statements. Mr. Scott stated that a final report of the audit will be presented to Council in the spring.

This item was informational only and no action was taken.

Employee Benefit Renewals

Mr. Scott reported that over the past few years we have seen sizeable increases in premiums for employee benefits. Last year, Cigna proposed a 50% increase and at that time the City went to market and changed to Blue Cross / Blue Shield, which resulted in a 25% increase in health insurance premiums. The City received its proposed premium package from Blue Cross / Blue Shield for 2019 with no increase in premiums. The budget anticipated a 20% increase so this is a significant savings. Blue Cross / Blue Shield is also offering a third plan this year - Spira Care. The three plans offered will be Preferred Care Blue, Blue Select, and Spira Care. Spira Care is a clinic based program that utilizes the providers in the Blue Select network. There are no office visit co-pays or other out-of-pocket costs for the employee when they use the Spira Care clinic.

Mr. Scott also provided information on other employee benefits, including the following:

- Wellness Program - this program has been in effect for the past several years and in 2019 a \$300 incentive will be available to those who complete the program. Sixteen employees participated in the program in 2017 and 12 in 2018. The total cost for the program in 2019 will be \$9,000.
- Delta Dental of Kansas dental insurance - no increase in the premiums in 2019 and the current split in cost will remain the same with the City paying 80% and employees contributing 20%. \$43,000 is budgeted in 2019 for this benefit.
- EyeMed Vision Insurance - premiums are paid 100% by the City and \$9,200 has been budgeted for this program in 2019.
- 125 Flexible Spending Account Benefit - this is a program that allows employees to set aside pre-tax dollars for qualified expenses eligible for reimbursement throughout the plan year. Unreimbursed medical and dependent care expenses are eligible. The costs of this program are paid by participating employees. This program is available to full-time employees and is administered by a third party (BASIC).
- Basic Life / AD&D Insurance Benefits - program is paid 100% by the City and department directors receive \$25,000 and all other employees \$20,000 benefit if utilized. The program is through The Standard and the estimated impact to the City's 2019 budget is \$2,600 with a rate guaranteed until 2020.
- Voluntary Life Insurance Benefit - employees have the option to purchase additional life insurance through The Standard. The plan allows employees to purchase insurance in increments of \$10,000 up to a maximum of 5X their annual salary. All premiums are paid 100% by participating employees
- AFLAC - employees have the option to participate in a supplemental insurance benefit through AFLAC. All premiums are paid 100% by participating employees.
- Retirement Plans: KPERS and KP&F - contributions to these programs are mandatory by law for both the City as the the employer and employees. Contribution rates are dictated annually by the plan and are as follows for 2019:

- KPERS - Employer 9.89%; employee 6%
- KP&F - Employer 22.13%; employee 7.15%

Councilmember Flora requested additional information on the 10% increase in employer paid portion of these benefits. Mr. Scott stated that actuarial information and changes in salaries through the classification/compensation study in 2017 contributed to this. Ms. Smith noted that we have also had several significant retirement pay-outs that have contributed to this increase in 2019. The rates are mandated and the estimated cost for 2019 is \$675,872.

- Supplemental Retirement Benefit - this supplemental retirement program is through Principal and is for all non-public safety employees working more than 1,000 hours per year. The City contributes 2% of total earnings and employees may contribute also. The estimated total cost of 2019 is \$42,000.

The grand total for employee benefits for 2019 is \$2,056,610.

Councilmember Schlossmacher requested additional information on the wellness program and relatively low participation. Mr. Scott stated that very few in the Police Department participate, and that we will be working to improve the program, including asking employees for ideas on improvement. Councilmember Flora asked if the savings from premiums remaining the same will be put back into the General Fund and Mr. Scott stated that they will.

Councilmember Davis recommended that authorization for the Mayor, or his designee, to execute any and all documents necessary to approve contracts for the City's 2019 employee health/welfare benefits program be forwarded to Council for approval. All on the committee agreed, but this will not be a consent agenda item.

Human Service Fund Recommendations

Mr. Scott reported that United Community Services of Johnson County (UCS) is an independent, non-profit corporation charged with coordinating and supporting various initiatives and programs that provide for the human service needs of Johnson County residents. One of these programs is the Human Service Fund, which provides a cost-effective and accountable mechanism for local governments in Johnson County to support a number of services that help residents facing difficult circumstances. Mission is a contributor to this fund along with 13 other communities and the County. The recommended contribution for 2019 is \$7,600 which is the same as in past years. He stated that in 2019 there is a 1% increase overall over previous years.

Councilmember Schlossmacher asked if the recommended amount is the same as in past years, and it is. Councilmember Davis asked how the allocation amount by city is computed. Mr. Scott stated that it is a per capita amount.

Councilmember Kring recommended that approval of the proposed 2019 UCS Human Service Fund allocations be forwarded to Council for approval. All on the committee agreed. This will be a consent agenda item. Councilmember Thomas asked if a UCS representative is present at the meeting and, if not, suggested they be invited to the December meeting to provide an update.

Purchase of Vehicle and Equipment for Community Service Officers

Chief Hadley stated that during the 2019 Budget process Council approved the creation of two Community Service Officer (CSO) positions in the Police Department. A new truck will be needed for this position and it is recommended that we purchase a Ford F250 and the necessary equipment and uniforms for these officers in a total vehicle and equipment amount of \$63,608. The need for these positions was driven in part by the decision to dissolve the Northeast Animal Control Commission, as well as freeing up police officers' time by allowing civilian staff to handle non-essential police functions. There is a 60-day lead time on vehicle orders and it is recommended that Council authorize the purchase of this vehicle in the current budget year. The total amount requested will include not only the truck, but also radios, mobile data terminal, containment system and officer outfitting for two officers. When NEACC is officially dissolved, all their equipment will be sold and the proceeds split between the participating cities. Until this new truck is purchased and ready to be used, the current animal control vehicle will be used. Chief Hadley noted that although there are two officers, only one vehicle will be purchased.

Councilmember Davis recommended that the authorization to purchase job specific equipment for the Community Service Officers, including a vehicle from Shawnee Mission Ford in the amount of \$27,608, be forwarded to Council for approval. All on the committee agreed, but this will not be a consent agenda item.

Non-discrimination Ordinance

Ms. Smith stated consideration of a non-discrimination ordinance (NDO) began in October and is being considered to provide uniform legal protection in Mission to prohibit discrimination in employment, housing and public accommodations on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity, age, disability, marital status, familial status, or veteran status. The draft ordinance would apply to businesses with four or more employees and to housing with four or more dwelling units. The proposed ordinance includes a variety of definitions, a declaration of policy, unlawful practices, and enforcement process and measures. The ordinance is in draft form. She outlined the enforcement process included in the draft ordinance, noting that a complaint can be aggrieved to District Court. She stated that the City would be enforcing claims of discrimination based on sexual orientation / gender identity but would direct individuals to other enforcement options for other discrimination issues covered under state and federal law.

Councilmember Davis asked if emails on this issue have been received and the pros / cons tallied. Ms. Smith stated that they have and we are still receiving them so once compiled, all will be shared with Council. This information will also include whether or not they are Mission residents or business owners if the information is available.

Councilmember Schlossmacher stated that due to the number of people wanting to speak, he asked all to limit their comments to five minutes, and state their name and city of residence prior to speaking.

The following people commented:

- Suzanne Wheeler, Mission, stated that she is a fiance, parent, retired army colonel, combat veteran, research project manager at UMKC, volunteer, Christian, transgender woman and lesbian. She is engaged to a woman who is a board member of the Mid-America Gay and Lesbian Chamber of Commerce and on the Milhaven Homeowner Association Board. She works in Kansas City, Missouri where there is a NDO so she can't be fired simply because of who she is. She and her fiance Marcia initially looked for their home in Roeland Park where there is a NDO in place, but found a home in Milhaven. They did buy with reservations. She stated that the sellers could have said "no" although that did not happen. She stated Mission is an open and accepting community, and everyone deserves to live without the fear of discrimination in their hometown. She provided national statistics on discrimination against transgender individuals. She has seen discrimination happen to her friends, and she and Marcia have both experienced it, but not in Mission. She stated that she served in the military for 32 years to defend our Constitution. She takes religious freedom very seriously and celebrates the right of others to not endorse who she is, but employing her skills and renting a home is not an endorsement of lifestyle - it is a business transaction. You can not discriminate due to your value systems. She highly recommends Council forwarding this draft ordinance on for further consideration and Mission must send a message loud and clear that discrimination is not acceptable in our City.

Councilmember Davis asked how Ms. Wheeler would recommend we handle public facilities and accommodations. She stated that she uses facilities as she currently presents and has never had a problem. She believes the restroom issue gets blown out of proportion. Councilmember Schlossmacher asked for guidance where there is a locker room. She stated that she goes to Planet Fitness and uses their facilities and has never had an issue. She respects others privacy and expects others to respect hers also.

- Jeff Harris, Westwood, stated that he spoke at the October meeting as a private citizen and tonight he is speaking on behalf of the Mid-America Gay and Lesbian Chamber of Commerce. He noted that Marcia Riley is also present and is also on the board. The Chamber is based in Kansas City and has 400 members, almost all of whom are in the KC metro area. Six of these members are from Mission. The Chamber advocates and

promotes the success of the LGBT business community. They foster a more inclusive and vibrant economy in the region and they do this by ensuring all individuals are able to participate in the broad market economy. They support an open marketplace without discrimination. A letter of support from the Chamber was delivered for the October meeting and can be resent. He stated that as a resident of Westwood they are not discussing this issue, but it is on the “radar” of the Mayor and he believes it will come to their attention in the coming months. He believes Westwood, along with some of the smaller cities, are watching how this discussion unfolds and moves forward. He noted that enforcement can be a challenge for smaller cities, and some are taking a “wait and see” approach to addressing this issue.

Councilmember Schlossmacher asked if the Chamber is advocating for a NDO at the state level. Mr. Harris stated that the Chamber is partnered with Equality Kansas and the Human Rights Commission (HRC) of the Kansas City Metro Area, and they fully support protections at the state level. It would be easier for those at the local level if this was handled by the state, but this has not happened and probably won’t anytime soon. He stated that the Chamber will be working with Equality Kansas in the coming months as they have a full-time lobbyist in Topeka. Councilmember Davis asked how practical enforcement can be when there are no clear definitions for the investigator. Mr. Harris stated that the chamber supports the ordinance but does not suggest enforcement options. He discussed enforcement options provided by HRC and others. He feels the enforcement process in the ordinance is good for Mission and a community of its size. Larger cities have a human rights commission (i.e., Olathe). The state enforces discrimination claims through an human rights commission, but they do not include sexual orientation or gender identity.

- Don Carrel, Mission, stated that he is a 1969 graduate of Shawnee Mission North and moved to Mission in 1991. He and his husband have been together for 23 years and noted that when the Sylvester Powell, Jr. Community Center opened a family membership was offered for those that were married, and when he asked he was also given a family membership. Mission has been inclusive for 20 years at least. He has a masters degree in social work and stated that the top two reasons for teen suicide are due to sexual orientation issues and the shame that people feel for being gay, lesbian or transgender often learned from their families, churches and communities. He stated it is unfortunate that we live in a society where we have to protect the rights of minorities. He feels we need to work to change the culture in our nation and city so young people who are gay or transgender feel welcome in their communities. He also stated that in response to those who express a religious objection to a NDO, he is Christian and very active in his church. He stated that the same Bible that has verses about the sin of being gay also has verses about the sin of divorce and adultery and he does not feel you can pick and choose portions of the Bible that can be changed, while overlooking others.
- Steve Schowengerdt, Mission, stated that he believes Mission is a fair and caring place. He thanked Ms. Wheeler for her service. He feels all should be treated with dignity and

respect and all treated the same. He stated that when he was Mayor in Mission, he worked hard at treating all the same. He has never heard of discrimination in Mission. He wants to see unity, and stated a NDO could have unintended consequences. He noted a women's shelter in Alaska. He expressed his concerns with the privacy and safety of women and children in public facilities, such as the Mission pool and Community Center. He believes we should all be against unjust discrimination, but he feels a law like this raises serious concerns. He suggested that a resolution be passed rather than an ordinance. This would say how we feel and how we expect people in Mission to act. He feels a resolution would protect residents against the "very few." He stated that it is hard to tell whether someone is transgender or a predator to gain access into a locker room. He also clarified that he does not feel someone who is transgender is a predator. He again asked Council to consider a resolution.

Councilmember Davis stated that the proposed ordinance would allow for investigation. Mr. Schowengerdt stated that there could be a great deal of expense associated with this and noted 25 complaints in Washington state. Councilmember Davis noted that we have a Municipal Court that handles issues case-by-case and this would not be any different. A predator would be handled through court. Councilmember Thomas stated that we must remember that gender or sexual identity is not the problem, rather it is the person who is the problem and there are laws in place to protect against harassment in bathrooms, etc. Councilmember Davis asked if Mr. Schowengerdt had suggestions for enforcement. He stated that he has not seen any issues of discrimination and feels the ordinance is "overkill." He again recommended passage of a resolution. Councilmember Davis noted that a resolution "doesn't have teeth" and Mr. Schowengerdt agreed.

- Charlie Troppito, Mission, asked that Council think about justice, empathy and equality when considering this issue. He noted what he was taught in parochial school, whoever shall do unto the least of those as you would do unto me.
- Karen Schneider, Mission, stated that she is disappointed by the comments of former Mayor Schowengerdt which she feels are inflammatory and not based on facts. She stated that all women, including those who are transgender should be protected in bathrooms and stated that her daughter who is transgender has been harassed in a women's bathroom because she looks like a boy. She asked if there would be this much discussion on this NDO if sexual orientation and gender identity were not in it, and provided the example of someone with a head scarf that is refused service. She wants this ordinance be passed so that we can protect everyone.
- Michael Nay, Mission, stated that he spoke at the October meeting and posed a hypothetical question about whether others ever have to second-guess sharing information about their spouse or dating. This is something he constantly thinks about and always has his guard up. He loves Mission and urged Council to pass this ordinance. He does not want anyone to go through the indignity of being denied

services, and feels without legal recourse this can happen. This is an embarrassment that no one should have to face. He encouraged passage of this ordinance with enforcement mechanisms should this situation arise.

- Cassandra Peters, Olathe, leads an LGBTQ teen group and meets with 25-30 kids weekly, some coming from Mission. Most are transgender. Many are around 16 years old and facing issues with getting their first job - how will this work for them as they can legally be denied employment. The question what name they should use and when do they share their information. Many have issues with their family rejecting them and are simply waiting until they are 18 when they can get out of their homes. There are no federal or state laws to protect them in a public place. With regards to religious freedom, it is compatible with nondiscrimination as no one is losing the ability to worship as they choose - religious liberty is well protected in this country. She provided 2012 survey information from the Williams Institute regarding municipalities that have NDOs which found that there was widespread compliance and localities did not feel a NDO was a administrative burden or required additional staff or cost. Ninety-three percent of Fortune 500 companies have policies to protect their employees and she described apps/websites that provide neighborhood information, including whether there are ordinances in place to protect individuals from discrimination. She stated that the younger generation will be looking at this and if they see that a NDO is not in place they may not choose your community. She stated that we probably have not heard about discrimination because it is not illegal and questioned where it would be reported. She hears about it all the time. She provided an example of a hospital identifying someone publicly as transgender (“no roommates” sign) and stated that we must protect these kids.
- Joel Marquardt, Roeland Park, former Mayor of Roeland Park stated that he has a good relationship with Steve Schowengerdt. Roeland Park passed their NDO four years ago and has not had any issues with it. He respects everyone’s views although he may be in a different realm from them. He stated that he does not disregard anyone’s viewpoints and said that we all come by them from our upbringing, church, etc. He stated that he still gets thanks for passing their NDO even after four years. The ordinance is not perfect but they do the best they can. He thanked Council for considering passage of the NDO.
- Jarrod Ousley, Merriam and Representative for District 24, which includes some of Mission, stated that it was important for him to come to this meeting and support passage of the proposed NDO. He attended the meeting and discussion on this issue in Merriam last month. He stated that the bathroom issue was used in the Kansas Statehouse as a threat if the Democrats became the majority. He feels the discussion is unnecessary and provided a personal experiences with his children. He noted that at events such as Holiday Lights, there are “Johnny on the Spots” that are not gender specific. He noted that both Roeland Park and Kansas City, Kansas have passed NDOs,

and at the state level the Governor-elect has pre-drafted an executive order that puts back into place protections of state employees for sexual orientation and gender identity. Equality Kansas is also present in the Statehouse and has worked with him on the adoption protection act that was strongly opposed by chambers in the state as bad for business. He stated that it is hard to enforce what there is no law in place to protect, and agreed that a resolution is non-binding. He stated that teen suicide is on the rise and sexual orientation and gender identity are some of the reasons. We should work to protect the safety of all Mission residents.

Councilmember Flora clarified that the executive order to protect employees would only be for state employees. She also noted that Senator Bollier has said in her opinion this issue will not come forward in Topeka any time soon.

- Andy Sandler, Mission, stated that he has been a resident for 20 years and his in-laws are who are Jewish live in Prairie Village because years ago they were not allowed to live in Leawood. We have come far and he believes gender identity and sexual orientation are probably the last things to cover for protections by the State, but because they will not take this issue on, it is up to the cities to lead the way. Home rule is important so he feels it is appropriate for our city to take this up. He is glad we have moved from “if” to “when and how” on this issue. He stated that he agrees with Councilmember Davis and feels a resolution is just a “smiley face with no teeth.” He stated that the Declaration of Independence guarantees the pursuit of life, liberty and the pursuit of happiness and feels this is a civil rights issue. It is not up to us to decide who each person pursues happiness with. He urged Council to make this a matter of “when and how” and not a matter of “if.”
- Kevin Fullerton, Mission resident and business owner and president of the Mission Business Partnership, stated that he is speaking on his own behalf. He stated that the question has been asked if this NDO is needed in Mission and that he is white, male, heterosexual, Christian, businesses owner and so discrimination is not directed at him - he does not see it because it does not happen to him. He stated that much discrimination is subtle, providing examples. Most of us are unable to identify with discrimination because it is often subtle. Mission is a great community and as a business owner he feels this will be good for businesses. He provided statistics on the purchasing power of the LGBT community. We want to be LGBT welcoming and friendly and all deserve our respect and attention. He stated that he looks to Council as our leaders to “draw the line here.” He wants to stress that all are welcome in Mission.
- Gail Robertson, Mission, stated that she is a clinical psychologist stated that allowing an individual to have non-discrimination as a part of their life is important. NDOs do not get rid of the few who assault others, but it does bring up fear and opposition that is often fear based. She provided statistics on rape, assault for the general community and the LGBTQ community noting that this group has a 50% higher rate for rape or assault. She

stated that someone entering a bathroom and assaulting someone is a person assaulting a person. She stated that 50% of the LGBTQ individuals are assaulted/harrassed on a daily basis. She provided information on gender neutral bathrooms at her church. She also stated that 10% of LGBTQ individuals will commit suicide by the age of 21, which is three times higher than the general population. We can help protect kids in our community by saying all are welcome here. She stated that she is confident that if she was sexually assaulted she could go to our Police and she trusts them. She stated that enforcement is a question on how this will be handled. She agreed with Councilmember Schlossmacher that there are laws on the books for assault, but noted that being told that she can't live where she wants to live is also a type of assault.

- Caroline Dawson, Mission, stated that she addressed the committee in October and provided clinical information from her work as a social worker. She referred to an email she sent to Council, and discussed her personal identity was a white woman. She stated that her godchild is transgender and a friend of hers recently came out as intersex. She discussed his parents who were compassionate and the surgeries he needed as a young person. She stated that intersex individuals are born at the same rate as red-headed individuals. It is false to think that we can look at someone and know their truth. She discussed her godchild who looks both masculine and feminine at different times - "who cares." She stated that without protections in place we are tacitly saying it is "ok to be dismissed or afraid." She provided statistics on transgender individuals using public bathrooms.

Discussion by the committee continued on Title VII and Title IX and recent court cases regarding these, EEOC's responsibility for mediating discrimination and potentially filing a lawsuit and how this is handled, and privacy and safety issues that often bring up women and children to make this an issue. Councilmember Flora provided statistics on assault and stated that the "bathroom issue" is not a real issue. She thanked all who took the time tonight to come and provide thoughtful comments. Councilmember Thomas stated that with regard to the bathroom issue, she has "zero concerns" and stated that there is no current legislation in Kansas regarding bathrooms so she could use a men's room if she wanted.

Councilmember Davis asked if there are state agencies to adjudicate covered classes how would the process be handled? Councilmember Flora stated that they would use our ordinance for sexual orientation / gender identity, but would be encouraged to pursue other avenues with greater remedies for other discrimination. David Martin, City Attorney, stated that the ordinance advises of the opportunity to go to the federal or state for remedy, but it does not preclude the city route for all protected classes. Discussion continued on this issue and whether this issue will be taken up at the state level. All were encouraged to contact their legislators. Councilmember Flora stated that we should not let the perfect be the ending of good, noting that state and federal legislation is a long way off and we can act now at the local level. Representative Ousely stated that this issue has come forward for the past 16 years in the

Statehouse, but it has never received a hearing. Johnson County recently elected two LGBT members to the Statehouse so he anticipates this being brought up. He stated that States can enact laws and when enough do, the federal government may then enact these laws also - he noted that this is the same for cities. Representative Ousley stated that he supports this at the local level but this is not “in place of” the state acting on this, it is in support of the state moving forward. Councilmember Thomas noted that we should advocate for this legislation through the League of Kansas Municipalities. Councilmember Kring stated that there should be legislation “across the board” and Councilmember Schlossmacher stated that he would like to see this handled at the State level as much as possible.

Jeff Harris, Westwood, stated the timing of this issue being taken up at the local level is not a coincidence and has been discussed for the last few months. Passage of the adoption protection bill was the impetus for this discussion as the state is not interested in protecting LGBT rights. He feels there is “zero prospect” of this passing at the state level and that by taking this issue up at the local level it gives Topeka a reason to more seriously consider this issue.

Councilmember Davis stated this issue has been discussed at two committee meetings and asked if it should be moved to an “action item” for the December committee meeting. Mayor Appletoft stated that the committee must decide if the draft ordinance is acceptable and ready to move forward. Councilmember Flora stated that “ancestry” should be consistent throughout the ordinance and then she feels it is good to go. Councilmember Kring stated that regardless of the outcome of this ordinance, she encouraged anyone who feels they are discriminated against to call her as she does not want to patronize businesses that discriminate. Councilmember Thomas stated that this ordinance will have an economic impact, particularly with upcoming development. Millenials want a welcoming and open community and noted Ms. Wheeler’s story of considering Roeland Park over Mission for her home due to their NDO that is in place.

Councilmember Schlossmacher stated that this item will be an action item at the December meeting. Ms. Smith stated that the Finance & Administration Committee will meet on December 12th and City Council Meeting on December 19th. Councilmember Schlossmacher thanked all for attending and providing comments.

**Roeland Court Homes Association Subsidence
and Creation of Community Improvement District**

Ms. Smith provided an overview of the damaged parking lot / parking area of Roeland Court that occurred in August 2017. She stated that staff has been working with the Roeland Court Homeowners Association and residents on a solution for the subsidence of this property.

- The damage occurred in August 2017 and staff began working with engineers, the HOA Board, and residents to understand the cause of the damage and possible solutions. There have been fundamental differences in opinion on what caused this issue.

- The focus has been on finding a solution to repair this area and funding for the work.
- There was damage to the wastewater line in the area and Johnson County Wastewater designed and constructed repairs at a cost of \$330,000. This cost could be assessed to the homes association, but could also be absorbed by JCW if a solution is found to repairing the parking lot area.
- A stormwater project is planned for this section of the Rock Creek Channel next to the parking lot and is included in the CIP. It would include hardening of the channel from Roeland Drive to the area near the former Mission Bowl.
- Estimated costs would be \$4.8 million for design and construction of this project between Roeland Drive and Nall. This project is eligible for SMAC funding, but is at the bottom of the list. There is currently about \$44 million in projects countywide on the list and SMAC funding is approximately \$12-13 million per year so it will take a long time for this project to rise to the top of the list.
- The HOA did make temporary repairs to the parking lot, and there was discussion with the HOA on how to fortify the channel and parking lot repairs while allocating the costs between the HOA and the City.
- It is recommended that the City pay for 66% of the cost of the Roeland Court area project and the HOA 34%. For the project estimated at \$963,000 for this area, the City would pay approximately \$620,000.
- Various financing options for the HOA were explored and it was found that this project was not a good fit for a special assessment.
- A Community Improvement District (CID) is the recommended financing solution for the residents in this area. A petition from the property owners to establish the district is required with 55% of the square feet or 55% of the assessed value signing the petition. This threshold has been met. The residents' cost of \$343,000 would be spread out equally over 22 years (full term of the district) resulting in an annual assessment of approximately \$781.
- As of November 1st the number of signatories for the petition has surpassed what is needed with 16 of 20 properties signing (95% of the land area due to the common areas). The residents are ready to submit the petition and move forward with the CID for improvements in this area.

Ms. Smith stated that this project makes sense at this time and there are several steps required for establishment of the CID. First the petition must be submitted, a resolution calling a public hearing must be approved by Council, and then action by Council to establish the district takes place. The petition will be submitted and resolution considered in December, with the public hearing scheduled for January. She also stated that if we are considering spending \$1 million on this portion of the project now, it makes sense to look at moving up improvements to the entire area of Rock Creek. Erosion on the north side of the creek is not getting better and those property owners have approached the City about repairs (MD Management).

Councilmember Flora asked if we decide to move the entire project up how will this affect our "place in line" for SMAC funding. Ms. Smith stated that we may lose our place in line, but this

project could be replaced on the SMAC list with the Johnson Drive improvements west of Lamar scheduled for the future. Bruce Kimmel, Ehlers, is currently working on costs associated with completing the full Rock Creek project now and will share those with Council at an upcoming meeting. Councilmember Kring asked what happens to the CID assessment if a Roeland Court property is sold. Ms. Smith stated that the assessment stays with the property.

Sheldon Bucl, president Roeland Court HOA, stated that Ms. Smith provided a full overview of the issue, and they have looked at and researched all options. He stated that Rock Creek has moved over the years and will continue to do so if action is not taken to correct the problem.

Councilmember Kring asked for additional information on how the split of costs were determined. Ms. Smith stated that the City would be responsible for 100% of the cost for hardening the creek walls, and the HOA would be responsible for 100% of the concrete flume, landscaping, and parking lot repairs needed. This works out to be 66 and 34 percent respectively.

Councilmember Davis stated that the City would be responsible for the approximately \$620,000 cost for Rock Creek improvements anyway and Ms. Smith confirmed that this is correct and would have been a subset of the \$4 million SMAC project. Sheldon Bucl stated that they want to see this project advanced as the area has been a concern since 1999 (or before) and this would allow Roeland Court to restore their property and “get out of this nightmare.” Mayor Appletoft stated that he supports moving this Rock Creek project up and it will protect the HOA/residents investment. Councilmember Davis asked if there will be any other shared costs for the remainder fo the channel to be improved. Ms. Smith stated that property owners on the south side of the creek have expressed an interest. Councilmember Schlossmacher asked if there would be cost savings by doing the full project at one time and Ms. Smith stated that there would due to economies of scale. With the Mission Bowl property damaged and vacant, now would be a good time to work in the area.

Ms. Smith stated that a resolution calling the public hearing for establishment of the CID will be considered in December along with a contract for project design and various financing options.

Councilmember Flora asked if there is any update on the Mission Bowl property that she can share at an upcoming ward meeting. Ms. Smith stated that there is not. Councilmember Davis thanked the Roeland Court HOA for their work on this issue and he is glad we are able to reach a reasonable solution between the City and property owners. Ms. Smith confirmed that the assessment will be divided equally between the property owners.

This item was informational only and no action was taken.

Quarterly Police Department Update

Chief Hadley thanked Council for the employee benefits that are available to employees and stated that they are appreciated by all staff.

Chief Hadley stated that the statistics included in the update are approximately 6-8 weeks behind and provided information on several areas where a decrease has occurred. He stated that there has been a decrease in traffic stops, citations, and DUI/drug arrests as compared with 2017. During the third quarter of this year, the department has been field training five new officers, has had two officers that were injured, one officer resigned, several promotions, and one officer deployed to Afghanistan. The department's focus is answering calls for service and traffic stops and DUI/drug arrests are secondary. He stated that staffing has leveled out, but that the traffic unit has had one person promoted, one is out on injury, and the third person has been needed in patrol for coverage until field training of newer officers is complete.

Discussion by the committee continued on training requirements for officers and the time needed, the need to ensure officers are "well-rounded," and the fact that our statistics are similar to those in Prairie Village where they are fully staffed and have 10 more officers. Councilmember Kring asked how often Mission officers assist with Kansas City, Kansas. Chief Hadley stated that this does not happen often and that we usually are called to assist Overland Park and Roeland Park. He noted that they reciprocate and assist our department also. Councilmember Thomas asked for additional information on the mental health co-responder who was notified 36 times and responded 2 times. Chief Hadley stated that this is a shared position between 7 cities and that most of their time is spent in Prairie Village or Leawood as they are officed in Leawood and these are both larger cities. He also noted that this position must respond to 3 different dispatchers. It is anticipated that Prairie Village and Leawood will get their own co-responder in January and the remaining 5 cities will have their own. Staff is currently working with Shawnee Mission Medical Center on a grant to assist with the cost for this position. Ms. Smith stated that we may be without a person in this position for a while as we work to make changes to the program. The committee also discussed when the co-responder works (usually evenings), the follow-up they are able to provide after a call, the training officers receive to deal with these situations, and utilizing the mental health hotline when the co-responder is not available.

Councilmember Davis requested an update on auto burglaries in the area. Chief Hadley stated that they are currently down and reminded all the lock their cars.

This item was informational only and no action was taken.

Other - Department Updates

Ms. Smith noted the following:

- The November City Council Meeting will be held on Wednesday, November 28th due to the Thanksgiving holiday.

- Lights on Johnson Drive are going up.
- Holiday Lights and Festive Sights is scheduled for Friday evening, December 7th at the Community Center.
- Thanks for Seniors luncheon will be held on November 15th at the Community Center.
- The UPLIFT truck collecting donated clothing, blankets, etc. for the homeless will be at the Community Center tomorrow, December 15th in the morning.
- Thanksgiving baskets for the Holiday Adoption Program will be assembled at the Community Center beginning at 8:00 a.m. on Monday, November 19th.
- City staff will be accepting an engineering award tomorrow for the Foxridge Drive Phase I project.

Meeting Close

There being no further business to come before the Committee, the meeting of the Finance and Administration Committee adjourned at 9:25 p.m.

Respectfully submitted,

Martha Sumrall
City Clerk