

MINUTES OF THE MISSION SPECIAL CITY COUNCIL MEETING

July 6, 2020

The Mission City Council met virtually via ZOOM for a Special City Council Meeting on Monday, July 6, 2020 at 6:00 p.m. The meeting was called to order by Mayor Ron Appletoft. The following councilmembers participated virtually: Trent Boultinghouse, Ken Davis, Sollie Flora, Kristin Inman, Debbie Kring, Arcie Rothrock, Nick Schlossmacher and Hillary Thomas.

The Mayor stated that because of the COVID-19 social distancing recommendations, this meeting is being held virtually via ZOOM. All City Staff also joined remotely. 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 asked to state their name and city of residence when making a public comment. Mayor Appletoft also asked all to be conscientious of others trying to speak and to speak clearly and slowly. Since this is a special meeting, the Council will only be considering the one item presented under the Agenda which is the Mandatory Mask Requirements.

Mandatory Mask Requirements

Ms. Smith began the meeting by clarifying that with the Kansas Governor's Executive Order No. 20-52 and Johnson County Board of County Commissioners acceptance without any modifications, the City of Mission would also be following the mandatory masks order. This meeting is not a discussion on whether the City would require masks, but rather an opportunity to discuss, understand and clarify the application and enforcement of the statewide order within our City limits.

In addition to EO 20-52 which was provided in the agenda packet, staff also provided a memorandum from the Kansas Attorney General with regard to the enforcement of the order. Specifically, Attorney General's memorandum affirmed that this was not to be enforced by local law enforcement.

Violations or concerns related to the mandatory mask order should be reported to a hotline number (Consumer Fraud Hotline), established through the District Attorney's Office at 913-715-3033. This will allow members of the public or the City to filter concerns and complaints as situations and violations may arise. It will then be up to the County on how to proceed with specific enforcement.

Ms. Smith asked for confirmation from the City Council that with the Executive Order with no modifications, whether there was any interest in considering a city specific mask ordinance for Mission. She had reached out to other Northeast

MINUTES OF THE MISSION SPECIAL CITY COUNCIL MEETING

July 6, 2020

Johnson County cities and is currently not aware of any other ordinances put in place in conjunction with the Governor's Order.

Councilmember Flora agreed that it makes sense to hold off on a City specific ordinance, for uniformity, since there is already the Statewide order. She also asked about the Attorney General's Memorandum, adding that it did mention one exception to law enforcement's involvement, which would be in the case if someone did not wear a mask in a business, were then asked to leave, but failed to comply. Would they be charged with a trespassing charge? Captain Hadley replied that officers would address the situation with education first, if the person continued to not comply or leave, then the owner would have the opportunity to press trespassing charges and the mask situation would be handled as such.

Councilmember Davis supports Councilmember Flora's suggestion to hold off on the ordinance and wondered what role the City would be taking in educating the public, since the public may be unaware that this is not a criminal but civil matter. Ms. Smith replied that staff will continue to use the various communication channels that have been active throughout the COVID-19 pandemic to communicate with the public. Those include multi-family complexes, faith-based, and our business community members. However, since we live in a bi-state, multicounty, metropolitan area, we can expect there will be some confusion because the rules are different depending on which state, county or city someone resides in. The City will continue to provide information and clarification for those living, visiting and working in Mission.

Ms. Smith went on to advise and clarify for the Council that since Governor Kelly's recommendation was not to proceed from Phase III into Phase IV/Phase Out. In some of recovery and reopening timelines that were presented, especially in relation to Parks and Recreation, Staff had anticipated Phase IV would start on July 6. The matrix was a "best case" scenario but the City remains firm in our commitment to follow the guidance of state and local health officials in reopening our various facilities and programs.

At the July 15th City Council meeting, we will touch base on the Emergency Proclamation/Declaration. As the Governor's Order does not have an end date, we will continue monitoring that information as well as any other issues that affect the Emergency Proclamation/Declaration.

Councilmember Flora asked about Community Center operations in relation to the mask requirements and whether we would be requiring the usage of masks in all City facilities including when on exercise equipment. Ms. Smith replied Mr. Almoney had reached out to the Johnson County Department of Health and Environment,

MINUTES OF THE MISSION SPECIAL CITY COUNCIL MEETING

July 6, 2020

asking about the mask requirements if the cardio equipment is spaced at least 6 feet apart. The Department replied that if the equipment is spaced out appropriately that masks would not be mandatory. The City's position has been that masks are required as you move around the facility but can be removed only when on the cardio equipment. Councilmember Flora followed up that the Order says, there has to be a determination that the activity cannot be safely conducted while wearing a face mask or covering, and was wondering if we have anything more specific to that requirement. Ms. Smith replied that the guidance specifically received to date has been that the Order could be interpreted as a mask was not required in this circumstance.

Councilmember Davis asked if the Council needed to weigh-in on extending/remaining in Phase III of the statewide recovery plan. Ms. Smith replied that it wasn't necessary since when the Reopening Plan was adopted the dates indicated would be the best case scenario based on guidance from the Governor's Office and other entities.

Councilmember Flora asked about previous communication regarding the Community Center and an employee testing positive and was concerned in relation to the mask exception at the Center and continued facility operations. Ms. Randel answered that the City's practice is when an employee tests positive, that the situation is processed both from asking the employee to self-report about any close contact they might have had as well as giving the general staff an opportunity to report any close contact with the positive individual. This follows the lead of the contract tracing procedures that the City has been involved with previously. Those that have had close contact will be quarantined for 14-days and the City will work to get them tested.

Cleaning and sanitizing procedures remain in place at regular intervals, and were followed in the instances identified. We also notify the public so they can make decisions with this information in mind. Mr. Almoney added that the employees are required to wear masks, and those standards have generally been adhered to. However, as with any new changes in procedures, individual lapses are addressed on a case by case basis to ensure things continue to improve. We are being transparent, notifying everyone of any potential issue and tracing to the best of our ability and making sure we are mitigating in every instance.

Councilmember Thomas followed up to a question posed by a community member, wondering if there was a specific threshold where staff reductions might result in a need to close the Community Center. Ms. Smith replied that it is going to depend on the position, there are certain areas of the facility where there is better overlap and cross-training that can occur, and we would have to evaluate each case on a

MINUTES OF THE MISSION SPECIAL CITY COUNCIL MEETING

July 6, 2020

position by position basis. We will do our best to stay open but don't want to create an unsafe environment if we don't have enough staff to keep the facility open.

Councilmember Flora asked about the plan for wearing masks in room rentals. Ms. Smith said we are not exempting this situation. Under the Executive Order, anyone attending an event at the Community Center would need to be masked. With the need to stay in Phase III, gathering limits are forty-five or fewer persons. Mr. Almoney and staff are working to communicate renters these expectations to those with reservations. The City is also working to educate the Community Center staff on enforcement and that their role would be to educate and advise patrons of the requirements. If a patron would not comply or leave the facility then staff would have to seek assistance from law enforcement as a trespassing situation at our Community Center.

Councilmember Davis asked if the traveling of staff is continuing to be reported and monitored. Ms. Randel replied that all staff are reporting to her before travel, that it has been very well adhered to and it is being checked case by case to advise accordingly. The City has not had requests to go to any of the travel restricted areas.

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 6:30 p.m. All present voted AYE. **Motion carried.**

Respectfully submitted by Audrey McClanahan, City Clerk.

Ronald E. Appletoft, Mayor

Audrey M. McClanahan, City Clerk