

**City of Mission
Regular Meeting Agenda
Wednesday, January 18, 2017
7:00 p.m.
Mission City Hall**

If you require any accommodations (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify the Administrative Office at 913-676-8350 no later than 24 hours prior to the beginning of the meeting.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC HEARING

1. SPECIAL PRESENTATIONS

- Introduction of Rachel Sostarich, Aquatics Coordinator

2. ISSUANCE OF NOTES AND BONDS

3. CONSENT AGENDA

*NOTE: Information on consent agenda items has been provided to the Governing Body. These items are determined to be routine enough to be acted on in a single motion; however, this does not preclude discussion. **If a councilmember or member of the public requests, an item may be removed from the consent agenda for further consideration and separate motion.***

CONSENT AGENDA - GENERAL

- 3a. [Minutes of the December 21, 2016 City Council Meeting](#)

CONSENT AGENDA - Finance & Administration Committee

[Finance & Administration Committee Meeting Packet 1-4-17](#)

[Finance & Administration Committee Meeting Minutes 1-4-17](#)

- 3b. Johnson County DTI Contract Renewal
3c. 2017 Legislative Program
3d. Resolution Designating the Destruction of Certain Records

CONSENT AGENDA - Community Development Committee

[Community Development Committee Meeting Packet 1-4-17](#)

[Community Development Committee Meeting Minutes 1-4-17](#)

COMMUNITY COMMITTEE REPORTS

Approved Minutes from Board and Commission meetings are available on the City of Mission website under the "[Agendas & Minutes](#)" tab.

4. PUBLIC COMMENTS

5. ACTION ITEMS

Planning Commission **Miscellaneous**

6. COMMITTEE REPORTS

Finance & Administration, Ron Appletoft

[Finance & Administration Committee Meeting Packet 1-4-17](#)
[Finance & Administration Committee Meeting Minutes 1-4-17](#)

- 6a. Ordinances Disbanding the Mission Convention and Visitors Bureau (MCVB) Committee
- 6b. Charter Ordinance Designating Mission Elections as Nonpartisan

Community Development, Arcie Rothrock

[Community Development Committee Meeting Packet 1-4-17](#)
[Community Development Committee Meeting Minutes 1-4-17](#)

7. UNFINISHED BUSINESS

8. NEW BUSINESS

- 8a. Traffic Signal Analysis, Martway and Broadmoor

9. COMMENTS FROM THE CITY COUNCIL

10. MAYOR'S REPORT

Appointments

Parks & Recreation Commission:

- Anne O'Leary, Ward 1
- Lekha Sreedhar, Ward 1
- Melissa Currie, Ward 2
- Deborah Rushing, Ward 3
- Mary Funk, Ward 4
- Mark Raduziner, Ward 4

Sustainability Commission

- Steve Mulder, Ward 2
- Andy Hyland, Ward 3
- Manny Trillo, Ward 3
- Bill Nichols, Ward 4

Drug & Alcoholism Council

- Lisa Riesinger, Ward IV

Appointment of City Officials

- Donald Chamblin, City Treasurer
- Keith Drill, Municipal Court Judge
- David Bell, Municipal Court Judge Pro-tem
- Robert Scott, Municipal Court Judge Pro-tem
- Peter Simonsen, Municipal Court Judge Pro-tem

Appointment of Bond Counsel, Financial Advisor, and Land Use Attorney

- Gilmore & Bell, Bond Counsel (Contract expires January 17, 2018)
- Ehlers, Inc., Financial Advisor (Contract expires January 17, 2018)
- Lathrop & Gage, Land Use Attorney (Contract expires January 17, 2018)

11. CITY ADMINISTRATOR'S REPORT

EXECUTIVE SESSION

ADJOURNMENT

City of Mission	Item Number:	6a.
ACTION ITEM SUMMARY	Date:	December 28, 2016
ADMINISTRATION	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Ordinances disbanding the Mission Convention and Visitors Bureau (MCVB) Committee.

RECOMMENDATION: Approve the ordinances to disband the Mission Convention and Visitors Bureau (MCVB) Committee.

DETAILS: The Mission Convention and Visitors Bureau (MCVB) was formed by City ordinance in February of 2009. They replaced the former Mission Business Development Committee (MBDC), first established in August of 2003 to assist in the revitalization and redevelopment of the Mission business district. The mission of the MCVB is to bring visitors and citizens together to share in the spirit of our community events and to patronize our local businesses. Under the leadership of Chair Suzie Gibbs, the MCVB also took on the responsibility of producing the Mission Magazine and coordinating the holiday adoption program.

Over the last two years, there have been several changes in the leadership, roles, and responsibilities of the MCVB Committee. They are no longer directly involved with the production of the Mission Magazine or with the holiday adoption program, leaving them responsible for just two special events each year. In an effort to be more respectful of the volunteer time put in by Committee members, and to be more efficient with staff resources, the City Administrator brought forward a Discussion Item in December asking that the City Council consider eliminating the MCVB Committee.

Council was supportive of the recommendation, and staff has prepared the necessary ordinances to disband the MCVB, and remove any/all references to it from the Municipal Code. Current members of the MCVB were advised of the decision and were given the opportunity to be considered for appointment to other boards/commissions if they were interested.

Per statutory requirements, the City will maintain the MCVB Fund as the repository for the transient guest tax receipts. One hundred percent of these revenues are dedicated to the production and distribution of the Mission Magazine. There is currently a fund balance in this fund. Once audited 2016 financials are available, staff will bring forward options for the City Council to consider regarding distribution of the remaining fund balance.

It will require two ordinances to accomplish the necessary changes. One is a Charter Ordinance, which requires the support of two-thirds of the Council, must be published twice, and is subject to a referendum petition. The Charter Ordinance becomes effective 61 days after the second publication if no petition is received. The second ordinance is standard, and becomes effective upon publication.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	Mission Municipal Code Chapters: 130, 135, and 660.
Line Item Code/Description:	N/A
Available Budget:	N/A

CHARTER ORDINANCE NO. __

A CHARTER ORDINANCE EXEMPTING THE CITY OF MISSION, KANSAS FROM K.S.A. 12-1696, 12-1697, 12-1698, 12-1698a, 12-1699, 12-16,100, 12-16,101 ENTITLED “PROMOTION OF TOURISM AND CONVENTIONS”, AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; REPEALING CHARTER ORDINANCE 24.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:

Section I. Whereas, K.S.A. 12-1696, 12-1697, 12-1698, 12-1698a, 12-1699, 12-16,100, 12-16,101 is a legislative enactment which is applicable to the City of Mission, Kansas, but said enactment is not applicable uniformly to all cities in the State of Kansas; the City of Mission, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby exempts itself from and makes inapplicable to it the foregoing statutes and provides substitute and additional provisions on the same subject as hereinafter provided.

Section II. Charter Ordinance 24 is hereby repealed.

Section III. As used in this Ordinance, the following words and phrases shall have the meanings respectively ascribed to them herein:

- a. “Person” means an individual, firm partnership, corporation, joint venture or other association of persons;
- b. “Hotel” or “motel” means any structure or building which contains rooms furnished for the purposes of providing lodging, which may or may not also provide meals, entertainment or various other personal services to transient guests, and which is kept, used, maintained, advertised or held out to the public as a place where sleeping accommodations are sought for pay or compensation by transient or permanent guests and having more than eight bedrooms furnished for the accommodation of such guest;
- c. “Transient guest” means a person who occupies a room in a hotel or motel for not more than 28 consecutive days;
- d. “Business” means any persons engaged in the business of renting, leasing or letting quarters, sleeping accommodations, rooms or a part thereof in connection with any motel or hotel;
- e. “Tourism” means the practice of touring or traveling for recreation, business or education;

- f. “Touring” means a trip, excursion or circular journey for business, recreation or education; and

Section IV. That a transient guest tax shall be levied in the City of Mission, Kansas, at a rate not to exceed nine percent (9%) upon the gross rental receipts derived from or paid by transient guests for lodging or sleeping accommodations, exclusive of charges for incidental services or facilities, in any hotel or motel. The percentage and effective dates of such tax shall be determined by the City Council and shall be specified in a resolution authorizing the same.

Section V. A “Convention and Tourism Fund” is hereby established to receive disbursements of money from the Secretary of Revenue, as described in subsection (d) of K.S.A. 12-1698.

Section VI. The revenues from the transient guest tax shall only be expended for the promotion of conventions and tourism, attracting people to the City of Mission and for related expenditures as may be determined by the City Council.

- a. The City Council may contract with an agency, organization or group of firms to promote conventions and tourism for the City.
- b. Revenues may be utilized for the operation, maintenance, expansion and development of City facilities in a manner consistent with the purpose and objective of this Ordinance.
- c. Funds may also be utilized for the creation of innovative projects and activities that relate to the promotion of conventions and tourism.

Section VII. The City of Mission, Kansas, upon adoption of a resolution authorizing the levy of a transient guest tax, shall have authority to contract for the expenditure of funds from the Convention and Tourism Fund.

Section VIII. This Charter Ordinance shall be published once each week for two (2) consecutive weeks in the official City newspaper.

Section IX. This is a charter ordinance and shall take effect six-one (61) days after its final publication unless a sufficient petition for a referendum is filed and a referendum is held on the ordinance as provided in Article 12, Section 5, Subdivision (c) (3) of the Constitution of the State of Kansas, in which case, the charter ordinance shall not take effect until approved by a majority of the electors voting thereon.

PASSED AND APPROVED BY THE GOVERNING BODY, NOT LESS THAN TWO-THIRDS OF THE MEMBERS ELECT VOTING IN FAVOR THEREOF, THE 18th DAY OF JANUARY 2017.

APPROVED AND SIGNED BY THE MAYOR this 18th day of January 2017.

Steve Schowengerdt, Mayor

ATTEST:

Martha Sumrall, City Clerk

PREPARED BY:

PAYNE & JONES, CHTD.

David K. Martin, City Attorney
11000 King; P. O. Box 25625
Overland Park, KS 66225-5625
Tel: (913) 469-4100
Fax: (913) 469-8182

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE CITY OF MISSION, KANSAS WHEREBY THE MISSION CONVENTION AND VISITORS BUREAU IS DELETED; THE TRANSIENT GUEST TAX CONTINUES IN ACCORDANCE WITH CHARTER ORDINANCE NO. 29.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:

Section I. Pursuant to Charter Ordinance No. 29, the Mission Convention and Visitors Bureau is deleted.

Section II. The Code of the City of Mission, Kansas is hereby amended to delete any and all references to the Mission Convention and Visitors Bureau as follows:

A. Section 130.020. Standing Council Committees Designated. Section A.2. is hereby amended as follows:

2. Finance and Administration Committee.

- a. Administration Department.
- b. Police Department.
- c. Municipal Court.
- d. Legal Department.
- e. Other related ad hoc committees.
- f. Budget review.
- g. Council policies.
- h. Legislative review.

B. Section 130.100. Rules and Order of Business for Boards, Commissions and Committees. C.1. is amended as follows:

1. Section 1. "Boards, commissions and committees" shall mean all boards, commissions and committees, including, but not limited to, the Finance and Administration Committee, the Community Development Committee, the Planning Commission, and the Sustainability Commission.

C. Chapter 660. Mission Convention and Visitors Bureau is hereby deleted in its entirety.

Section III. The Mission Convention and Visitors Bureau is hereby deleted from any other reference in the Code of the City of Mission not referenced in Section II above.

Section IV. This Ordinance shall take effect and be in force from and after publication as required by law.

PASSED AND APPROVED by the City Council this 18th day of January 2017.

APPROVED by the Mayor this 18th day of January 2017.

(SEAL)

Steve Schowengerdt, Mayor

ATTEST:

Martha M. Sumrall, City Clerk

APPROVED BY:

PAYNE & JONES, CHTD.

David K. Martin, City Attorney
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P. O. Box 25625
Overland Park, KS 66225-5625
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Fax: (913) 469-8182

City of Mission	Item Number:	6b.
ACTION ITEM SUMMARY	Date:	December 28, 2016
Administration	From:	Martha Sumrall

Action items require a vote to recommend the item to full City Council for further action.

RE: Charter Ordinance Designating Mission Elections as Nonpartisan

RECOMMENDATION: Approve a charter ordinance designating municipal elections as nonpartisan in accordance with K.S.A. 25-2113

DETAILS: In 2015, the Kansas legislature passed legislation changing the dates of municipal elections. To comply with this new legislation, Mission passed Charter Ordinances 27 and 28 in October 2015, moving elections to the fall of odd numbered years and upholding our current process for filling vacancies of the Governing Body.

The League of Kansas Municipalities also recommends specifically designating our elections as either partisan or nonpartisan. This proposed charter ordinance designates all municipal elections in Mission to be nonpartisan. Following approval by Council, this ordinance will become effective 61 days after its second publication if no protest petition is received.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	K.S.A. 25-2113
Line Item Code/Description:	N/A
Available Budget:	N/A

CHARTER ORDINANCE NO. ____

A CHARTER ORDINANCE DESIGNATING MUNICIPAL ELECTIONS AS NONPARTISAN IN ACCORDANCE WITH K.S.A. 25-2113.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:

Section 1. In 2015, the Kansas legislature passed various amendments to Chapter 25, Article 21 of the Kansas Statutes Annotated relating to municipal elections. The City previously passed Charter Ordinance 27 adopting the revised provisions of Chapter 25, Article 21 relating to municipal elections. K.S.A. 25-2113 provides specifically that cities determine whether city elections are to be nonpartisan or partisan.

Section 2. The City of Mission, Kansas, by the power vested in it by Article 12, Section 5 of the Kansas Constitution hereby elects and does exempt itself and make inapplicable to it the provisions of K.S.A. 14-103, K.S.A. 14-201, and K.S.A. 14-204, that apply to this city, but are parts of enactments which do not apply uniformly to all cities.

Section 3. All municipal elections in the City of Mission, Kansas shall be nonpartisan.

Section 4. This Ordinance shall be published once a week for two (2) consecutive weeks in the official city newspaper.

Section 5. This Charter Ordinance shall take effect sixty-one (61) days after its final publication unless a sufficient petition for referendum is filed and a referendum held on this Charter Ordinance as provided in Article 12, Section 5, Subsection (c) (3) of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective if approved by the majority of the electors voting thereon.

PASSED AND APPROVED BY THE GOVERNING BODY by not less than two-thirds of the members elect voting in favor thereof this ____ day of _____, 2017.

APPROVED BY THE MAYOR this _____ day of _____,
2017.

Steve Schowengerdt, Mayor

ATTEST:

City Clerk

City of Mission	Item Number:	8a.
ACTION ITEM SUMMARY	Date:	January 12, 2017
Public Works	From:	John Belger

Action items require a vote to recommend the item to full City Council for further action.

RE: Traffic Signal Analysis - Martway / Broadmoor

RECOMMENDATION: Approve the task order with Olsson Associates to perform a traffic signal study at Martway / Broadmoor in an amount not to exceed \$7,400.

DETAILS: In 2013, the traffic signal at Martway / Broadmoor was installed in connection with the Martway Street Rehabilitation project. The intersection had previously been controlled by a four-way stop. Prior to the installation, a traffic signal warrant analysis was performed to determine the correct movements and phasing of this intersection. At that time, the only portion of the intersection that warranted a left turn phase (protected left turn) was westbound Martway.

Since the signal's installation, there have been a number of requests for a left turn phase for southbound Broadmoor. At peak times, only one or two vehicles can make the left turn from southbound Broadmoor to eastbound Martway. This causes traffic to back up on Broadmoor and motorists wait through 2-3 signal cycles before they are able to make the turn. Staff did not want to proceed with the analysis until the Welstone residential facility was open, as it was anticipated to potentially impact traffic counts and movement in the area.

In April 2016, the staff brought the task order from Olsson forward to the Community Development Committee recommending approval. The Council expressed concern that the vacancy rate at Welstone was still too high, and asked that the analysis not be conducted until Welstone reached an occupancy rate of 75% or higher. The issue was addressed again at the January 2017 Community Development Committee, and the Council directed staff to advance the task order to the January 18th City Council meeting for consideration and action.

Olsson has provided a scope to evaluate the signal and determine if it meets the warrants for a dedicated left turn arrow for southbound traffic on Broadmoor. If so, a conceptual plan will be provided to modify the signal to meet the current warrants. We also included 24 hour traffic counts for Broadmoor from Johnson Drive to Martway in order to designate it a CARS route. By designating this section a CARS route, the County would pay 50% of eligible construction costs for any future projects. The addition of the traffic counts increased the cost of the task order by \$400.

CFAA Considerations: This analysis will optimize the functionality of the traffic signal. This, in turn, will make it easier for motorists to navigate this intersection.

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Engineering Services 01-20-207-03
Available Budget:	\$45,000

Exhibit "A" – Task Order

TASK ORDER: BROADMOOR & MARTWAY SIGNAL PHASING STUDY

This Task Order is made as of this _____ day of _____ 20____, under the terms and conditions established in the MASTER AGREEMENT FOR PROFESSIONAL SERVICES, dated December 17, 2014 (the Agreement), between the City of Mission, Kansas (Owner) and OLSSON ASSOCIATES (OLSSON). This Task Order is made for the following purpose, consistent with the Project defined in the Agreement:

This task order is related to scope of services for completing a Phasing analysis and Study for Broadmoor & Martway.

Section A. - Scope of Services

A.1. OLSSON shall perform the following Services as outlined in **EXHIBIT C "Scope of Services"**

Section B. - Schedule

B.1. OLSSON shall perform the Services and deliver the related Documents (if any) during 30 working days

Section C. - Compensation

C.1. In return for the performance of the foregoing obligations, Owner shall pay to OLSSON the estimated amount of **\$7,400.00**, payable according to the following terms:

Client shall pay to Olsson for the performance of the Basic Services the actual time of personnel performing such Services Reimbursable Expenses, unless otherwise agreed to by both parties. Reimbursable expenses will be invoiced in accordance with the Schedule contained in Item C.2. Olsson's Services will be provided on a time and expense basis. Olsson shall submit invoices on a monthly basis, are due upon presentation and shall be considered past due if not paid within 30 calendar days of the due date.

C.2. Owner shall pay to OLSSON in accordance with the Schedule of Fees described in Exhibit B attached to the Master Agreement for Professional Services. Adjustments to the above Schedule of Fees will be presented to the Owner annually for approval.

Section D. - Owner's Responsibilities

D.1. Owner shall perform and/or provide the following in a timely manner so as not to delay the Services of OLSSON. Unless otherwise provided in this Task Order, Owner shall bear all costs incident to compliance with the following:

Section E. - Other Provisions

E.1. The parties agree to the following provisions with respect to this specific Task Order:

IN WITNESS WHEREOF, the Owner and OLSSON have executed this task order.

City of Mission, Kansas (Owner)

By: _____

Name: _____

Title: _____

Date: _____

OLSSON ASSOCIATES (OLSSON)

By: Paul B. Moore _____

Name: Paul Moore, P.E. _____

Title: Project Manager _____

Date: 1-11-17 _____

EXHIBIT C
SCOPE OF SERVICES:
BROADMOOR & MARTWAY PHASING STUDY
Mission, Kansas

FURTHER DESCRIPTION OF BASIC ENGINEERING SERVICES:

The primary objective of this study is to evaluate existing phasing for the Southbound left turn at the intersection of Broadmoor & Martway. Currently the left turn phasing is "Protected" only. A review of the signal and left turn phasing will be completed to see if it meets appropriate warrants, sight distance for "Permissive" or "Protected/Permissive" phasing, with the goal of improving overall traffic operations.

SCOPE OF SERVICES

Task I. Project Management

1.01 Project Management

- A. Olsson will coordinate with the City and oversee all aspects of the project including communications, billings, sub-consultants. The Consultant shall provide monthly updates and invoicing to the City.

Task II. Broadmoor & Martway Phasing Study

2.01 Field Observations and Data Collection

- A. Olsson will monitor the traffic signal during peak hour periods, will review sight distance and collect Mid-day and PM peak hour turning movement volumes from 11am-1pm and 4-6pm at the intersection of Broadmoor & Martway. In addition, 24 hour traffic counts will be performed on Broadmoor St North of Martway. Existing signal timing data will also be collected and used in the analysis.

2.02 Signal Phasing and Capacity Analysis

- A. Olsson will evaluate the signal phasing warrants and overall operation of the intersection to determine recommendations. Phasing warrants will be completed to determine the safety of permissive phasing including review of both advancing and opposing volumes and evaluation to recommended transportation practices. Capacity analysis will be completed to review permissive phasing options and operations.

2.03 Summary of Recommendations

- A. A brief technical memorandum summary the results and recommendations will be completed. The summary will include figures of existing volume and Levels of Service (LOS). The appendix will include count, warrant, and other pertinent data.

2.04 Conceptual Plan (As-Needed)

- A. Olsson will prepare an exhibit to be used for a maintenance contractor to replace the signal head(s) at the intersection. The exhibit will include any signal phasing and signal timing changes required at the intersection. The consultant will review the changes in the field after the contractor has made the signal head/phasing change and will fine tune signal timings if needed.

Task III. Meetings (As-Needed)

3.01 Meetings

- A. Time was allocated for up to 2 meetings for up to 2-hours per meeting including travel time to cover discussion that may be needed for either Task II. Additional meetings can be completed on an hourly basis but are not expected to be required for this project

Compensation

Task I – Project Management	\$ 610.00
Task II – Phasing Study	\$ 3,820.00
Task II – Phasing Study Concepts (As-Needed)	\$ 1,830.00
Task III – Meetings (As-Needed)	\$ 1,040.00
Expenses	<u>\$ 100.00</u>
TOTAL	\$ 7,400.00

City Responsibilities

- 1. Coordination.

Assumptions

- 1. Traffic Counts may be completed in-house by Olsson or subcontracted as required to best meet schedule.

Exclusions

- 1. Conceptual or Final Design Plans.