

MINUTES OF THE MISSION CITY COUNCIL MEETING

October 21, 2020

The Mission City Council met virtually for a regular meeting on Wednesday, October 21, 2020 at 7:00 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, the meeting was held virtually via ZOOM. The Mayor, City Councilmembers and staff all 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 could join or just listen, or join with audio and/or video using a webcam or smartphone. The public was allowed to make comments through the "chat" feature and was informed that comments are visible by the group. Members of the public were requested to state their name and city of residence when making a public comment. Mayor Appletoft also asked all to be conscientious of others talking and to speak clearly and slowly.

SPECIAL PRESENTATIONS

Mayor Appletoft reported that there were two special presentations this evening which included the Arbor Day Poster Contest Winner and a status update on the Gateway Project.

Arbor Day Poster Contest Winner

Mayor Appletoft stated the City was pleased to recognize Kaitlyn Lockard who was the winner of this year's Arbor Day Poster Contest. Kaitlyn is a 5th grader at Rushton Elementary and her winning picture depicted the significance of protecting our trees while highlighting this year's Arbor Day theme, "We all need Kansas trees for resilient ecosystems!" He congratulated Kaitlyn on her beautiful artwork which represented an important message and thanked her and all who participated for their efforts on this project.

Mayor Appletoft asked Miss Lockard what inspired her to draw her picture. She explained that incorporating the Lorax was for her grandfather and that at the time she was "legit obsessed with Baby Yoda!" Then she drew the

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forest, with trees that were cut down, to show the importance of the ecosystem.

Status Update on Gateway Project

Mayor Appletoft explained that the final presentation was an update on the status of the Gateway project from Tom Valenti of the Cameron Group, who is the developer for the site. Mr. Valenti affirmed that the development company was dedicated to completing this project but had experienced setbacks due to the current COVID-19 situation. He complimented the City, emphasizing that it was a great community to work with and adding that they still have the commitment from Bank OZK who is the primary construction lender. There are several other financing components including their own equity, mezzanine loan and municipal bond financing, adding that the mezzanine lender has allowed a time extension to help accommodate for these extenuating circumstances. Mr. Valenti reported that their number one tenant, in regards to square footage, was Cinergy Entertainment which is a dine-in movie theater, bowling alley and game center. While Cinergy is operating at a reduced capacities, they continue to make profit at other locations, and will remain a part of the Gateway project. Currently, they will need to pause construction until the bond and lending environments recover. Cameron Group has hired consultants Jones Lang LaSalle, who are active in the finance market, and will assist in assessing available options to start the process of continuing development sooner.

Councilmember Flora asked if there was a realistic timeline on when construction could resume. Mr. Valenti responded that it would be irresponsible to make a guess at this point on when construction could resume, since much of the process is dependent on a vaccine for COVID-19. There will be the additional challenge to gain support from those in the mezzanine and bond markets for Cinergy and the hotel.

Councilmember Davis asked if the obligations to the City were still in order and would continue in terms of payment. Mr. Valenti assured the Council that payments were up-to-date.

Councilmember Thomas commented on the deterioration of the site, asking the developer to make sure to keep it maintained during this period of

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inactivity. Mr. Valenti replied that Charles Patrick is the on-site supervisor and they will be in discussion over the site's condition.

Councilmember Schlossmacher wondered if there were contingency plans if any of the current tenants were not able to occupy their proposed spaces. Mr. Valenti replied that they do have contingency plans in place and also foresees more interest from people to occupy the office building once construction continues. Councilmember Schlossmacher asked the developer to address concerns regarding reports on liens and unpaid contractors. Mr. Valenti explained that there are liens on the project, adding that they will be paid off when the resume construction and secure financing.

CONSENT AGENDA

Moved by Davis, seconded by Kring to adopt the Consent Agenda as presented.

- 4a. Minutes of the September 16, 2020 City Council Meeting and September 30, 2020 Special City Council Meeting.
- 4b. STO/UPOC Adoption
- 4c. LGR Legislative/Advocacy Services
- 4d. CARES Funding Resolution
- 4e. Desktop/Laptop Computer Replacement Purchase
- 4f. Migration to Microsoft Office 365 and Purchase of Adobe Acrobat
- 4g. Employee Benefit Renewals for 2021
- 4h. Purchase of Two Clorox Total 360 Sprayers
- 4i. Retrofit of Touchless Fixtures
- 4j. Purchase of Riding Floor Scrubber
- 4k. Purchase of Single Axle Dump Truck, Skid Steer with Attachments and Lighted Arrow Board

Voting AYE: Boultinghouse, Davis, Flora, Inman, Kring, Rothrock, Schlossmacher, Thomas. **Motion Carried.**

PUBLIC COMMENTS

There were no public comments.

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PLANNING COMMISSION

There was nothing presented from the Planning Commission.

FINANCE & ADMINISTRATION COMMITTEE

Councilmember Kring reported the Finance & Administration Committee met on October 7th and considered eight items including acceptance of the meeting minutes. The STO/UPOC Adoption, the LGR Legislative/Advocacy Services Contract, the CARES Funding Resolution, the employee benefit renewals for 2021 as well as the purchases of computer replacements, Microsoft Office 365 and Adobe Acrobat licenses were all approved under the Consent Agenda.

The Rock Creek Tax Increment Financing District #3A and Tax Increment Financing Project Plan for Mission Bowl Apartments, LLC., at 5399 Martway was reviewed and discussed at the work session meeting on the same evening. There were no additional items for consideration on the Regular Agenda.

COMMUNITY DEVELOPMENT COMMITTEE

Councilmember Flora reported the Community Development Committee also met on October 7th and considered six items. These included acceptance of the Committee minutes along with the purchases of two Clorox Total 360 sprayers, up to two riding floor scrubbers, a single axle dump truck, a skid steer with attachments, a lighted arrow board as well as the retrofit of touchless features at City facilities. There was one additional item for the Council's consideration on the Regular Agenda.

Hodges/61st Terrace Intersection

Councilmember Flora explained that the planters along Hodges Drive at 61st Terrace, 62nd Street, and 62nd Terrace were installed in the mid-1990s to replace barricades that had been in place since the 1970s. One of the planters was severely damaged in 2018, and since that time, the City has facilitated public meetings and a working group composed of residents, staff, and representatives from George Butler Associates (GBA) to evaluate

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long-term alternatives and solutions.

In late September 2020, staff presented a schematic to the working group which includes installation of the gate, as well as an extended curb to narrow the intersection to discourage drivers from thinking that this entrance is a street. The working group reached consensus on the design and recommended Council proceed with installation. The updated cost estimate provided by GBA is approximately \$29,050 assuming that this project is bid stand alone. In order to complete this project, within the existing budget, City crews plan to construct all this work with the exception of the curb and gutter, which will be completed by a subcontractor. The estimated project cost using City crews and subcontracting the curb and gutter is approximately \$9,000. The goal is to construct the project by the end of the year depending upon contractor and vendor availability.

Councilmember Thomas asked if the \$9,000 utilizing City crews, then subcontracting for the gutters and curbs, will include labor time expenses. Ms. Duran replied that the cost presented did not include the labor time but does account for the curb, gutter, sod, gate and any materials being used.

Ms. Smith commented that there was conversation, at the Committee meeting, about the concerns for pedestrian and bicycle access. GBA has accommodated that concern by adjusting the placement of the gate which is reflected in the current design.

Councilmember Schlossmacher asked about the timeline for repairs to similar intersections along Hodges Drive. Ms. Smith replied that the plan is to move forward with the current proposal and assess how it works and then determine the best course of action in concurrence with street reconstruction projects that might be occurring in the future. Councilmember Schlossmacher questioned if there was a potential of liability issues from a traffic control standpoint. Ms. Smith explained that the gate actually has the potential to decrease liability because the risk of serious injury or damage is less than if a vehicle were to hit one of the existing planters. Reflective signage has already been added to the planters remaining at the other intersections to improve visibility for motorists.

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Councilmember Thomas asked if there will be information on the construction sent out to the residents in the area. Ms. Smith affirmed that they would communicate back to the neighborhood but also the working group has been keeping neighbors updated.

Moved by Flora, seconded by Davis to approve the installation of a gate and extended curb to replace the planters at the Hodges and 61st Terrace intersection. Voting AYE: Boultinghouse, Davis, Flora, Inman, Kring, Rothrock and Thomas. Voting NAY: Schlossmacher. **Motion Carried.**

NEW BUSINESS

City of Mission State of Emergency/Disaster Proclamation Related to COVID-19

Ms. Smith reported that the City of Mission originally issued a State of Emergency/Disaster Proclamation on March 13, 2020 which was subsequently amended on March 18, April 1, April 15, May 13, July 15, and September 16, 2020. In September, the Declaration was extended to continue to align with the State's Declaration (through October 15) and to assist Mission in gauging the success of various reopening and recovery plans.

Extending the State of Emergency allowed the City to maintain the umbrella protection of the Emergency Declaration while also preserving the greatest degree of flexibility in reacting and responding to potential changes in public health information and gating criteria. The State Finance Council met and approved the Governor's request for an extension. The extension was granted for thirty days, extending the statewide declaration through November 15, 2020.

Staff continued to recommend extension of Mission's Emergency Proclamation as long as reimbursement is being pursued by any funding either through FEMA or through the CARES Act. The City is expected to receive approximately \$300,000 of CARES Act funding which will include the reimbursement of personal protective equipment as well as future wishlist projects for facilities. The extension of the Proclamation would go through December 31, 2020 to ensure to cover the timeframe within which the City

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currently has to expend any CARES Act funding provided through Johnson County.

Moved by Davis, seconded by Kring to approve the extension of the City of Mission's State of Emergency/Disaster Proclamation related to COVID-19 through December 31, 2020. Voting AYE: Boultinghouse, Davis, Flora, Inman, Kring, Rothrock, Schlossmacher, Thomas. **Motion Carried.**

Johnson County Coronavirus Relief Fund (CRF) **Purchase Authorization**

Ms. Smith explained that the CARES Act established the Coronavirus Relief Fund (CRF) and appropriated \$150 billion in funding to state and local governments to cover costs incurred due to the COVID-19 public health emergency. In June, the County announced its intention to allocate approximately \$50 million to local government jurisdictions.

Each city is eligible to receive a total allocation based on population. For Mission, that currently represents \$302,971.38. To date, the City has been reimbursed for \$22,630.60 in actual expenses, leaving an available balance of \$280,340.78. The City submitted a list of potential resource planning items to be evaluated by the County's consultants to determine eligibility for reimbursement. There are several items on the October 21st agenda that were reviewed at the Committee meeting and are expected to be approved. These items total \$156,163 and include laptop computers, Microsoft Office 365, touchless bathroom fixtures, riding floor scrubber and Clorox Total 360 disinfectant sprayer systems.

All CRF funds have to be expended (and items installed) by December 30, 2020. In order to meet this aggressive timeline, staff requested the ability to accelerate the purchasing process for the Council to afford the City Administrator the opportunity to take advantage of these funds for the benefit of the community as the City continues to react and respond to the COVID-19 pandemic. In addition, staff is seeking authorization to proceed with purchasing a Tersano Cleaning/ Sanitizing System, for the price of \$4,200, which creates stabilized aqueous ozone (SAO) that transforms ordinary tap water into an effective natural cleaner by infusing it with ozone

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and is effective in eliminating 99.99% of viruses and bacteria. This system will eliminate three different cleaners currently in use and will allow for a more sustainable process. Staff is also asking for the authorization to install modular furniture, for \$36,500; upgrade audio-visual systems in the Council Chambers and Community Center, for a price not to exceed \$69,000; as well as install air purification/ionization systems in City Hall, the Police Department and Public Works facilities for a cost of \$9,697.50.

The total cost for items included in this authorization is estimated at \$127,598, for a total estimated budget for CRF expenditures of \$283,761. This is slightly higher than the amount remaining in the reimbursement total (\$3,420.22) which will be adjusted either through the modular furniture budget or the AV upgrades to keep within budget parameters.

Johnson County has released information on the possibility of potential reimbursement for money that was expended for emergency sick leave related to COVID-19. The City will address the opportunity to receive that compensation.

Councilmember Davis thanked Ms. Smith and staff for all their work to insure that the City maximizes the usage of the CARES funding.

Ms. Smith thanked Mr. Scott, Ms. Randel, Interim Police Chief Madden, Sergeant Meyers, Mr. Almoney and Ms. Duran who have worked to find the best ways to utilize the funds for improvements that support the City's constituents and employees.

Councilmember Thomas asked if the audio/visual adjustments included upgraded software for virtual meetings or if it was mainly the hardware for the City Hall and Community Center. Interim Police Chief Madden explained that the improvements in both facilities will include web conferencing capabilities with cameras that have the ability to stream independently or together. The current audio will need to be rebuilt since it is not able to accommodate the number of needed microphones for public meetings. Councilmember Thomas wondered how, in future meetings, public comments would be engaged and adapted. Ms. Randel answered that Interim Police Chief Madden has really improved the audio and streaming capabilities and as far as public comment, it will need to be evaluated in

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regards to screens, room positioning and the various comfort levels of the public. Ms. Smith added that the general consensus received, from the Council, was the importance of maximizing public participation while accommodating their concerns and comfort levels. The challenge remains in finding an option that will easily allow for hybrid meetings.

Moved by Davis, seconded by Kring to authorize the City Administrator or her designee to proceed with the purchase of items qualified for reimbursement through the Coronavirus Relief Fund (CRF) administered by Johnson County. Voting AYE: Boultinghouse, Davis, Flora, Inman, Kring, Rothrock, Schlossmacher, Thomas. **Motion Carried.**

COMMENTS FROM THE CITY COUNCIL

Councilmember Kring reported that recently, across from her home, there was a man with a potential drug overdose, she commended and thanked the Police and Fire Departments as well as the Emergency Medical Team for their amazing work. Councilmember Kring also informed the Council she received an update on Caring for Kids and Rushton Elementary is second on the list for potential rebuild and it will be revisited in the Spring. Mayor Appletoft added there are currently three different plans which require different levels of bonding, Rushton is on all three plans depending on which avenue the School District decides to take.

Councilmember Boultinghouse updated the Council on the Voter to Voter initiative, commenting that the City is currently in second place among all the participating teams. There have been a cumulation of 329 people added to the dashboard with 5% already voting and 40%, of the total, who have voted in two or less of the last four elections. Councilmember Boultinghouse added that there would be a Ward 1 meeting the next week on Zoom.

Councilmember Davis reminded the public that a Ward IV meeting would be held on November 10th. Councilmember Davis and Ms. Randel attended the First Suburbs meeting, which provided valuable information about housing which was provided to the Council and Mayor. Also, he shared that he attended the League of Kansas Municipalities' virtual conference and the information is available online with featured speakers.

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MAYOR'S REPORT

Mayor Appletoft reported that there would be a ribbon cutting for the food pantry at Trinity Lutheran Church on October 22, 2020.

CITY ADMINISTRATOR'S REPORT

Ms. Smith reported that they would continue the conversation on the residential street program at a work session on October 28th.

In addition, the Halloween dog costume contest event would be scheduled for the upcoming Saturday at Andersen Park. Mr. Almoney confirmed that they wanted to gauge initial interest by having pre-registration and now will take registration on-site.

Ms. Smith shared that Ms. Duran updated the Leadership Team that the Roeland Court Home Association parking lot is now paved. She added that the residents will be happy to access their garages before winter and thanked Ms. Duran and the team who helped complete this project.

Ms. Smith encouraged people to provide feedback on the City's Comprehensive Plan website which will be active until the end of November.

September Interim Financial Reports

The monthly interim financial reports are presented and information highlighted at the regular Council legislative meetings under the Administrator's Report. Council will have the opportunity to ask any questions and following the review the reports will be posted on the website as they have been for many years.

In the first section of the executive summary, there is a breakdown of the general fund revenue by category. The provided chart is updated from the previous monthly interim financials and will show an adopted budget as well as an estimated budget. The report also details the general fund expenses which are transferable to other funds, including the transfer of the capital improvement fund for street maintenance and the transfer for the solid

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waste utility fund. The last portion of the report addresses the executive/departmental summary. This shows that, with the exception of the administration department and outdoor pool, all other departments are on track with their budgets for the course of the year.

Ms. Smith reported good news that the City is seeing improvements with keeping on track with the original budget estimates and not seeing the reductions in some revenue streams that had been anticipated for 2021. Particularly, sales tax revenues continue to do well and perform strongly through the end of year. Also, the Community Center has seen growth, with daily attendance totals returned to about 50% of what they would be in a pre-pandemic environment. Ms. Smith felt confident, from a revenue perspective, that the City would be about \$800,000 better than anticipated when the 2021 budget is adopted. The City will continue to monitor the revenues closely and make recommendations for adjustments as necessary.

ADJOURNMENT

Mayor Appletoft announced that the public video from the 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 7:58 p.m. All present voted AYE. **Motion carried.**

Respectfully submitted by Audrey M. McClanahan, City Clerk.

Ronald E. Appletoft, Mayor

Audrey M. McClanahan, City Clerk