



MINUTES OF THE MISSION CITY COUNCIL MEETING

October 20, 2021

The Mission City Council met in a regular meeting on Wednesday, October 20, 2021 at 7:00 p.m. The meeting was called to order by Mayor Appletoft. The following councilmembers were in attendance: Ken Davis, Sollie Flora, Kristin Inman, Hillary Thomas, Arcie Rothrock, Trent Boultinghouse and Nick Schlossmacher. Councilmember Kring was absent.

Mayor Appletoft explained that in consideration of on-going COVID-19 health concerns, the meeting was also offered virtually through Zoom, if preferred. 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. For those participating virtually, they had the option of utilizing the "chat" feature to voice their comments which would be read aloud. The members of the public in-person, were encouraged to raise their hand and stay at their seats to be called on. The Mayor requested that anyone commenting to state their name and city of residence as well as to be conscientious of others talking and to speak clearly and slowly.

PUBLIC HEARING

There were no Public Hearings.

SPECIAL PRESENTATION

Evergy Update

Rebecca Galati, Senior Customer Service Manager with Evergy, provided operational updates for the company's electrical services. Ms. Galati explained that following the KCPL and Westar merger, Evergy now serves 1.6 million customers with 10,000 miles of transmission lines and 52,000 miles of distribution lines. In accordance with the merger, Evergy committed to not change base rates until December 2023 in Kansas. Customers also received bill credits that began in 2018. Evergy continues to invest in programs for their communities including the Heat Relief Fan Distribution, Cultivate KC and



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the Wichita Women Initiative Network/Dress for Success. During the pandemic, Evergy worked with customers who owed past-due balances, promoted access to emergency funds and offered new pandemic specific payment plans.

Mission is currently subscribed to Evergy KS-Metro Renewables Direct Wind Farm Program for 10 years at 600MW. This generates sustainable energy which significantly offsets the City's carbon footprint.

Ms. Galati then reviewed the Mission-specific impacts of Evergy's tree trimming program that works to keep power lines cleared of vegetation. Finally, Ms. Galati addressed the service outage process, emphasizing their Reliability Proactive Inspections (RPI) program that conducts checks of area circuits that are flagged as a concern.

Mayor Appletoft asked if Evergy has service level metrics or goals for reliability. Ms. Galati explained that they do, those reliability metrics are then turned into the Kansas Corporation Commission annually and incorporated into their plans to improve in notable areas.

Ms. Smith commented on the importance of having more updated and current data in order to assess trends and Ms. Galati confirmed that is in discussion and they are looking at better times to bring this for city meetings.

Councilmember Rothrock commented that she appreciates Evergy and Ms. Galati's presence in the community, knowing that if there are any issues that they are accessible.

ISSUANCE OF NOTES AND BONDS

Bruce Kimmel, Senior Municipal Advisor from Ehler's, Inc., was present via Zoom and presented information on the bond sale to fund the Facility Conservation Improvement Program. The City received six bids with the lowest bidder from Country Club Bank at a true interest cost of 1.49%. The bonds were designated as "green bonds" which communicates the types of



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sustainable projects that they will be utilized for as well. He also explained that because of the premium bid received it reduced the overall bond amount by \$195,00 which configures into a final payment amount of \$3,205,000. The annual debt service will be approximately \$250,000 per year paid through a combination of utility savings and other general fund revenues. Finally, Mr. Kimmel explained that the City had a very positive rating discussion with Standard and Poor with an affirmed AA+ rating achieved.

2021A General Obligation Bonds Acceptance of Sale

Moved by Davis, seconded by Boultinghouse to approve the winning bid from Country Club Bank of Leawood, Kansas with a true interest cost of 1.4899% as presented by the City's municipal advisor, Ehlers, Inc. Voting AYE: Boultinghouse, Davis, Flora, Rothrock, Thomas, Inman and Schlossmacher. **Motion Carried.**

2021A General Obligation Bonds Ordinance Authorizing Issuance

Moved by Davis, seconded by Flora to approve an Ordinance authorizing and providing for the issuance of the General Obligation Bonds, Series 2021A. Voting AYE: Boultinghouse, Davis, Flora, Rothrock, Thomas, Inman and Schlossmacher. **Motion Carried.**

2021A General Obligation Bonds Resolution Prescribing Form and Details

Moved by Davis, seconded by Boultinghouse to approve a Resolution prescribing the form and details of an authorizing and directing the sale and delivery of the Series 2021A Bonds. Voting AYE: Boultinghouse, Davis, Flora, Rothrock, Thomas, Inman and Schlossmacher. **Motion Carried.**



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CONSENT AGENDA

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

- 4a. Minutes of the September 15, 2021 City Council Meeting
- 4b. LGR Legislative/Advocacy Services
- 4c. Janitorial Services Contract Award
- 4d. Audit Services Contract Award

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

PUBLIC COMMENTS

PLANNING COMMISSION

Case# 21-07 Approval of an Application for Zoning, Preliminary Plat, Preliminary Development Plan, and Special Use Permit for The Construction and Operation of a Sanitary Sewer Pump Station at 5701 Roe Avenue

Mr. Scott reported that Johnson County Wastewater (JCW) has operated a sanitary sewer pump station, since the 1950s, at the parcel addressed as 5701 Roe Avenue. JCW has undertaken a comprehensive update of its facilities within its service area and has determined that improvements will need to be done on the Nelson Treatment Plant located in Mission (4800 Nall Avenue). However, before work can begin, JCW must make improvements to facilities that feed into it, including demolition of the existing 60-year-old pump station on Roe, and construction of a new, larger pump station on the same site. Because JCW is making a long-term investment on the site, they have been in negotiations with KDOT to purchase the property. This will entail filing a preliminary plat with the Johnson County Recorder of Deeds, rezoning the



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property, approval of a preliminary development plan for the site, and approval of a special use permit.

These items were presented to the Planning Commission at their meeting on September 27, 2021. The Planning Commission voted to recommend to the City Council approval of the rezoning of the property, the preliminary plat, the preliminary development plan, and the special use permit.

Patrick Denning, Assistant Chief Engineer – Existing Infrastructure with Johnson County Wastewater, was present and provided the following updates:

- JCW has negotiated a flexible long-term plan with the Kansas Department of Health and Environment to manage rates and project sequence
- Anticipated rehabilitation of the Nelson facility is expected from 2024-2029
- Rehabilitation will include the eventual decommissioning of the Martway facility behind Mission Bowl
- Total project costs, for the 25-year integrated plan, will be \$2.07 billion in 2018 dollars
- Existing capacity of the pump station is 12 MGD
- Future capacity, post 2040, up to 39 MGD depending on collection system improvements
- The current pump station has no room for expansion, floods and has aged equipment near end of life
- Wet well/pumps/etc., proposed 2024-2028 construction
- Expected cost of new pump station is around \$15 million

Mr. Scott added that JCW's purchase of the new property will require additional zoning steps. A zoning district will need to be established as well as the approval of a preliminary plat, preliminary development plan and a special use permit. All elements were incorporated in the proposed ordinance. The property will be zoned as "MP" Industrial Park zoning district. The preliminary plat, preliminary development plan and special use permit will have conditions as presented in the Planning Commission staff report.



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Moved by Davis, seconded by Flora to approve the rezoning, preliminary plat, preliminary development plan, and special use permit for the construction and operation of a sanitary sewer pump station at 5701 Roe Avenue. Voting AYE: Boultinghouse, Davis, Flora, Rothrock, Thomas, Inman and Schlossmacher. **Motion Carried.**

COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Inman reported that the Finance & Administration Committee met on October 6th and considered a total of 8 items. The acceptance of the meeting minutes were approved under the Consent Agenda along with the LGR Legislative/Advocacy Services Agreement, Janitorial Services Contract Award and the Audit Services Contract Award. Additionally, the three motions to authorize the sale and issuance of the 2021A General Obligation Bonds were considered under Notes and Bonds. There were three additional items for review on the Regular Agenda.

Ordinance Imposing $\frac{3}{8}$ -Percent Citywide Retailers Sales Tax

Councilmember Inman reported that at the September 21, 2021 mail ballot election, Mission voters approved the renewal of the dedicated street sales tax at the increased rate of $\frac{3}{8}$ -percent. The proceeds from the renewal will finance the costs of transportation improvements, including the construction and reconstruction of streets, bridges, sidewalks, curbs, gutters, trails, transit facilities, bicycle lanes, street lighting, traffic signalization, signage and landscape along rights-of-way and related improvements.

There was a total of 1,650 ballots casted with 77.15% in favor of supporting an increased investment in street maintenance. The election results were then certified on September 28, 2021. The final step in the process requires



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the approval of an ordinance to formally impose and levy the sales tax as well as provide notice to the State Director of Taxation that the sales tax will become effective on April 1, 2022 and expire on March 30, 2032.

Councilmember Flora thanked staff for all their hard-work and residents for having trust in the City and voting for the additional sales tax.

Moved by Inman, seconded by Davis to approve the ordinance imposing the special 3/8-percent citywide retailers' sales tax to finance transportation related improvements and providing notice to the State Director of Taxation requesting the sales tax commence on April 1, 2022 and expire on March 30, 2032. Voting AYE: Boultinghouse, Davis, Flora, Rothrock, Thomas, Inman and Schlossmacher. **Motion Carried.**

STO/UPOC Adoption

Councilmember Inman explained that the Uniform Public Offense Code and the Standard Traffic Ordinance have been published by the League of Kansas Municipalities since 1980. They are updated each legislative session and are designed to provide a comprehensive public offense ordinance and a comprehensive traffic code for Kansas cities. The 2021 versions became effective July 1, 2021 and included minor changes and amendments to the current practices. Also, during the review of the STO and UPOC updates staff realized the city code relating to drug offenses had not been deleted after the UPOC began including all drug offenses. To insure there is no competition among ordinances, the City Attorney recommended deleting Chapter 215, Article III, Offenses Concerning Drugs from Mission's Municipal codes.

To maintain uniformity with agencies in the area, the State of Kansas, and the actions of the State Legislature, it was recommended that these codes be adopted. There are two ordinances that have been prepared for Council action to adopt these changes from the 2021 STO and UPOC and fully incorporate them into Mission City Code. An additional ordinance to delete Chapter 215, Article III was also included for consideration.



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Moved by Inman, seconded by Davis to approve an ordinance adopting the 2021 edition of the Standard Traffic Ordinance for Kansas Cities-48th edition (STO) as published by the League of Kansas Municipalities. Voting AYE: Boultinghouse, Davis, Flora, Rothrock, Thomas, Inman and Schlossmacher. **Motion Carried.**

Moved by Inman, seconded by Davis to approve an ordinance adopting the 2021 edition of the Uniform Public Offense Code for Kansas Cities-37th edition (UPOC), as published by the League of Kansas Municipalities. Voting AYE: Boultinghouse, Davis, Flora, Rothrock, Thomas, Inman and Schlossmacher. **Motion Carried.**

Moved by Inman, seconded by Davis to approve an ordinance deleting Chapter 215, Article III, Offenses Concerning Drugs from the Code of the City of Mission. Voting AYE: Boultinghouse, Davis, Flora, Rothrock, Thomas, Inman and Schlossmacher. **Motion Carried.**

Animal Trapping Regulations

Councilmember Inman reported that earlier in the year, the City was contacted about an incident that involved the injury of a racoon in a spring-loaded trap placed by a wildlife control company. This spurred staff to research potential modifications to Chapter 210, Section 210.170 of Mission's municipal code related to animal trapping. As many cities have already banned the usage of spring-loaded traps and the extensive damage these devices can cause, an amendment to the code was proposed. This amendment would prohibit the use of the traps while still allowing for traditional cage-style traps to be used when combating wildlife nuisances, as well as mouse and rat traps. An ordinance was drafted for Council consideration to affect the proposed code changes.



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Moved by Inman, seconded by Flora to approve the Ordinance to amend Chapter 210, Section 210.170, Trapping Prohibited, of the Mission Municipal Code to prohibit the use of certain animal traps. Voting AYE: Boultinghouse, Davis, Flora, Rothrock, Thomas, Inman and Schlossmacher. **Motion Carried.**

Community Development Committee

Councilmember Boultinghouse reported that the Community Development Committee also met on October 6 and considered 2 items with the meeting minutes included for approval under the Consent Agenda. The zoning, preliminary plat, preliminary development plan, and special use permit for the construction and operation of a sanitary sewer pump station at 5701 Roe, from Johnson County Wastewater, was approved under Planning Commission. There was one additional item for review.

Resolution of Support for Climate Action KC Plan

Councilmember Boultinghouse explained that Climate Action KC is a nonprofit regional collaborative bringing more than 100 elected officials and community leaders together to reduce emissions, invigorate the economy, promote public health and improve the quality of life across the Kansas City region. The organization developed the Kansas City Regional Climate Action Plan (CAP) which aims to transform the metropolitan area into a more resilient, equitable and healthy community. This is achieved through an ambitious set of interrelated strategies that will help to mitigate climate change by achieving net zero greenhouse gas emissions by 2050 and adapt to and bounce forward from the many risks climate change poses.

The plan creates a new platform to build on, accelerate and scale up existing efforts through new models of collaborative regional leadership. Interim net zero goals focus on local government operations (by 2030), energy generation (by 2035), and homes and buildings (by 2040). A Resolution was proposed for Council to endorse the plan and to commit to review and implementation, as appropriate, the various strategies to reach the net zero goals.



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Councilmember Flora thanked the Sustainability Commission for their support on this initiative and fully endorsed the resolution and hopes for progress towards the 2030 municipality goal.

Moved by Boultinghouse, seconded by Flora to approve the Resolution endorsing the KC Regional Climate Action Plan, recognizing its goal of a Net-Zero metropolitan region by 2050, and committing to review and implement, as appropriate, the solutions and strategies included in the plan. Voting AYE: Boultinghouse, Davis, Flora, Rothrock, Thomas, Inman and Schlossmacher.
Motion Carried.

NEW BUSINESS

There was nothing to consider under New Business.

COMMENTS FROM THE CITY COUNCIL

Councilmember Rothrock reminded the Council and public that the Mission Community Food Pantry will be celebrating their one-year anniversary during an open house on Saturday, October 23. She reported that in its first year, the Food Pantry has served over 5,000 people. Also, adding that the Harvesters Mobile Food Pantry would take place on Saturday, October 30 at SM North High School.

Councilmember Davis reported that he had attended the second meeting of the UCS Racial Equity in Communities program. He explained that it is progressing positively with members from surrounding cities participating in the discussions.

MAYOR'S REPORT

There was no Mayor's report.



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CITY ADMINISTRATOR'S REPORT

Ms. Smith provided the following updates:

- Parks + Recreation will host the Spooky Walk, at Streamway Park, on Friday, October 22
- November election advanced voting begins Saturday, October 23
- Mission restaurant week will run from October 25 – 31
- The Police Department will host a drug take-back event on Saturday, October 23
- City Council work session on Wednesday, October 27 and a special meeting on Wednesday, November 3, to discuss 2022 Employee Benefit Renewals
- September Interim financials – Sales tax continues to perform above projections and major expenses, for the month, were all related to the street program

EXECUTIVE SESSION

Mayor Appletoft reported that there was a need for an Executive Session for a consultation on privileged communication. He explained that the Governing Body, and those individuals named in the motion, would adjourn to Executive Session for the allotted time. When that time expired, the Governing Body would reconvene to either extend the time required for discussion and return to Executive Session or continue with the regular legislative meeting. He reminded the public that the Governing Body may take no binding action in an Executive Session.

Moved by Thomas, seconded by Davis to recess to Executive Session under K.S.A. 75-4319 (b)(2), consultation with Attorney on Matters Deemed Privileged. Also attending the meeting will be City Administrator Laura Smith, City Attorney Dave Martin, and City Attorney Pete Heaven, City Attorney Gina Riekhof and City Attorney Kevin Wempe. The open meeting will resume at 8:52 p.m. (30 minutes). Voting AYE: Boultinghouse, Davis, Flora, Rothrock, Thomas, Inman and Schlossmacher. **Motion Carried.**



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The Governing Body reconvened at 8:52 p.m., there was no need to extend the time and the meeting moved into adjournment.

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 Boultinghouse, seconded by Thomas to adjourn the meeting at 8:52 p.m. All present voted AYE. **Motion carried.**

Respectfully submitted by Audrey McClanahan, City Clerk.

Ronald E. Appletoft, Mayor

Audrey M. McClanahan, City Clerk