



## MINUTES OF THE MISSION CITY COUNCIL MEETING

January 19, 2022

The Mission City Council met in a regular meeting on Wednesday, January 19, 2022 at 7:00 p.m. The meeting was called to order by Mayor Flora. The following councilmembers were in attendance: Ken Davis, Lea Loudon, Hillary Thomas, Trent Boultinghouse, Debbie Kring, Ben Chociej and Mary Ryherd. Councilmember Inman was absent.

Mayor Flora 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.

### **REVISED AGENDA**

The Council considered a revised agenda. **Moved by Davis, seconded by Kring** to approve the January 19, 2022 City Council meeting Agenda as revised. Voting AYE: Boultinghouse, Davis, Loudon, Thomas, Chociej and Kring. **Motion Carried.**

### **WARD II COUNCIL APPOINTMENT**

Mayor Flora put before the City Council the appointment of Mary Ryherd for Councilmember, Ward II. She explained that Mary was selected following an interview process and that she was unanimously recommended.

**Moved by Boultinghouse, seconded by Kring** to accept the appointment of Mary Ryherd as Ward II Councilmember, for the remainder of the unexpired term ending December 2023. Voting AYE: Boultinghouse, Davis, Loudon, Thomas, Chociej and Kring. **Motion Carried.**



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### **PUBLIC HEARING**

There were no Public Hearings.

### **SPECIAL PRESENTATION**

There were no Special Presentations.

### **ISSUANCE OF NOTES AND BONDS**

There were no Issuance of Notes and Bonds.

### **CONSENT AGENDA**

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

- 4a. Minutes of the December 15, 2021 City Council Meeting and the January 12, 2022 Special City Council Meeting
- 4b. CRUX Contract Renewal
- 4c. Cyber Liability Insurance
- 4d. Resolution Destruction of Certain Records
- 4e. Surplus Property Resolution
- 4f. Community Center Feasibility Study/Operational Assessment Contract Award
- 4g. Public Works 2022 Capital Equipment Purchase

Councilmember Ryherd explained that her vote, on the Consent Agenda, would not include the approval of the December 15 and January 12 City Council minutes as she was not a member of the Council at the time of those meetings. Voting AYE: Boultinghouse, Davis, Loudon, Thomas, Chociej, Kring and Ryherd. **Motion Carried.**



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### **PUBLIC COMMENTS**

There were no Public Comments.

### **PLANNING COMMISSION**

There were no items from the Planning Commission.

### **COMMITTEE REPORTS**

#### **Finance and Administration Committee**

Councilmember Kring reported that the Finance & Administration Committee met on January 12 and considered a total of 6 items. The acceptance of the meeting minutes were approved under the Consent Agenda along with the CRUX Contract Renewal, Cyber Liability Insurance, Resolution for the Destruction of Certain Records and the Surplus Property Resolution. There was one additional item for review on the Regular Agenda.

#### **Participation in Statewide Opioid Settlement**

Councilmember Kring reported that Kansas is part of multi-state litigation aimed at holding opioid producers and distributors accountable for the negative effects that opioids have had on the American public. In 2021, the Kansas Legislature passed the Kansas Fights Addiction Act to govern the distribution of settlement funds to the state from opioid producers and distributors.

Moneys in the Kansas Fights Addition Fund (KFA) will be distributed through a new grant program for projects and activities that prevent, reduce, treat, or mitigate the effects of substance abuse and addiction. While moneys deposited in the Municipalities Fight Addiction Fund (MFA) will be subject to a Memorandum of Agreement among the Kansas Attorney General, League of Kansas Municipalities, and Kansas Association of Counties.



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In order to access settlement funds, the Act requires counties and cities to enter into an agreement releasing and assigning their opioid claims to the Attorney General by January 31, 2022. Mission will be eligible to access funds by adopting a resolution that certifies it has or will have at least \$500 in costs related to mitigation efforts and authorizes the City to enter into the agreement releasing and assigning any opioid claims to the Attorney General.

Mission will also be required to enter settlement participation agreements waiving any future claims that the City may have against various opioid producers and distributors arising from conduct covered by the state settlement.

**Moved by Kring, seconded by Loudon** to approve the Resolution authorizing the execution and delivery of an agreement to release and assign the City's opioid claims to the Kansas Attorney General and certifying costs attributable to substance abuse and addiction mitigation in excess of \$500. Voting AYE: Boultinghouse, Davis, Loudon, Thomas, Chociej, Kring and Ryherd. **Motion Carried.**

### **Community Development Committee**

Councilmember Boultinghouse reported that the Community Development Committee also met on January 12 and considered 5 items with the meeting minutes, Community Center Feasibility Study and Public Works 2022 Capital Equipment Purchases all considered under the Consent Agenda. There were two additional items for review.

### **Foxridge Drive Phase II Design Agreement**

Councilmember Boultinghouse explained that The Foxridge Dr. Phase II project, from Lamar Avenue to 51<sup>st</sup> Street, is included in the City's Capital Improvement Program and 5-year CARS Program for construction in 2023 at an estimated cost of \$5,685,000.



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The scope of work includes full depth pavement reconstruction, sidewalk and retaining walls, stormwater improvements, traffic signal buyout and replacement, streetlights, and a polymer overlay on the Lamar Ave. bridge. The stormwater improvements include replacing aging corrugated metal pipe (CMP), addressing ongoing groundwater problems, and the installation of sidewalks which will improve pedestrian safety. Also, the City along with Johnson County Wastewater are currently coordinating the roadway and utility improvements so that a force main can be installed prior to the street improvements in 2023.

The design agreement with GBA includes design services, utility coordination, project management, and bid and construction phase services in an amount not to exceed \$417,928. GBA previously completed the survey and development of a conceptual layout in 2019. The construction costs of the project will exceed what the City can cash flow in any given year, and staff will be bringing financing options forward at a later date for Council consideration.

**Moved by Boultinghouse, seconded by Davis** to approve a task order with GBA for design of the Foxridge Dr. (Lamar Ave. To 51st St.) project in an amount not to exceed \$417,928. Voting AYE: Boultinghouse, Davis, Loudon, Thomas, Chociej, Kring and Ryherd. **Motion Carried.**

### **2022 CARS Interlocal Agreement for Johnson Dr.**

#### **(Lamar Ave. to Roe Ave.)**

Councilmember Boultinghouse reported that The City of Mission's proposed CARS project for 2022 is the Johnson Drive Street Rehabilitation Project from Lamar Avenue to Roe Avenue. This is a joint project between the cities of Mission and Roeland Park. The proposed improvements include an Ultra-Thin Bonded Asphalt Surface treatment; restriping to a three-lane section from Nall Avenue to Roe Avenue; pavement and median repairs; spot replacement



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of curb and gutter, sidewalks, parking stalls, and ADA ramps; and removal and replacement of sidewalk with decorative asphalt pavers to concrete to meet ADA requirements. Additionally, the improvements include installation of a six-foot wide sidewalk on the north side of Johnson Drive within Roeland Park city limits.

The Interlocal Agreement specifies the County's participation in the project for a total cost not to exceed \$622,000, and commits the City's funds to the project. Approval of the interlocal agreement is the final step with the County to accept CARS funds for this project. The plans are currently being finalized and will be bid in mid-January 2022. The current Engineer's Estimate (90% design) totals \$1,350,000, with Mission's cost totaling \$601,110 and Roeland Park's estimated cost totaling \$126,890 minus CARS funding.

**Moved by Boultinghouse, seconded by Kring** to approve the Interlocal Agreement with Johnson County for the public improvement of Johnson Drive (Lamar Avenue to Roe Avenue) (CARS Project No. 320001358) using 2022 CARS Program funding in an amount not to exceed \$622,000. Voting AYE: Boultinghouse, Davis, Loudon, Thomas, Chociej, Kring and Ryherd. **Motion Carried.**

### **NEW BUSINESS**

#### **Election of City Council President**

Mayor Flora explained that there was one item under New Business which was the election of Council President. Following the resignation last month of Nick Schlossmacher, the Council President's position was vacant. Under Section 115.050 of Mission's Municipal Code when a vacancy occurs the Council will elect a New Council president to serve the balance of the unexpired term. Pending a revision to ordinances, the individual elected would serve through April 2023.



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**Moved by Thomas, seconded by Kring** to appoint Ken Davis as City Council President with a term expiring April 2023. Voting AYE: Boultinghouse, Davis, Loudon, Thomas, Chociej, Kring and Ryherd. **Motion Carried.**

Councilmember Davis thanked Council for their support and appointment to the position of City Council President.

### **COMMENTS FROM THE CITY COUNCIL**

Councilmember Kring announced the virtual Ward III meeting on January 20. Councilmember Davis also announced a virtual Ward IV meeting on February 8. He added that he has received many compliments about the LED lighting in the City and the benefits it has made on the streets. Councilmember Boultinghouse commented that there will be a virtual Ward I meeting on February 1. Councilmember Thomas congratulated Councilmembers Davis and Ryherd as well as all appointees on their positions, noting that there are many talented professionals in the community and it's exciting to see them get involved.

### **MAYOR'S REPORT**

#### **Appointments**

#### **Planning Commission**

Mayor Flora put before the City Council the appointments of Wayne Snyder, (Ward I) and Megan Cullinane (Ward III) for the Planning Commission with terms expiring December 31, 2022 and December 31, 2023 respectively.

**Moved by Kring, seconded by Boultinghouse** to appoint Wayne Snyder (Ward I) and Megan Cullinane (Ward III) for the Planning Commission with terms expiring December 31, 2022 and December 31, 2023 respectively.



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Voting AYE: Boultinghouse, Davis, Loudon, Thomas, Chociej, Kring and Ryherd. **Motion Carried.**

### **Parks, Recreation and Tree Commission**

Mayor Flora put before the City Council the appointments of Jacque Gameson (Ward IV), Cindy Long (Ward IV), Ryan Casey (Ward IV), and Nicole Sullivan (Ward I) for the Parks, Recreation and Tree Commission with terms expiring December 31, 2023.

**Moved by Thomas, seconded by Kring** to appoint Jacque Gameson (Ward IV), Cindy Long (Ward IV), Ryan Casey (Ward IV), and Nicole Sullivan (Ward I) to the Parks, Recreation and Tree Commission with terms expiring December 31, 2023. Voting AYE: Boultinghouse, Davis, Loudon, Thomas, Chociej, Kring and Ryherd. **Motion Carried.**

### **Sustainability Commission**

Mayor Flora put before the City Council the appointments of Terri Baugh (Ward I), John Arnett (Ward IV), Mike Patterson (Ward IV), Ramsey Attaria (Ward II), Lauren Reiter-Schmid (Ward III) and Lynn Bain (Ward II) for the Sustainability Commission with terms expiring December 31, 2022 and December 31, 2023.

**Moved by Kring, seconded by Davis** to appoint Terri Baugh (Ward I), John Arnett (Ward IV), Mike Patterson (Ward IV), Ramsey Attaria (Ward II), Lauren Reiter-Schmid (Ward III) to the Sustainability Commission with terms expiring December 31, 2023. And Lynn Bain (Ward II) to the Sustainability Commission to fill the balance of an unexpired term through December 31, 2022. Voting AYE: Boultinghouse, Davis, Loudon, Thomas, Chociej, Kring and Ryherd. **Motion Carried.**





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### City Officials

Mayor Flora explained that there are appointments of City Officials which are called for annual renewal according to City ordinances. She put before the City Council the following for appointment: Keith Drill as Municipal Court Judge and Jeffrey Austin, David Bell and Peter Simonsen as Municipal Court Judges Pro-tem.

**Moved by Davis, seconded by Kring** to uphold the appointments of Keith Drill as Municipal Court Judge with Jeffrey Austin, David Bell and Peter Simonsen as Municipal Court Judges Pro-tem. Voting AYE: Boultinghouse, Davis, Loudon, Thomas, Chociey, Kring and Ryherd. **Motion Carried.**

Councilmember Kring commented that the City has phenomenal people including Peter Simonsen, who is the grandson of Sylvester Powell Jr., and Judge Drill as they continue to go above and beyond to serve the community.

### **Bond Counsel, Financial Advisor, and Land Use Attorney**

Ms. Smith explained that even though we have ongoing engagements with the City's bond counsel, financial advisor and land use attorney; the Council still needs to officially reappoint them annually in January. This helps to have a continued record of their assistance since they primarily help with development projects, through the year. The rates for all remain constant, and since most of the expenses with these outside consultants are associated with development projects, the city recaptures funds through pre-development agreements.

Mayor Flora put before the City Council the following for appointments:

- Gilmore & Bell, Bond Counsel
- Ehlers, Inc., Financial Advisor
- Pete Heaven with Spencer Fane, Land Use Attorney

**Moved by Kring, seconded by Davis** to uphold the appointments Gilmore



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& Bell, for Bond Counsel; Ehlers, Inc., as Financial Advisor; and Pete Heaven with Spencer Fane as Land Use Attorney for the City of Mission with terms expiring January 18, 2023. Voting AYE: Boultinghouse, Davis, Loudon, Thomas, Chociej, Kring and Ryherd. **Motion Carried.**

Mayor Flora ended her report by announcing the appointment of Councilmember Ryherd as the Council liaison to the Parks, Recreation and Tree Commission.

### **CITY ADMINISTRATOR'S REPORT**

Ms. Smith provided the following updates:

- The Community Food Pantry will be hosted at Trinity Lutheran Church on January 27.
- Harvesters' Mobile Food Pantry will be at Shawnee Mission North High school on January 29.
- The Planning Commission will have an orientation meeting, January 24, for updates on procedures and policies.
- Bulky item pick-up date magnets were created, with the Crux team, to send out to residents.
- Interim Financial Reports:
  - Fiscal year 2021 was closed on Thursday, January 13.
  - General Fund closed strong, and sales tax estimates increased over the original 2021 budget estimates.
  - About 12.5 million dollars across all funds.
  - Summary of General Fund expenses show that, by the end of the year, expenditure rate was only 80% of the estimated total.
  - Several expenditures for December were related to the Facility Conservation Improvement Program. This included the installation of the LED streetlights.
- Mask Ordinance:
  - Special City Council meeting on January 12, where a mask ordinance was unanimously approved. This ordinance requires mask wearing in all indoor public spaces with some exceptions.



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- After publication, the ordinance came into effect on January 19, 2022.
- Parks and Recreation Director Penn Almoney held an all-staff meeting to educate and train staff on the changes.
- Staff has worked to message the information out into the public, including a landing page on the homepage of the City's website.
- There is signage for businesses to print off on the website or they can come by City Hall/Community Center for copies. Window clings are also available.

Councilmember Daivs commented that he has received positive feedback for the masking policy. Mayor Flora thanked Deb Settle, with the Johnson County Chamber of Commerce, for their support of the ordinance and assistance to local businesses.

### **EXECUTIVE SESSION**

There was not a need for an Executive Session.

### **ADJOURNMENT**

Mayor Flora announced that the public video from tonight's meeting will be available through a link on the City's website - [missionks.org](http://missionks.org).

**Moved by Thomas, seconded by Davis** to adjourn the meeting at 7:41 p.m. All present voted AYE. **Motion carried.**

Respectfully submitted by Audrey McClanahan, City Clerk.

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Solana Flora, Mayor



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Audrey M. McClanahan, City Clerk