



MINUTES OF THE MISSION CITY COUNCIL MEETING

June 15, 2022

The Mission City Council met in a regular meeting on Wednesday, June 15, 2022 at 7:00 p.m. The meeting was called to order by Mayor Flora. The following councilmembers were in attendance: Kristin Inman, Lea Loudon, Hillary Thomas, Trent Boultinghouse, Debbie Kring, Ben Chociey, Ken Davis and Mary Ryherd.

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 please 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 Boultinghouse, seconded by Kring** to approve the June 15, 2022 City Council meeting Agenda as revised. Voting AYE: Boultinghouse, Inman, Loudon, Thomas, Chociey, Ryherd, Davis and Kring. **Motion Carried.**

SPECIAL PRESENTATIONS

Introductions of New Employees – Police and Community Development Departments

Mayor Flora recognized Major Lane who introduced the following: Officer Paige Mason, Officer Blake Heriford, Officer Patrick Rubino, Officer Tanner McElwain, and Officer Brant Giudici. The Mayor then invited Mr. Scott to the podium and he introduced Mission's new Neighborhood Services Officer, Donisha Carter. Mr. Scott also shared information about the new permit technician in



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Community Development, Kim Steffens who was unable to join us for the meeting tonight. The Mayor welcomed all and thanked them for choosing to serve our community.

FCIP Improvements Presentation

The Mayor introduced the next presentation and invited Ms. Randel to recap the Facility Conservation Improvements Program at various facilities which are nearing completion. Achieved what we hoped to achieved, accomplished other things, publicly thank the team. Paul Siege and Amy Nemeth in the audience this evening. Ms. Randel recapped the improvements by facility and shared information on costs, energy savings and other environmental benefits. For the Powell Community Center, the FCIP Improvements will result in energy savings of 28% and another \$24,880 in operations and maintenance savings. For City Hall, the Police Department and Public Works we anticipate a 17% reduction in energy savings, and for the street light improvements, a 36% reduction in energy costs are expected. Overall, the project will eliminate 929 metric tons of CO2 which is the equivalent of removing 203 cars from the road each year. Ms. Randel highlighted the great collaboration, throughout the project, especially recognizing Facilities and Maintenance Supervisor Craig Donner and Parks and Recreation Director Penn Almoney for their hours of work. Staff is still working with Veregy to finalize the dashboard which will aid in tracking and reporting of the savings and will look forward to continuing to tell the story of the benefits derived from this project.

Councilmember Davis offered his congratulations to all for all the work on the project, especially to Parks and Recreation staff for all the disruptions they have had to work around.

PRIDE Month Proclamation

Mayor Flora shared that she was proud to proclaim June 2022 as LGBTQ+ PRIDE Month in Mission, stating that we are a community that respects and actively welcomes and protects all those who reside, visit or do business in



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our city. She acknowledged that recognizing and celebrating diversity helps to build a community that promotes harmony and mutual respect. PRIDE Month celebrations take place across the country every June to commemorate the Stonewall riots of 1969 and to recognize the impact that LGBTQ+ people have had on history - locally, nationally, and internationally. She urged all Mission residents to join with her and the entire City Council in working to ensure that everyone has the confidence to live without fear of prejudice, discrimination, violence and hatred based on gender identify or sexual orientation in Mission.

Elder Abuse Awareness Month Proclamation

Mayor Flora announced that the final presentation tonight was a proclamation recognizing June as Elder Abuse Awareness Month and June 15, 2022 as Elder Abuse Awareness Day in Mission. As a proud supporter and advocate for the Communities for All Ages Program, she reminded everyone that we regularly look for ways to treat older adults with respect and dignity, enabling them to serve as leaders, mentors, volunteers and vital participating members of our community. Elder abuse, neglect and exploitation of our seniors is a serious public concern, and it is important to take action to raise awareness in our efforts to prevent abuse of older adults and to engage and empower seniors. She encourages all to join with her in honoring and celebrating older adults and their ongoing contributions to the success and vitality of Mission.

ISSUANCE OF NOTES AND BONDS

There were no Issuance of Notes and Bonds.

CONSENT AGENDA

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

- 4a. Minutes of the May 18, 2022 City Council Meeting and the May 31, 2022 Special City Council Meeting



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4b. Ordinance Amending City Sponsored Special Event Boundaries

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

PUBLIC COMMENTS

There were no public comments.

PLANNING COMMISSION

Rezoning of Four Parcels at the Southwest Corner of 58th Street and Nall Avenue from "MS-2" and "PBP" to "DND" and Approval of a Preliminary Development Plan for a Three-Story, 77-Unit Multivamily Residential Development at the Same Location

Mayor Flora invited Deputy City Administrator Brian Scott to present background on this item. The Planning Commission meet on May 23, 2022 and held two public hearings to consider an application from Mr. John Moffit to rezone four parcels of property at the southwest corner of 58th Street and Nall Avenue from "MS-2" (Main Street 2) and "PBD" (Planned Business Park) zoning district to "DND" (Downtown Neighborhood District), and an application from Mr. Moffit for a Preliminary Development (PDP) for a three-story, 77 unit multi-family residential development on said parcels. Mr. Scott advised that the minutes from the Planning Commission meeting were included in the packet, and introduced the developer, Mr. John Moffitt.

Mr. Moffitt acknowledged their application did receive approval from the Planning Commission to rezone the property from MS-2 and PBP (office and commercial) to residential. Mr. Moffitt said he has been developing his entire career and is very excited about how well he believes this project aligns with the Johnson County Housing Study by presenting something other than single family housing. From his perspective, this project will "check every box" identified in the housing study and addresses the "missing middle" housing



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while also providing a transition from commercial to residential parcels. Mr. Moffitt shared data, primarily collected through the Mid-America Regional Council (MARC) demonstrating why he believes the project meets many of the objectives outlined in their work.

Mr. Moffitt then turned the presentation over to Mr. Patrick Reuter with Klover Architects who walked through the physical layout and orientation of the project on the site. Mr. Reuter advised that the roof height had been adjusted following the Planning Commission meeting, bringing the height into conformance with existing City code. He also shared information on the anticipated socioeconomic benefits of the project as well as the sustainability components that are included in the project.

Councilmember Thomas inquired about the proposed location of the dog park area. She is very "pro" dog park but doesn't like the current location in relationship to the residents across the street. Mr. Moffitt advised they had considered other locations, but in order to keep the traffic flow into and out of the site and to maintain the appropriate number of parking stalls, this was the location chosen for the dog park. Councilmember Thomas said she will be interested to see what feedback the Planning Commission has for the developer as they review the final development plan.

Councilmember Loudon inquired about whether the parallel parking spaces were something that had been added recently? Mr. Moffitt indicated those have been part of the project from the outset.

Mayor Flora asked City Planner Karie Kneller to present the staff reports from the Planning Commission's May meeting on the rezoning and the preliminary development plan.

Ms. Kneller began with Case 22-12 which is the rezoning of the property. The first parcel is 5555 W. 58th Street, which is approximately $\frac{3}{4}$ of an acre in size and bounded by 58th Street on the north, Maple Street on the west, and Nall Avenue on the east. This parcel is the former Sunflower Medical Group Office and is currently zoned "MS-2" or Main Street 2 District. The other three



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parcels are to the south along Nall Avenue and are addressed as 5808, 5818, and 5822 Nall Avenue. These parcels include two residential structures that have been used as offices for a number of years, and associated parking. All three of these parcels are zoned "PBP" or Planned Business Park District. The application was to rezone all four parcels to "DND" Downtown Neighborhood District.

Ms. Kneller reviewed the "Golden Criteria" with respect to the 58/Nall project detailing how the project meets the various criteria. The seven Golden Criteria were established by a Supreme Court decision in 1978 and when coupled with 7 additional criteria in Mission's municipal code establish the legal standard for evaluating rezoning requests.

The "MS-2" zoning district is intended for commercial office and retail uses. Residential uses are also permitted in conjunction with one of the other uses. The "PBP" zoning district is primarily intended for office and light industrial uses. Most of the properties that comprise the ScriptPro campus, including the three along Nall, are zoned "PBP."

The applicant is proposing to rezone all the subject properties to "DND." The "DND" zoning permits only residential uses such as single-family homes, townhomes, and multi-family residential development. The "DND" is intended to serve as a transition zoning district between the more active, retail and commercial zoning of the "MS-1" and "MS-2" zoning districts, and the more passive, less dense zoning of "R-1" Single-Family Residential District.

The Planning Commission voted 7-0 to recommend approval of the rezoning to the City Council.

Ms. Kneller then moved to Case 22-13 related to the preliminary development plan for the project. She indicated that the property consists of four parcels and has three existing single-story structures on 1.5 acres. The structures are two former office buildings and a residential structure adapted for office use which are currently vacant, and a parking lot. These properties are zoned "MS2" Main Street District 2 and "PBP" Planned Business Park District. The



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site contains existing vacant office buildings and parking, and surrounding properties are a mix of 2.5-story multi-family and single-story single-family residential uses. The structure on the southernmost property is a vacant single-family home previously converted to office use.

Ms. Kneller recapped the Developer's reasons and criteria for choosing this location and housing type which included:

1. Accommodate "missing middle" housing – a typology identified as pre-WWII duplexes, row homes, courtyard apartments that provide a transition from commercial uses to single-family homes
2. Support the downtown commercial corridor in Mission and promote economic development
3. Provide a solution to the demand for walkable neighborhoods that Mission residents have listed as a priority during public input meetings and surveys
4. Respond to the regional demand for quality, multi-family rental housing in proximity to regional downtown areas and job opportunities
5. Diversify choices of housing types in the downtown Mission area
6. Prevent crime associated with vacancy and blight due to long-term vacancy

The existing buildings and parking areas on the subject property would be removed and two new three-story buildings separated by a green space on 58th Street would be erected in an L-shape fronting 58th Street and Nall Avenue. Parking within the lot's interior would consist of "tuck under" garages on the back side of the buildings, and surface parking along the property's interior lot area along the property line, for a total 91 parking stalls, with entry points on Maple Street and Nall Avenue. The site design also includes eight on-street parking stalls on Nall Avenue for visitors. Two ADA stalls are provided at the Nall Avenue parking lot near the entrance to the leasing office.

The site currently does not have sidewalk connections on 58th Street or Maple Street. The applicant proposes a five-foot sidewalk on the perimeter of the entire site with ADA ramps at corners for universal access. The Landscape Plan also proposes native, non-invasive species of shade trees, ornamental trees



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and grasses, deciduous and evergreen shrubs, green space for a small dog park between the buildings, and rock hardscaping as a comprehensive landscape improvement to soften the edges of the property. The parking area will be nine percent landscaped, with approximately seven trees in landscaped islands within surface parking. Trees are spaced about every 35-40 feet along 58th Street and an average of 50 feet along Nall Avenue. The proposal exceeds the required parking area landscaping in the municipal code.

Housing affordability in Mission has been increasingly out of reach for many area residents, which edges out the average resident making the area median income salary. Increasing the number of available rental units in Mission will increase the likelihood that with the additional supply, area residents will see lower housing costs over time. "Missing Middle" housing availability offers area residents options beyond high-end resort-style apartments or outdated lower-end options. While some of the existing housing stock in Mission becomes aged, a new, high-quality medium-density development will offer residents another option. New developments like the one proposed will help support property values of nearby residential homes, as well as commercial businesses. As office space has become increasingly vacant in the downtown area, this infill development will act to mitigate potential blight in Mission's most vital economic area while preserving the integrity of surrounding neighborhoods.

The proposal also supports the Comprehensive Plan by creating a multi-family development as part of a mixed-use area in the Downtown District. The additional residential population supports local businesses, and the development would buffer the residential neighborhoods to the north from higher intensity commercial activity. The proposed development fits the neighborhood character by its material selection and color combinations identified by the Johnson Drive Design Guidelines, and the City's regulatory code supports the three-story development with allotted parking as proposed.

On behalf of the developer, GBA performed a trip generation analysis report. The review identified a 7 vehicle per day increase in the AM peak and 6 vehicle per day increase during the PM peak. Analysis indicates existing street network can accommodate the traffic generated by the project.



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GBA performed a stormwater study for the subject property and concluded that the existing drainage patterns would remain largely consistent under proposed conditions. Stormwater runoff will generally drain from the northeast to the southeast via a combination of overland flow and enclosed system to an existing storm sewer inlet. The proposed retention basin meets or exceeds the stormwater management requirements, and the stormwater management plan will reduce the risk of flooding for properties downstream. The stormwater management system will also provide water quality benefits for the proposed development.

Mission's goals, as identified in the Comprehensive Plan, Johnson Drive Design Guidelines, and the Municipal Code, are to encourage unique and dynamic neighborhoods that support a vibrant and viable commercial corridor in the Downtown District. These goals, and the guidelines and recommendations that support them, have been identified by residents through years of public engagement and by various City Officials and Staff. Mr. Moffit's plan conforms with current Comprehensive Plan, the revised Comprehensive Plan currently under review, and the Johnson Drive design guidelines as well as the KC Climate Action Plan

The Planning Commission voted 6-1 to recommend approval of the preliminary development plan to the City Council.

Councilmember Davis followed up on Councilmember Loudon's question regarding the sidewalk adjacent to the parallel parking. He felt like it takes a sharp turn and sidewalk narrows and wondered whether the developer could make any accommodations regarding the contour of the sidewalk so the turn is not so sharp?

Mr. Reuter said he believes there are some opportunities to soften those transitions and that will be addressed as a part of the final development plan.

Mayor Flora asked, and Mr. Reuter confirmed that the sidewalk will be 5' wide on all sides of the project.



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Mayor Flora asked for any public comment on the project and seeing none she requested a motion so that Council discussion could proceed.

Councilmember Kring thanked Mr. Moffitt for design, as she thinks it's really great and wished he would have been here for other projects. She indicated she wanted to make a statement for the record and acknowledged that she was likely in the minority, but felt it was important to share her thoughts.

She indicated that currently there are 2,599 apartment units in the City of Mission, not including the senior housing units (which total 156). These are units, not the total number of people a number that could and would be substantially more. With the project requests currently on the table, we could be potentially adding 889 more units to the total, giving us a city-wide total of 3,488 apartment units within our 2.5 square mile boundaries.

While a Comprehensive Plan developed some years ago asked us to look at a variety of factors, including density and land use, it does not consider how many additional people this would be adding to our roads, and the need for additional police and fire responders, not to mention the toll on our current residents, city staff and community center. This would be adding 1/3 of our current population, just in units – not even total people – that would be more.

Councilmember Kring noted that she respects the developer before the Council this evening and respects his right to develop apartments or any other development that meets our zoning codes and requirements. However, she indicated she, as a Councilmember, has to look at the bigger picture in Mission's future economic development, and respect our current residents, businesses, and current apartment residents. She believes she has to use a reasonable approach to approval of this project, and therefore, will not be voting in support of the project. Focus should be on sustainable economic development and diversity of housing.

Councilmember Thomas stated that with respect to Councilmember Kring, she acknowledges that redevelopment and change is never easy. This is one of those circumstances in seeing something new and fresh for the neighborhood



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that may feel like taking a risk, but she thinks potential for reward, especially for achieving a vibrant downtown district that we always talk about is greater. We need people to accomplish that vision. She indicated she is very supportive of the project, noting that it complies with all the plans and guidelines as well as zoning requirements, and doesn't require any deviations. Beyond that, the need for housing in Johnson County is well documented. She believes it is a worthy addition to Mission's existing housing stock and so will continue to turn her attention to issues with our existing housing stock rather than being concerned about new apartment project. She looks forward to new residents. Finally, she would like the developer to reconsider the dog park location and looks forward to what will be presented to the Sustainability Commission, encouraging the developer to push as far as he can, particularly with respect for EV charging stations. Councilmember Thomas thanked the developer for his presentation and indicated she would be supporting the project.

Mayor Flora stated she thinks it is important we consider for all development projects, residential and commercial, the impact on other city services. But one benefit to new development is hopefully an increase in our tax base, through both the property appreciation and the new residents we'll be getting. She does think it's very important to continue to evaluate our city services and to make sure we're keeping up with our growth but believes that our tax base and projected growth to our tax base should allow us to do so. And I think we already have a large and vibrant rental community in Mission and that we should consider our renters and our homeowners and any others in our community to be on equal footing. The Mayor noted she appreciated a quality project like this coming through to give people additional housing options in our community.

Moved by Chocie, seconded by Boultinghouse to adopt the ordinance upholding the recommendations of the Planning Commission to rezone four parcels of property at the southwest corner of 58 Street and Nall Avenue from "MS-2" and "PBP" to "DND," and approving the preliminary development plan for a three-story, 77-unit multi-family residential development on said parcels. Voting AYE: Chocie, Boultinghouse, Inman, Ryherd, Thomas, Davis and Loudon. Voting NAY: Kring. **Motion carried.**



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COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Boultinghouse shared that the Finance & Administration Committee met on June 1 and considered five items. The meeting minutes, and an Ordinance amending the boundaries for City-Sponsored Special Events were approved under the Consent Agenda. A Resolution calling for the special mail ballot election for renewal of the Parks + Recreation Sales Tax, authorization for the Mission Police Department to submit a grant for license plate reader equipment, and a Resolution designating City-sponsored special events for the remainder of 2022 will be considered under the Regular Agenda.

Resolution Authorizing a Special Mail Ballot Election and Approving Ballot Language for the Renewal of a Dedicated Parks and Recreation Sales Tax

Councilmember Boultinghouse shared that Mission currently has a three-eighths percent citywide retailers' sales tax which is dedicated to the acquisition, construction, equipping, operation, maintenance, and debt service for parks and recreational facilities. The sales tax was approved by voters in the November 2012 general election, took effect in April 2013 and sunsets in March 2023.

Since implementation in 2013, the dedicated sales tax has generated approximately \$7.79 million in revenues which has been used for: replacement of the Mission Family Aquatic Center, deferred maintenance at Powell Community Center, creation of a Parks Master Plan, maintenance and expansion of the trail network, development of conceptual plans for outdoor park improvements and a start on implementation of some of these improvements.

Continued progress for Mission's park system, especially with respect to the



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outdoor park system, hinges on successful renewal of the parks and recreation sales tax. Through citizen feedback collected through the DirectionFinder Survey process in 2021, residents continue to express a desire for investment in high-quality, well-maintained park facilities and popular, well-attended recreation and enrichment programs.

Over the last 18-24 months, efforts have been focused on building out a plan for continued investment in Mission's parks and in February Council directed staff to coordinate with the Johnson County Election Office to plan for a mail ballot election to occur on September 20, 2022 for renewal of the dedicated parks and recreation sales tax.

Based on the needs and priorities identified through on-going review and analysis, the Council is seeking renewal of the parks and recreation sales tax at the current rate of $\frac{3}{8}$ -percent for a period of ten years. If approved, the renewed sales tax would take effect April 1, 2023 and sunset on March 31, 2033.

Mayor Flora asked Ms. Smith to provide an update on language in the Resolution. The packet was updated earlier in the day based on conversations with the Mayor to work to achieve more clarity in the language related to issuance of bonds. Debt issuance for parks projects is different than the process Council would follow for other types of debt. The language in the Resolution was updated to remove the specific reference to the \$15 million upper limit for any debt to be issued in the future. The renewal of the sales tax in no way commits the City to any debt but allows for the greatest amount of flexibility to be retained in how sales tax revenues could be used.

Ms. Smith indicated she had been working with Kevin Wempe of Gilmore & Bell, the City's Bond Counsel to achieve that clarity while also making sure the ability to issue debt was covered in the future. The ordinance before the Council for consideration tonight reflects those changes, and she indicated either she or Mr. Wempe were available to answer any questions.



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Mayor Flora thanked Ms. Smith and Mr. Wempe for their work on these revisions. She asked if there was any discussion from the Council.

Councilmember Ken Davis wanted to reiterate his comments from the Committee meeting. He is very supportive of renewal of the sales tax, but not at the 3/8-cent rate. He believes we should have a "level" aggregate sales tax and following increase of the street sales tax from 1/4-cent to 3/8-cent, Mission's overall sales tax rate increased. He would prefer the recommendation for the park sales tax renewal be 1/4-cent, so he will not be supporting this Resolution.

Moved by Boultinghouse, seconded by Kring to approve the Resolution authorizing and calling a special election for the purpose of submitting the question of imposing a three-eighths percent citywide retailers' sales tax for the purpose of financing the cost of parks and recreation improvements and related costs. Voting AYE: Inman, Chociey, Thomas, Kring, Boultinghouse, Loudon and Ryherd. Voting NAY: Davis. **Motion carried.**

License Plate Reader Grant Submission

Councilmember Boultinghouse reported that in late 2021, Senator Moran's office contacted Chief Madden regarding possible funding opportunities for law enforcement projects in the City of Mission. Based on previous budget considerations for the Department, the Chief reached out to a local vendor to discuss preliminary budget numbers for license plate reader technology. Based on the projected cost per camera, crime map data was used to determine potential locations to install this technology and Chief Madden responded to the Senator's office with a request for \$140,000 in funding to acquire and install license plate reader technology.

Automated license plate readers systems are used in nearly every city across the metropolitan area. These systems allow for real time and investigative uses which can both prevent crimes or be used to identify potential suspect



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vehicles if a crime occurs. They provide reliable and unbiased data to law enforcement.

The funding request is based on the installation of twenty-one (21) ALPR cameras and associated equipment. A review of crime data, as well as traffic information was used to develop the preferred locations for the cameras. Concentrating cameras in areas with higher traffic volumes, higher incidence of crime, or proximity to entry and exit points to our City can provide officers much more information than placing a camera at every intersection.

As with any law enforcement technology tool, there will be strict policies related to the use of ALPR data, as well as data retention guidelines. The Chief expects to bring forward a Resolution outlining the anticipated use and data retention guidelines prior to installation or activation of any equipment secured through the grant process. This funding is attached to a grant program through the Community Oriented Police Services program through the United States Department of Justice, and the grant submission is due before the end of June.

Securing grant funding for this purchase relieves the need for the City's General Fund to consider a budgetary allocation for this technology. The nature of the Congressionally Designated Spending does not allow the City the opportunity to submit a different request for use of the allocated funds.

Mayor Flora mentioned that when she and others on the Council were in Washington, DC recently for the National League of Cities they had the opportunity to speak with Senator Moran. He encouraged Mission to reach out and apply for funding requests, particularly related to law enforcement and public safety. The Mayor indicated her appreciation for this outreach to support Mission's public safety goals.

Moved by Boultinghouse, seconded by Kring to authorize the Mission Police Department to submit a grant application to the US Department of Justice in the amount of \$140,000 for the acquisition of license plate reader technology. Voting AYE: Inman, Chociej, Thomas, Kring, Boultinghouse,



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Loudon, Davis and Ryherd. **Motion carried.**

Resolutions Designating the 2022 Special Events

Councilmember Boultinghouse presented information on consumption of alcoholic liquor in connection with City sponsored festival events. Ordinance No. 1172, passed on September 14, 2005, exempts City-owned or public property from the prohibition on the consumption of alcoholic liquor in connection with City sponsored festival events. Included in the ordinance is a requirement that the City Council pass a resolution each year designating specific events to be held in that calendar year.

Any vendor providing alcohol at an approved event is required to obtain a temporary/special event license from both the State of Kansas and the City. Vendors are limited to four temporary or special event permits per calendar year.

The Common Consumption Area Permit currently in place allows for drinking establishments within the area to participate in events within the district without the need for a waiver. This is the case for each of the Mission Market events in 2022 except for the final date, hosted by a group that is not a drinking establishment, the Shawnee Mission Rotary Club. That date has been added to the resolution.

The attached resolution designates the following as City Sponsored Festival Events for 2022:

- Mission Summer Family Picnic, Broadmoor Park - 5-10 p.m. - Saturday, July 9, 2022
- Yoga on the Deck, Mission Family Aquatic Center – 7-10 p.m. - Thursday, July 28, 2022
- Mission Market, beer garden host by the Shawnee Mission Rotary Club – 4:30-8 p.m. - Thursday, August 25, 2022

Moved by Boultinghouse, seconded by Kring to approve the resolution



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designating the 2022 City Sponsored Festival Events. Voting AYE: Inman, Chociey, Thomas, Kring, Boultinghouse, Loudon, Davis and Ryherd. **Motion carried.**

Community Development Committee

Councilmember Chociey reported that the Community Development Committee also met on June 1 and considered four items. The meeting minutes were approved under the Consent Agenda. The rezoning and preliminary development plan for four parcels at the southwest corner of 58th Street and Nall were considered under the Planning Commission items. There is one additional item for consideration on the Regular Agenda tonight.

Contract Award for Mohawk Park Improvements Phase I

Mr. Chociey shared that Mohawk Park is a 7.8-acre neighborhood park located at the northeast corner of Lamar and 67th Street. The former location of Mohawk Elementary school, the site was acquired in the early 2000's by the City and the school was demolished. No major improvements have been made since that time.

In 2019, the City began master planning improvements for each of the City's major parks. Improvements to Mohawk Park were a primary focus and a long-standing priority of the Parks, Recreation and Tree Commission. Through the conceptual planning process improvements totaling approximately \$3.5 million were identified and approved. Based on the size of the investment, a phased approach to construction was necessary.

Phase I improvements include a shelter (with integrated storage facility) and restrooms, a new sidewalk connection from the proposed facilities to the existing trails, as well as water fountains, trash and recycling receptacles, benches and additional site furnishings. Demolition of the existing parking lot and construction of a new parking lot along 67th Street was proposed as a bid alternate if the budget project allowed.



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Phase II improvements include expansion of the walking trail around the full perimeter of the site, addition of a half-court basketball goal, playground replacement (including poured in place playground surfacing and shade sails), and native plantings, including trees.

Three bids were received on May 26, 2022 and based on a review and evaluation of the bids, staff recommends approval of a contract with Sands Construction for Mohawk Park Phase I improvements (base bid and bid alternate) in an amount not to exceed \$1,331,290.00. Construction is anticipated to begin in August 2022 and be completed in February 2023.

This project is funded from the 2022 Park System Improvements budget (Parks + Recreation sales tax) identified in the Parks and Recreation Capital Improvement Plan. Land and Water Conservation grant funds in the amount of \$394,560.00 are available for the project.

Moved by Chociej, seconded by Ryherd to approve a a contract with Sands Construction for Mohawk Park Improvements Phase I in an amount not to exceed \$1,331,290. Voting AYE: Chociej, Inman, Kring, Boultinghouse, Loudon, Ryherd, Davis and Thomas. **Motion carried.**

UNFINISHED BUSINESS

There was no unfinished business for the June 15, 2022 agenda.

NEW BUSINESS

Resolution Ratifying the Emergency Ependiture of Funds for Stormwater Channel Repairs on Approximately 145 feet of the Rock Creek Channel from Reeds Road to the West

Public Works Director Celia Duran reported that in 2020, approximately 68 feet of retaining wall just east of the retaining wall section in question collapsed and an emergency repair was completed using heavy rip rap to



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restore the stream slope. In late 2020, an urban channel assessment of portions of the open channels on Rock Creek was completed, and this wall was rated 3.65 using a five-point risk rating system where 5.0 indicates imminent failure). As a result, repair of this portion of retaining wall was budgeted for design in 2022 (\$50,000) and construction in 2023 (\$485,000).

In April 2022, the wall was inspected again, and accelerated cracking and heaving were observed, resulting in the risk rating to be increased to a 4.65 out of 5.0. Following heavy rains in early May, Staff observed a large stress crack in the soil behind the wall and settlement of the Rock Creek trail indicating that the wall was moving and close to failure. Scour from water within the Rock Creek channel has eroded away the footing leaving a five-foot void underneath.

Both the risk and consequence of failure is high as there are many midline utilities that would be damaged or disconnected if the wall were to collapse, including power, gas, sanitary sewer and communications. Additionally, a collapse would cause significant damage to a portion of the Rock Creek trail.

On May 6, 2022, Staff met with GBA on site to perform an assessment and develop a conceptual plan for emergency repairs. Staff also contacted the utility companies and gas, power, and communications have all relocated their infrastructure in advance of the retaining wall repairs.

GBA subsequently submitted a task order not to exceed \$40,000 for design services, which was approved by Resolution No. 1108 on May 18, 2022. The scope of work included developing retaining wall plans, providing necessary environmental clearances, and performing site visits during construction. The project was designed with a base bid which reconstructs 77.5 feet of retaining wall that is currently cracking and heaving and a bid alternate which includes the base bid plus the 67.5 feet of riprap section that was temporarily reconstructed just west of Reeds Rd. in 2020.

Design was completed on June 1, 2022 and bids were requested from three contractors. One contractor declined to bid due to workload. Kissick



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Construction submitted a total bid (base bid plus bid alternate) of \$437,743.00 and infraStructure Solutions, LLC originally submitted the lowest and most responsive bid for the base bid plus bid alternate in an amount not to exceed \$277,128.00. After the City Administrator approving the bid, the blocks quoted by infraStructure Solutions, LLC were determined not to be available, resulting in a need to revise the bid to ensure construction could proceed in a timely manner. The additional costs necessary to address this supply chain issue were \$13,950 bringing the revised total bid from infraStructure Solutions, LLC to \$291,078.00.

In accordance with Section 120.140 (5) of Mission's Municipal Code, the City Administrator authorized the construction of emergency repairs on June 8, 2022 and now is seeking ratification of that emergency expenditure by the City Council.

Moved by Davis, seconded by Thomas, to approve the Resolution ratifying the emergency expenditure with infraStructure Solutions, LLC for reconstruction of approximately 145 feet of the retaining wall on the Rock Creek Channel from Reeds Road to the west in an amount not to exceed \$291,078.00. Voting Aye: Davis, Boultinghouse, Loudon, Inman, Chocie, Kring, Thomas and Ryherd. **Motion carried.**

COMMENTS FROM THE CITY COUNCIL

Councilmember Kring shared regarding a recent incident at Smoothie King just down the street from her home where police responded. She was very proud of our police officers and their professional behavior dealing with two teenaged employees who were fighting in the parking lot, using inappropriate language and shouting at the officers while waiting for parents to arrive. Ms. Kring has had a conversation with Chief Madden about what the police have to tolerate and what they go through, and she commends them for their amazing work, and to reiterated how proud she is of Mission's police force.



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Councilmember Choicej shared an opportunity he witnessed recently where one of our officers was first on the scene to help someone having a medical emergency at Target. He was glad to see our officers getting right out into the swing of things and assisting those in our community when they need it.

Councilmember Choicej also shared that KDOT was out on Shawnee Mission Parkway recently patching up some of the "wash boarded" pavement which is helpful to those who live near and use SM Parkway frequently. He stated it's been a long time coming and a happy surprise to see the repairs made. He also noted that the Mission Bowl project near his home is underway with daily construction, and he is happy to see progress.

Councilmember Davis shared kudos for Public Works and Miles Excavation who have done a yeoman's job on 62nd street and have completed most of the work including driveways. They are now working on landscaping and then there will be a final 2" layer of asphalt that will be put on. They've done a marvelous job and the homeowners and residents are very pleased, so kudos to their staff.

Councilmember Davis stated his second item is an item for future Council discussion. He has noticed that with Casey's Convenience Store it could potentially increase the number of retail sales outlets for tobacco sales. Mr. Davis reminded the Council that he has always been opposed to increased tobacco product sales in Mission and that he would, at some point in time, like to have a Council discussion on the issue to see if there are some options available to the Governing Body to restrict or regulate local businesses selling either vape products or tobacco products in Mission.

COUNCIL COMMITTEE LIAISON REPORTS

Sustainability Commission (Kring/Thomas)

Councilmember Thomas reported that Terri Baugh has created handful of fantastic recycling videos, which are on available on YouTube. She asked that



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Ms. Randel share them via the city website. Ms. Baugh is also working on the environmental fair, which is coming up on September 17, and will be held at the Powell Community Center in conjunction with other NE Johnson County cities. Sponsorship opportunities are available in amounts from \$50.00 to \$1,000.00, and any interest in sponsorship would be appreciated by the group.

Councilmember Thomas also reported on the Climate Action Plan (CAP) Taskforce who have had three meetings to date as they work through the Climate Action KC strategies. Ms. Randel has developed a matrix that details what Mission has done, what items have potential, and which don't make sense for Mission. Items are broken out into 1,3-, and 5-year goals. The CAP is currently working on what items belong in each year category. They are making progress and it has gone even better than Councilmember Thomas anticipated. There should be recommendations for the 2023 budget coming soon.

Councilmember Kring reported that she sits on the Johnson County Solid Waste Commission. Through that Commission, she has been introduced to a company named Adams Cable Equipment. They are one of 20 companies of its kind in North America, and they are in Lenexa, Kansas. The company recycles, refurbishes and resells electronic equipment from computers to iPhones, a whole array of electronic equipment. They are certified in identifying, extrapolating and preserving sensitive data during the recycling process. She is working with the owner to set up a tour of their facility for the Sustainability Commission.

Parks, Recreation + Tree Commission (Loudon/Ryherd)

Councilmember Ryherd shared that no PRT meetings had been held yet this month, the first one was upcoming the following Monday. She was sure she will come back with the full report of from that meeting. She anticipates talking about how to support information sharing around the sales tax renewal process. She also shared how she enjoyed seeing many faces at the ribbon



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cutting for the refurbished tennis courts earlier tonight.

Councilmember Thomas shared with the Committee that she was at the Lee's Summit pool and splash pad last week, and they had a great sign in front of splash pad reminding patrons that the amenity had been paid for by a dedicated sales tax. She thought that was a great idea to advertise as we launch our sales tax renewal campaign to remind Mission residents where and how the tax dollars are being spent. She knows we have done a great job with signage on our "Paving the Way" street project and would like to see something more permanent built out for park improvements.

Mission Magazine Editorial Board (Boltinghouse)

Councilmember Boltinghouse provided a quick update, stating that he thinks the group does a really good job of giving reviewing, evaluating and determining what stories are a good fit for the magazine. The combined institutional knowledge in the room spans several decades and it's nice to know everyone and their backgrounds. We are current in between issues right now. The Mayor and four councilmembers had their profiles in the magazine so far in 2022 and the remaining four will be profiled in the next issue, so if you haven't turned your information in yet, please provide that to Ms. Smith.

Family Adoption Committee (Chociej)

Councilmember Chociej reported that the committee has not met since the last governing body meeting, as it is a more fall and winter heavy committee as noted by Mayor Flora. He emphasized Councilmember Thomas' comments about the Climate Action Plan (CAP) Taskforce. Perhaps they should have a place on future agendas to provide a formal report. He indicated he has been pleasantly surprised by how excited and optimistic he is coming out of those meetings with regards to the potential to make some real impact. It's a very exciting task force that he is glad to be a part of.



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MAYOR'S REPORT

Mayor Flora had no appointments or other items to report. She did comment that the Mission Business District had two events coming up this weekend, the Sidewalk Sale on Saturday, and a "Pup" Crawl fundraising event for Unleashed Pet Rescue planned for Sunday through four different Mission.

Appointments

There were no appointments.

CITY ADMINISTRATOR'S REPORT

Ms. Smith reminded the Council of next week's budget work session on Wednesday and advised there would likely be the potential for another work session on June 29. She indicated the information would be covered in more detail during the work session but did want to point out that Council many have noticed a decline of use tax revenues when reviewing the May interim financial reports. This is the result of approximately \$311,000 of receipts from 2014-2016 being refunded by the Kansas Department of Revenue. We are currently in conversation with the DOR. Ms. Smith indicated we don't intend to recoup any of these funds, but are seeking clarification about the process, specifically as it relates to notification. It is very difficult to plan for this magnitude of lost revenue 6-8 years later.

Ms. Smith also highlighted that the eighth season of the Mission Market is off to a great start, with the weather cooperating. She noted there will be some impacts to the market operations because of the necessary repairs in the Rock Creek channel improvements, but staff is working with the contract to try to minimize them.

She also thanked all who attended the Andersen Park tennis court ribbon cutting earlier this evening. And she noted that with the award of the Mohawk



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construction contract tonight we will begin planning for a groundbreaking with Sands Construction. Ms. Smith advised that the MFAC is in full swing, and this hot weather is great for pool revenues, so we hope it continues. She also stated that Council may have seen notice earlier in the week that the indoor pool was closed. This was due to staffing issues, which we are experiencing like all the other pools in the area. We hope these disruptions will be minimal throughout the season, and we will accommodate our indoor pool users as best we can.

Councilmember Kring inquired if there were any updates on Mission's potential acquisition of our Parade of Hearts heart. Ms. Smith advised that the City is currently bidding and the on-line auction will close on Friday. She and the Mayor will be attending the culminating event and live auction on Friday and hope to report back with good news.

EXECUTIVE SESSION

There was no need for an Executive Session.

ADJOURNMENT

Mayor Flora announced that the public video from this meeting will be available through a link on the City's website, missionks.org.

Moved by Davis, seconded by Loudon to adjourn the meeting at 8:41 p.m. All present voted AYE. **Motion carried.**

Respectfully submitted by Emily Randel, Interim City Clerk.

Solana Flora, Mayor

Emily J. Randel, Interim City Clerk