



MINUTES OF THE MISSION CITY COUNCIL MEETING

August 17, 2022

The Mission City Council met in a regular meeting on Wednesday, August 17, 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 Chociejski, 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.

PUBLIC HEARING

There were no Public Hearings.

SPECIAL PRESENTATIONS

There were no Special Presentations.

ISSUANCE OF NOTES AND BONDS

There were no Issuance of Notes and Bonds.

CONSENT AGENDA

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

4a. Minutes of the July 18, 2022 Special City Council Meeting and July 20,



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4b. Ordinance Transferring Telecommunications Franchise from Consolidated Communications Enterprise Services, Inc. to Everfast Fiber Networks, LLC

4c. CFD2 Special Event Permit for Street Solicitation

4d. Master Agreement for Professional Services with Michele & Associates

4e. Professional Services Task Order with Michele & Associates for Completion of the ADA Transition Plan for Facilities in the Public Right of Way

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

PUBLIC COMMENTS

There were no public comments.

PLANNING COMMISSION

Approval of a Preliminary Development Plan with Stipulations for the Construction of a New Rushton Elementary School

Mayor Flora invited City Planner Karie Kneller to present background on this item. The Planning Commission met on Monday, July 25, 2022 and held a public hearing to take public testimony regarding PC Case #22-17, application for approval of a preliminary development for the construction of a new Rushton Elementary School at 6001 W. 52nd Street. At the conclusion of the public hearing, and after due consideration, the Planning Commission voted 9-0 to recommend approval of PC Case #22-17 to the City Council.

Rushton Elementary School is one of 34 elementary schools in the Shawnee Mission School District and Rushton's service area encompasses most of



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Mission from Nall Avenue to Metcalf and I-35 to Shawnee Mission Parkway. Approximately 360 students attend Rushton, kindergarten through 6th grade

The current school sits on a 6.64 acre site and was built in 1954. Several years ago, the Shawnee Mission School District undertook a community-wide strategic planning process to develop strategies for updating school facilities and addressing teacher workload issues to better serve the students and position the school district for the future. As part of this process, evaluations of the district's ten oldest elementary schools, including Rushton, were undertaken.

The evaluation for Rushton showed that while the building is structurally sound and safe, there are number of deficiencies that do not allow the school to meet the standards for a modern-day elementary school. The more notable issues include no room for an early childhood program, no room for small group instruction, current collaboration space is poor, no public common space, cafeteria and kitchen are undersized, limited technology, and the HVAC system is inefficient and noisy throughout the school.

Based on this evaluation, Rushton was one of five elementary schools considered to be rebuilt. Upon voter approval of a bond issue to fund this endeavor, Incite Design Studio was selected as the architects to work on a new Rushton Elementary School. Last fall they began meeting with teachers, parents, and community leaders to develop plans for the new school. Incite Design completed this process this winter, and submitted a preliminary development plan this spring for the City's review.

The preliminary development plan calls for a 75,000 sq ft school building to be constructed on the site. The building would be mostly one level but have a



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two-level portion on the east side. The gymnasium will be located on the east side of the building along with two levels of classrooms. There will be a student drop-off area on the west side of the building with multiple drop-off lanes arranged on site to reduce the number of vehicles queuing on the street. Exterior materials are mostly brick and tile designed to look like wood, glazing and finishing trim.

An informal neighborhood meeting (open house) was held prior to the Planning Commission review on July 6. The neighborhood meeting was intended to be an opportunity for those who have not been involved with the project to date to receive information and ask questions. There were no comments or points of concern raised from those that attended.

Tentatively, construction is scheduled to begin in the winter of 2023 and be completed by end of 2024. Students who are currently attending Rushton Elementary will be bused to Westwood View Elementary School during the construction.

Ms. Kneller and representatives from Incite Design Studio and the school district made themselves available to answer questions of which there were none.

Moved by Kring, seconded by Chociej to approve the Preliminary Development Plan for Construction of a new Rushton Elementary School at 6001 W. 52nd Street. Voting AYE: Chociej, Inman, Kring, Boultinghouse, Loudon, Ryherd, Davis and Thomas. **Motion carried.**

Approval of the Preliminary and Final Plat of Rushton Elementary School and Acceptance of Right of Way



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Ms. Kneller reported that the Planning Commission met on Monday, July 25, 2022 and held a public hearing to take public testimony regarding PC Case #22-18, application for approval of a preliminary plat for Rushton Elementary School. At the conclusion of the public hearing, and after due consideration, the Planning Commission voted 9-0 to recommend approval to the City Council of the Preliminary Plat of Rushton Elementary School. With the same action, the Planning Commission also voted to recommend approval to the City Council of the Final Plat of Rushton Elementary School.

The City Council is only required to approve preliminary plats. Final plats can be approved by the Planning Commission. The exception to this is when there is a dedication of right-of-way or specific easement to City, then the final plat must be approved by the City Council as well indicating acceptance of the dedication.

In this case, there is a dedication of 50 feet along the north property line as right-of-way for 52nd Street, so the Council is being asked to approve the preliminary plat and the final plat. The plat also combines two parcels on the property into one.

Councilmember Kring commented that she is appreciative to former Mission Mayor Appletoft and Mayor Flora for their diligent work getting Rushton on the rebuild list with the school district and the school board to give our local school the attention it deserves.

Mayor Flora thanked Councilmember Kring for serving on the committee for the new school.



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Moved by Davis, seconded by Kring to adopt a Resolution approving the preliminary and final plats of Rushton Elementary School within Mission, Johnson County, Kansas including acceptance of the right of way. Voting AYE: Chociej, Inman, Kring, Boultinghouse, Loudon, Ryherd, Davis and Thomas.
Motion carried.

COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Boultinghouse shared that the Finance & Administration Committee met on August 3 and considered six items. The meeting minutes, Ordinance Transferring Telecommunications Franchise from Consolidated Communications Enterprise Services, Inc. to Everfast Fiber Networks, LLC and CFD2's Special Event Permit for Street Solicitation were approved under the Consent Agenda. Three items tonight will be considered under the Regular Agenda.

Resolution Calling Public Hearing for Mission Gateway Fifth Amended Tax Increment Financing (TIF) Redevelopment Project Plan

Councilmember Boultinghouse introduced the Resolution calling for the public hearing for Mission Gateway Fifth Amended Tax Increment Financing Redevelopment Project Plan. The Gateway Developer has filed a Fifth Amended Tax Increment Financing Redevelopment Plan with the City Clerk which triggers the need to schedule a public hearing to consider the plan in accordance with State statutes. State law requires that the City Council pass a resolution officially calling a public hearing to consider the Redevelopment Project Plan. This Resolution must be passed not less than 30 days and not more than 70 days prior to the date of the hearing.



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In order to comply with the statutory requirements and to keep all issues related to the Gateway scheduled for one agenda, a Special City Council meeting has been called for 6:30 p.m. on Wednesday, September 28, 2022 for the public hearing. The Resolution does not commit the City to any other action besides scheduling the hearing and providing the required notice. It is anticipated that the City Council will consider the Gateway Fifth Amended TIF Redevelopment Project Plan as well as a Community Improvement District Petition, and a Development Agreement at that same City Council meeting.

There were no public comments.

Councilmember Thomas reminded the public that this item is purely administrative and that the Council all look forward to the public discussion and public hearing in the coming months.

Moved by Boultinghouse, seconded by Kring to approve the

Resolution calling the Public Hearing for the Mission Gateway Fifth Amended Tax Increment Financing (TIF) Redevelopment Project Plan for Wednesday, September 28, 2022 at 6:30 p.m. at the Powell Community Center. Voting AYE: Chociej, Inman, Kring, Boultinghouse, Loudon, Ryherd, Davis and Thomas. **Motion carried.**

**Resolution Calling Public Hearing for Gateway Community
Improvement District (CID)**



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Councilmember Boultinghouse next introduced the Resolution calling a public hearing for the 2022 Mission Gateway Community Improvement District (CID). The Gateway Developer has submitted a new Community Improvement District (CID) Petition associated with the current project proposal. This would replace the existing 1% CID District with a new 2% CID District that would begin on January 1, 2024. State statute requires that the City Council pass a Resolution giving notice of the intent to consider the petition and setting the date and time for a public hearing.

The Resolution under consideration officially sets the public hearing on the 2022 Mission Gateway Community Improvement District for a Special City Council meeting scheduled for Wednesday, September 28, 2022 at 6:30 p.m. at the Powell Community Center, 6200 Martway, Mission, KS 66202.

The Resolution does not commit the City Council to any action except scheduling the public hearing and providing the required notice.

There were no public comments.

Moved by Boultinghouse, seconded by Kring approve a resolution calling a public hearing for the 2022 Mission Gateway Community Improvement District (CID) for Wednesday, September 28, 2022 at 6:30 p.m. at the Powell Community Center. Voting AYE: Chociej, Inman, Kring, Boultinghouse, Loudon, Ryherd, Davis and Thomas. **Motion carried.**

Resolution for City-Sponsored Festival Event



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Councilmember Boultinghouse introduced his last item for the evening, a resolution for a City-sponsored festival event. The City is required to pass a resolution designating specific City-sponsored Festival Events where alcohol may be consumed. This resolution includes the Concert in the Park at Broadmoor Park scheduled for Friday, September 2, 2022.

Moved by Boultinghouse, seconded by Davis to approve a resolution calling a public hearing for the 2022 Mission Gateway Community Improvement District (CID) for Wednesday, September 28, 2022 at 6:30 p.m. at the Powell Community Center. Voting AYE: Chociey, Inman, Kring, Boultinghouse, Loudon, Ryherd, Davis and Thomas. **Motion carried.**

Community Development Committee

Councilmember Chociey reported that the Community Development Committee also met on August 3 and considered three items. The meeting minutes, Master Agreement for Professional Services with Michele & Associates and the Professional Services Task Order with Michele & Associates for Completion of the ADA Transition Plan for Facilities in the Public Right of Way were approved under the Consent Agenda. There are no items for consideration on the Regular Agenda tonight.

UNFINISHED BUSINESS

There was no unfinished business for the August 17, 2022 agenda.

NEW BUSINESS

There was one item of new business for the August 17, 2022 agenda.



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Resolution Ratifying Emergency Expenditure for Geogrid for 2022 Street Preservation Program

City Administrator Laura Smith presented the emergency expenditure which arose from issues in trying to get the subgrade dried out streets included in the 2022 Street Preservation Program. Earlier this summer, on Outlook Street, the situation could not be resolved, even after three weeks of drying time, without using Geogrid material to stabilize. When the contractor moved to Reeds Street, they encountered the same issue after the street was milled on August 5th. The source of the water is unknown. Based on the experience on Outlook, the contractor didn't feel using additional aggregate and drying time was a good option and recommended proceeding immediately with the use of Geogrid. Public Works staff agreed and presented a change order in the amount of \$79,711.40 to the City Administrator as an emergency expenditure trying to ensure residents would have access to their driveways and the rain called for in the forecast would not create issues on the street that was down to dirt.

Ms. Smith explained that a third-party testing firm came in to do testing on Reeds to try and determine the source of the issue, and those results showed the issues were not isolated to a small area of the street. She did caution that this may not be the last time we have this issue as we continue with full-depth reconstruction in our street program and staff is discussing alternatives and contingencies which may be appropriate in future years.

Mayor Flora noted that the emergency nature of the issue was mostly due to the fact that rain was called for in the forecast and the street had been removed, so all that was left was dirt. Ms. Duran was concerned that the rain would make houses inaccessible for residents when combined with only dirt on the surface of where the street had been and hoped to avoid that situation.



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Moved by Boultinghouse, seconded by Ryherd to approve the resolution ratifying the emergency expenditure with Miles Excavating, Inc. to stabilize unsuitable soils on Reeds Road (49th Street to W. 50th Terrace) as part of the 2022 Street Preservation Project in an amount not to exceed \$79,771.40. Voting AYE: Chociej, Inman, Kring, Boultinghouse, Loudon, Ryherd, Davis and Thomas. **Motion carried.**

COMMENTS FROM THE CITY COUNCIL

Councilmember Ryherd thanked Parks and Recreation Director Penn Almoney and staff for a great time at the groundbreaking ceremony at Mohawk Park. She stated that it was wonderful to see it coming to fruition after being on the Parks, Recreation + Tree Commission when the design process started.

COUNCIL COMMITTEE LIAISON REPORTS

Sustainability Commission (Kring/Thomas)

Councilmember Kring shared a reminder about the Environmental Fair scheduled for September 17 and sponsored by the Sustainability Commission at the PCC. Vendors, booths, and information regarding sustainability will be available to the public.

Mayor Flora also reminded the public that September 17 is also the Mission Business District's Sidewalk Sale.

Councilmember Thomas added to Councilmember Kring's comments that the Commission recently had a tent at the Mission Market with good engagement and she was particularly proud at the last meeting to hear the recommendations from the Climate Action Plan Task Force as well as the reports on the sustainability scorecards for several recent development projects.



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Parks, Recreation + Tree Commission (Loudon/Ryherd)

Councilmember Ryherd reported that the Commission had a full meeting and learned more about the budget process from City Administrator Laura Smith. In addition, Aquatics Facilities Manager Jenna Dickman attended and presented information on the Mission Family Aquatic Center, including that numbers were up this year. Work on the Mohawk Park project will begin in September.

She also reported that mail ballots for the parks sales renewal will go out the first week of September, so the public should be on the lookout for those.

Councilmember Loudon talked about the visits the Commission made to some of Mission's parks. They visited Broadmoor Park to see places where upgrades are needed; Streamway Park to see spots for possible improvements there including a possible dog park; Waterworks Park to see the updates made and learned about Penn Almoney and Taylor Shaffer who are now both certified playground safety inspectors.

Mission Magazine Editorial Board (Boultinghouse)

Councilmember Boultinghouse reported that the editorial board did not meet this month, however the next issue of the magazine is progressing nicely and should mailboxes in another month or so.

Family Adoption Committee (Chocie)

Councilmember Chocie reported that the Committee met on July 27 and discussed several issues related to food donations and some of the challenges thereof regarding quality and quantity, and available cold storage. Donation flyers and letters will be going out along with online and print campaigns. The Committee is still discussing a partnership with Smiling Hearts to bolster efforts of both groups and possibly expand efforts to a year wide endeavor to better serve families in Mission. They meet again on August 18 to start some actual work and planning.



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MAYOR'S REPORT

Mayor Flora had no appointments or other items to report.

Appointments

There were no appointments.

CITY ADMINISTRATOR'S REPORT

City Administrator Laura Smith shared several pieces of information with the Council. Internally, Ms. Smith wanted to recognize some staff members. The workers' compensation program headed up by Human Resources Specialist Kathy Stratman has completed an annual scorecard that looks at efforts related to loss control and safety. The overall score has improved, and the processes are working well. Next year the 2018 data will drop off which will impact premiums favorably. The work of Ms. Stratman and the Safety Committee also allows for Mission to achieve a loss control scorecard evaluation which provides a discount to the annual premium.

The City recently learned we had been awarded a Planning Sustainable Places grant application through MARC for a development project along the Rock Creek Trail and the Rock Creek Channel. The efforts were spearheaded by city planner Karie Kneller. A favorable preliminary score was given to the proposal, which was then approved unanimously. Additionally, more funding was available on the Kansas side than applications so there is an opportunity to ask for additional funds for either another project or expanding this one. Once the development project is complete, Mission will be able to ask for implementation dollars in future Planning Sustainable Places grant application cycles.

The Mohawk Park Groundbreaking was fun and a first for the City, and she looks forward to being able to celebrate more improvements to our outdoor



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park system. She thanked the Council for making the park improvements a priority. Sands Construction expects to mobilize and begin construction around September 15 with the project concluding in March 2023.

The video for the Parks + Recreation sales tax renewal will be live at the end of the week. A similar communications plan is being followed as was used for the street sales tax renewal in 2021 with a tri-fold mailer going out just prior to the ballots arriving in mailboxes. In addition, there will be more information shared to the website and through social media including testimonials. The last day for voter registration to vote in the mail in election is August 30.

The police department will host "Cone with A Cop" on August 30 at Baskin Robbins at 6:00 p.m. Council is invited to join to share with the department in a fun, interactive time with kids and families as everyone settles in to the back-to-school routines.

Ms. Smith reported that the PCC Feasibility Study stakeholder group had a good workshop this afternoon. They hope to round out the recommendations and get a work session scheduled with the Council in the near future.

Ms. Smith stated that the City has completed paying back the use tax receipts. Use tax receipts the last two months have been trending high, and if that trends and continues there may not be the revenue decrease that was anticipated.

In conclusion, Ms. Smith recapped upcoming dates and times for the Council:

- August 24 - City Council budget work session at 6:30 p.m at the Powell Community Center
- August 31 - second budget work session and community dialogue at 6:30 p.m. at the Powell Community Center
- September 7 - Special City Council Meeting 7:00 p.m. for 2023 Budget and Revenue Neutral public hearings at the Powell Community Center
- September 7 - Committee Meetings will be moved back to 7:00 p.m. or immediately following the Special City Council meeting at the Powell



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Community Center. These meetings will give us a first look at the Gateway CID and TIF proposals.

- September 14 - Gateway work session at 6:30 p.m. at the Powell Community Center
- September 21 - regular City Council meeting at 7:00 p.m. at the Powell Community Center
- September 28 - Special City Council Meeting on the Gateway at 6:30 p.m. at the Powell Community Center

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 Kring to adjourn the meeting at 7:37 p.m. All present voted AYE.
Motion carried.

Respectfully submitted by Robyn Fulks, City Clerk.

Solana Flora, Mayor

Robyn Fulks, City Clerk