



REGULAR MEETING AGENDA
Wednesday, April 19, 2023 at 7:00 p.m.

REVISED

CITY HALL
6090 Woodson

Meeting In Person and Virtually via Zoom

This meeting will be held in person at the time and date shown above. In consideration of the COVID-19 social distancing recommendations, this meeting will also be available virtually via Zoom (<https://zoom.us/join>). Information will be posted, prior to the meeting, on how to join at <https://www.missionks.org/calendar.aspx>.

If you require any accommodations (i.e. qualified interpreter, large print, reader, hearing assistance) in order to attend this meeting, please notify the Administrative Office at 913-676-8350 no later than 24 hours prior to the beginning of the meeting.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ROLL CALL

- 1. PUBLIC HEARINGS**
- 2. SPECIAL PRESENTATIONS**
 - Arbor Day Proclamation
 - Arbor Day Poster Winner Recognition
 - Child Abuse Awareness Month Proclamation
- 3. ISSUANCE OF NOTES AND BONDS**
- 4. CONSENT AGENDA**

*NOTE: Information on consent agenda items has been provided to the Governing Body. These items are determined to be routine enough to be acted on in a single motion; however, this does not preclude discussion. **If a councilmember or member of the public requests, an item may be removed from the consent agenda for further consideration and separate motion.***

CONSENT AGENDA - GENERAL

- 4a. [Minutes of the March 15, 2023 City Council Meeting](#)

CONSENT AGENDA - Finance & Administration Committee

Finance & Administration Committee Meeting Packet April 12, 2023
Finance & Administration Committee Meeting Minutes April 12, 2023

- 4b. CMB Application Tacos on Lamar LLC dba Tacos El Gallo
- 4c. Resolution for 2023 City-Sponsored Festival Events
- 4d. Declaration of Surplus Equipment
- 4e. Personnel Policy Guidelines

CONSENT AGENDA - Community Development Committee

Community Development Committee Meeting Packet April 12, 2023
Community Development Committee Meeting Minutes April 12, 2023

- 4f. Purchase of Permitting Software
- 4g. Trail Counters

5. PUBLIC COMMENTS

6. ACTION ITEMS **Planning Commission**

Miscellaneous

7. COMMITTEE REPORTS

Finance & Administration, Trent Boultinghouse

Finance & Administration Committee Meeting Packet April 12, 2023
Finance & Administration Committee Meeting Minutes April 12, 2023

- 7a. **Predevelopment Agreement Mission & Beverly, LLC (Milhaus Development) (page 4)**
- 7b. Resolution Adopting Antisemitism Definition (page 14)
- 7c. Purchase and Installation of Automated License Plate Readers (page 25)
- 7d. Classification and Compensation Recommendations – Mission Police Department (page 37)

Community Development, Ben Chociej

Community Development Committee Meeting Packet April 12, 2023
Community Development Committee Meeting Minutes April 12, 2023

- 7e. Supplemental Building Inspection Services, FSC, Inc. (page 39)
- 7f. Declaration of Structure as Unfit for Human Habitation – 6350 W. 49th Street, Mission, Kansas (page 51)
- 7g. 2024-2028 5-Year CARS Program (page 133)
- 7h. Summer Camp Staff Wage Adjustments (page 140)

8. UNFINISHED BUSINESS

9. NEW BUSINESS

- 9a. Election of Council President and Vice-President (no attachments)

10. COMMENTS FROM THE CITY COUNCIL

11. COUNCIL COMMITTEE LIAISON REPORTS

- Sustainability Commission (Kring/Thomas)
- Parks, Recreation + Tree Commission (Loudon/Ryherd)
- Mission Magazine Editorial Board (Boultinghouse)
- Family Adoption Committee (Chociej)

12. MAYOR'S REPORT
Appointments

12a. Parks, Recreation + Tree Commission Appointments

- Dustin Wolfe
- Sarah Emanuels

13. CITY ADMINISTRATOR'S REPORT

14. EXECUTIVE SESSION

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ADJOURNMENT

City of Mission	Item Number:	7a.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Administration	From:	Laura Smith

Action items require a vote to recommend the item to the full City Council for further action.

RE: Predevelopment Agreement with Mission & Beverly, LLC for a proposed multi-family/mixed-use project

RECOMMENDATION: Approve a predevelopment agreement with Mission & Beverly, LLC (Milhaus Development) for consideration of a 228-unit multi-family and mixed-used redevelopment project known as the Mission-Beverly Mixed Use Project.

DETAILS: Since the fall of 2022, staff has been in discussion with representatives from Milhaus Development regarding a 228-unit multi-family project proposed in two buildings, located east and south of the Powell Community Center on several assembled parcels. The Council heard an initial presentation on the project in November 2022, and a meeting was held on Monday, March 20, 2023 at which time the project was presented to surrounding neighbors.

The developer has indicated a desire to seek a property tax abatement for the project. Historically, when the City entertains discussions surrounding the use of incentives, a “Predevelopment Agreement” is negotiated with the proposed developer. An agreement which includes the following provisions will be presented for Council review and consideration.

- A. Designation of Mission & Beverly, LLC as the “Developer of Record” for the Project Area from the effective date of the agreement through December 31, 2023.
- B. Development is contingent on satisfactory negotiation of a final development agreement, completion of the planning and zoning entitlement process, and agreement on any public improvements and development design.
- C. Nothing in Predevelopment Agreement obligates the City to approve any public incentives.
- D. The Developer will establish a \$10,000 fund to reimburse for any City expenses incurred during discussion and review of a final development agreement.

Adoption of the predevelopment agreement does not obligate the City Council to any public incentives. The specific terms of a final development agreement will be considered once City staff and the City’s consulting team have evaluated the request and formulated a recommendation to the City Council.

Staff recommends that the City Council approve the predevelopment agreement between the City of Mission and Mission & Beverly, LLC for consideration of an incentive request related to a 228-unit, multi-family redevelopment project known as the

Related Statute/City Ordinance:	NA
Line Item Code/Description:	NA
Available Budget:	NA

City of Mission	Item Number:	7a.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Administration	From:	Laura Smith

Action items require a vote to recommend the item to the full City Council for further action.

Mission-Beverly Mixed Use project.

The agreement is included in the packet for your review and information.

Following the April 12, 2023 Committee meeting, the developer's requested some revisions to the agreement originally included in the packet. Their changes have been reviewed by Pete Heaven and they do not substantially alter any terms or provisions of the agreement. A red-lined version of the agreement with proposed changes has been included in the packet and continues to be recommended for approval by staff.

CFAA CONSIDERATIONS/IMPACTS: Access to quality housing for individuals of all ages is an important pillar of the Community for All Ages initiative. The proposed redevelopment project will provide additional housing options for residents of Mission.

Related Statute/City Ordinance:	NA
Line Item Code/Description:	NA
Available Budget:	NA

PREDEVELOPMENT AGREEMENT

THIS PREDEVELOPMENT AGREEMENT (this “Agreement”) is entered into as of the ___ day of _____, 2023, between the CITY OF MISSION, KANSAS, a municipal corporation of the State of Kansas (the “City”), and MISSION & BEVERLY, LLC, a limited liability company, and its successors and assigns (the “Developer”) (the City and Developer are hereby collectively referred to as the “Parties”).

RECITALS

A. The Parties desire to enter into this Agreement in order to designate the Developer as the exclusive developer during the term of this Agreement for the purpose of studying the feasibility of a multi-family housing development (“Development”) to be located at _____ Martway, Mission, Kansas, and as more particularly depicted on Exhibit A attached hereto and by reference made a part hereof (“Project Area”) and determining matters that may be included in a development agreement between the Parties (“Development Agreement”).

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the City and the Developer agree as follows:

1. DEVELOPER OF RECORD. The City acknowledges that there are risks and costs of preliminary planning activities and other requirements associated with the preparation of a project plan under development. As an inducement to Developer to assume those costs and undertake those activities set forth herein, and for the other consideration described herein, the City designates Developer as the exclusive developer of record for the Project Area for a period commencing on the date of this Agreement and expiring on December 31, 2023 (“Term”), unless otherwise extended by mutual agreement of the parties. During the Term, as long as this

Agreement is in effect, the City agrees that it will not enter into an agreement with any other person or entity for the implementation of any redevelopment project within the Project Area without the written consent of Developer.

2. BASIC TERMS OF FINAL DEVELOPMENT AGREEMENT.

The Parties agree that before either party is obligated to proceed with any development within the Project Area, a Development Agreement, satisfactory to both Parties in their sole and absolute discretion, must be entered into. Although the specific terms of such Development Agreement must be negotiated between the Parties, the Parties presently believe that such terms must necessarily address, at a minimum, the following matters, to-wit:

A. Determination of Development. The Parties must agree on the proposed square footages of each building, number of living units and the exterior design for the Development.

B. Agreement on Site Work, Infrastructure and Utilities. The Parties shall agree on how site work, utilities, street, intersection, sidewalk and similar improvements are to be addressed by any development plan.

C. Agreement on Plans and Specifications. The Parties shall agree on the plans and specifications of the exterior design of the Development.

D. Agreement on Progress Schedule. The Parties shall agree on a progress schedule by which the Development will be undertaken and completed, subject to force majeure.

E. Zoning Changes. The Parties shall agree as to how any necessary zoning changes will be addressed. Nothing contained within this Agreement, nor any future agreement, shall be deemed to bind the City, acting in its governmental capacity, to make any such zoning changes.

F. Public Incentives. The Parties shall agree on public incentives, if any, for which the Development qualifies.

G. Other Matters. The Development Agreement shall also address any other matters that either party deems appropriate.

In the event of a conflict between this Agreement and the Development Agreement, the terms of the Development Agreement shall control.

3. OBLIGATIONS OF THE PARTIES TO PROCEED.

The obligation of the Parties to proceed beyond this Agreement is dependent upon the Parties entering into a Development Agreement prior to the termination of this Agreement. Nothing contained herein shall: (i) obligate the City to create or approve the Development; (ii) obligate the City to create or approve a development plan for Project Area; (iii) obligate the City to approve or provide public incentives; ~~or (iv)~~ obligate either party to enter into a Development Agreement; or (v) obligate Developer to build the Development.

4. FEASIBILITY STUDY. The City may wish to obtain a third-party Feasibility Study -(the “Study”) to determine whether the Development’s benefits and tax increment revenue and other available revenues are expected to exceed or be sufficient to pay for the eligible costs of the Development. The cost and expense of the Study may be funded from the Fund in accordance with Section 5A hereof; and, Developer shall reasonably cooperate with the City and its consultants in connection with the Study, including but not limited to sharing non-proprietary information, attending public input sessions and attending City Council work sessions.

5. MISCELLANEOUS.

A. Costs. Except as otherwise provided specifically herein, each party shall be solely responsible for all costs and expenses incurred by such party in connection with the matters contemplated by this Agreement. Provided, however, that the Developer will reimburse and pay the City for its expenses incurred (“City Expenses”) following execution of this Agreement.

i. In order to ensure the prompt and timely payment of the City Expenses, the Developer will establish a fund (the “Fund”) in the amount of \$10,000.00 (“Initial Deposit”) by paying such amount to the City contemporaneously with the execution of this Agreement, receipt of which is hereby acknowledged.

ii. City shall provide Developer with a written description of each City Expense containing the name of the party to which the expense will be owed and a reasonable description of the work to be performed or service to be provided. Developer shall have fifteen (15) days after receipt of the City’s notice to approve or deny the expense or request additional detail. In the event Developer fails to respond within the fifteen (15) day period, the expense shall be deemed approved. In the event Developer denies any City Expense, the City and Developer shall attempt in good faith to resolve Developer’s objection thereto; in the event the parties are unable to resolve such objection, City may agree to forego such cost or terminate this Agreement.

iii. On a monthly basis, the City will pay the approved City Expenses from the Fund and will submit to Developer monthly statements itemizing the approved City Expenses paid from the Fund during the preceding month.

iv. In the event the City determines that the total of the City Expenses will exceed the balance in the Fund, the City will submit an itemized statement therefor to the Developer to replenish the Fund so that there is a cash balance available against which additional City Expenses may be applied on a current basis.

v. All statements of approved City Expenses will be payable by Developer within thirty (30) days of receipt thereof.

vi. If economic incentives are extended to Developer for its project, and any City Expenses are eligible for reimbursement through such incentives, the City will not oppose such reimbursement.

vii. All studies, reports, and other work product, other than attorney-client work product, prepared for City and paid out of the Fund shall be provided to Developer at no additional charge to Developer.

B. Assignability. Neither party shall assign this Agreement without the written consent of the other party; provided, however, Developer may assign this Agreement to an entity controlled by or under common control with Developer in connection with structuring the Development.

C. Amendments. This Agreement may be supplemented or amended only by written instrument executed by the Parties affected by such supplement or amendment.

D. Applicable Law. This Agreement shall be deemed to be entered into in the state of Kansas, and shall be enforceable under the laws of that state.

E. Binding Effect. This Agreement shall inure to the benefit of, and be binding upon the Parties hereto, and the permitted successors and assigns of the Parties.

F. Non-liability of City Officials and Employees. No member of the governing body, official or employee of the City shall be personally liable to Developer, or any successor in interest to Developer, pursuant to the provisions of this Agreement, nor for any default or breach of the Agreement by the City.

G. Not A Partnership. The provisions of this Agreement are not intended to create, nor shall they in any way be interpreted or construed to create, a joint venture, partnership, or any other similar relationship between the Parties.

H. Termination. Developer may terminate this Agreement upon ten (10) days' advance written notice to the City, in which event (i) the City will be reimbursed for all approved City Expenses actually incurred by the City prior to the receipt of such termination notice, (ii) all remaining moneys on deposit in the Fund shall immediately be returned to Developer, and (iii) this Agreement shall automatically terminate and the Parties shall have no further obligations hereunder.

IN WITNESS WHEREOF, the Parties have duly executed this Agreement pursuant to all requisite authorizations as of the date first above written.

CITY OF MISSION, a Kansas municipal corporation

Solana Flora, Mayor

ATTEST:

Robyn Fulks, City Clerk

MISSION & BEVERLY, LLC, a limited liability company

By: _____
~~John McGurk~~ Tadd M. Miller,

|
Manager

EXHIBIT A

ALTA/NSPS LAND TITLE SURVEY

LOT 2 AND LOT 3 OF MARTWAY OFFICE BUILDINGS, A PLAT IN THE CITY OF MISSION, AND A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 25 EAST, IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS

TITLE COMMITMENT: TITLE COMMITMENT NUMBER: NCS-1152684-INDY EFFECTIVE DATE: OCTOBER 26, 2022 (PARCELS 1 & 3) NOVEMBER 07, 2022 (PARCELS 2 & 4) AT 08:00AM FIRST AMERICAN TITLE INSURANCE COMPANY, NATIONAL COMMERCIAL SERVICES

SCHEDULE B, PART II - EXCEPTIONS:

- 8 EASEMENTS, RESTRICTIONS AND SETBACK LIENS AS PER PLAT, RECORDED FEBRUARY 13, 2015 IN BOOK 201502, PAGE 003651. (ITEM IS SHOWN ON THE SURVEY)
9 A RIGHT-OF-WAY TO MISSION TOWNSHIP MAIN SEWER DISTRICT NO. 1 OF JOHNSON COUNTY, KANSAS IN THE DOCUMENT RECORDED AUGUST 3, 1948 IN MISC. BOOK 39, PAGE 18 AND MISC. BOOK 39, PAGE 22 AND APRIL 29, 1954 IN MISC. BOOK 64, PAGE 194 AND DECEMBER 30, 1960 IN MISC. BOOK 115, PAGE 629 OF OFFICIAL RECORDS. (ITEM IS SHOWN ON THE SURVEY. BOOK 115 PAGE 629 IS NOT LOCATED ON THE SUBJECT PROPERTY)
10 AN EASEMENT TO KANSAS CITY POWER AND LIGHT COMPANY RECORDED JULY 11, 1955 IN MISC. BOOK 72, PAGE 423. (ITEM IS SHOWN ON THE SURVEY)
11 TERMS AND PROVISIONS AS SET FORTH IN MEMORANDUM, AND BETWEEN DOUGLAS L. SMITH, WASTEWATER ADMINISTRATOR AND SARA ULLMANN, REGISTER OF DEEDS, RECORDED AUGUST 24, 1992 AS DOCUMENT NO. 2156803 IN BOOK 3683, PAGE 488. (ITEM IS NOT PLOTTABLE)
12 TERMS AND PROVISIONS OF RESOLUTION NO. 677 FOR AND/OR CREATING DETERMINING THE ADVISABILITY OF MAKING CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF MISSION, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING SUCH IMPROVEMENTS IN ACCORDANCE WITH K.S.A. 12-6A01 ET SEQ. (THE "ACT") RECORDED OCTOBER 1, 2007 IN BOOK 200710, PAGE 000076. (ITEM IS NOT PLOTTABLE)
13 TERMS AND PROVISIONS OF ORDINANCE NO. 1241 FOR AND/OR CREATING AUTHORIZING THE CREATION OF THE ROCK CREEK STORM DRAINAGE DISTRICT #2 IN MISSION, KANSAS; AUTHORIZING THE MAKING OF CERTAIN STORM DRAINAGE PROJECT IMPROVEMENTS RELATING THERETO; PROVIDING FOR THE METHOD OF FINANCING; AUTHORIZING THE IMPOSITION OF A PROPERTY TAX WITHIN THE ROCK CREEK STORM DRAINAGE DISTRICT # 2 IN MISSION, KANSAS; AND PROVIDING FOR THE SEGREGATION OF SUCH PROPERTY TAX REVENUES FOR THE PAYMENT OF THE COSTS OF STORM DRAINAGE PROJECT IMPROVEMENTS AND THE REPAIR AND MAINTENANCE OF SUCH STORM DRAINAGE IMPROVEMENTS WITHIN THE ROCK CREEK STORM DRAINAGE DISTRICT # 2 RECORDED SEPTEMBER 3, 2008 IN BOOK 200809, PAGE 000618. (ITEM IS NOT PLOTTABLE)
14 EASEMENTS ACQUIRED BY THE CITY OF MISSION, KANSAS, A MUNICIPAL CORPORATION AS SET FORTH IN CONDEMNATION PROCEEDINGS IN DISTRICT COURT CASE NUMBER 090503917 RECORDED MAY 4, 2009 IN BOOK 200905, PAGE 001143. (ITEM IS SHOWN ON THE SURVEY)
15 A RECREATIONAL TRAIL EASEMENT TO CITY OF MISSION, KANSAS A KANSAS MUNICIPAL CORPORATION RECORDED JULY 22, 2009 IN BOOK 200907, PAGE 008353. (ITEM IS SHOWN ON THE SURVEY)
16 TERMS AND PROVISIONS OF ORDINANCE NO. 1508 FOR AND/OR CREATING DIVIDING THE ROCK CREEK REDEVELOPMENT DISTRICT INTO FIVE REDEVELOPMENT DISTRICTS PURSUANT TO K.S.A. 12-1770 ET SEQ., AND AMENDMENTS THERETO RECORDED JANUARY 13, 2020 IN BOOK 202001, PAGE 003279. (ITEM IS NOT PLOTTABLE)
17 A PERMANENT EASEMENT TO THE CITY OF MISSION RECORDED JUNE 8, 2012 IN BOOK 201206, PAGE 002864. (ITEM IS SHOWN ON THE SURVEY)
18 A RIGHT-OF-WAY TO MISSION TOWNSHIP MAIN SEWER DISTRICT NO. 1 OF JOHNSON COUNTY, KANSAS IN THE DOCUMENT RECORDED AUGUST 3, 1948 IN MISC. BOOK 39, PAGE 18 OF OFFICIAL RECORDS. (ITEM IS SHOWN ON THE SURVEY)
19 AN EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY RECORDED AUGUST 23, 1965 IN BOOK 2210, PAGE 379. (ITEM IS SHOWN ON THE SURVEY)
20 AN EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY RECORDED JANUARY 15, 1986 IN BOOK 2278, PAGE 184. (ITEM IS SHOWN ON THE SURVEY)
21 TERMS AND PROVISIONS OF RESOLUTION NO. 677 CREATING A CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF MISSION RECORDED IN BOOK 200710, PAGE 000076. (ITEM IS NOT PLOTTABLE)
22 TERMS AND PROVISIONS OF ORDINANCE NO. 1241 CREATING THE ROCK CREEK STORM DRAINAGE DISTRICT #2 RECORDED IN BOOK 200809, PAGE 000618 AND AMENDED BY ORDINANCE NO. 1508 FILED IN BOOK 202001, PAGE 003279. (ITEM IS NOT PLOTTABLE)
23 AN EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY A MISSOURI CORPORATION RECORDED JANUARY 17, 1961 IN MISC. BOOK 116, PAGE 299. (ITEM IS SHOWN ON THE SURVEY)
24 A RIGHT-OF-WAY TO MISSION TOWNSHIP MAIN SEWER DISTRICT NO. 1, AND JOINT SEWER DISTRICT NO. R IN THE DOCUMENT RECORDED APRIL 29, 1954 IN BOOK 64, PAGE 194 OF OFFICIAL RECORDS. (ITEM IS SHOWN ON THE SURVEY)
25 TERMS AND PROVISIONS OF THE DECLARATION OF RESTRICTIONS RECORDED AS DOCUMENT NO. 395155, IN MISC. BOOK 43, PAGE 577. (ITEM IS NOT PLOTTABLE)
26 TERMS AND PROVISIONS OF ORDINANCE NO. 1374 FOR AND/OR CREATING A DEVELOPMENT PROJECT PLAN PURSUANT TO K.S.A. 12-1770 ET SEQ., AND AMENDMENTS THERETO RECORDED JULY 26, 2013 IN BOOK 201307, PAGE 011507. (ITEM IS NOT PLOTTABLE)
88 AN EASEMENT TO KANSAS CITY POWER & LIGHT COMPANY RECORDED JANUARY 17, 1961 IN MISC. BOOK 116, PAGE 299. (ITEM IS SHOWN ON THE SURVEY)
99 AN EASEMENT TO THE TERRYDALE 24 CORPORATION RECORDED OCTOBER 10, 1961 IN BOOK 122, PAGE 236. (ITEM IS SHOWN ON THE SURVEY)

- POTENTIAL ENCROACHMENTS
A THE BLOCK AND WOOD PLANTER WALLS ON THE EAST SIDE OF PARCEL 1/TRACT 1 ENCLOSED INTO THE RIGHT OF WAY FOR DEARBORN AVENUE.
B THE CONCRETE WALK ON THE SOUTH SIDE OF PARCEL 3/TRACT 2 ENCLOSES ONTO THE ADJOINING PROPERTY TO THE SOUTH.
C THE EXISTING BLOCK WALL AND CURB NEAR THE SOUTHWEST CORNER OF PARCEL 3/TRACT 2 ENCLOSES ONTO THE ADJOINING PROPERTY TO THE SOUTHWEST.
D THE EXISTING 5' X 5' BOX CULVERT THAT CROSSES THE PROPERTY IS NOT WITHIN AN EASEMENT AREA LISTED IN THE TITLE REPORT. LOCATION OF CULVERT IS APPROXIMATE ONLY, NO SURFACE VISIBLE EVIDENCE OF THE CULVERT WAS AVAILABLE OVER MUCH OF THE SUBJECT PROPERTY.
E THE EXISTING OVERHEAD ELECTRIC LINES THAT RUN NORTH-SOUTH THROUGH THE CENTER OF THE BLOCK NORTH OF MARTWAY ENCLOSES OUTSIDE OF THE EXISTING EASEMENT AREA.
F THE EXISTING OVERHEAD ELECTRIC LINES AT THE SOUTHWEST CORNER OF PARCEL 3/TRACT 1 ENCLOSES OUTSIDE OF THE EXISTING EASEMENT AREA.
G THE EXISTING AT&T LINE THAT RUNS NORTH-SOUTH THROUGH THE BLOCK NORTH OF MARTWAY APPEARS TO ENCLOSE OUTSIDE OF AN EASEMENT AREA.
H THE SIGNS NEAR THE SOUTH LINE OF PARCEL 2 ENCLOSES INTO THE MARTWAY RIGHT-OF-WAY.
I THE FLAG POLE ALONG THE SOUTH LINE OF PARCEL 4 ENCLOSES INTO THE MARTWAY RIGHT-OF-WAY.
J THE ATT LINE THAT RUNS ALONG THE SOUTH SIDE OF MARTWAY APPEARS TO BE OUTSIDE OF AN EASEMENT AREA.
K THE ATT LINE THAT RUNS ALONG THE WEST SIDE OF DEARBORN APPEARS TO BE OUTSIDE OF AN EASEMENT AREA.

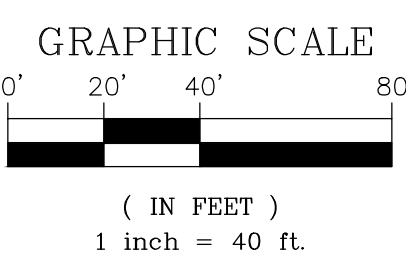
PROPERTY ADDRESS: CITY TRACT: 5935 BEVERLY PARCEL 1/TRACT 2: 5945 BEVERLY PARCEL 2: 6040 MARTWAY PARCEL 1/TRACT 1: 6000 MARTWAY PARCEL 4: 5960 DEARBORN PARCEL 3/TRACT 1: 6045 MARTWAY PARCEL 3/TRACT 2: 6025 MARTWAY PARCEL 3/TRACT 3: 6005 MARTWAY

LEGAL DESCRIPTION: PARCEL 1: TRACT 1: BEGINNING AT A POINT 827.19 FEET EAST AND 401.58 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 12, RANGE 25, JOHNSON COUNTY, KANSAS; THENCE SOUTH 0 DEGREES 01 MINUTE 40 SECONDS WEST, 282.14 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 20 SECONDS EAST 140 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF DEARBORN AVENUE, SAID POINT BEING 82.84 FEET NORTH OF THE INTERSECTION OF THE WEST RIGHT OF WAY LINE OF DEARBORN AVENUE AND THE NORTH RIGHT OF WAY LINE OF MARTWAY; THENCE NORTH 0 DEGREES 01 MINUTE 40 SECONDS EAST ALONG THE WEST RIGHT OF WAY LINE OF DEARBORN AVENUE 281.91 FEET; THENCE NORTH 89 DEGREES 52 MINUTES 00 SECONDS WEST, 140 FEET TO THE POINT OF BEGINNING, EXCEPT ANY PART IN ROAD, IF ANY.
TRACT 2: PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 12, RANGE 25, IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, SAID TRACT BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 533.96 FEET SOUTH AND 687.19 FEET EAST OF THE NORTHWEST CORNER OF SAID 1/4 1/4 SECTION, SAID POINT BEING ON THE EAST RIGHT OF WAY LINE OF BEVERLY STREET; THENCE SOUTH 0 DEGREES 01 MINUTE 40 SECONDS WEST, 180 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 20 SECONDS EAST, 140 FEET; THENCE NORTH 0 DEGREES 01 MINUTE 40 SECONDS EAST, 180 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 20 SECONDS WEST, 140 FEET TO THE POINT OF BEGINNING, EXCEPT ANY PART IN ROAD, IF ANY.

PARCEL 2: BEGINNING AT A POINT 824.33 FEET SOUTH AND 686.97 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 12, RANGE 25, IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS; THENCE NORTH 80 DEGREES, 24 MINUTES EAST, 121.72 FEET; THENCE NORTH 0 DEGREES, 1 MINUTE, 40 SECONDS EAST, 90.0 FEET; THENCE NORTH 89 DEGREES, 58 MINUTES, 20 SECONDS WEST, 120 FEET; THENCE SOUTH 0 DEGREES, 1 MINUTE, 40 SECONDS WEST, 110.37 FEET TO THE POINT OF BEGINNING.
TRACT 1: LOT 1, MARTWAY OFFICE BUILDINGS, A SUBDIVISION IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS.
TRACT 2: LOT 2, MARTWAY OFFICE BUILDINGS, A SUBDIVISION IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS.
TRACT 3: LOT 3, MARTWAY OFFICE BUILDINGS, A SUBDIVISION IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS.
TRACT 4: ALL THAT PART OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 12, RANGE 25 IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE WEST RIGHT OF WAY LINE OF DEARBORN AVENUE AND THE NORTHERLY RIGHT OF WAY LINE OF MARTWAY; SAID POINT BEING 776.33 FEET SOUTH AND 967.19 FEET EAST OF THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 12, RANGE 25, JOHNSON COUNTY, KANSAS; THENCE NORTH 0 DEGREES, 01 MINUTES, 04 SECONDS EAST, 62.84 FEET ALONG THE WEST RIGHT OF WAY LINE OF SAID DEARBORN AVENUE; THENCE NORTH 89 DEGREES, 52 MINUTES, 20 SECONDS WEST, 160 FEET; THENCE SOUTH 0 DEGREES, 01 MINUTES, 04 SECONDS WEST, 90 FEET TO A POINT ON THE NORTHERLY LINE OF SAID MARTWAY; THENCE NORTH 80 DEGREES, 24 MINUTES EAST, 162.25 FEET ALONG SAID NORTHERLY LINE TO THE POINT OF BEGINNING AND COMMENCING AT THE POINT OF INTERSECTION OF THE WEST RIGHT OF WAY LINE OF DEARBORN AVENUE AND THE NORTHERLY RIGHT OF WAY OF MARTWAY; THENCE NORTH ALONG SAID WEST RIGHT OF WAY LINE 62.84 FEET TO THE TRUE POINT OF BEGINNING, SAID TRUE POINT OF BEGINNING BEING 967.19 FEET EAST AND 715.49 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 12, RANGE 24, JOHNSON COUNTY, KANSAS; THENCE NORTH 0 DEGREES, 01 MINUTES, 40 SECONDS EAST ALONG THE WEST RIGHT OF WAY LINE OF DEARBORN AVENUE 300 FEET; THENCE NORTH 89 DEGREES, 58 MINUTES, 20 SECONDS WEST, 140 FEET; THENCE SOUTH 0 DEGREES, 01 MINUTES, 40 SECONDS WEST, 30 FEET; THENCE SOUTH 89 DEGREES, 58 MINUTES, 20 SECONDS EAST, 140 FEET TO THE TRUE POINT OF BEGINNING, EXCEPT ANY PART USED, ROADS OR PUBLIC RIGHTS OF WAY.

CITY PARCEL: ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 12, RANGE 25, NOW IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 635 FEET WEST OF THE EAST LINE, AND 400 FEET SOUTH OF THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF BEVERLY AS NOW ESTABLISHED; THENCE SOUTH, ALONG A LINE 635 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8, SAID LINE ALSO BEING THE EAST LINE OF SAID BEVERLY, A DISTANCE OF 132.36 FEET; THENCE EAST, ALONG A LINE PERPENDICULAR TO THE LAST DESCRIBED COURSE, A DISTANCE OF 140 FEET TO A POINT 495 FEET WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8; THENCE NORTH, ALONG A LINE 495 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8, A DISTANCE OF 132.14 FEET TO A POINT 400 FEET SOUTH OF THE NORTH LINE THEREOF; THENCE WEST, ALONG A LINE 400 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8, A DISTANCE OF 140 FEET TO THE POINT OF BEGINNING, EXCEPT ANY PART IN STREETS, ROADS OR HIGHWAYS.

BASIS OF BEARINGS: KANSAS COORDINATE SYSTEM OF 1983 NORTH ZONE HORIZONTAL DATUM: JCPW #1059 KANSAS STATE PLANE (NORTH ZONE) NORTHING: 259,322.17 FEET EASTING: 2,267,429.25 FEET CAPS = 0.9999241 1 METER = 3.28083333 U.S. SURVEY FEET ALL DISTANCES SHOWN ARE GROUND DISTANCES. TO CONVERT TO GROUND COORDINATES, MULTIPLY BY 1.0000759, SCALED FROM CONTROL POINT 5. VERTICAL DATUM: BM_908 ALUMINUM DISK STAMPED BM 908 AT THE NORTH SIDE OF THE POLICE STATION BUILDING AT THE SOUTHWEST CORNER OF MARTWAY & WOODSON. NAVD83 ELEVATION=961.95 FEET



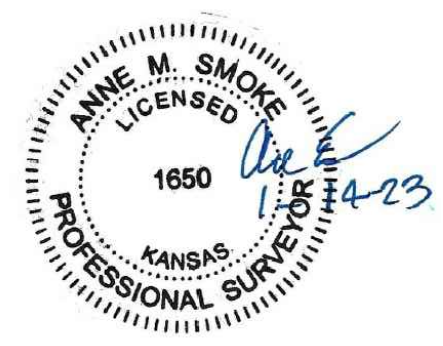
UTILITY STATEMENT: THE UNDERGROUND UTILITIES SHOWN HEREON ARE FROM FIELD SURVEY INFORMATION OF ONE-CALL LOCATED UTILITIES, FIELD SURVEY INFORMATION OF ABOVE GROUND OBSERVABLE EVIDENCE, AND/OR THE SCALING AND PLOTTING OF EXISTING UTILITY MAPS AND DRAWINGS AVAILABLE TO THE SURVEYOR AT THE TIME OF SURVEY. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH SHE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES BY EXCAVATION UNLESS OTHERWISE NOTED ON THIS SURVEY. KANSAS ONE CALL TICKET #22639190, #22639196, #22639183, #22639214, #22639218, #22639210 & #22639202.

NOTES: 1. GROSS LAND AREA = 4.212 ACRES 2. THERE ARE 221 LOCATED PARKING SPACES AND 12 HANDICAPPED PARKING SPACE MARKED ON THE SUBJECT PROPERTY. 3. NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS WERE OBSERVED IN THE PROCESS OF CONDUCTING THE FIELD WORK. 4. THE SUBJECT PROPERTY HAS DIRECT ACCESS TO MARTWAY STREET, BEVERLY AVENUE AND DEARBORN STREET, ALL PUBLIC STREETS. 5. NO ZONING REPORT WAS PROVIDED TO THE SURVEYOR.

FLOOD ZONE: A PORTION OF THE SUBJECT PROPERTY LIES WITHIN ZONE AE, SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD. BASE FLOOD ELEVATIONS DETERMINED, A PORTION OF THE SUBJECT PROPERTY LIES WITHIN FLOOD ZONE AREAS IN ZONE AE. THE FLOODWAY IS THE CHANNEL OF A STREAM PLUS ANY ADJACENT FLOODPLAIN AREAS THAT MUST BE KEPT FREE OF ENCROACHMENTS SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED WITHOUT SUBSTANTIAL INCREASES IN FLOOD HEIGHTS. A PORTION OF THE SUBJECT PROPERTY LIES WITHIN FLOOD ZONE X (UNSHADED), DEFINED BY THE NATIONAL FLOOD INSURANCE PROGRAM AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN", AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR THE COMMUNITY OF THE CITY OF MISSION, KS, COMMUNITY NUMBER 200170, MAP NUMBER 20091C00236, AND 20091C00240, EFFECTIVE DATE AUGUST 3, 2009. *PLEASE SEE SHEETS 2 AND 3 FOR LIMITS OF FLOOD ZONE AND FLOODWAY BOUNDARIES.

- LEGEND: FOUND SECTION CORNER AS DESCRIBED FOUND MONUMENT AS DESCRIBED SET 1/2" X 24" REBAR & CAP "SKW KS 61 MO 000003", FLUSH RECORD DATA PER FINAL PLAT MARTWAY OFFICE BUILDINGS RECORD DATA PER FINAL PLAT THE GROVE LOT 1 AND 2 FIRE HYDRANT WATER METER WATER VALVE POWER POLE GUY ANCHOR LIGHT POLE SANITARY SEWER MANHOLE SANITARY SEWER MANHOLE SIGN TELEPHONE PEDESTAL UNDERGROUND ATT LINE UNDERGROUND ELECTRIC LINE UNDERGROUND FIBEROPTIC LINE UNDERGROUND GAS LINE OVERHEAD ELECTRIC LINE UNDERGROUND SEWER LINE UNDERGROUND CABLE TELEVISION LINE UNDERGROUND WATER LINE CONC CONCRETE ELEC. ELECTRIC FDC FIRE DEPARTMENT CONNECTION FP FLAG POLE HB HOSEBIB LP LIGHT POLE PP POWER POLE RD ROOF DRAIN WM WATER METER WW WATER VALVE PLOTTED EXCEPTION PER TITLE COMMITMENT POTENTIAL ENCROACHMENT

SURVEYOR'S CERTIFICATION: TO: FIRST AMERICAN TITLE INSURANCE COMPANY, AND TO MILHAUS PROPERTIES, LLC. THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(A), 7(A), 7(B)(1), 7(C), 8, 9, 10, 11(A-ONE CALL LOCATE ONLY), 13 AND 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 14, 2023. DATE OF PLAT OR MAP: JANUARY 14, 2023. ANNE M. SMOKE 16550 KANSAS PS 1650 (AN ORIGINAL SEAL AND SIGNATURE IN BLUE INK, SIGNIFIES THE CERTIFICATION OF THE ENTIRE FACE OF THIS DOCUMENT AND ALL OF ITS CONTENT)



MINNEY SURVEYING 15547 W 81ST STREET, LENEXA, KS 66219 PH. (559) 322-8235 www.minneysurvey.com

22-0048 DRAWN BY: A. SMOKE CHECKED BY: A. SMOKE DATE: 1-14-23 SHEET 1 OF 3

PREPARED FOR: KIMLEY HORN 805 PENNSYLVANIA AVENUE, SUITE 150 KANSAS CITY, MO 64105

City of Mission	Item Number:	7b.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Administration	From:	Laura Smith

Action items require a vote to recommend the item to full City Council for further action.

RE: Resolution Adopting Antisemitism Definition – Laura Smith

RECOMMENDATION: Approve the Resolution recognizing the growing problem of antisemitism in the United States and calling for the adoption of the International Holocaust Remembrance Alliance’s working definition of antisemitism.

DETAILS: During the March 15 City Council meeting, representatives from the Jewish Community Relations Bureau/American Jewish Committee (JCRB/AJC) presented information on the increasing incidents of antisemitism across the country. They are working with cities throughout the region to educate and seek adoption of the International Holocaust Remembrance Alliance's working definition of antisemitism. A Resolution has been included in the packet for Council review and action.

Antisemitism, including harassment based on actual or perceived Jewish origin, ancestry, ethnicity, identity, affiliation, or faith, remains a persistent and disturbing problem in American society. The Resolution outlines Mission’s commitment to adopt the non-legally binding International Holocaust Remembrance Alliance Working Definition of Antisemitism and provides for the working definition be made available as an educational resource to all City employees.

Adoption of the working definition aligns with Mission’s non-discrimination protections and Council’s desire to take action where appropriate to signal and reinforce our goal of being a welcoming and inclusive community.

CFAA CONSIDERATIONS/IMPACTS: The City strives to adopt and support policies which align with its non-discrimination protections and the overall goal of being a welcoming and inclusive community.

Related Statute/City Ordinance:	Mission Municipal Code Section 615.020
Line Item Code/Description:	NA
Available Budget:	NA

**CITY OF MISSION
RESOLUTION NO. _____**

A RESOLUTION RECOGNIZING THE GROWING PROBLEM OF ANTISEMITISM IN THE UNITED STATES AND CALLING FOR THE ADOPTION OF THE INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE WORKING DEFINITION OF ANTISEMITISM AS AN IMPORTANT TOOL TO ADDRESS THE PROBLEM

WHEREAS, Antisemitism, including harassment based on actual or perceived Jewish origin, ancestry, ethnicity, identity, affiliation, or faith, remains a persistent and disturbing problem in American society; and

WHEREAS, The Jewish community continues to be targeted in the United States and is consistently the most likely of all religious groups to be victimized by incidents of hate; and

WHEREAS, Incidents motivated by antisemitism are increasing at an alarming rate; and

WHEREAS, The deadliest attack to date against the American Jewish community took place on October 27, 2018, at the Tree of Life Synagogue in Pittsburgh, Pennsylvania, where a senseless act of violence took the lives of 11 members of the Tree of Life, New Light and Dor Hadash congregations; and

WHEREAS, The Kansas Jewish community has experienced firsthand the deadly result of antisemitism when, on April 13, 2014, three people lost their lives due to antisemitic attacks at the Jewish Community Center of Greater Kansas City and the Village Shalom, both located in Overland Park, Kansas; and

WHEREAS, State officials and institutions have a responsibility to protect citizens from acts of hate and bigotry, including antisemitism, and must adopt the tools to do so; and

WHEREAS, Valid monitoring, informed analysis, investigation, and effective policy-making benefit from accurate and uniform definitions; and

WHEREAS, In May 2016, the International Holocaust Remembrance Alliance (IHRA), by a consensus vote of its member states, adopted a Working Definition of Antisemitism; and

WHEREAS, The IHRA's Working Definition of Antisemitism includes eleven examples of contemporary antisemitism that capture some of the many ways antisemitism manifests itself, whether in public life, media, schools, the workplace, or the religious sphere; and

WHEREAS, The IHRA's Working Definition of Antisemitism has become the internationally recognized and authoritative definition used by governments, international organizations, and educational institutions; and

WHEREAS, The IHRA's Working Definition of Antisemitism is utilized by numerous government and law enforcement agencies, including the United States Department of State and the United States Department of Education, in monitoring, training and education, and has been adopted through legislative or executive action in an increasing number of U.S. states; and

WHEREAS, The City of Mission recognizes the important contributions of the Jewish community;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:

SECTION ONE: The City of Mission adopts the non-legally binding International Holocaust Remembrance Alliance Working Definition of Antisemitism, including the 11 contemporary examples; and

SECTION TWO: The Governing Body of the City of Mission will ensure that the Working Definition of Antisemitism is made available as an educational resource to all City employees; and

SECTION THREE: Nothing in this resolution shall be construed to diminish or infringe upon any right protected under the First Amendment to the Constitution of the United States or the Constitution of the State of Kansas; and

SECTION FOUR: The City Clerk shall send certified copies of this resolution to the Jewish Community Relations Bureau/American Jewish Committee and the Combat Antisemitism Movement.

THIS RESOLUTION IS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MISSION, THIS 19th DAY OF APRIL 2023.

THIS RESOLUTION IS APPROVED BY THE MAYOR THIS 19th DAY OF APRIL 2023.

Solana Flora, Mayor

ATTEST:

Robyn L. Fulks, City Clerk

**In order to combat
antisemitism, we need to
define it.**

11 Killed in Synagogue Massacre; Suspect Charged With 29 Counts

One Dead in Synagogue Shooting Near San Diego; Officials Call It Hate Crime

Jersey City Shooting Was 'A Targeted
Attack On The Jewish Kosher Deli'

5 Wounded in Stabbing at Rabbi's Home in N.Y. Suburb

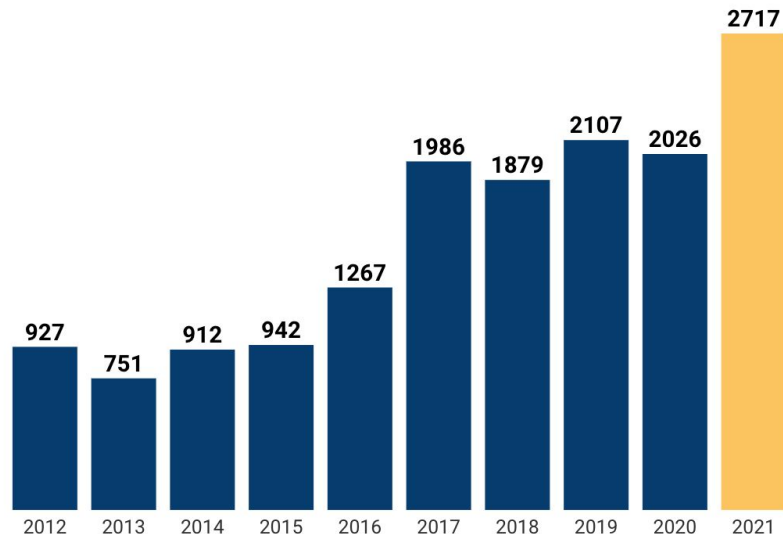
All Hostages Are Out Alive And Safe At Congregation Beth
Israel In Colleyville, Suspect Dead

COLLEYVILLE, Texas (CBSDFW.COM) – A hostage situation at a synagogue
in Colleyville on Saturday, January 15 ended after nearly 11 hours when...

Antisemitic acts in US soared 80% in a month, Jewish security group reports

Secure Community Network blames widespread disinformation and
clear calls for violence against Jews, deliberately spread online, including
from Iran

Antisemitic Incidents | U.S.
Ten Year Review | 2012–2021



2021 was the most antisemitic year in the
last decade - antisemitism report

WZO and the Jewish agency released the grim statistics gathered in their annual
Antisemitism Report, ahead of Holocaust Memorial Day.

41%

**of American Jews
feel the status of
Jews is less secure
than a year ago.**

26%

of American Jews report being the target of an antisemitic incident.



3%

VICTIM OF AN ANTISEMITIC
PHYSICAL ATTACK



20%

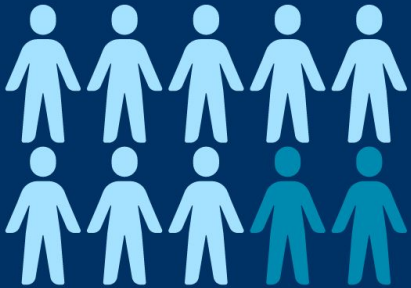
VICTIM OF AN ANTISEMITIC
REMARK IN-PERSON



13%

VICTIM OF AN ANTISEMITIC
REMARK ONLINE

Jewish students in our region are confronted by antisemitism on a disturbingly regular basis.



81%

of Jewish students surveyed have experienced or witnessed at least one form of antisemitism at school

JCRB | AJC Kansas City



What people don't know about antisemitism

Antisemitism does not only affect religious Jews.

Antisemitism is perpetuated through centuries-old tropes and “dog whistles.”

Antisemitism is a unique form of hatred.

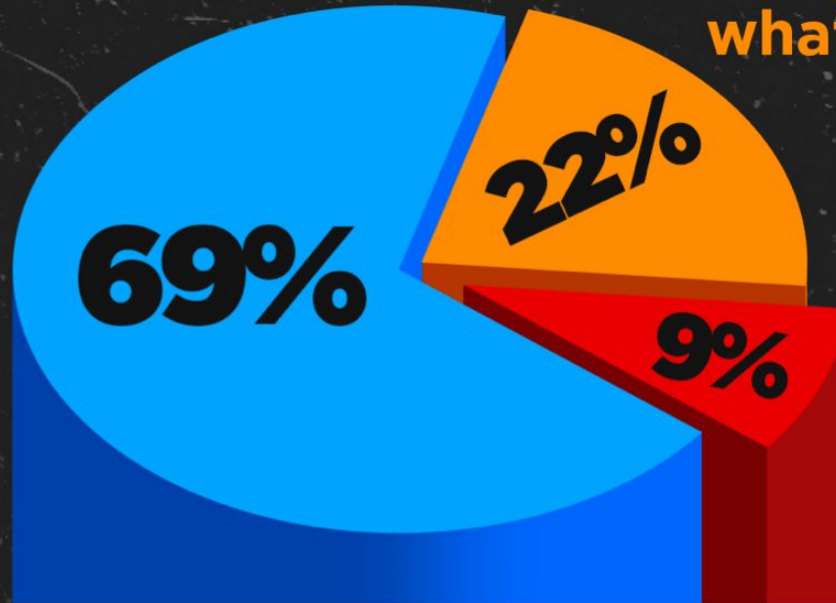
Antisemitism is more than a hatred of Jews – it's a certain *perception* of Jews.

How familiar are you with the term *antisemitism*?

Heard the term, and know what it means

Heard the term, but unsure what it means

Have never heard of the term



The International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism

Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

City of Mission	Item Number:	7c.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Police Department	From:	Dan Madden

Action items require a vote to recommend the item to the full City Council for further action.

RE: Purchase and installation of automated license plate readers

RECOMMENDATION: Enter into an agreement with Electronic Technology, Inc. for the purchase and installation of automated license plate readers at key locations throughout the City of Mission for an amount not to exceed \$147,637.00. Department of Justice appropriations grant funding will cover \$140,000.00 of the cost. With Council approval, \$7,637.00 will be paid out of the Special Law Enforcement Trust Fund.

DETAILS: In 2022, a grant application was submitted to fund the purchase and installation of Automated License Plate Readers (ALPR) at key locations in the City of Mission. An award of \$140,000 was approved through the Department of Justice. Since then, staff has worked with vendors, Public Works, and neighboring jurisdictions to coordinate this project.

The placement of ALPR's was determined based on crime data, experience of staff, collaboration with neighboring jurisdictions, and availability of mounting poles and utilities. The proposed locations (see attached map) provide the best opportunities to prevent and reduce crime, as well as research the collected data to solve crimes and other public safety concerns (i.e. missing persons, Silver Alerts, Amber Alerts). Eight of the nine locations shown on the included map will be the sites the City of Mission will own. The Foxridge and Lamar location is being purchased and installed by the Johnson County Sheriff's Office to protect critical County infrastructure in the area. The eight sites this project proposal covers includes the purchase and installation of 22 ALPR cameras. The number of cameras at a location varies due to one camera only covering one direction of travel.

In previous Council discussions regarding this ALPR technology, staff and Council discussed the importance of having sound policies in place, which will be discussed in a future meeting. It is important to remember that this technology takes photos of the rear of vehicles passing by the camera. The only time officers are alerted is if there is an association to the license plate that is in the database. This technology is not used for any type of traffic enforcement or other monitoring.

Staff evaluated multiple vendor proposals for this project. Electronic Technology, Inc. was chosen based off the lowest long-term cost as well as functionality of the system. In addition, Electronic Technology, Inc. is a vendor on the MARC Kansas City Regional Purchasing Cooperative, which is a competitive bid process. Additionally, there was significant cost savings due to the Johnson County Sheriff's Office agreeing to host our data on their ALPR server. A Memorandum of Understanding is in development by the Sheriff's Office for this service.

Related Statute/City Ordinance:	NA
Line Item Code/Description:	
Available Budget:	

City of Mission	Item Number:	7c.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Police Department	From:	Dan Madden

Action items require a vote to recommend the item to the full City Council for further action.

CFAA CONSIDERATIONS/IMPACTS: ALPR technology can have a direct impact on the safety of a community as it relates to crime. In addition to criminal detection and investigation, this technology can also be used to locate persons who may have memory issues and are lost, or otherwise missing.

Related Statute/City Ordinance:	NA
Line Item Code/Description:	
Available Budget:	



QUOTE #116

SENT ON:

Jul 05, 2022

RECIPIENT:

Mission Police Department

6090 Woodson Road
 Mission, Kansas 66202
 Customer Name: Mission Police
 Job Title: Fixed ALPR and Mobile ALPR

5700 Merriam Drive
 Merriam, Kansas 66203

Phone: (913) 962-8083
 Email: support@etikc.com
 Website: www.etikc.com

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
ALPR Web Sharing 2022 License	ALPR Web™ facilitates shared event logs and ALPR tracking through shared systems. Real time filtering and location call outs can log migration through a municipality or jurisdiction over time. The degree of collaboration can be adjusted so that you always remain in control of your data. Quick previews allow for rapid assessment of the filtered chart. This reduces the amount of time needed for visual consideration of the data sets and events. 60-Day trial included.	1	\$4,000.00	\$4,000.00
Site #2 Foxridge & 51st	LPR Readers Northbound, Southbound and Eastbound Will require use of city light pole M50015	1	\$0.00	\$0.00
GENETEC SharpV 850nm License Plate Reader (Black)	AU-K-V-BS850-LC-000 Black AutoVu™ SharpV Camera Kit which includes: SharpV Dual motorized lenses (LPR and Context) with 850nm illuminator, mounting bracket and Sharp Camera Connection (24Vdc or PoE++ 802.3bt Type 3 required).	3	\$4,100.00	\$12,300.00
Cradlepoint TB5-650C150M-N0N	Cradlepoint TB5-650C150M-N0N 4G LTE Cat 4 with 3G Fallback Router. 5-yr NetCloud IoT Essentials Plan and IBR650C router without Wi-Fi (150 Mbps modem), North America.	1	\$650.00	\$650.00
Transition Networks SISPM1040-582-LRT (power supply included)	Managed Hardened Gigabit Ethernet PoE++ Switch (8) 10/100/1000Base-T PoE++ Ports + (2) 100/1000Base-X SFP Slots	1	\$1,450.00	\$1,450.00
Transtector TSJ 10/100	Data Surge Protector SPD TSJ Indoor 10/100 Base-T Ethernet Shielded RJ45 GDT, TBU, UL 497B	2	\$120.00	\$240.00



QUOTE #116

SENT ON:

Jul 05, 2022

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
Power Strip		1	\$45.00	\$45.00
Lockable Enclosure		1	\$550.00	\$550.00
Photocell Power Tap	120 V Photocell Power Adapter Tap for Streetlight	1	\$125.00	\$125.00
INSTALLATION - BUCKET TRUCK REQUIRED	Hourly labor charge for hardware installation requiring two men and a bucket truck.	7	\$250.00	\$1,750.00
Site #4 Johnson Drive and Broadmore		1	\$0.00	\$0.00
GENETEC SharpV 850nm License Plate Reader (Black)	AU-K-V-BS850-LC-000 Black AutoVu™ SharpV Camera Kit which includes: SharpV Dual motorized lenses (LPR and Context) with 850nm illuminator, mounting bracket and Sharp Camera Connection (24Vdc or PoE++ 802.3bt Type 3 required).	4	\$4,100.00	\$16,400.00
Transition Networks SISPM1040-582-LRT (power supply included)	Managed Hardened Gigabit Ethernet PoE++ Switch (8) 10/100/1000Base-T PoE++ Ports + (2) 100/1000Base-X SFP Slots	1	\$1,450.00	\$1,450.00
Transtector TSJ 10/100	Data Surge Protector SPD TSJ Indoor 10/100 Base-T Ethernet Shielded RJ45 GDT, TBU, UL 497B	4	\$120.00	\$480.00
Power Strip		1	\$45.00	\$45.00
Lockable Enclosure		1	\$550.00	\$550.00
Photocell Power Tap	120 V Photocell Power Adapter Tap for Streetlight	1	\$125.00	\$125.00
INSTALLATION - BUCKET TRUCK REQUIRED	Hourly labor charge for hardware installation requiring two men and a bucket truck.	12	\$250.00	\$3,000.00
RW-5600-0P58	RADWIN SU PRO ODU, with an embedded antenna and connectorized for external antenna (2 x SMA), supporting multi frequency bands at 5.x GHz, factory default 5.8 GHz FCC/IC	1	\$412.00	\$412.00
RW-5PG5-0158	RADWIN MS Int. ODU, with an integrated antenna, supporting multi frequency bands at 5.x GHz, factory default 5.8 GHz FCC/IC	2	\$2,300.00	\$4,600.00
INSTALLATION - TOWER SERVICES	Hourly labor charge for installation of antenna, camera or other electronic device on monopole, self-supporting or guyed tower types. ETI requires two technicians with AUTHORIZED TOWER CLIMBING SAFETY AND RESCUE certification on all tower projects.	8	\$350.00	\$2,800.00



QUOTE #116

SENT ON:

Jul 05, 2022

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
Site #5 Lamar & Johnson Dr	LPR Readers West & North bound	0	\$0.00	\$0.00
GENETEC SharpV 850nm License Plate Reader (Black)	AU-K-V-BS850-LC-000 Black AutoVu™ SharpV Camera Kit which includes: SharpV Dual motorized lenses (LPR and Context) with 850nm illuminator, mounting bracket and Sharp Camera Connection (24Vdc or PoE++ 802.3bt Type 3 required).	2	\$4,100.00	\$8,200.00
Cradlepoint TB5-650C150M-N0N	Cradlepoint TB5-650C150M-N0N 4G LTE Cat 4 with 3G Fallback Router. 5-yr NetCloud IoT Essentials Plan and IBR650C router without Wi-Fi (150 Mbps modem), North America.	1	\$650.00	\$650.00
Transition Networks SISPM1040-582-LRT (power supply included)	Managed Hardened Gigabit Ethernet PoE++ Switch (8) 10/100/1000Base-T PoE++ Ports + (2) 100/1000Base-X SFP Slots	1	\$1,450.00	\$1,450.00
Transtector TSJ 10/100	Data Surge Protector SPD TSJ Indoor 10/100 Base-T Ethernet Shielded RJ45 GDT, TBU, UL 497B	2	\$120.00	\$240.00
Power Strip	Power Strip	1	\$45.00	\$45.00
Lockable Enclosure		1	\$550.00	\$550.00
Photocell Power Tap	120 V Photocell Power Adapter Tap for Streetlight	1	\$125.00	\$125.00
INSTALLATION - BUCKET TRUCK REQUIRED	Hourly labor charge for hardware installation requiring two men and a bucket truck.	5	\$250.00	\$1,250.00
Site #6 Johnson Drive & Nall	LPR Reader for West, South and East Bound	1	\$0.00	\$0.00
GENETEC SharpV 850nm License Plate Reader (Black)	AU-K-V-BS850-LC-000 Black AutoVu™ SharpV Camera Kit which includes: SharpV Dual motorized lenses (LPR and Context) with 850nm illuminator, mounting bracket and Sharp Camera Connection (24Vdc or PoE++ 802.3bt Type 3 required).	3	\$4,100.00	\$12,300.00
Cradlepoint TB5-650C150M-N0N	Cradlepoint TB5-650C150M-N0N 4G LTE Cat 4 with 3G Fallback Router. 5-yr NetCloud IoT Essentials Plan and IBR650C router without Wi-Fi (150 Mbps modem), North America.	1	\$650.00	\$650.00



QUOTE #116

SENT ON:

Jul 05, 2022

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
Transition Networks SISPM1040-582-LRT (power supply included)	Managed Hardened Gigabit Ethernet PoE++ Switch (8) 10/100/1000Base-T PoE++ Ports + (2) 100/1000Base-X SFP Slots	1	\$1,450.00	\$1,450.00
Transtector TSJ 10/100	Data Surge Protector SPD TSJ Indoor 10/100 Base-T Ethernet Shielded RJ45 GDT, TBU, UL 497B	2	\$120.00	\$240.00
Power Strip	Power Strip	1	\$45.00	\$45.00
Lockable Enclosure		1	\$550.00	\$550.00
Photocell Power Tap	120 V Photocell Power Adapter Tap for Streetlight	1	\$125.00	\$125.00
INSTALLATION - BUCKET TRUCK REQUIRED	Hourly labor charge for hardware installation requiring two men and a bucket truck.	5	\$250.00	\$1,250.00
Site #8 Roe & 63rd Street	LPR Readers West & North Bound	1	\$0.00	\$0.00
GENETEC SharpV 850nm License Plate Reader (Black)	AU-K-V-BS850-LC-000 Black AutoVu™ SharpV Camera Kit which includes: SharpV Dual motorized lenses (LPR and Context) with 850nm illuminator, mounting bracket and Sharp Camera Connection (24Vdc or PoE++ 802.3bt Type 3 required).	2	\$4,100.00	\$8,200.00
Cradlepoint TB5-650C150M-N0N	Cradlepoint TB5-650C150M-N0N 4G LTE Cat 4 with 3G Fallback Router. 5-yr NetCloud IoT Essentials Plan and IBR650C router without Wi-Fi (150 Mbps modem), North America.	1	\$650.00	\$650.00
Transition Networks SISPM1040-582-LRT (power supply included)	Managed Hardened Gigabit Ethernet PoE++ Switch (8) 10/100/1000Base-T PoE++ Ports + (2) 100/1000Base-X SFP Slots	1	\$1,450.00	\$1,450.00
Transtector TSJ 10/100	Data Surge Protector SPD TSJ Indoor 10/100 Base-T Ethernet Shielded RJ45 GDT, TBU, UL 497B	2	\$120.00	\$240.00
Power Strip	Power Strip	1	\$45.00	\$45.00
Lockable Enclosure		1	\$550.00	\$550.00
Photocell Power Tap	120 V Photocell Power Adapter Tap for Streetlight	1	\$125.00	\$125.00
INSTALLATION - BUCKET TRUCK REQUIRED	Hourly labor charge for hardware installation requiring two men and a bucket truck.	5	\$250.00	\$1,250.00



QUOTE #116

SENT ON:

Jul 05, 2022

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
Site #9 Roeland Drive & Shawnee Mission Pkwy	LPR Readers West & North Bound (OGL Location)	0	\$0.00	\$0.00
GENETEC SharpV 850nm License Plate Reader (Black)	AU-K-V-BS850-LC-000 Black AutoVu™ SharpV Camera Kit which includes: SharpV Dual motorized lenses (LPR and Context) with 850nm illuminator, mounting bracket and Sharp Camera Connection (24Vdc or PoE++ 802.3bt Type 3 required).	2	\$4,100.00	\$8,200.00
Cradlepoint TB5-650C150M-N0N	Cradlepoint TB5-650C150M-N0N 4G LTE Cat 4 with 3G Fallback Router. 5-yr NetCloud IoT Essentials Plan and IBR650C router without Wi-Fi (150 Mbps modem), North America.	1	\$650.00	\$650.00
Transition Networks SISPM1040-582-LRT (power supply included)	Managed Hardened Gigabit Ethernet PoE++ Switch (8) 10/100/1000Base-T PoE++ Ports + (2) 100/1000Base-X SFP Slots	1	\$1,400.00	\$1,400.00
Transtector TSJ 10/100	Data Surge Protector SPD TSJ Indoor 10/100 Base-T Ethernet Shielded RJ45 GDT, TBU, UL 497B	2	\$120.00	\$240.00
Power Strip	Power Strip	1	\$45.00	\$45.00
Lockable enclosure		1	\$550.00	\$550.00
Photocell Power Tap	120 V Photocell Power Adapter Tap for Streetlight	1	\$125.00	\$125.00
INSTALLATION - BUCKET TRUCK REQUIRED	Hourly labor charge for hardware installation requiring two men and a bucket truck.	5	\$250.00	\$1,250.00
Site #10 51st & Lamar	LPR Readers Westbound 51st/North and South Lamar	0	\$0.00	\$0.00
GENETEC SharpV 850nm License Plate Reader (Black)	AU-K-V-BS850-LC-000 Black AutoVu™ SharpV Camera Kit which includes: SharpV Dual motorized lenses (LPR and Context) with 850nm illuminator, mounting bracket and Sharp Camera Connection (24Vdc or PoE++ 802.3bt Type 3 required).	3	\$4,100.00	\$12,300.00
Cradlepoint TB5-650C150M-N0N	Cradlepoint TB5-650C150M-N0N 4G LTE Cat 4 with 3G Fallback Router. 5-yr NetCloud IoT Essentials Plan and IBR650C router without Wi-Fi (150 Mbps modem), North America.	1	\$650.00	\$650.00



QUOTE #116

SENT ON:

Jul 05, 2022

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
Transition Networks SISPM1040-582-LRT (power supply included)	Managed Hardened Gigabit Ethernet PoE++ Switch (8) 10/100/1000Base-T PoE++ Ports + (2) 100/1000Base-X SFP Slots	1	\$1,450.00	\$1,450.00
Transtector TSJ 10/100	Data Surge Protector SPD TSJ Indoor 10/100 Base-T Ethernet Shielded RJ45 GDT, TBU, UL 497B	2	\$120.00	\$240.00
Power Strip	Power Strip	1	\$40.00	\$40.00
Lockable Enclosure		1	\$550.00	\$550.00
Photocell Power Tap	120 V Photocell Power Adapter Tap for Streetlight	1	\$125.00	\$125.00
INSTALLATION - BUCKET TRUCK REQUIRED	Hourly labor charge for hardware installation requiring two men and a bucket truck.	7	\$250.00	\$1,750.00
56th and Foxridge	North and South Bound Solar power source	1	\$0.00	\$0.00
Solar Power System	Will power (2) LPR cameras Includes Pole Includes freight to ETI NEEDED 4 X 4 Concrete PAD	1	\$5,675.00	\$5,675.00
GENETEC SharpV 850nm License Plate Reader (Black)	AU-K-V-BS850-LC-000 Black AutoVu™ SharpV Camera Kit which includes: SharpV Dual motorized lenses (LPR and Context) with 850nm illuminator, mounting bracket and Sharp Camera Connection (24Vdc or PoE++ 802.3bt Type 3 required).	2	\$4,100.00	\$8,200.00
Transtector TSJ 10/100	Data Surge Protector SPD TSJ Indoor 10/100 Base-T Ethernet Shielded RJ45 GDT, TBU, UL 497B	2	\$120.00	\$240.00
Transition Networks SISPM1040-582-LRT (power supply included)	Managed Hardened Gigabit Ethernet PoE++ Switch (8) 10/100/1000Base-T PoE++ Ports + (2) 100/1000Base-X SFP Slots	1	\$1,450.00	\$1,450.00
Cradlepoint TB5-650C150M-N0N	Cradlepoint TB5-650C150M-N0N 4G LTE Cat 4 with 3G Fallback Router. 5-yr NetCloud IoT Essentials Plan and IBR650C router without Wi-Fi (150 Mbps modem), North America.	1	\$625.00	\$625.00
Lockable Enclosure	Mount and assembly	1	\$600.00	\$600.00
PROFESSIONAL INSTALLATION	Hourly labor charge for cable & hardware installation.	15	\$100.00	\$1,500.00



QUOTE #116

SENT ON:

Jul 05, 2022

PRODUCT / SERVICE	DESCRIPTION	QTY.	UNIT PRICE	TOTAL
61st and Metcalf	East Bound	1	\$0.00	\$0.00
GENETEC SharpV 850nm License Plate Reader (Black)	AU-K-V-BS850-LC-000 Black AutoVu™ SharpV Camera Kit which includes: SharpV Dual motorized lenses (LPR and Context) with 850nm illuminator, mounting bracket and Sharp Camera Connection (24Vdc or PoE++ 802.3bt Type 3 required).	1	\$4,100.00	\$4,100.00
Transtector TSJ 10/100	Data Surge Protector SPD TSJ Indoor 10/100 Base-T Ethernet Shielded RJ45 GDT, TBU, UL 497B	1	\$120.00	\$120.00
Transition Networks SISPM1040-582-LRT (power supply included)	Managed Hardened Gigabit Ethernet PoE++ Switch (8) 10/100/1000Base-T PoE++ Ports + (2) 100/1000Base-X SFP Slots	1	\$1,450.00	\$1,450.00
Power Strip	Power Strip	1	\$40.00	\$40.00
Lockable enclosure		1	\$550.00	\$550.00
INSTALLATION - BUCKET TRUCK REQUIRED	Hourly labor charge for hardware installation requiring two operators and a bucket truck. OSHA Standard 29 CFR1910.269(l)(1)(i)	3	\$265.00	\$795.00
Photocell Power Tap	120 V Photocell Power Adapter Tap for Streetlight	1	\$125.00	\$125.00

Total **\$147,637.00**

Needed 4 x \$ Concrete PAD to mount solar panel and LPR readers pole on at 56th & Foxridge site. ETI can provide at extra cost if needed.

- NET 30 Terms.
- Quote valid for 30 days.
- Prices do not include applicable taxes or shipping charges.
- Prices may change without notice after expiry of quote.
- Prices are subject to change if items are purchased separately.
- A 3% charge will be added to all transactions if paid by credit card.



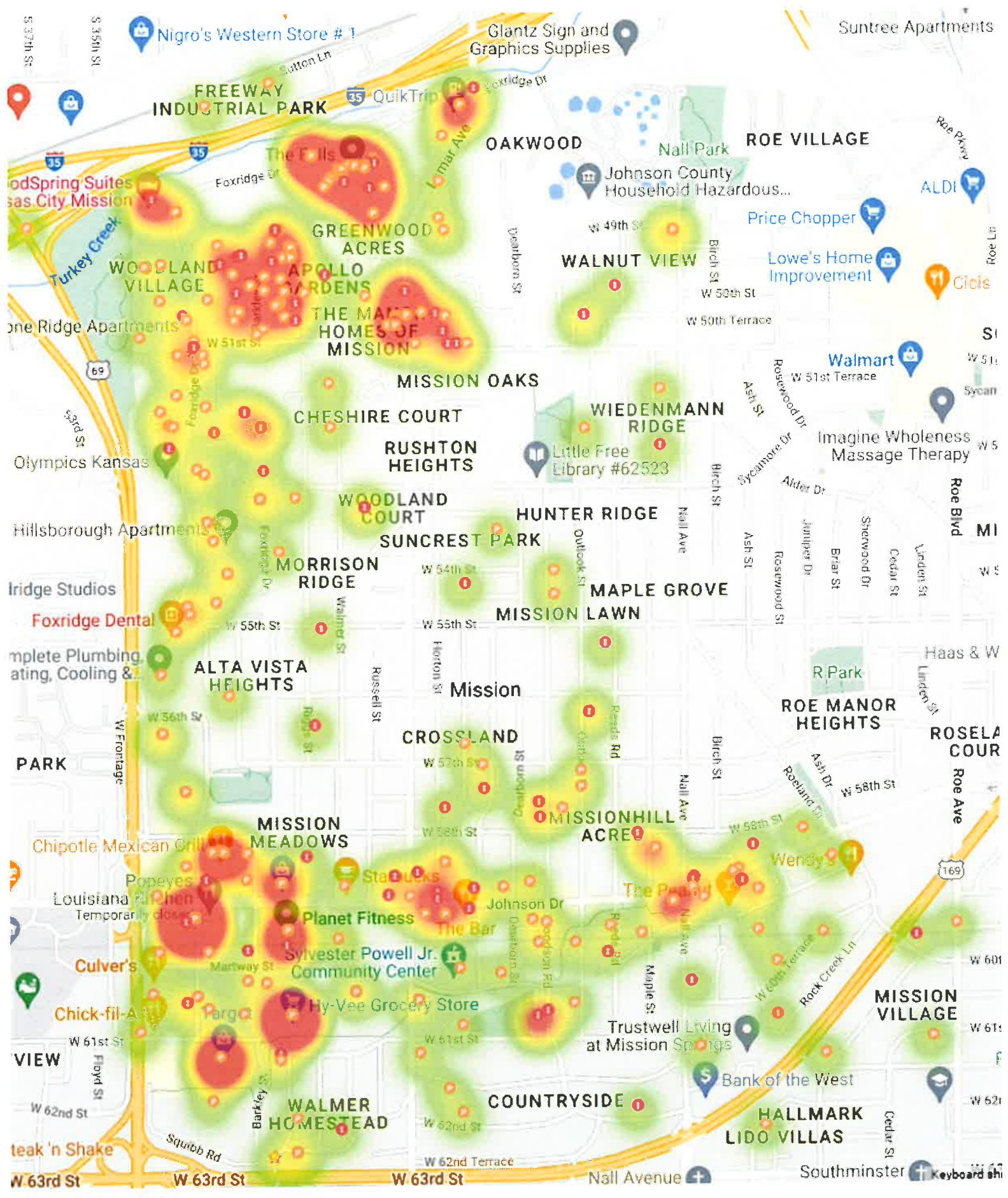
QUOTE #116

SENT ON:

Jul 05, 2022

Notes Continued...

Signature: _____ Date: _____



6300 Johnson Dri [6300 J



FREEWAY INDUSTRIAL PARK

OAKWOOD

ROE VILLAGE

WOODLAND VILLAGE

GREENWOOD ACRES

APOLLO GARDENS

THE MAN HOMES OF MISSION

WALNUT VIEW

MISSION OAKS

CHESHIRE COURT

RUSHTON HEIGHTS

WOODLAND COURT

HUNTER RIDGE

SUNCREST PARK

MORRISON RIDGE

MAPLE GROVE

MISSION LAWN

ALTA VISTA HEIGHTS

CROSSLAND

MISSION MEADOWS

MISSION HILL ACRES

MISSION VALE

ROE MANOR HEIGHTS

ROSELAND COURT

BARKLEY SQUARE

WALMER HOMESTEAD

COUNTRYSIDE

HALLMARK LIDO VILLAS

MISSION VILLAGE

Highlands Elementary Sc

MISS

Church of Nazarene

Southminster Presbyterian Church

City of Mission	Item Number:	7d.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Administration/Police Department	From:	Laura Smith/Dan Madden

Action items require a vote to recommend the item to full City Council for further action.

RE: Classification and Compensation Recommendations – Mission Police Department

RECOMMENDATION: Review and approve one-time adjustments to compensation for commissioned police staff in order to address on-going issues of recruitment and retention.

DETAILS: At various points over the last several years, we have shared with Council the challenges faced by the Police Department in recruiting and retaining qualified, competent sworn law enforcement officers. While admittedly a challenge nationwide, the difficulties for smaller departments like Mission continue to increase as agencies (both public and private) in the metropolitan area are leap-frogging over one another to increase compensation in an effort to both attract and retain officers.

The Council has consistently demonstrated a willingness to make employee recruitment and retention a high priority, making significant investments in classification and compensation adjustments City-wide in 2017, 2021, and most recently with the 2022 merit increases. This has allowed us to remain competitive when hiring across all departments, and has been appreciated by employees.

A number of factors influencing the law enforcement profession specifically have led us to a situation where we need once again to address compensation for the Police Department. The City Administrator and Police Chief have been working together for several months to understand the competition and to try and develop recommendations which are both meaningful and sustainable into the future.

As a smaller entity, we will always be at a disadvantage when competing against larger cities with respect not only to financial resources, but also specialized training or assignments and the opportunity for promotion and professional growth. The Department should be commended for their efforts over the years to create an environment that offered “perks” other than just money in order to attract and retain staff. This has included a relaxation of the policy regarding visible tattoos and facial hair, a transition to external ballistic vests, and implementation of varying work shifts, among other things. This has served us well for many years, but as many other Departments now have followed suit, the attention shifts to compensation as employees (current and prospective) weigh their options.

For example, in the most recent recruitment process, there was only one qualified applicant to be considered. That candidate was also in process with another agency

Related Statute/City Ordinance:	NA
Line Item Code/Description:	Various Personnel line items in Police Department
Available Budget:	TBD

City of Mission	Item Number:	7d.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Administration/Police Department	From:	Laura Smith/Dan Madden

Action items require a vote to recommend the item to full City Council for further action.

who was able to offer a starting salary approximately \$10,000 higher than Mission's. Additionally, the competition and recruitment for seasoned personnel is particularly troublesome with opportunities to make as much as \$20,000-25,000 more for a lateral move. When we are talking about salary differences of this magnitude, we cannot expect to either recruit or retain officers based simply on other organizational or cultural benefits, and we must understand when our officers seriously consider the difference in earning potential.

While we cannot expect to retain every officer or have a long waitlist for potential new hires, both the Chief and City Administrator are gravely concerned about the ability to continue to deliver the quality of police services our residents expect and deserve. This concern is balanced with the reality that revenues and resources are finite and any recommendations made for personnel related expenses are on-going and should be expected to grow exponentially. Specific recommendations and funding strategies are still being refined and reviewed and will be uploaded to the packet on Monday.

The most immediate situation does exist in the Police Department, but once a solution can be recommended for commissioned staff, it will be important to review the City's overall classification and compensation structure, especially for the Public Works field staff.

We will look forward to a healthy and honest discussion of our options during next week's Committee meetings. Following the presentation next week, the Chief and City Administrator will schedule meetings with Department staff to review and discuss recommendations and any Council feedback.

CFAA CONSIDERATIONS/IMPACTS: Continually evaluating and maintaining a competitive, sustainable classification and compensation system for City employees allows for high quality services to be delivered without interruption for residents and visitors of all ages and abilities.

Related Statute/City Ordinance:	NA
Line Item Code/Description:	Various Personnel line items in Police Department
Available Budget:	TBD

City of Mission	Item Number:	7e.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Community Development	From:	Brian Scott

Action items require a vote to recommend the item to the full City Council for further action.

RE: Supplemental Building Inspection Services

RECOMMENDATION: Approve a contract with FSC, Inc. Consulting Engineers for Supplemental Building Inspection Services in an amount not to exceed \$230,000.

DETAILS: The Community Development Department is experiencing an unprecedented number of applications for new development construction in the City. The Residence at Rock Creek (formerly known as Mission Bowl) is currently under construction. To date, a waterline and sanitary sewer main from the Rock Creek Pump Station to Martway have been relocated, footings have been poured, the concrete podium for the first level has been completed, the elevator shaft has been completed and construction of the upper levels has begun. This activity has resulted in over 500 inspections to date.

A building permit for the new Rushton Elementary School was issued at the beginning of this year. Site work is currently underway for storm water detention and utility relocation.

Other development projects that received zoning approvals last summer include Mission Preserve at 51st Street and Riggs, 58Nall at W. 58th Street and Nall Avenue, Mission Vale at W. 58th Terrace and Nall Avenue, Block development project at 5665 Foxridge, and the Nelson Treatment Facility at 4800 Nall Avenue. Construction documents for 58Nall and Mission Vale have been submitted and are under review.

These projects, in addition to regular building activity, has placed a significant burden on the Community Development Department that cannot be handled by the Building Official alone. The City Council approved the addition of a Building Inspector for the 2023 Budget year and recruitment for that position is underway. However, the current workload still exceeds the current staff capacity, even after the Building Inspector's position is filled.

Staff recently engaged in discussions with FSC Consulting Engineers for assistance with building inspections. The City contracted with FSC when the Gateway development was underway in 2018/2019. This was a period of time when the City did not have a Building Official and was completely reliant on a third-party for plan review and inspections services. FSC conducted plan review of construction documents and provided inspections for the Cinergy building and parking structure. As a result of this work, Community Development Staff developed a high confidence level with FSC and their abilities.

Related Statute/City Ordinance:	Chapter 400 of Mission Municipal Code (Land Use)
Line Item Code/Description:	01-23-206-08 Plan/Inspection Fees
Available Budget:	Funds for building permit fees will cover the contract costs)

City of Mission	Item Number:	7e.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Community Development	From:	Brian Scott

Action items require a vote to recommend the item to the full City Council for further action.

In an effort to meet the needs of the development community and to ensure the construction of projects in accordance with building codes, Community Development Staff would like to contract with FSC to augment inspection services for new development construction. This would include structural, mechanical, fire, and life safety inspections.

FSC submitted proposals for inspection services at the Residence at Rock Creek (\$155,410) and Rushton Elementary School (\$73,600). Proposals were only solicited for these two projects, because building permits have actually been issued. As building permit applications for other development projects are submitted, staff will evaluate if FSC services are recommended. The thought now is that staff will be able to handle some of the smaller development projects such as 58Nall and Mission Vale, and some of the renovations that are anticipated this year such as Big Biscuit and Azura Credit Union. Other projects that are assigned to FSC will be treated as a change order to the agreement with FSC with approval from the City Council.

Sharing workload with FSC will allow the new Building Inspector to be able to do some of the routine inspections that are required such as roof inspections, electrical and plumbing inspections, and some of the smaller tenant and room addition inspections. The Building Official will be able to focus on plan review and managing the overall inspection services and code enforcement activities provided by the City.

The City has collected \$270,586 in building permit fees for the Residence at Rock Creek and Rushton Elementary School, which will cover the anticipated contract costs for FSC. Although not originally budgeted in 2023, the receipt of the permit fees and the fact that the contract costs will be spread over a two- to three-year period allow for the expense to be accommodated in the current and future year budgets.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	Chapter 400 of Mission Municipal Code (Land Use)
Line Item Code/Description:	01-23-206-08 Plan/Inspection Fees
Available Budget:	Funds for building permit fees will cover the contract costs)

FSC Inspection Scope of Work

FSC code and life safety related inspections are limited to verifying installation complies with approved construction documents and/or the codes adopted by the AHJ on the day the inspection is performed.

FSC will perform building code / life safety (IBC Chapters 3-10), fire protection, and MEP related inspections.

FSC does not perform inspections related to pools, underground utilities more than 5 feet from the building, elevators, building envelope, flashing, exterior wall (sheathing and covering), windows, roofing (sheathing and covering), construction methods and workmanship inspections.

Special Inspections per IBC Chapter 17 will be provided by others to be hired directly by the Building Owner or Owner's Representative.

FSC will perform the following code / life safety (IBC Chapters 3-10), fire protection, and MEP related inspections:

- Temporary Construction Power - Verify installation of temporary power.
- Underground Service Utilities within 5' of the building – Inspect the following:
 - Potable water line(s).
 - Building sewer.
 - Electrical underground conduits.
 - Fire sprinkler service entrance.
 - Natural gas.
- Underslab – Inspect installation and witness pressure testing of following:
 - Drain waste vent (DWV) piping (slope will not be verified).
 - Potable water line(s).
 - Fire sprinkler service entrance.
 - Natural gas, if applicable.
- General Building Construction
 - For wood construction verify platform construction, draft stopping and fire blocking installation. Note: structural framing is a Special Inspection.
 - For wood construction verify treated wood is utilized when in contact with concrete and in other locations where required.
 - For noncombustible construction verify fire retardant treated wood is used.
 - Verify proper dry-wall is used at wet locations.
 - Fire and/or smoke resistance rated wall or floor/ceiling assemblies: verify compliance with selected UL or other rated system designs. Includes verification of correct drywall type, fasteners, spacing of fasteners, number of layers, and frame spacing.
 - Fire and/or smoke resistance rated wall or floor/ceiling: verify penetrations are fire stopped using a selected approved/listed system. Includes confirmation of all details associated with said systems.
 - Verify continuity of fire and/or smoke rated assemblies.
 - Verify radiation, fire, and smoke dampers are installed where shown in the approved construction documents.

- Verify installation of elevator shaft construction, elevator pit sump pump, shunt trip, and machine room ventilation. All other elevator related inspections to be provided by others.
 - Verify required rise/run dimensions of stairs.
 - Verify Grease Interceptor, if applicable, is installed.
 - Verify main electrical service installation.
- Wall Rough-In
 - Verify penetrations of bottom and top plates are fire stopped using a selected approved/listed system. Includes confirmation of all details associated with said systems.
 - Verify following items associated with fire rated walls: stud spacing, type of dry wall is per listed assembly and nail/screw pattern.
 - Verify installation of piping, conduit and duct.
 - Verify proper venting of all plumbing fixtures.
 - Verify proper spacing or sealing of electrical boxes in fire rated walls.
 - Verify installation of flue gas vent piping.
 - Verify fire sprinkler piping rough-in.
 - Verify fire alarm system rough-in.
 - Witness start and final pressure testing of plumbing piping.
 - Witness start and final pressure testing of mechanical piping.
- Rough-In above Ceiling Prior to Ceiling Installation
 - Verify the location of stair access or roof hatch.
 - Verify penetrations of fire rated walls and floors are fire stopped using a selected system. Includes confirmation of all details associated with said systems.
 - Verify installation of piping and duct. Verification is limited to what is visible at the time from the floor.
 - Verify material installed in a ceiling space that is utilized as a return air plenum is rated for that application with correct flame spread and smoke developed ratings.
 - Verify radiation, fire and smoke dampers are installed where shown in the approved construction documents.
 - Verify fire sprinkler head coverage, pipe installation and hanger spacing.
 - Verify fire alarm rough-in.
 - Witness fire sprinkler hydrostatic testing.
 - Verify proper venting of plumbing fixtures.
 - Verify installation of flue gas vent piping.
 - Verify installation of combustion air ducts and openings.
 - Verify draftstopping is installed and of correct materials.
- Final
 - Verify required signage per NFPA 13 is provided for the fire sprinkler system.
 - Verify fire sprinkler tamper and flow switches are installed and report to the fire alarm system.
 - Verify fire sprinkler spare head cabinet and spare heads are provided.
 - Verify fire sprinkler heads and smoke detectors are uncovered.
 - Verify fire and/or smoke rated doors, frames, and hardware.
 - Check rated wall stenciling is installed.

- Verify door ratings and if gasketing is installed.
- Verify fire and/or smoke rated doors close and latch.
- Verify fire and/or smoke rated exit and exit access door opening forces.
- Verify a sampling of other exit and exit access door opening forces.
- Verify door locking arrangements as applicable (e.g. delayed egress and exterior doors).
- Verify required door clearances per NFPA 80.
- Verify any means of egress encroachment issues.
- Verify handrail installations.
- Verify emergency lighting is per approved plans and lighting levels at the path of egress for the required duration.
- Verify exit signage is functional in all modes of operation.
- Verify elevator controls with smoke and/or heat detection with shunt trips are operating correctly.
- Verify adequate access is provided for ceiling radiation, fire and smoke dampers.
- Verify electrical panels have circuit directories installed and properly labeled.
- Verify all GFCI and/or AFCI protection devices are installed and operates.
- Verify life safety and generators (if applicable) operate and meet the transfer time requirements.
- Verify mechanical ventilation and exhaust systems operate.
- Verify plumbing heights meets the minimum height requirements above the roof surface.
- Verify plumbing vents meets the minimum distance from outside air intakes and operable windows.
- Witness testing of overflow roof drainage systems.
- Verify glazing adjacent to the walking surface is impact resistant and rated if required.
- Verify interior and exterior hand rail clearances, sizes, profiles, and extensions.
- Verify installation of arc flash labels.
- Witness Emergency Power Off (EPO) testing, if applicable.
- If roof mounted equipment is present, verify required guards are installed and of the correct heights and sizes.
- Verify guards are provided at the stair access or roof hatch, if required.
- Witness fire alarm / mass notification system testing per NFPA 72 and remote monitoring.
- Witness fire sprinkler acceptance testing per NFPA 13.

Ed Roether Consulting, subconsultant to FSC, will perform the following ADA inspections:

Items to be verified are only those pertaining to spaces and elements required to be accessible, spaces and elements that are not required to be accessible will not be verified.

- Verify accessible route compliance from site arrival to accessible building entrances
- Verify accessible parking spaces and access aisles compliance
- Verify accessible entrances compliance
- Verify accessible route compliance from entrance to accessible spaces
- Verify accessible door compliance
- Verify stairway compliance
- Verify whether any objects protrude into a circulation path
- Verify accessible operable parts compliance
- Verify accessible signage compliance

- Verify accessible dining surfaces compliance
- Verify accessible service counters compliance
- Verify accessible water closets compliance
- Verify accessible toilet accessories compliance
- Verify accessible urinals compliance
- Verify accessible and ambulatory toilet compartment compliance
- Verify accessible lavatories compliance
- Verify accessible mirrors compliance
- Verify accessible showers compliance
- Verify accessible bathtubs compliance
- Verify accessible kitchens compliance
- Verify accessible beds compliance
- Verify accessible pools/spas compliance
- Verify accessible storage elements compliance

KH Engineering, subconsultant to FSC, will perform the following Structural inspections:

- Review of third party Special Inspector reports and submittals.
- Review of delegated design submittals per approved construction documents.
- Periodic observation of third party Special Inspector testing and inspections.
- Periodic observation of construction for footings and foundations.
- Periodic observation of structural systems that are inspected by third party inspector.
- Review of shop drawing submittals.

The inspection services provided by FSC and FSC's Subconsultants are intended to reduce the risk of a potential problem with the design or construction but not to eliminate them. FSC does not guarantee that all code violations and/or construction deficiencies will be found, reported, identified, or recognized. FSC's inspection of the Project is in no way intended to be a guarantee or warranty, express or implied, that all code violations and/or design or construction deficiencies have been discovered and identified. Any and all warranties, express or implied, are expressly excluded by this Agreement to the fullest extent permitted by law. The Parties agree that FSC, while acting for or on behalf of the Client in good faith and without malice in the discharge of FSC and FSC's Subconsultant's duties, shall not be liable to the Client for any damage occurring to persons or property as a result of any act or by reason of any act or omission in the discharge of FSC and FSC's Subconsultant's duties.

Mission Bowl Apartments - Residential - 1 building with 5 floors

Inspection/Tasks	MEP		Fire Protection		Code/Life Safety	
	Number of Inspections	Estimated Hours	Number of Inspections	Estimated Hours	Number of Inspections	Estimated Hours
Temporary Construction Power	2	4	N/A	N/A	N/A	N/A
Plan/Submittal Administrative Reviews:						
o Review building plans becoming familiar with project	N/A	12	N/A	6	N/A	12
o Review fire stopping submittals	N/A	0	N/A	0	N/A	48
o Review steel fire proofing submittals	N/A	0	N/A	0	N/A	24
o Review SI reports (fire proofing/intumescent paint)	N/A	0	N/A	0	N/A	16
Underground Service Utilities Inspection Observation: (within 5' of bldg)						
o Potable water lines	2 (1 initial 1 reinsp)	6	N/A	N/A	N/A	N/A
o Building Sewer	2 (1 initial 1 reinsp)	8	N/A	N/A	N/A	N/A
o Electrical underground conduits	2 (1 initial 1 reinsp)	6	N/A	N/A	N/A	N/A
o Fire sprinkler service entrance (flush-hydro)	N/A	N/A	2 (1 initial 1 reinsp)	8	N/A	N/A
o Natural Gas	2 (1 initial 1 reinsp)	6	N/A	N/A	N/A	N/A
Underslab Inspection Observation: (inspect/pressure testing)						
o Drain Waste Vent (DWV) piping	2 (1 initial 1 reinsp)	14	N/A	N/A	N/A	N/A
o Water piping	2 (1 initial 1 reinsp)	4	N/A	N/A	N/A	N/A
o Natural Gas, if applicable	2 (1 initial 1 reinsp)	4	N/A	N/A	N/A	N/A
General Building Construction Observation Inspection:						
o Wall Rough-in (per floor)	1 (4 hrs per floor)	22	1 (4 hrs per floor)	18	1 (4 hrs per floor)	22
o Wall Rough-in Re-inspection (per floor)	1 (2 hrs per floor)	12	1 (2 hrs per floor)	12	1 (2 hrs per floor)	12
o Above Ceiling (per floor)	1 (4 hrs per floor)	22	1 (4 hrs per floor)	18	1 (4 hrs per floor)	22
o Above Ceiling Re-inspection (per floor)	1 (2 hrs per floor)	12	1 (2 hrs per floor)	12	1 (2 hrs per floor)	12
o Firestopping: visual observations and 2% desctructive testing of each type	N/A	0	N/A	0	4 (1 initial 3 reinsp) per floor (6 hrs per)	128
o Rated assembly: dry wall, fasteners and spacings	N/A	0	N/A	0	4 (1 initial 3 reinsp) per floor (4 hrs per)	88
Final Inspection Observation:						
o Code (initial and re-inspection)	N/A	N/A	N/A	N/A	2 (1 initial 1 reinsp)	64
o Fire Protection (initial and re-inspection)	N/A	N/A	2 (1 initial 1 reinsp)	28	N/A	N/A
o MEP (initial and re-inspection)	2 (1 initial 1 reinsp)	44	N/A	N/A	N/A	N/A
Total Hours		176		102		448
Rates		\$ 140.00		\$ 150.00		\$ 150.00
Total Fee Per Division		\$ 24,640.00		\$ 15,300.00		\$ 67,200.00
						Total Fee
						\$ 107,140

Mission Bowl Apartments - Residential - 1 building with 5 floors

<u>Inspections/Tasks</u>	<u>Structural</u>		
	Review of Submittals	Number of Inspections	Estimated Hours
Administrative review of Third Party Special Inspector Bi-Weekly Reports, Final Report and Submittals	26		78
Administrative review of Delegated Design Submittals per Approved Construction Documents	12		24
Periodic Observation of Construction for drilled piers, footings and foundations inspected by third party		5	20
Periodic Observation of structural systems that are inspected by third party inspector		15	60
Administrative review of shop drawing submittals	6		12
Drawing Management - Updates			8
Total Hours			202
Rate			\$ 135.00
Total Fee			\$ 27,270.00
			Total Fee
			\$ 27,270

Mission Bowl Apartments - Residential - 1 building with 5 floors

<u>Inspections/Tasks</u>	<u>ADA</u>	
	Number of Inspections	Estimated Hours
Pre-Construction Meetings (budgeted 2)		4
Rough-in Inspection (Door Maneuvering, Height Electrical Boxes, Location of Plumbing for Water Closets)	2	24
Finish Inspections (Stairs, Elevators, Doors, Casework, Appliances, Plumbing Fixtures and Accessories, Electrical Outlets, Switches and Thermostats)	2	32
Final Inspections (Site Accessible Routes, Parking, Entrances, Signage, Pool and Common Use Spaces)	2	24
Total Hours		84
Rate		\$ 250.00
Total Fee		\$ 21,000.00

Total Fee	\$ 21,000
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Rushton Elementary School - 1 Bldg with two stories

Inspection/Tasks	MEP		Fire Protection		Code/Life Safety	
	Number of Inspections	Estimated Hours	Number of Inspections	Estimated Hours	Number of Inspections	Estimated Hours
Temporary Construction Power	2	4	N/A	N/A	N/A	N/A
Plan/Submittal Administrative Acquaintance:						
o Review building plans becoming familiar with project	N/A	8	N/A	4	N/A	6
o Review fire stopping submittals	N/A	2	N/A	2	N/A	4
o Review steel fire proofing submittals	N/A	N/A	N/A	N/A	N/A	N/A
o Review SI reports (fire proofing/intumescent paint)	N/A	N/A	N/A	N/A	N/A	N/A
Underground Service Utilities Inspection Observation: (within 5' of bldg)						
o Potable water lines	2 (1 initial 1 reinsp)	8	N/A	N/A	N/A	N/A
o Building Sewer	2 (1 initial 1 reinsp)	8	N/A	N/A	N/A	N/A
o Electrical underground conduits	2 (1 initial 1 reinsp)	8	N/A	N/A	N/A	N/A
o Fire sprinkler service entrance (flush-hydro)	N/A	N/A	2 (1 initial 1 reinsp)	8	N/A	N/A
o Natural Gas	2 (1 initial 1 reinsp)	8	N/A	N/A	N/A	N/A
Underslab Inspection Observation: (inspect/pressure testing)						
o Drain Waste Vent (DWV) piping	2 (1 initial 1 reinsp)	8	N/A	N/A	N/A	N/A
o Water piping	2 (1 initial 1 reinsp)	8	N/A	N/A	N/A	N/A
o Natural Gas, if applicable	2 (1 initial 1 reinsp)	8	N/A	N/A	N/A	N/A
General Building Construction Observation Inspection:						
o Wall Rough-in (per floor)	1 (4 hrs per floor)	10	1 (4 hrs per floor)	10	1 (4 hrs per floor)	8
o Wall Rough-in Re-inspection (per floor)	1 (2 hrs per floor)	6	1 (2 hrs per floor)	6	1 (2 hrs per floor)	4
o Above Ceiling (per floor)	1 (4 hrs per floor)	10	1 (4 hrs per floor)	10	1 (4 hrs per floor)	8
o Above Ceiling Re-inspection (per floor)	1 (2 hrs per floor)	6	1 (2 hrs per floor)	6	1 (2 hrs per floor)	4
o Firestopping: visual observations and 2% destructive testing of each type	N/A	N/A	N/A	N/A	4 (1 initial 3 reinsp) per floor (2 hrs per)	8
o Rated assembly: dry wall, fasteners and spacings	N/A	N/A	N/A	N/A	4 (1 initial 3 reinsp) per floor (2 hrs per)	8
o General: Stair dimensions, door hardware, rated doors, glazing, etc.	N/A	N/A	N/A	N/A	4 (1 initial 3 reinsp) per floor (6 hrs per)	24
Final Inspection Observation:						
o Code (initial and re-inspection)	N/A	N/A	N/A	N/A	2 (1 initial 1 reinsp)	32
o Fire Protection (initial and re-inspection)	N/A	N/A	2 (1 initial 1 reinsp)	8	N/A	N/A
o MEP (initial and re-inspection)	2 (1 initial 1 reinsp)	10	N/A	N/A	N/A	N/A
Total Hours		112		54		106
Rates		\$ 140.00		\$ 150.00		\$ 150.00
Total Fee Per Division		\$ 15,680.00		\$ 8,100.00		\$ 15,900.00
					Total Fee	\$ 39,680

Rushton Elementary - 1 building with two stories

<u>Inspections/Tasks</u>	<u>Structural</u>		
	Review of Submittals	Number of Inspections	Estimated Hours
Administrative review of Third Party Special Inspector Bi-Weekly Reports, Final Report and Submittals	24		72
Administrative review of Delegated Design Submittals per Approved Construction	10		20
Periodic Observation of Construction for drilled piers, footings and foundations inspected by third party		2	8
Periodic Observation of structural systems that are inspected by third party inspector		8	32
Administrative review of shop drawing submittals	6		12
Review of ICC 500 Storm Shelter Drawings, Calculations and Submittals			40
Drawing Management - Updates			8
Total Hours			192
Rate			\$ 135.00
Total Fee			\$ 25,920.00
			Total Fee
			\$ 25,920

Rushton Elementary - 1 building with two stories

<u>Inspections/Tasks</u>	<u>ADA</u>	
	Number of Inspections	Estimated Hours
Review building plans to become familiar with project		4
Rough-in Inspection (Door Maneuvering, Height Electrical Boxes, Location of Plumbing for Water Closets)	2	12
Finish Inspections (Stairs, Elevators, Doors, Casework, Appliances, Plumbing Fixtures and Accessories, Electrical Outlets, Switches and Thermostats)	2	12
Final Inspections (Site Accessible Routes, Parking, Entrances, Signage and Common Use Spaces)	1	4
Total Hours		32
Rate		\$ 250.00
Total Fee		\$ 8,000.00
		Total Fee
		\$ 8,000

City of Mission	Item Number:	7f.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Community Development	From:	Jim Brown/Brian Scott

Action items require a vote to recommend the item to the full City Council for further action.

RE: Declaration of Structure as Unfit for Human Habitation – 6350 W. 49th Street, Mission, Kansas 66202

RECOMMENDATION: Approve the Resolution declaring the structure at 6350 W 49th Street unfit for human habitation and ordering the structure to be repaired, altered, or improved or vacated and closed and identifying a strict timeline for compliance in accordance with Section 510.160 (C) of the Mission Municipal Code.

DETAILS: The Community Development Department is responsible for ensuring all property in the City of Mission meets various building and property codes and does not pose a risk to the general public. To meet this goal, staff responds to citizen complaints and requests, along with requests from the Fire and Police Departments regarding possible dangerous or unfit dilapidated structures. Staff also performs self-initiated inspections when a structure presents a clear and present danger to the public.

The structure located at 6350 W 49th Street (the “Property”) is a townhome built in 1979. The structure has an ongoing history of unresolved code violations dating back to April 1, 2022.

On February 17, 2023 an evidentiary hearing was held to make a determination on the Complaint and Order for Hearing personally served to the owner on January 26, 2023. The sole purpose of this hearing was to provide the owner and other interested parties the opportunity to provide evidence and documentation for the Building Official (serving as the Public Officer) to consider when making the final determination as to whether the Property was unfit for human habitation as noted in Item III of the Complaint and Order for Hearing and in accordance with Section 510.160 of the Mission Municipal Code (“the Code”).

The owner of the Property, Susan Minkoff, did not attend the hearing, but was represented by her attorney, Michael Page who had been given authority to speak on her behalf for purposes of the evidentiary hearing.

Other parties in attendance included: Jay Meyer (adjacent property owner at 6348 W 49th Street) and Randall Robb (potential buyer).

Related Statute/City Ordinance:	Chapter 510 – Unsafe or Dangerous Structures – Mission Municipal Code
Line Item Code/Description:	NA
Available Budget:	NA

City of Mission	Item Number:	7f.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Community Development	From:	Jim Brown/Brian Scott

Action items require a vote to recommend the item to the full City Council for further action.

All parties in attendance who had an interest in the property acknowledged receipt of the Complaint and Order for Hearing and furthermore acknowledged complete and full understanding of the factual allegations which necessitated the hearing. All parties were given the opportunity to speak, and no evidence or documentation was presented during the hearing to deny or dispute the factual allegations as documented in the Complaint and Order for Hearing. Upon conclusion of the hearing the factual allegations remain uncontroverted and uncontested.

As a result of this hearing, the Public Officer has made the determination, based on the evidence, that the Property located at 6350 W 49th Street, Mission, Kansas **is hereby declared unfit for human occupancy and deemed a public nuisance.** The Public Officer has determined that the cost of the repairs do not exceed fifty percent (50%) of the value of the Property (which, since the Property is a duplex/townhome, it includes the value of the neighboring property sharing the common fire wall) and orders the Property **to be repaired, altered, or improved.**

On February 21, 2023, the Findings of Fact with Order of Abatement was personally served and mailed (certified) to the owner and all parties of interest. (See Exhibit A)

The deadline for compliance with the Findings of Fact with Order of Abatement was March 21, 2023. Despite all efforts by staff to achieve compliance, the violations have not been corrected and the Property remains in violation.

In accordance with Section 510.160 (C) of the Mission Municipal Code, if the owner fails to comply with an order to repair, alter or improve or to vacate and close the structure within thirty (30) days from the date of such order, the Public Officer shall file with the Governing Body his/her written report of the proceedings and orders which shall be reviewed by the Governing Body at its next regular meeting and, upon approval of the report and proceedings by the Governing Body, the public officer may cause such structure to be repaired, altered or improved or to be vacated and closed.

Staff has clearly demonstrated that the property at 6350 W 49th Street is unfit for human habitation and as such, staff has prepared a resolution for the Governing Body's

Related Statute/City Ordinance:	Chapter 510 – Unsafe or Dangerous Structures – Mission Municipal Code
Line Item Code/Description:	NA
Available Budget:	NA

City of Mission	Item Number:	7f.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Community Development	From:	Jim Brown/Brian Scott

Action items require a vote to recommend the item to the full City Council for further action.

consideration and approval. The resolution fixes a reasonable time (30 days) in accordance with Section 510.160 (C) within which repairs, alterations or improvements to such Property shall be commenced and clearly states that if the owner fails to commence repairs, alterations or improvements or vacate and close such Property or “fails to diligently prosecute” the same until the work is completed, the City Council shall cause the Property to be repaired, altered or improved or vacated and closed.

In the event that it is necessary for the City to cause the Property to be repaired, altered or improved, the amount of the cost of such repairs, alterations or improvements or vacating and closing or removal or demolition by the Public Officer shall be a lien against the real property upon which such cost was incurred and such lien, including as part thereof allowance of his/her costs and the necessary attorney's fees, may be foreclosed in judicial proceedings in the manner provided or authorized by law for loans secured by liens on real property or shall be assessed as a special assessment against the lot or parcel of land on which the structure was located. The City Clerk shall, at the time of certifying other City taxes, certify the unpaid portion of the aforesaid costs and shall extend the same on the tax rolls of the County against the lot or parcel of land.

CFAA CONSIDERATIONS/IMPACTS: N/A

Related Statute/City Ordinance:	Chapter 510 – Unsafe or Dangerous Structures – Mission Municipal Code
Line Item Code/Description:	NA
Available Budget:	NA



MEMORANDUM

To: Mayor Flora and Members of the City Council

Through: Laura Smith, City Administrator
Robyn Fulks, City Clerk

From: Jim Brown, Building Official
Brian Scott, Deputy City Administrator for Community Development and Planning Services

Date: March 31, 2023

Regarding: Dangerous and Inhabitable Condition of 6350 W. 49th Street

The property at 6350 W. 49th Street is owned by Susan Minkoff. The property next door at 6348 W. 49th Street is owned by Jay Meyer. The two properties are townhomes that share a common party-wall.

Issues with the property at 6350 W. 49th Street date back to 2020. At that time a large tree limb fell damaging the deck, a portion of the privacy fence, and completely knocking down the stairwell from the deck.

The following year, Mr. Meyer was contacted by Ms. Minkoff to investigate a possible animal in one of the upstairs bedrooms. At that time Mr. Meyer noted a hole in the roof that would allow an animal to get in. The roof was eventually covered with a tarp.

In 2022, Mr. Meyer began to hear scratching noises in the common wall shared by the two units. He notified Ms. Minkoff of this, but no action was taken.

It was around this time that Mr. Meyer brought his concerns to the attention of the Community Development staff. The mental health co-responders were asked to visit Ms. Minkoff to assess the situation and her wellbeing. It was during this visit that the hole in the roof was identified as well as a dead racoon in one of the upstairs bedrooms. A notice of violation for the hole in the roof was issued to Ms. Minkoff

In subsequent conversations with the Community Development Department staff, Ms. Minkoff indicated that she was unable make the needed repairs due to financial constraints. Staff referred her to the City's assistance program to help with home repairs, but she did not qualify for these.

Issues with the property have persisted since this time including evidence of rat infestation in both Ms. Minkoff's home and the home of Mr. Meyers, a leaking gas line that had to be

disconnected, and a leaking water pipe that led to the water being disconnected. The leaking water pipe also resulted in minor damage to Mr. Meyer's home.

The notice of violation has resulted in a court case with numerous appearances, but no action taken by Ms. Minkoff to address the situation or resolve the pending court case.

In consultation with the City Attorney / Prosecuting attorney, the Community Development Staff has decided that an alternative approach needs to be taken to address the situation, and that is to declare the house uninhabitable and order repairs to be done or the City will make the necessary repairs.

Acting under the authority granted in Section 510.130 of the Mission Municipal Code, which is governed by KSA 17-4759, a public hearing was held on February 21, 2023 to take testimony from all concerned parties as to why the house at 6350 W. 49th Street should not be declared uninhabitable. At the conclusion of the public hearing, findings of facts were made and an order made by Jim Brown, the City's Building Official, to make the necessary repairs to the structure within 30 days, which would be March 21, 2023. To date, the repairs have not been made.

In accordance with Section 510.160(D) of the Mission Municipal Code, the findings of fact are now being submitted to the City Council for their consideration. If the City Council is in agreement with the finding of facts, it may adopt a resolution stating that repairs be made within 30 days or the City will take such action to make the repairs and assess the property for the costs.

Staff is requesting that this item be placed on the April 12th agenda of the Community Development Committee for discussion and on the April 19th City Council legislative agenda for consideration by the City Council.

Attachments:

- History/Timeline/Background of Events Concerning 6350. W. 49th Street
- Findings of Fact with Order of Abatement Dated February 21, 2023
- Resolution Setting Fourth the Governing Body's Findings that a Certain Structure is Unfit for Human Habitation, and Directing that the Structure to be Repaired, Altered or Improved or Vacated and Closed and Fixing a Reasonable Time Within Which the Work Shall Be Commenced and Completed.
- Article II of the Mission Municipal Code

RESOLUTION _____

A RESOLUTION SETTING FORTH THE GOVERNING BODY’S FINDINGS THAT THE STRUCTURE LOCATED AT 6350 W. 49TH STREET IS UNFIT FOR HUMAN HABITATION, DIRECTING THE STRUCTURE TO BE REPAIRED, ALTERED, OR IMPROVED OR VACATED AND CLOSED AND FIXING A REASONABLE TIME WITHIN WHICH THE WORK SHALL BE COMMENCED AND COMPLETED.

WHEREAS, The Building Official of the City of Mission (serving as the Public Officer) conducted a public hearing on February 17, 2023 to determine whether the structure located 6350 W. 49th Street in the City of Mission, Johnson County, Kansas is unfit for human habitation as noted and in accordance with Section 510.610 of the Mission Municipal Code, and

WHEREAS, Notice of the time and place of the public hearing was provided to the owner of said structure and all other interested parties; and

WHEREAS, At the conclusion of the public hearing, after certain findings of fact were made, it was determined that the structure at 6350 W. 49th Street is unfit for human habitation and an order made to repair, alter, or improve the structure within 30 days so as to make it fit for human habitation (said order attached to this Resolution as “Exhibit A”); and

WHEREAS, As of March 31, 2023 no reasonable effort has been made to bring the structure at 6350 W. 49th Street into compliance with the order; and

WHEREAS, The Building Official is now requesting that the City Council consider ordering the structure at 6350 W. 49th Street to be repaired, altered, or improved to make such structure fit for human habitation, and if no action is taken, the City will then make such repairs and assess the costs on to the property; and

WHEREAS, Such consideration will be made at the City Council meeting scheduled April 19, 2023, and notice of the time and place of the City Council meeting has been given to the property owner and all other interested parties as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MISSION

Section 1. Approval of Finding of Fact and Order to Repair. The written report of the proceedings held on February 17, 2023, and the subsequent order to repair, alter, or improve, attached to this Resolution as “Exhibit A”, is hereby accepted and approved by the Governing Body.

Section 2. Determination That Structure is Unfit for Human Habitation. It is hereby determined that the structure located at:

6350 W. 49th Street in the City of Mission, Johnson County, Kansas
KS Uniform Parcel #: 0460630502022004000
Tax Property ID: KP13500000 0024A
Greenwood Acres Lot 24 Except Southeast 45.9’ MIC93 24A

is found to be unfit for human habitation and that such conditions or defects exist to the extent that said structure is dangerous and injurious to the health, safety and moral of the occupants of said structure and

the residents of Mission, Kansas and has a blighting influence on properties in the area.

Section 3. Order to Repair. The owner or owner's agent of said structure is hereby directed to cause said structure to be repaired, altered, and improved, and such work shall be commenced by May 1, 2023, and shall be diligently prosecuted to allow for substantial completion of all work by no later than May 31, 2023.

Section 4. City to Abate. If the owner or owner's agent fails to commence the repair, or to diligently prosecute the work until the work is substantially completed, all within the times stated in Section 3, the Governing Body shall hereby order the Building Official to obtain bids and cause said structure to be repaired, altered, and improved pursuant to Section 510.160(D) of the Municipal Code.

Section 5. Lien Placed on Property for Repairs. The amount of the cost of such repairs, alterations or improvements or vacating and closing by the City shall be a lien against the real property upon which such cost was incurred and such lien, including as part thereof allowance of his/her/their costs and the necessary attorney's fees, may be foreclosed in judicial proceedings in the manner provided or authorized by law for loans secured by liens on real property or shall be assessed as a special assessment against the lot or parcel of land on which the structure was located. The City Clerk shall, at the time of certifying other City taxes, certify the unpaid portion of the aforesaid costs and shall extend the same on the tax rolls of the County against the lot or parcel of land.

Section 6. Effective Date of This Resolution. This Resolution shall be in full force and effect from and after its adoption by the Governing Body and the City Clerk shall cause it to be published one (1) time in the official city newspaper and shall mail, by certified mail, copies of the resolution to each owner, agent, lienholder of record and any occupant of the structure within three (3) days after its publication.

PASSED AND APPROVED BY THE GOVERNING BODY of the City of Mission, Kansas, this 19th day of April 2023.

APPROVED BY THE MAYOR of the City of Mission, Kansas, this 19th day of April 2023

Solana Flora, Mayor

ATTEST:

Robyn Fulks, City Clerk

APPROVED AS TO FORM:

David Martin, City Attorney

Exhibit A
Public Officer's Written Report and Order



PROPERTY AT 6350 W 49TH STREET, MISSION KANSAS

**UNCONTROVERTED
FINDINGS OF FACT
WITH ORDER OF ABATEMENT
FEBRUARY 21, 2023**

On February 17, 2023 an evidentiary hearing was held to make a determination on the Complaint and Order for Hearing personally served January 26, 2023. The sole purpose of this hearing was to provide the owner and other interested parties the opportunity to provide evidence and documentation for the Public Officer to consider when making the final determination as to whether the property located at 6350 W 49th Street, Mission, Kansas (“the Property”) is unfit for human habitation as noted in Item III of the Complaint and Order for Hearing and in accordance with Section 510.160 of the City Code of Mission, Kansas (“the Code”).

The owner of the property, Susan Minkoff, was represented by her attorney, Michael Page. Susan Minkoff was not in attendance at the hearing, but Mr. Page represented that Susan Minkoff hired him and gave him authority to speak on her behalf for purposes of the evidentiary hearing.

Other parties in attendance included: Jay Meyer (Adjacent Property Owner at 6348 W 49th Street) and Randall Robb (potential buyer).

All parties in attendance which had an interest in the property acknowledged receipt of the Complaint and Order for Hearing and furthermore acknowledged complete and full understanding of the Factual Allegations necessitating the hearing.

All parties in attendance were given the opportunity to speak. No evidence or documentation was presented during the hearing to deny or dispute the Factual Allegations as documented in the Complaint and Order for Hearing. Upon conclusion of the hearing the Factual Allegations remain uncontroverted and uncontested.

As a result of this hearing, the Public Officer has made the determination, based on the evidence, that the Property located at 6350 W 49th Street, Mission, Kansas **is hereby declared unfit for human occupancy and deemed a public nuisance.** The Public Officer has determined that the cost of the repairs do not exceed fifty percent (50%) of the value of the Property (which, since the Property is a duplex/townhome, it includes the value of the neighboring property sharing the common fire wall) and orders the Property **to be repaired, altered, and improved.**

Findings of Fact

1. This Property is commonly known as 6350 W 49th Street, Mission, Kansas 66202, a townhome constructed in 1979. This townhome shares a common fire wall with 6348 W 49th Street. This Property is currently owned by Susan Minkoff as evidenced by deed records of Johnson County.
2. On April 1, 2022, Public Officer, in Public Officer's duties as Building Official, observed five property code violations of the International Property Maintenance Code, 2012 Edition, as adopted by Section 500.100 of the City Code of the City of Mission, Kansas (the "IPMC").
3. The first violation of the IPMC is a violation of IPMC 304.1.1 and 304.7, as the Property Owner Minkoff failed to maintain the Property's roof and components, as the roof appears to be original to the Property (1979) and has reached its limit state necessitating full replacement.
4. The second violation of the IPMC is a violation of IPMC 304.2 and 304.6, as the Property Owner Minkoff failed to maintain the Property's exterior wall elements, allowing actual entry and potential further entry by vermin, rodents, animals, and pests into the Property.
5. Actual entry of vermin was confirmed on May 6, 2022, when the neighbor caught, through a pest control service hired by the neighbor, four (4) large Norway Sewer Rats, which the owner of Adjacent Property stated came from the Property.
6. The third violation of the IPMC is a violation of IPMC 304.4, 304.10, and 304.12, as the Property Owner Minkoff failed to maintain the Property's rear deck and deck stairs, causing the rear deck and stairs to collapse, creating a dangerous and structurally compromised condition.
7. The fourth violation of the IPMC is a violation of IPMC 304.6 and 703.1, as the Property Owner Minkoff failed to maintain the Property's side of the common fire wall, resulting in the fire rating of the common wall being compromised and allowing pests, including rodents to gain access to the dwelling sharing the fire wall with the Property.
8. The fifth violation of the IPMC is a violation of IPMC 108.1.5, as the Property Owner Minkoff has failed to provide an exterior landing or stairway for an upper-level existing patio door that serves a side exterior wall on the Property, creating a hazardous condition.
9. Despite adequate notice to Property Owner Minkoff, the above violations have not been corrected and currently remain in violation.
10. Additionally, Property Owner Minkoff neglected to care for the Property, which resulted in the Consolidated Fire District #2 and gas company being dispatched to the Property to remedy a gas leak on April 18, 2022.
11. Property Owner Minkoff further neglected to care for the Property, which resulted in a water line failure in the Subject Property on December 28, 2022, and subsequent water intrusion into the Adjacent Property and water throughout the Property's lower level. The Water Department was dispatched to the Property to remedy the leak and the water remains shut off to the Property and no steps have been taken to repair the water damage or repair the water shut off valve. The absence of water service also directly eliminates the ability to have sanitary service for the property.

Based on the above uncontroverted facts from the Complaint and this hearing, this Public Officer finds the Property is in violation of Section 510.160 of the City Code of Mission, Kansas for being unfit for human habitation as the Property is dangerous and injurious to the health, safety and moral of the occupants of Mission, Kansas and has a blighting influence on properties in the area. As such, the Public Officer orders the Property to be repaired, altered, and improved.

Order to Abate Violations

As such, it is thereby ordered that the following repairs must be undertaken without delay:

1. Replace the dilapidated roof and all applicable components in their entirety. (Item 3 noted above)
2. Repair all damaged and dilapidated exterior wall elements. (Item 4 noted above)
3. Take immediate action to eradicate all pests, rodents, and vermin from the property. (Item 5 noted above)
4. Replace the stairway serving the rear deck, Repair or replace all dilapidated components of the existing deck to include guardrail and handrail components. (Item 6 noted above)
5. Take immediate action to make all necessary repairs to the common fire wall separating the two properties. (Item 7 noted above)
6. Install a landing and exterior stair to serve the existing upper-level patio door. Or remove the existing patio door and replace with a code compliant window unit. (Item 8 noted above)
7. Make all repairs necessary to assure all utilities are fully operational to include gas service and HVAC components. (Item 10 noted above)
8. Take immediate action to repair the damaged/leaking water service and water lines to the property. (Item 11 noted above)
9. Restore the property to a livable condition acceptable for human occupancy.
10. Obtain all necessary permits as applicable for the repairs. (roof, deck, electrical, plumbing, mechanical, etc.)
11. Schedule inspections to assure compliance with all applicable codes and regulations.

Deadline for Compliance

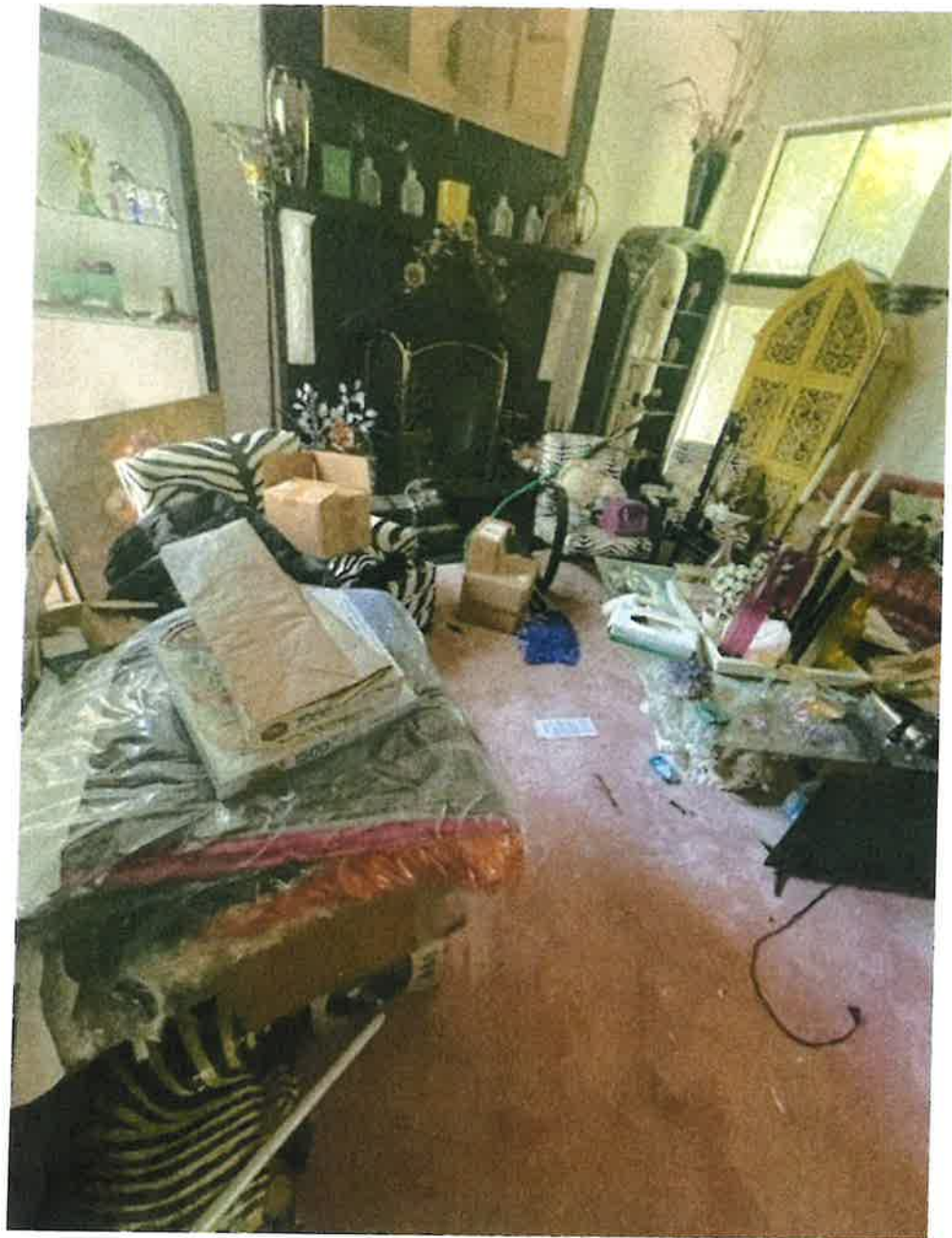
MARCH 21, 2023

If the Property is not repaired, altered, or improved in accordance with this Order within thirty (30) days from the date of this order, the public officer shall file with the Governing Body his/her written report of his/her proceedings and orders which shall be reviewed by the Governing Body at its next regular meeting and, upon approval of the report and proceedings by the Governing Body, the public officer may cause such structure to be repaired, altered or improved or to be vacated and closed.

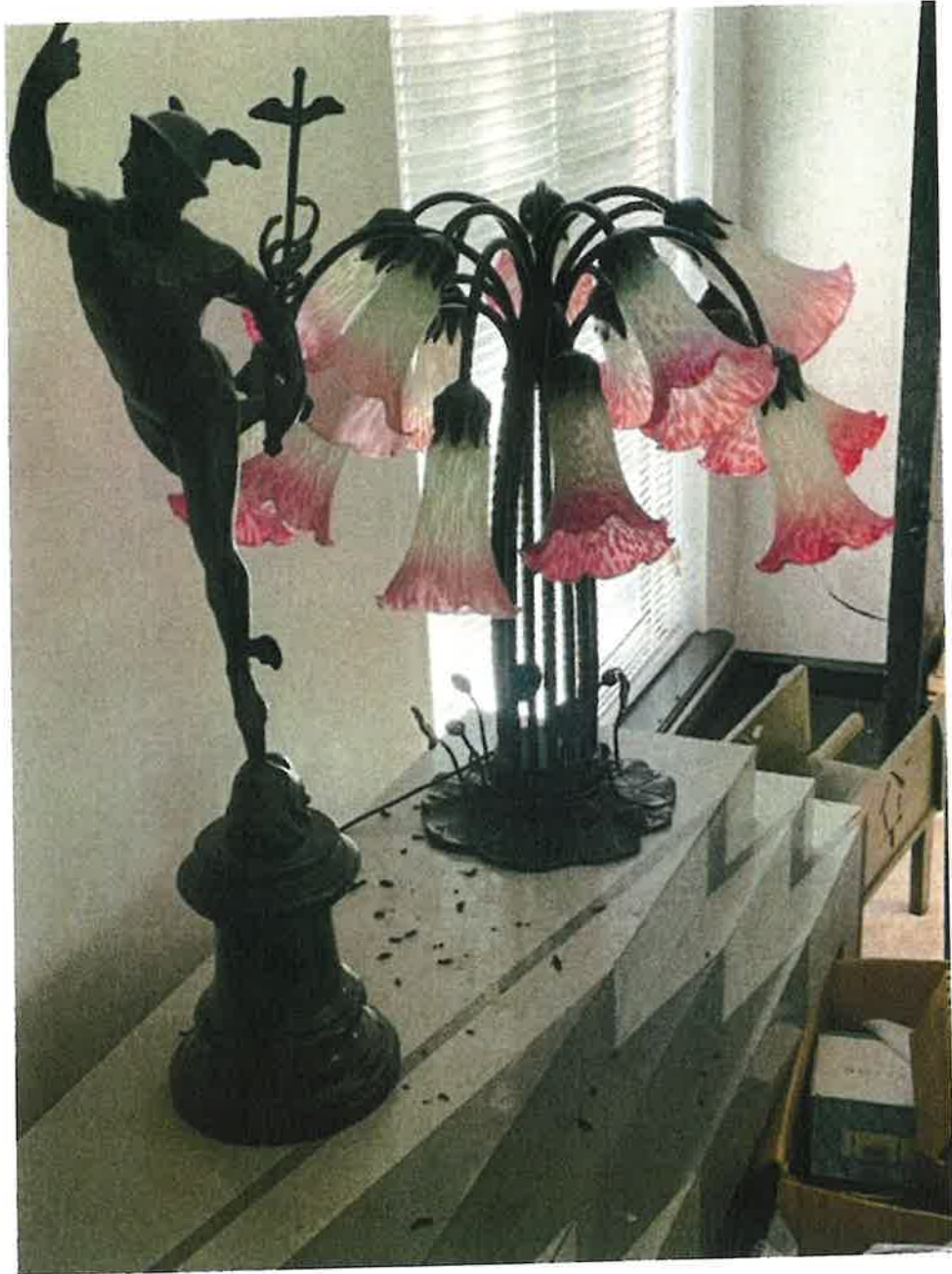
It is so ordered.

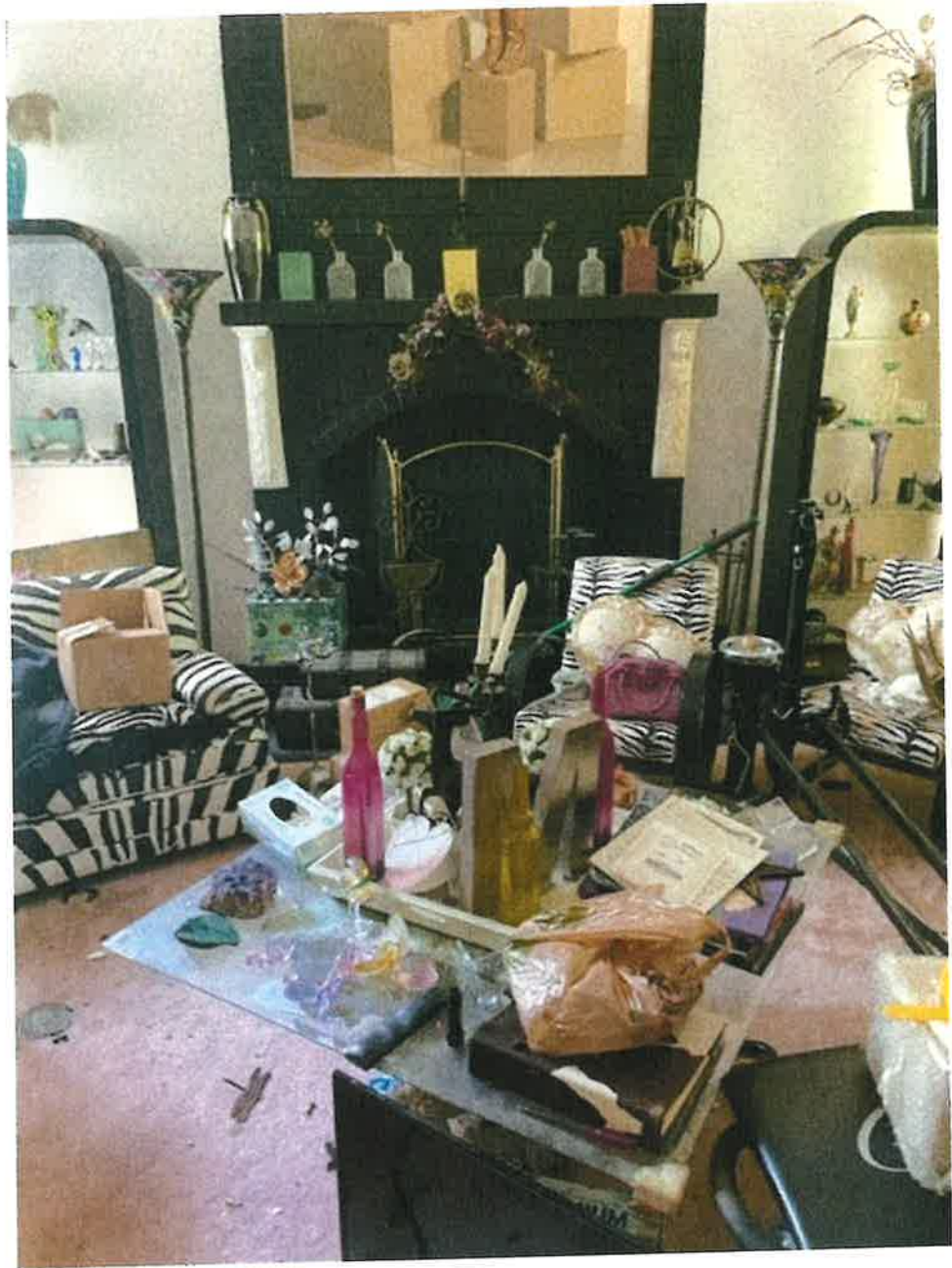
Jim Brown, Public Officer

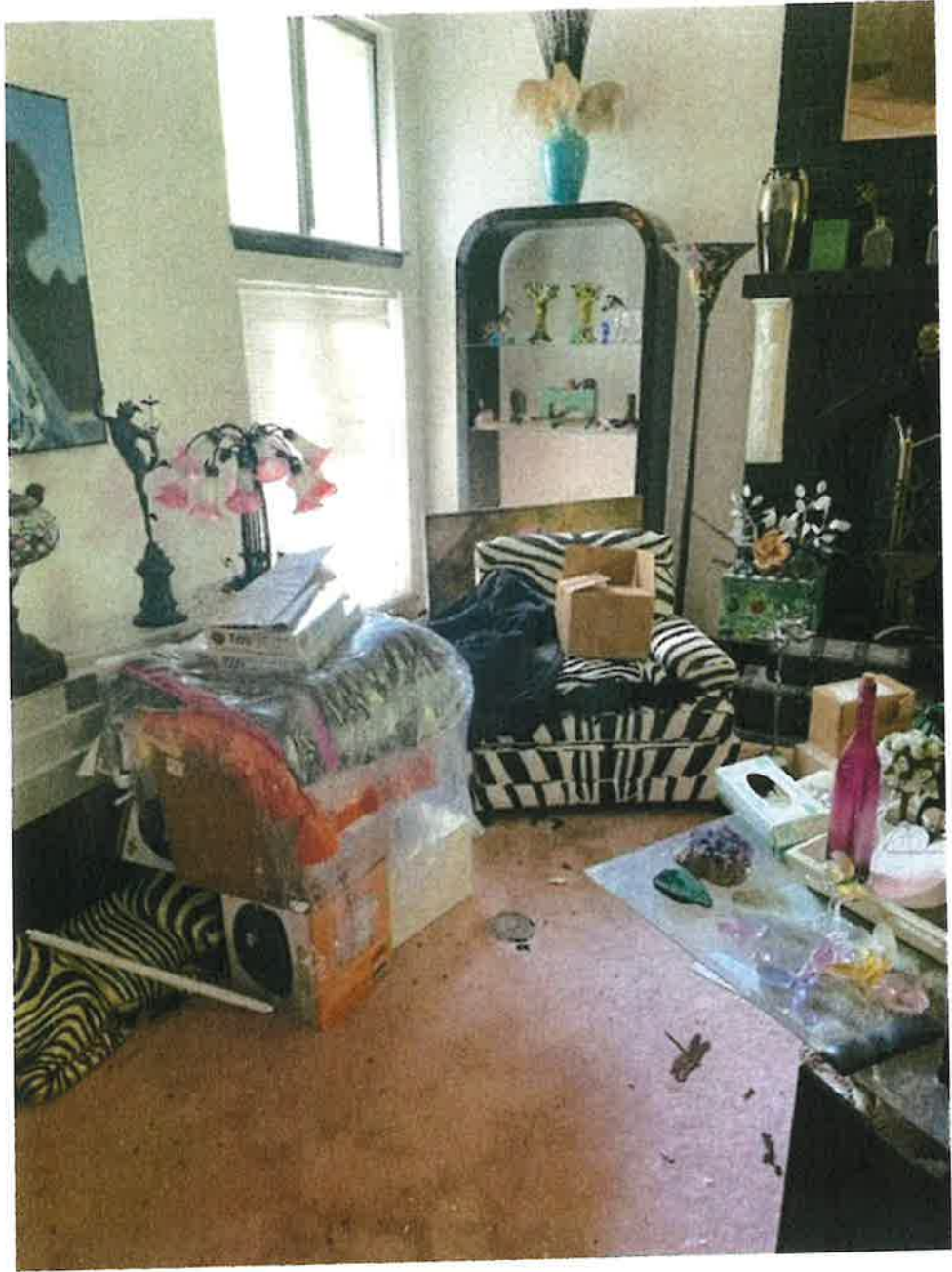
First Floor
07/15/2022



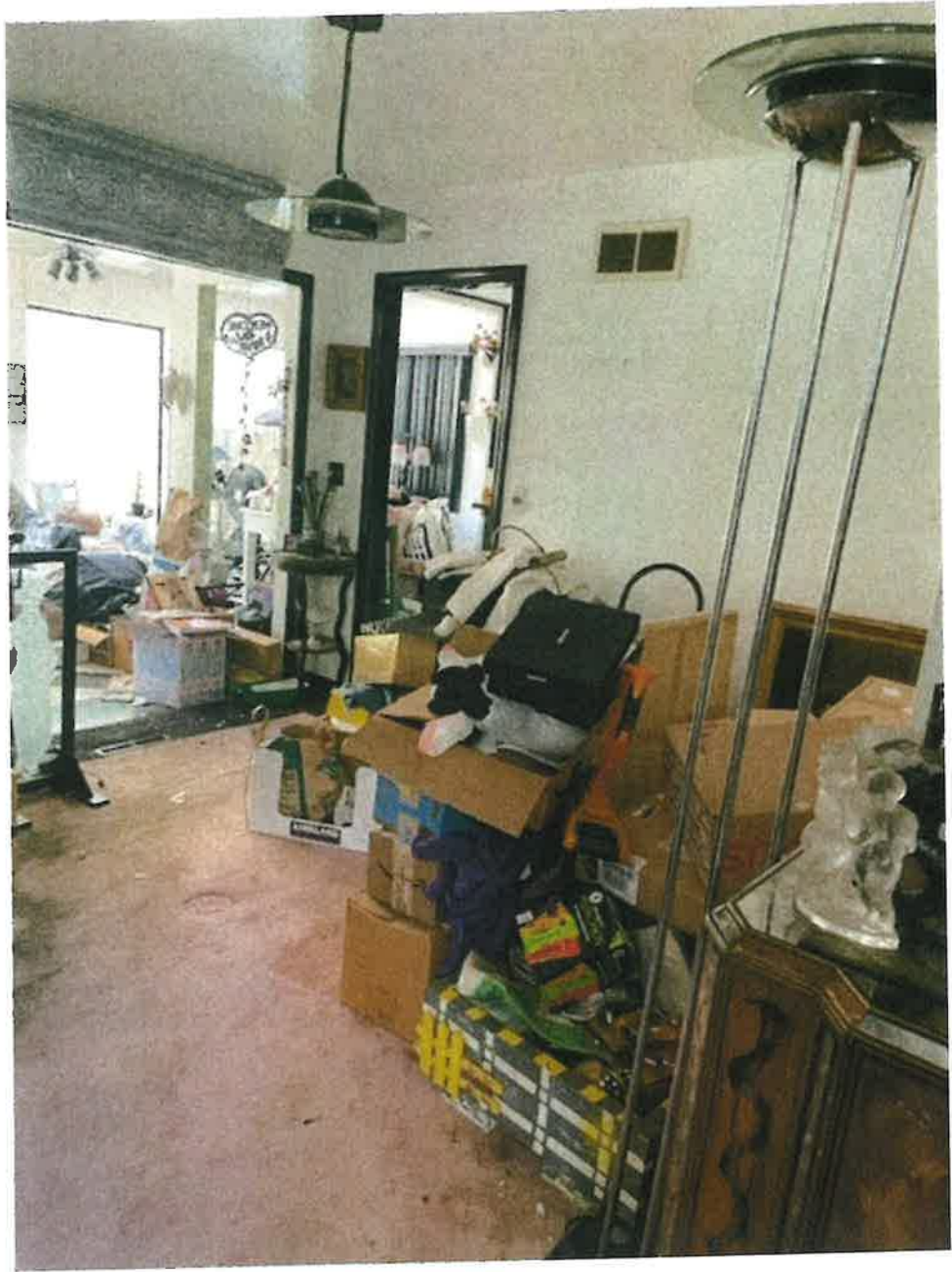
















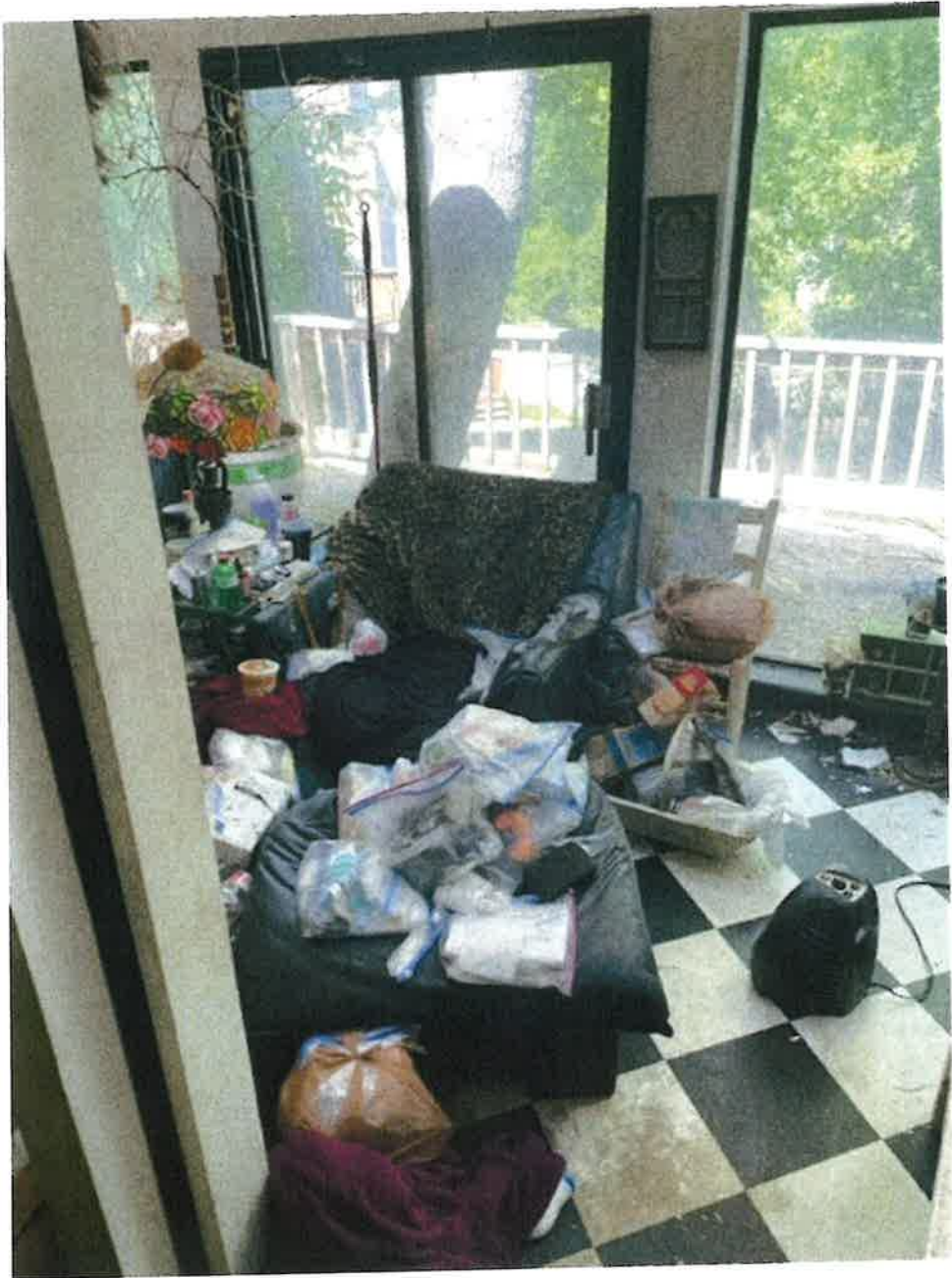


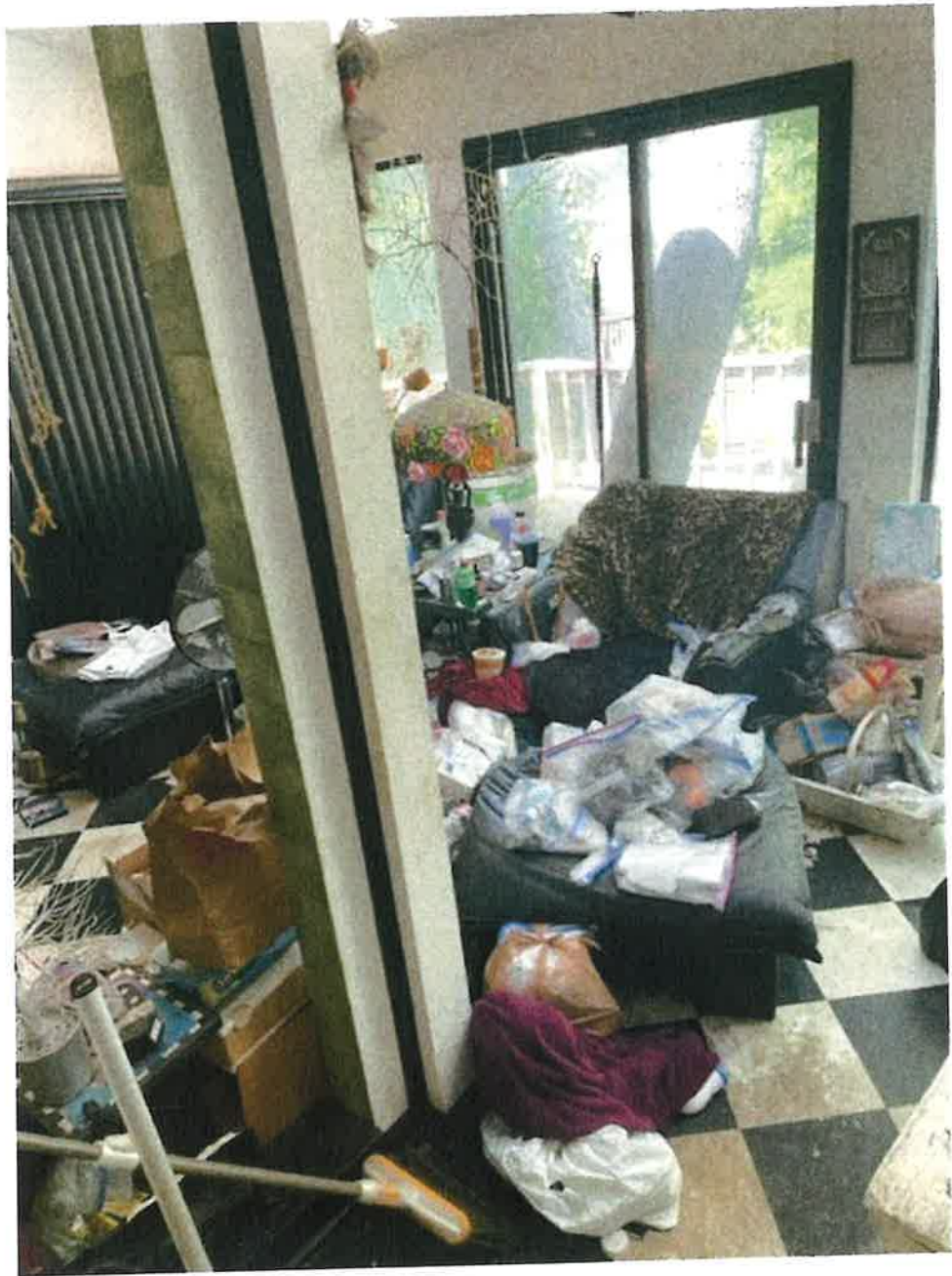




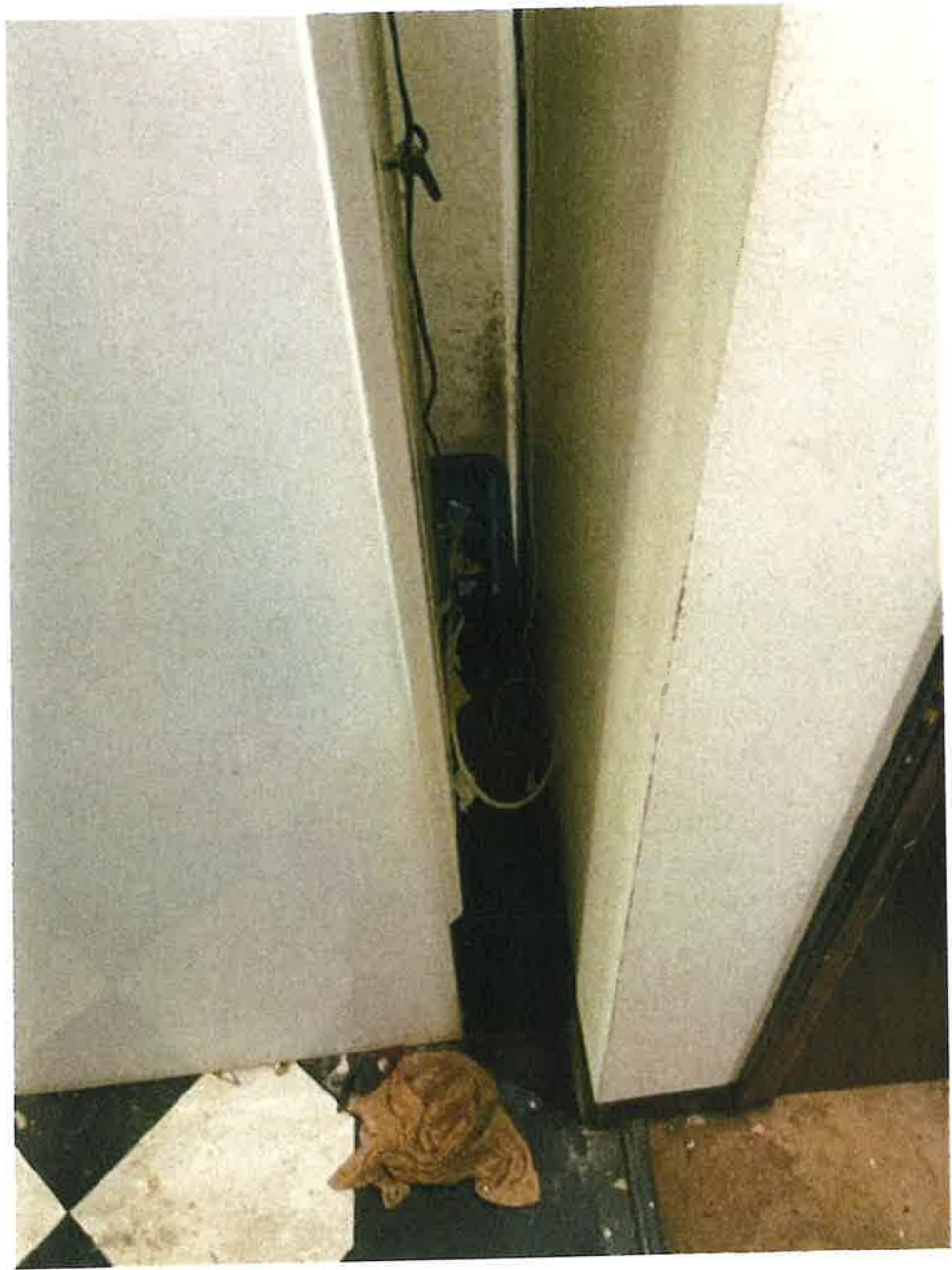






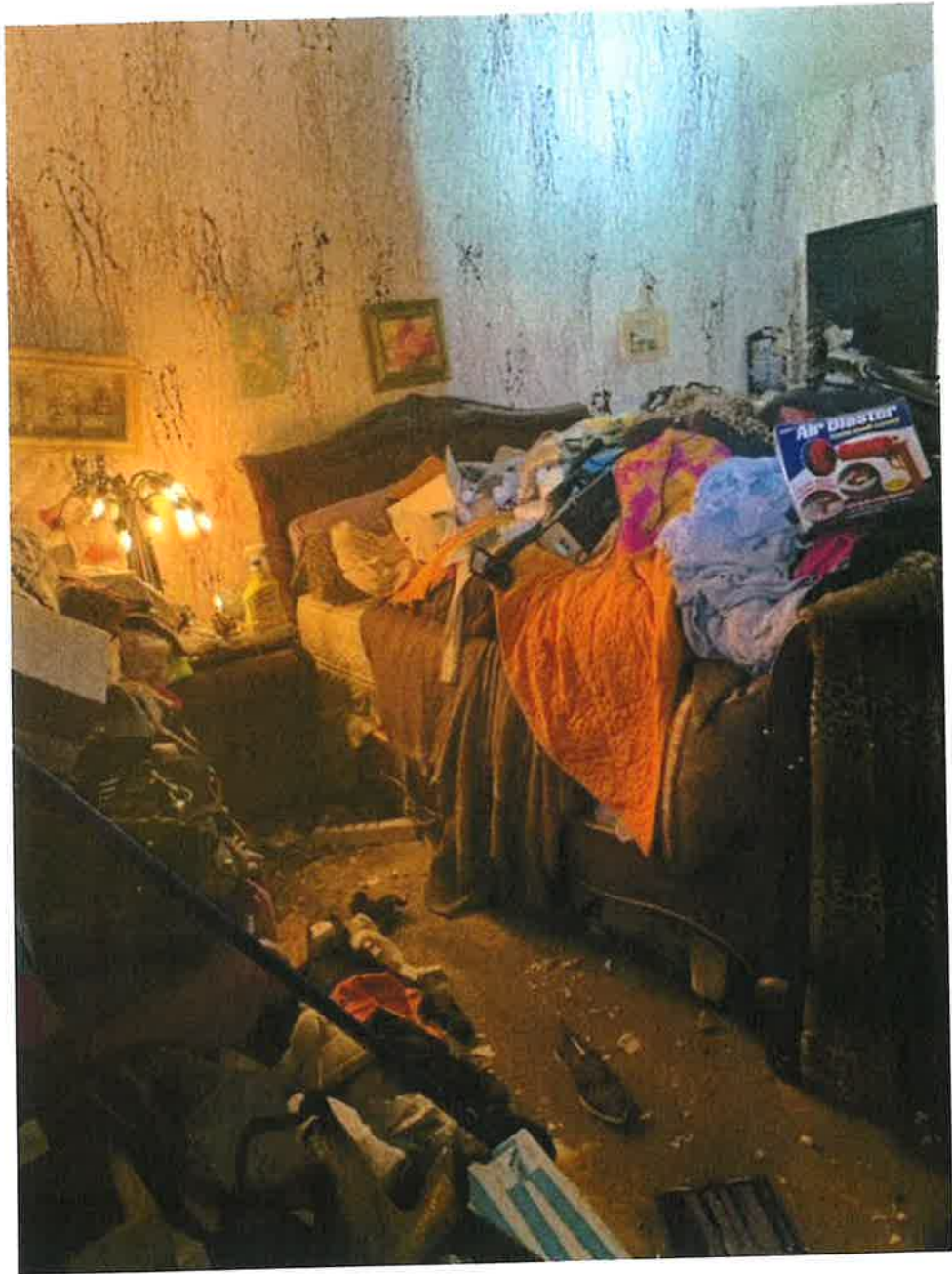


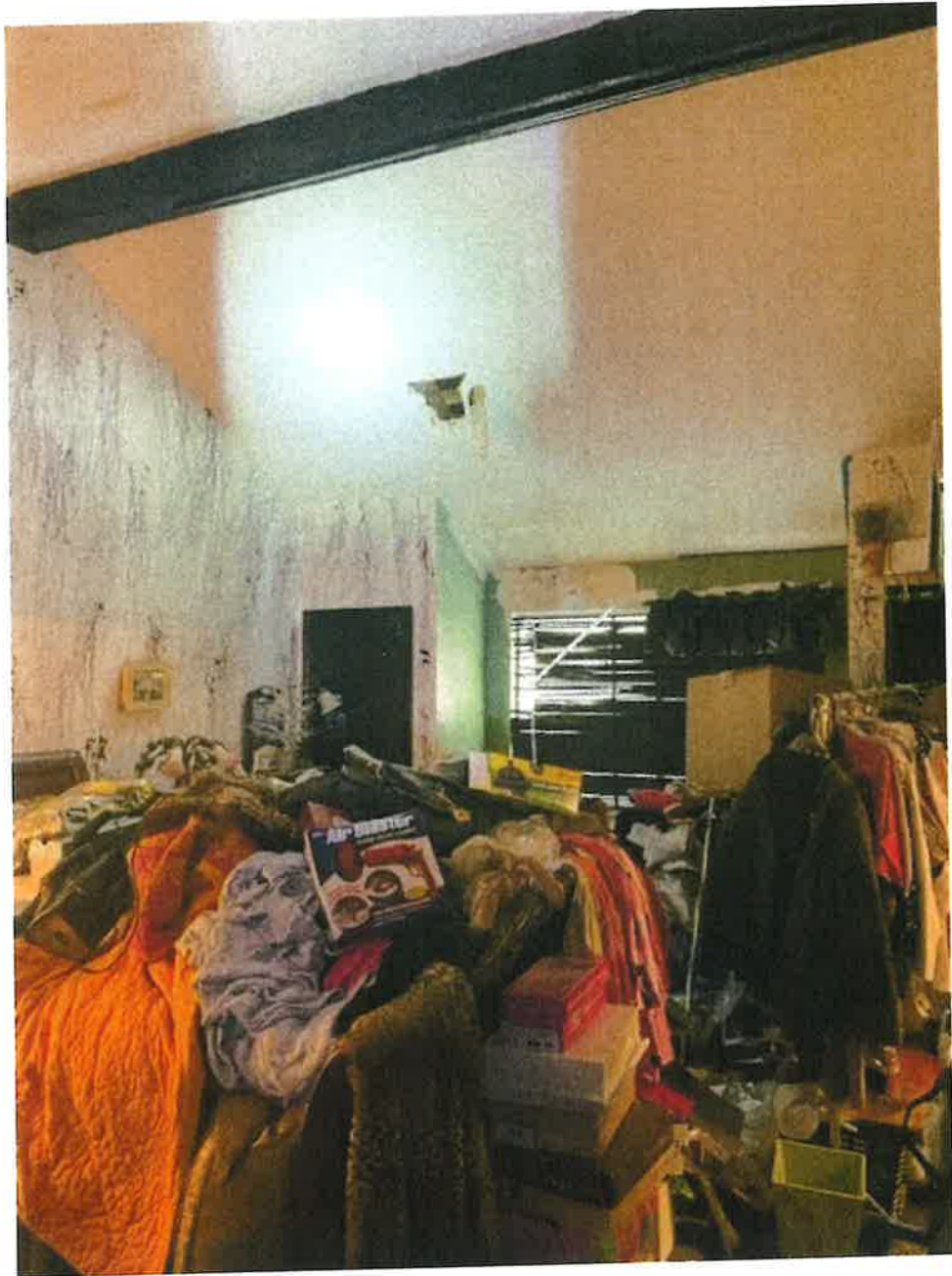


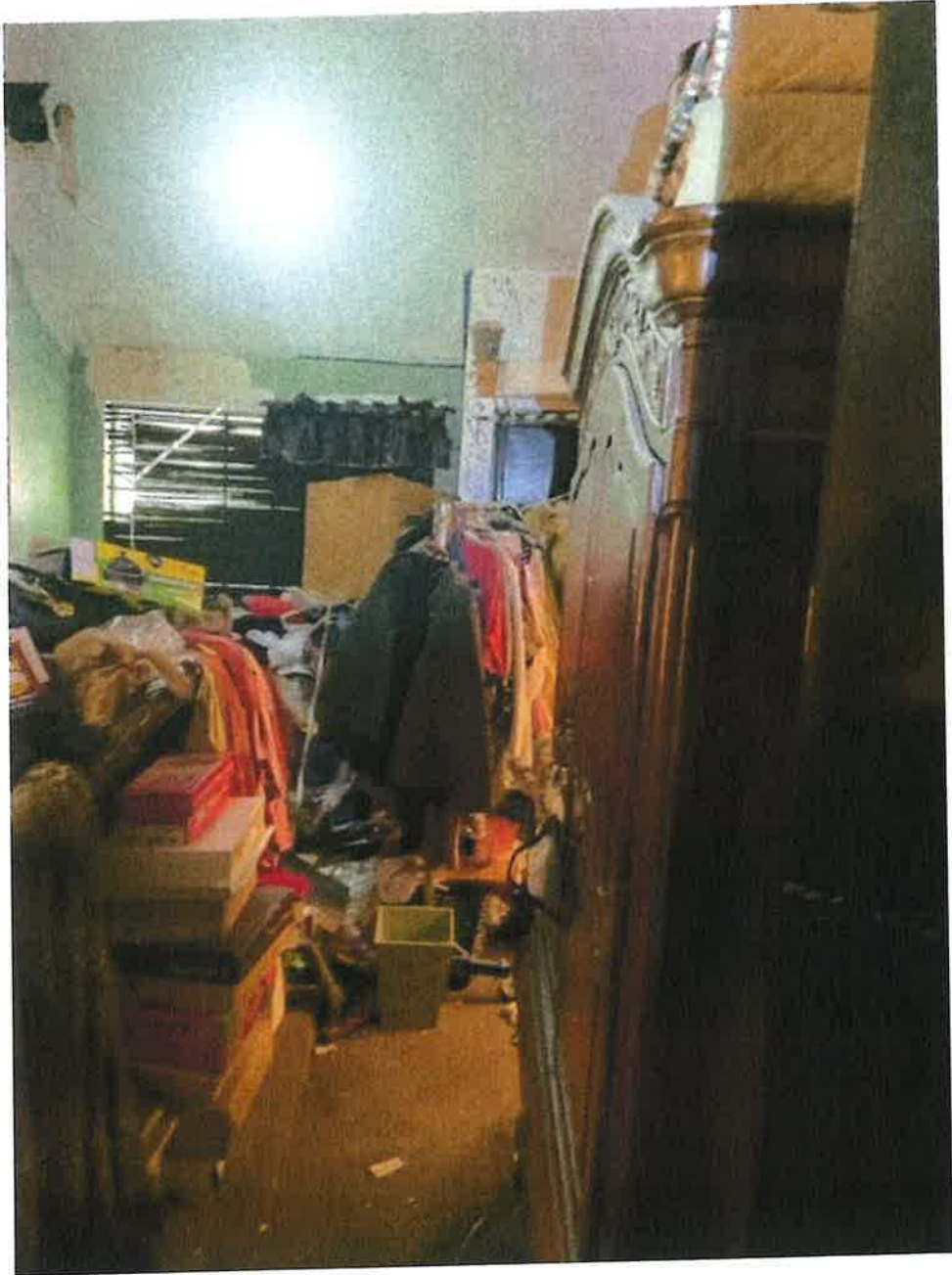


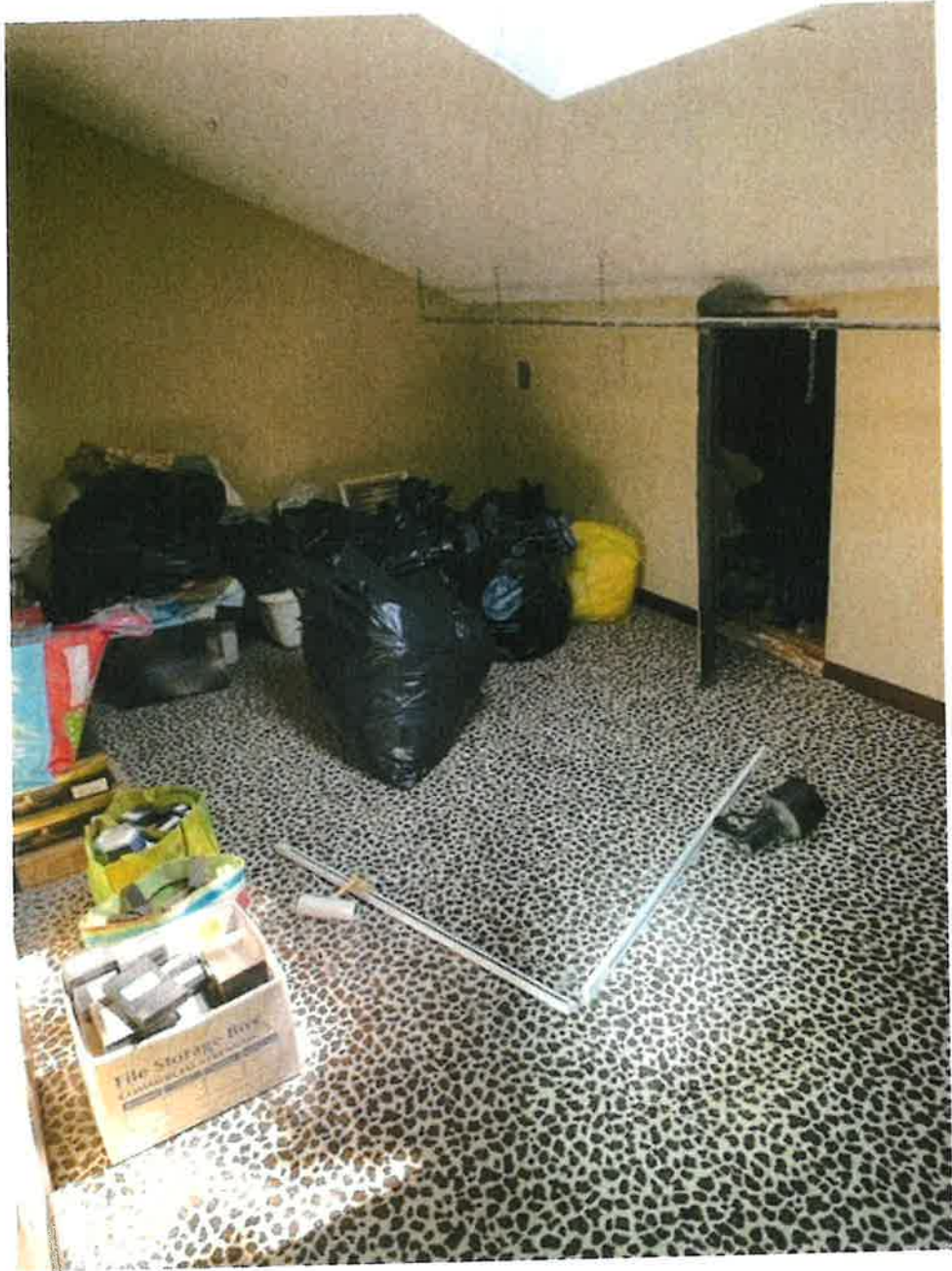


Second Floor
07/15/2022





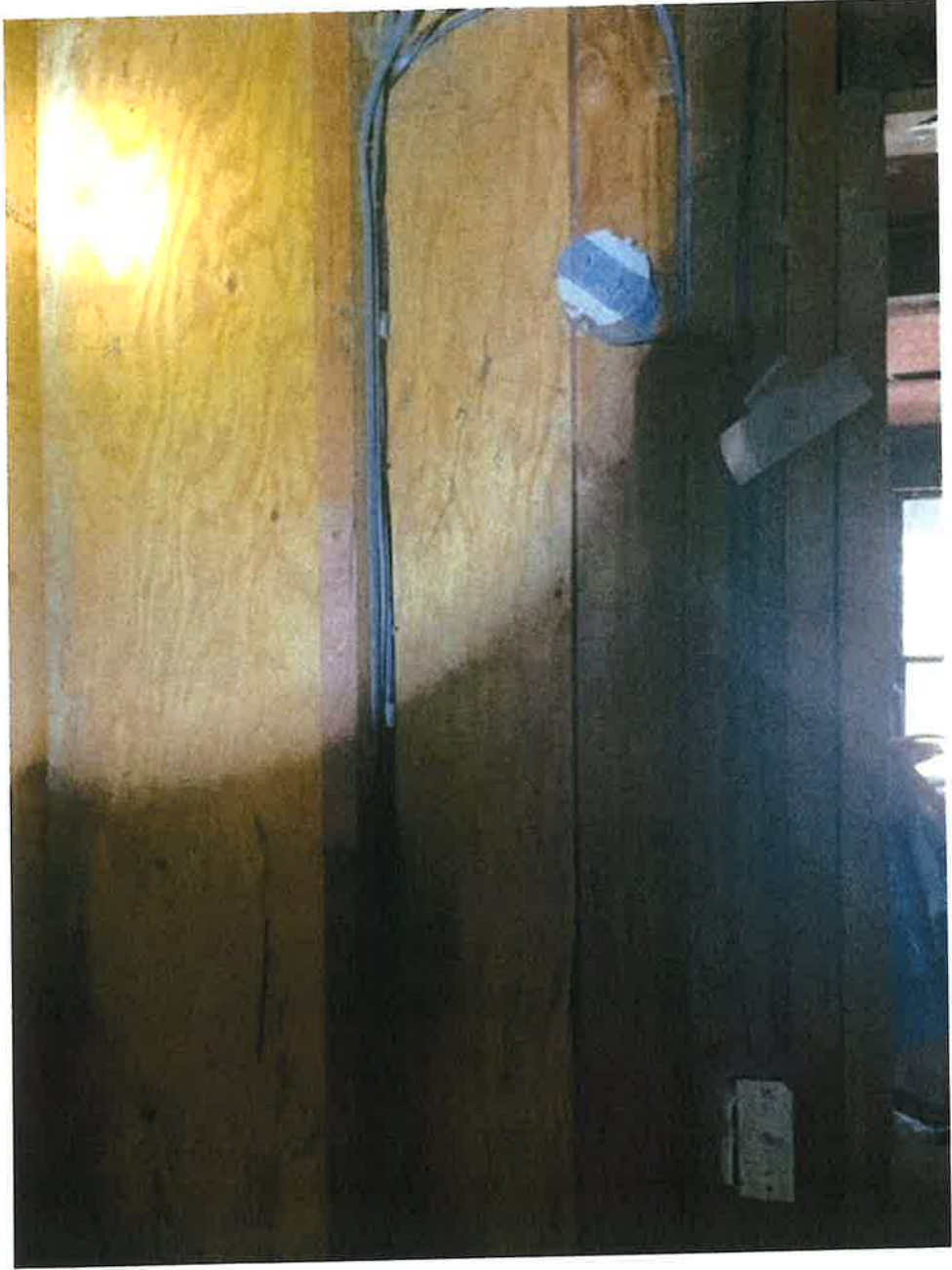




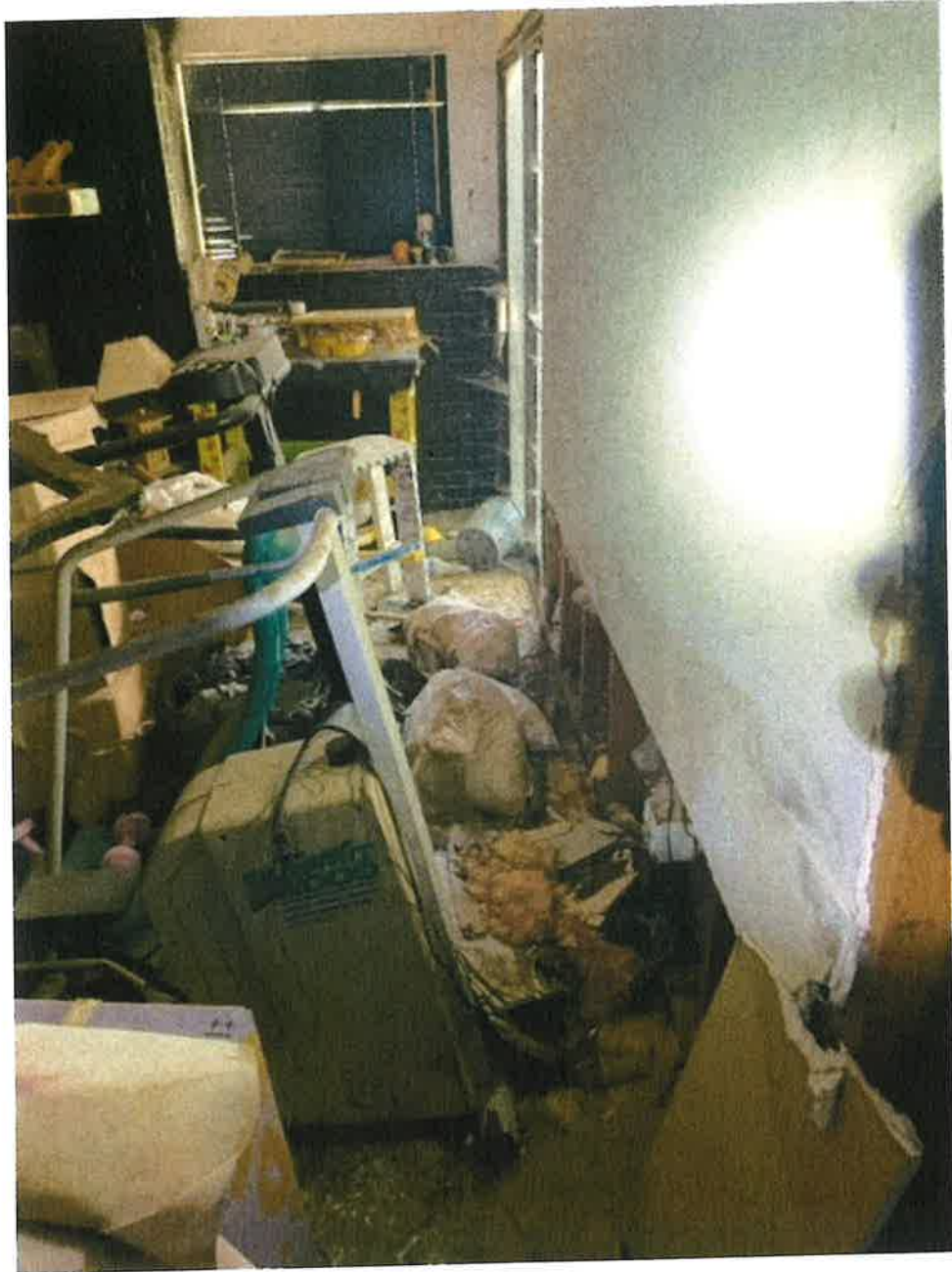


Basement Level
07/15/2022



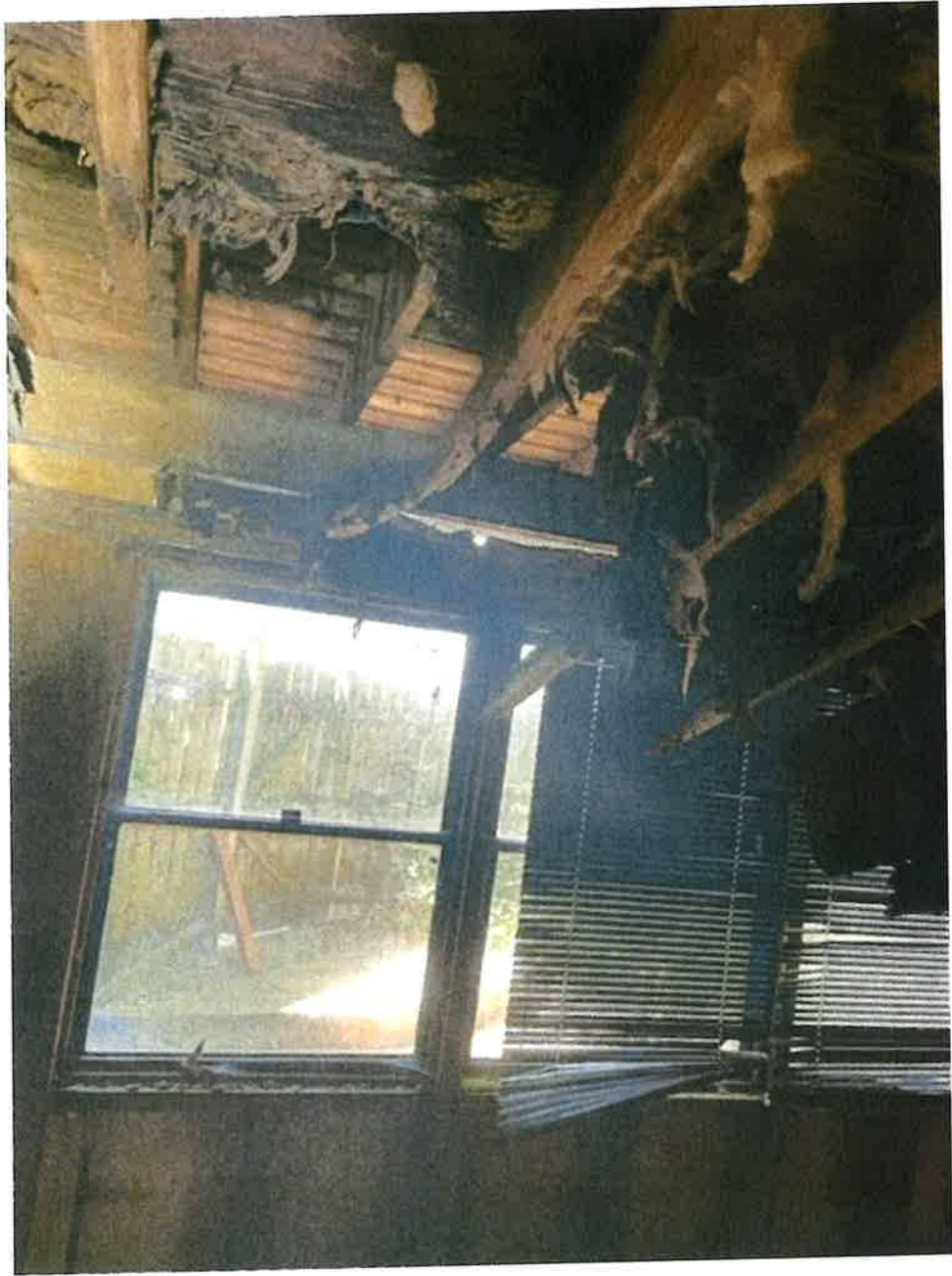






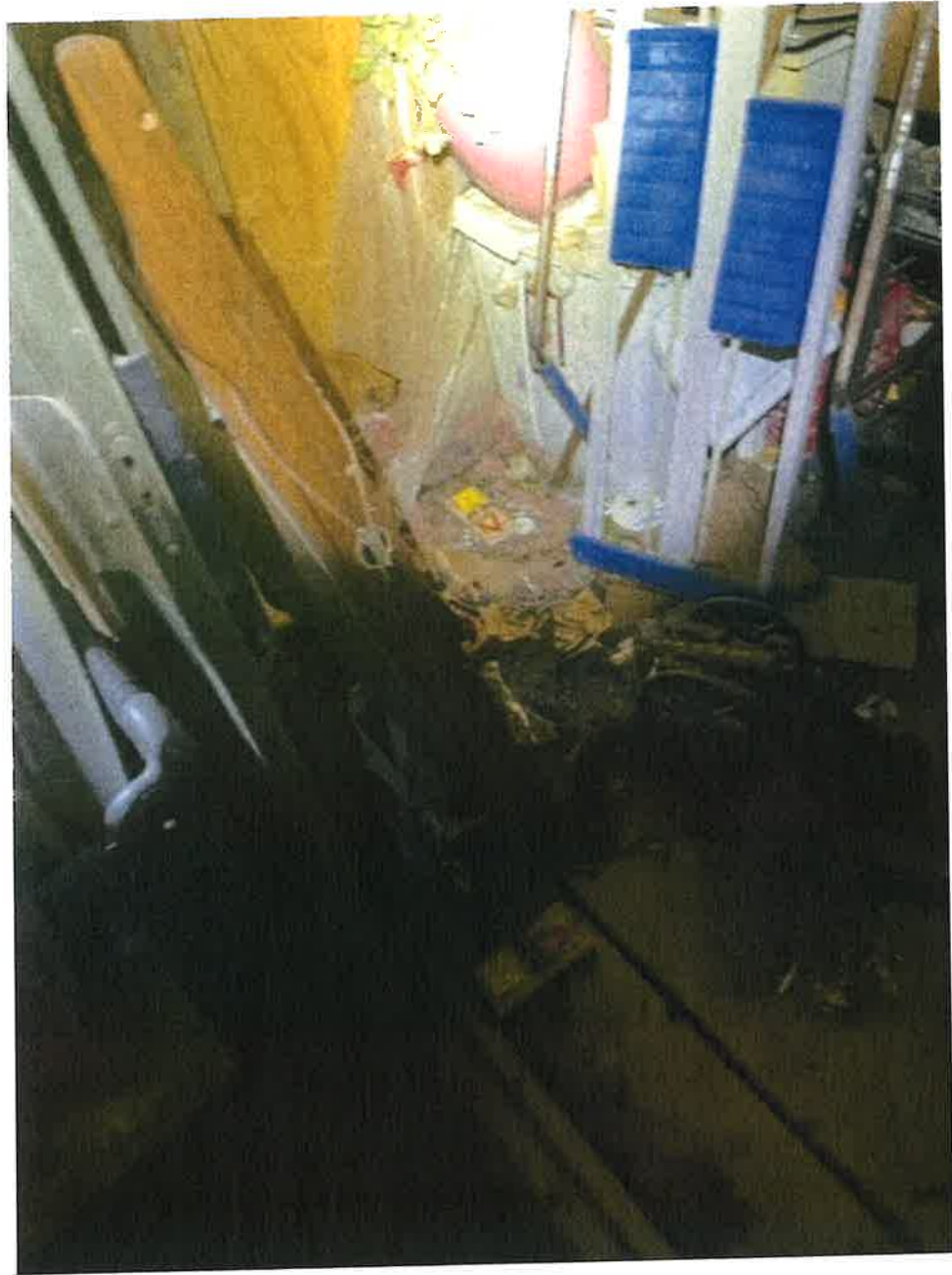














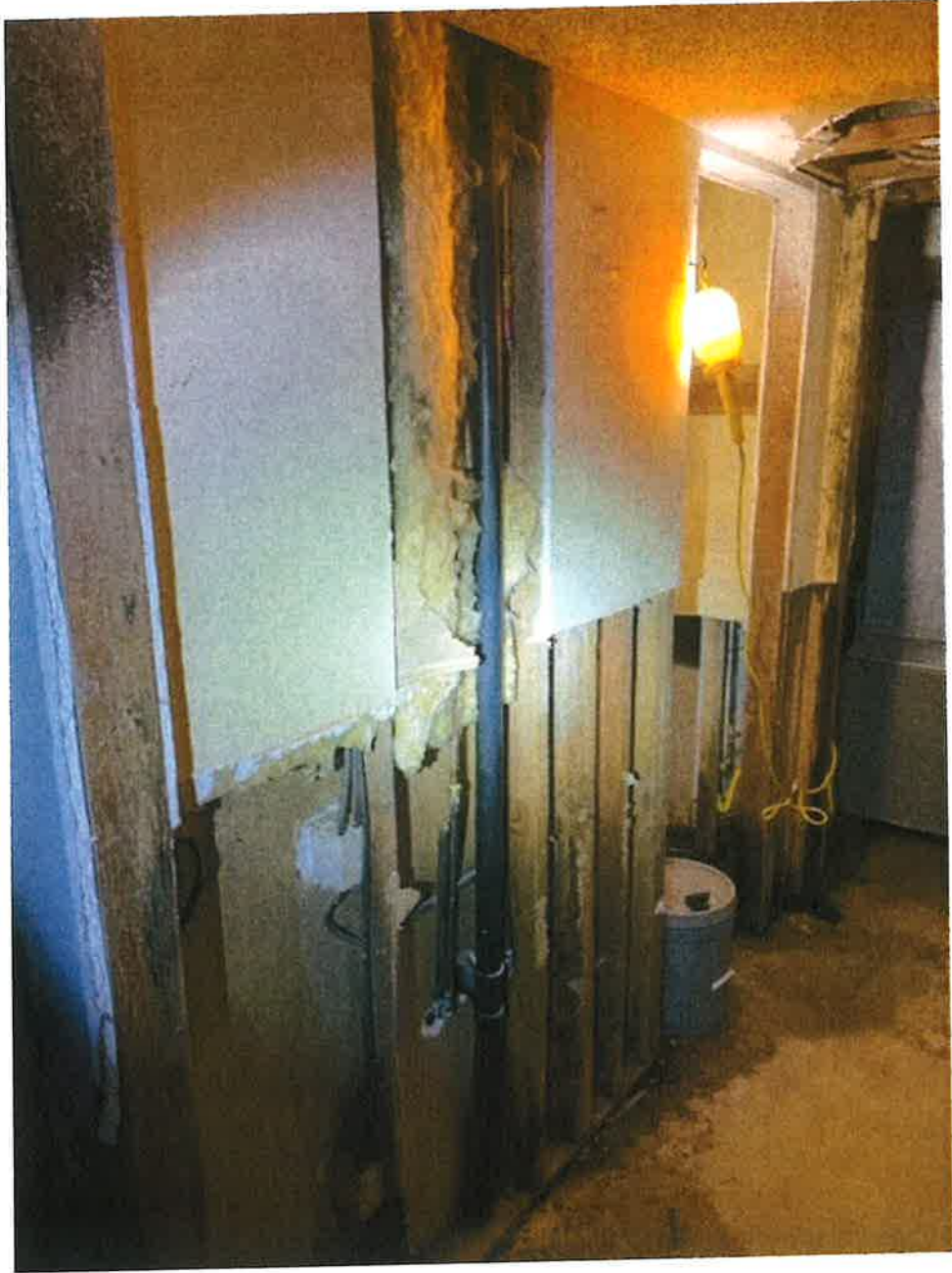


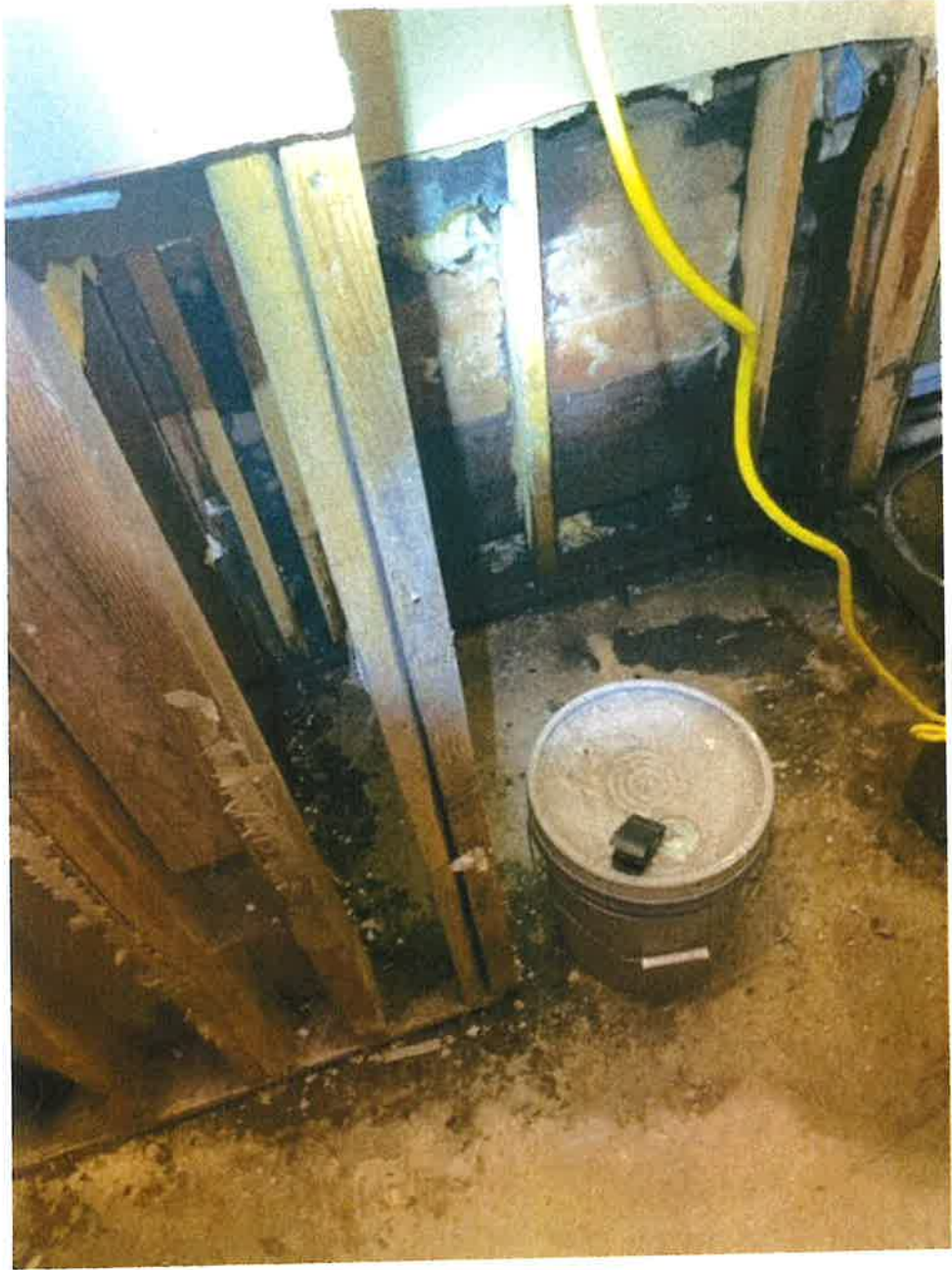










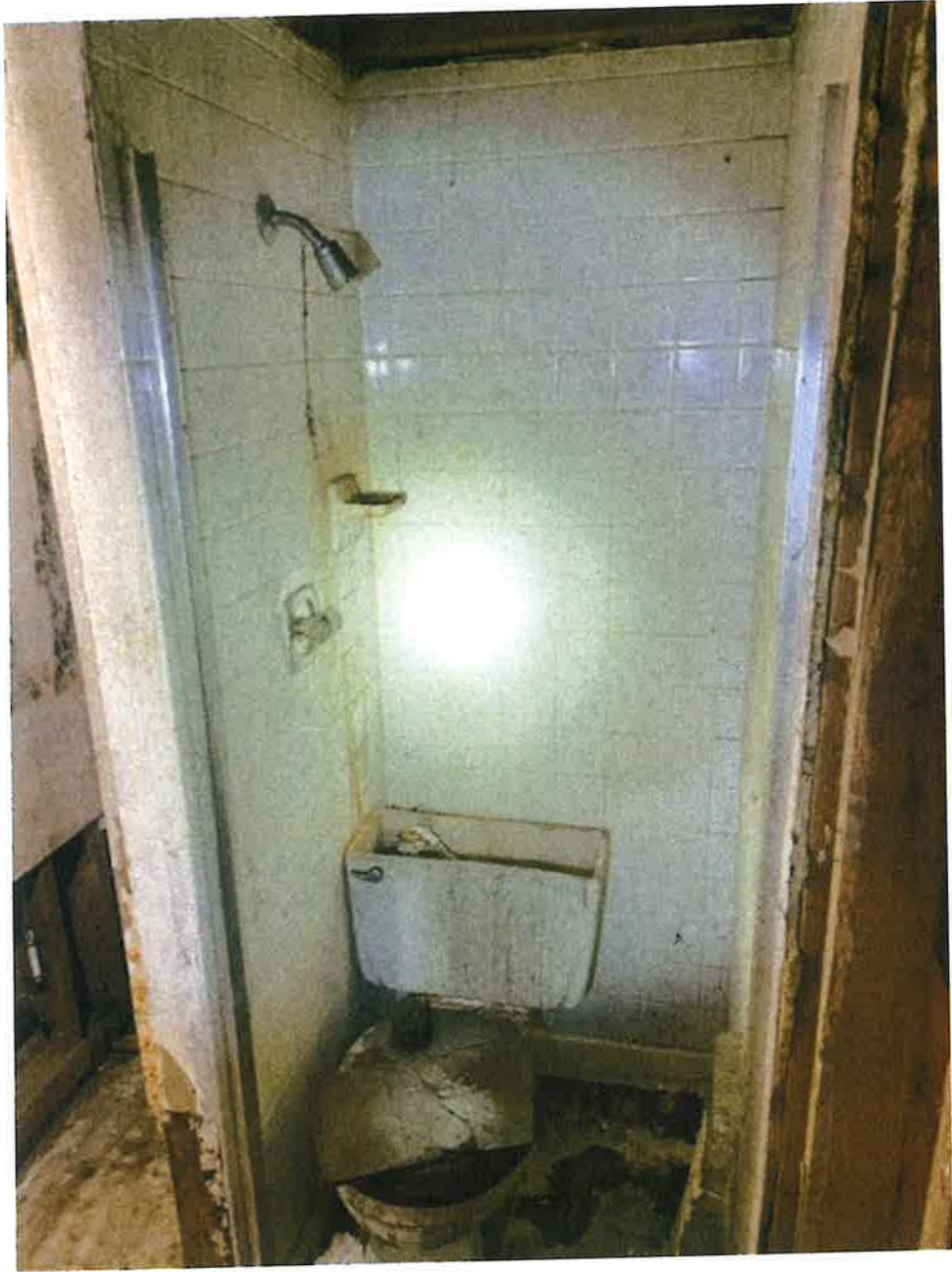












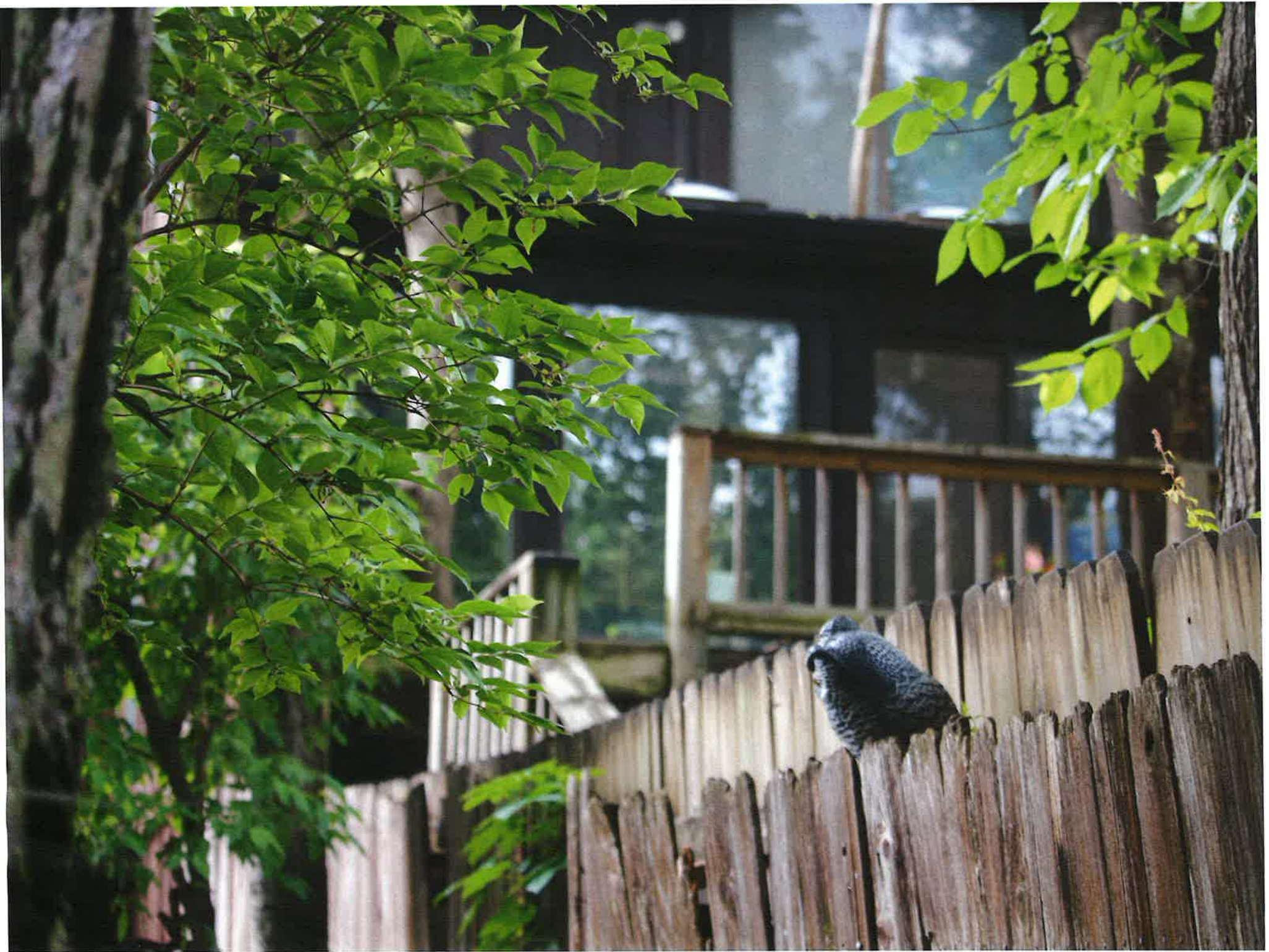


PHOTOGRAPH LEGEND 6.1.22

1. Address
2. Location where exterior stairway serving the upper deck should be attached.
3. Another view depicting where the exterior stairway serving the deck should be attached.
4. Collapsed stairway serving the upper deck.
5. Wall area above windows completely rotted away allowing access for weather, pests, vermin, animals.
6. Bottom of same wall area completely rotted away allowing access for weather, pests, vermin, animals.
7. Exterior patio door which does not exit to a landing and stairway. Barricaded to help prevent a fall hazard.
8. Area where Critter Control is actively trapping Norway sewer rats.
9. Dilapidated condition of the roof.





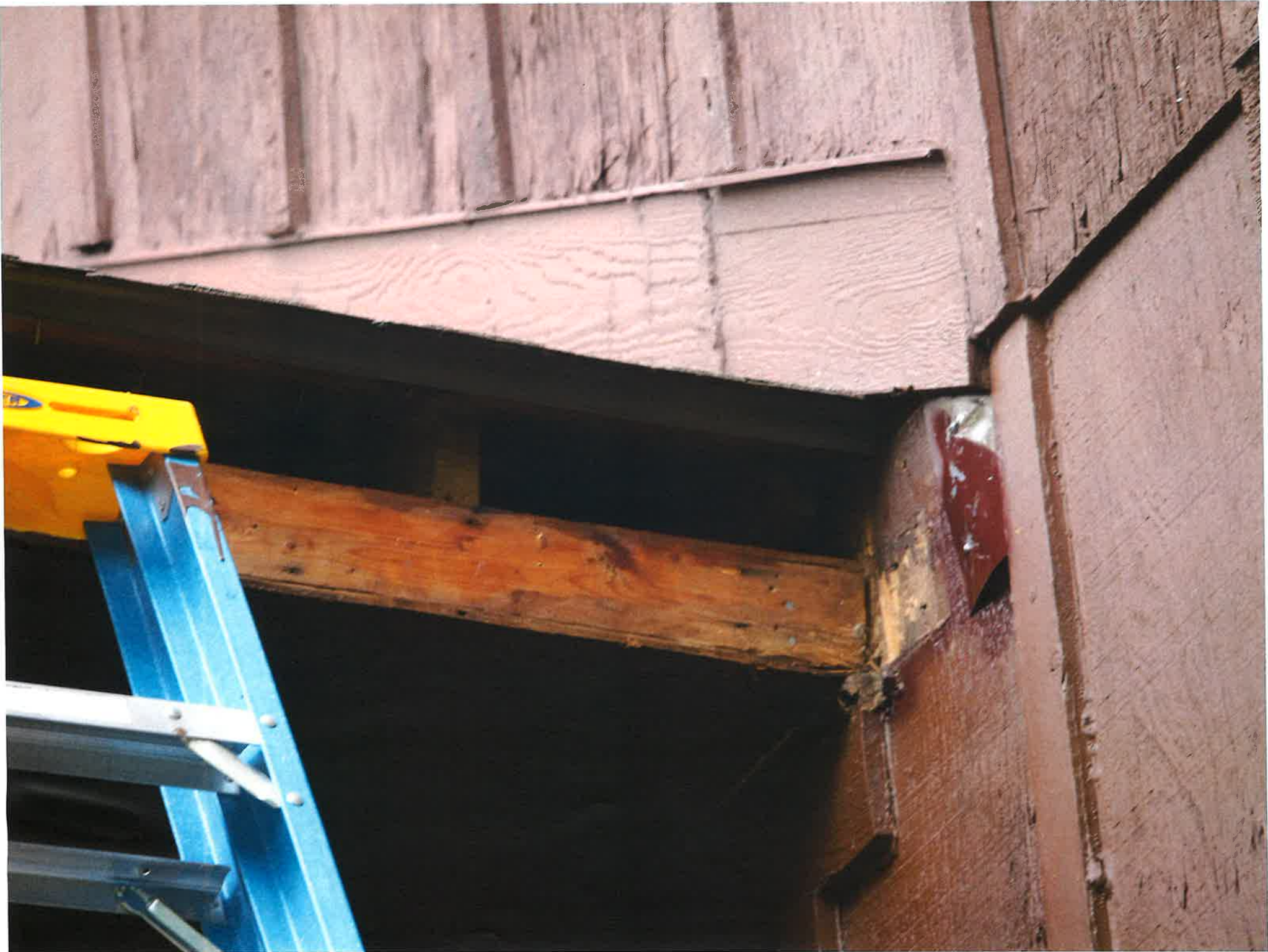
















Community Development Department

MEMORANDUM

Date: 24 March 2023

To: City Council

From: Jim Brown

RE: 6350 W 49th Street

History/Timeline/Background:

There has been a history of ongoing violations at this address dating back 1.5 to 2 years.

The violations at this address are now directly affecting the adjacent property at 6348 W 49th Street. The construction is that of a typical townhome with a shared common (fire) wall separating the two residences at 6348 W 49th Street and 6350 W 49th Street.

1. The rear deck serving 6350 W 49th Street is in disrepair. This deck is constructed around a large tree. In 2020, a large limb from the tree fell damaging the deck, a portion of the privacy fence, and totally removing the stairway serving the deck. This damage remains, with no effort made toward repair or replacement.
2. 6/27/2021- The neighbor (Jay Meyer) residing at 6348 W 49th Street was contacted by the owner/resident (Susan Minkoff) residing at 6350 W 49th Street requesting that he come over to investigate animals gaining entry in the upstairs bedroom. A hole in the roof was identified during this investigation, large enough to allow entry by unwanted animals or pests. A couple of weeks later a roofer placed a tarp over the hole.
3. 1/10/2022- Mr. Meyers notified Ms. Minkoff that he was hearing scratching and movement within the common (fire) wall separating these two dwelling units.
4. 1/12/2022- Ms. Minkoff called Mr. Meyers @ 6:30 a.m. to state she thought a cat may be in the lower level of her home. Mr. Meyers investigated and saw a cat. He informs Ms. Minkoff and requests permission to look further in the lower level. Mr. Meyers finds a hole in the lower-level exterior wall which could allow entry.
5. 1/18/22- Mr. Meyers contacted Critter Control to discuss options for removing the animals in the common(fire) wall. The scratching/movement also continues within the common (fire) wall making sleep very difficult at night.
6. 1/24/22- Mr. Meyers contacted Critter Control again to provide pictures and discuss options.
7. 2/7/22- Ms. Minkoff allows Mr. Meyers to go upstairs to further access the issues with the animal's gaining entry. Mr. Meyers sets a small trap in the bedroom and notices the hole remains in the roof. When leaving the room Mr. Meyers discovers a dead racoon.
8. 2/9/22- At 3:30 p.m. Two social workers (Johnson County Mental Health co-responders) and the City of Mission Animal Control Officer met on-site to investigate ongoing complaints. Mr. Meyers requested that the co-responders make a top to bottom inspection. Mr. Meyers and the animal control officer were allowed to go upstairs. Mr. Meyers showed the animal control officer the hole in the roof and the area where he discovered the dead racoon.

Upon conclusion of this investigation Mr. Meyers also showed everyone the dead racoon he found.

9. 2/10/22- Mr. Meyers contacted the Neighborhood Services Officer (Rebecca Brown) to discuss results from the meeting 2/9/22.
10. 2/14/22- Mr. Meyers contacted the Neighborhood Services Officer (Rebecca Brown) again for status.
11. 2/15/22- Notice of Violation sent via certified mail to Ms. Minkoff ordering the repair of the holes in the roof.
12. 2/15/22- Mr. Meyers reported that Buck Roofing patched a couple of holes in the roof with metal. Tarp remains on hole as noted 6/27/22.
13. 2/20/22- Mr. Meyers reports the scratching/movement in the common (fire) wall has further migrated to the exterior wall of his bedroom as well. Most of the animal activity is at night making it very difficult to sleep.
14. 2/23/22- Ms. Minkoff contacted Rebecca Brown to state she did not have the money to repair the roof. She further stated she had suffered a stroke and is on a fixed income. The grant program offered by the city as applicable to certain cases was provided to and explained to Ms. Minkoff. An extension to 3/30/21 was provided to Ms. Minkoff to pursue any options provided by the grant program. It was later determined by the grant coordinator that Ms. Minkoff would not be eligible.
15. 2/24/22- Mr. Meyers contacted Critter Control to set traps to catch the animals. Mr. Meyers provided a copy of the invoice (dated 3/8/22) for this service to staff.
16. 2/26/22- Mr. Meyers discovered additional openings in the exterior siding of 6350 W 49th Street under the deck which also can provide entry of animals, pests, etc.
17. 3/2/22- Mr. Meyers informed us that a backup in the main sanitary line at Ms. Minkoff's dwelling was overflowing and entering his lower-level space. Mr. Meyers contacted Ms. Minkoff to gain entry to allow his plumber to resolve the issue before it caused further damage to his dwelling. Mr. Meyers provided a copy of the invoice for this work to staff.
18. 3/16/22- Mr. Meyers discovered additional holes in the exterior siding and along the roofline @ the gutter fascia board of 6350 W 49th Street. Mr. Meyer contacted Critter Control to set more traps for this area.
19. 3/21/22- Mr. Meyers reports that he trapped a squirrel on the porch under the new hole he discovered @ 6350 W 49th Street.
20. 3/22/21- Mr. Meyers stated that Critter Control installed a trap under the new hole in the exterior wall @ 6350 W 49th Street.
21. 3/26/22- Mr. Meyer reports the roof @ 6350 W 49th Street is being repaired.
22. 3/27 & 3/28/22- Noise from scratching and movement has increased and is at its worse between 8 PM and 1AM every night. Mr. Meyers discussed with Critter Control the possibility of removing gutters on his dwelling to allow access to the soffit in order to help catch the animals. Requests that the city gain entry to 6350 W 49th Street to evaluate entry points from that dwelling. Mr. Meyers also reports the exterior siding under the deck remains open to the elements and allowing entry of animals.
23. 3/29/22- Received call form Ms. Minkoff's son (Adam) stating the roof has been repaired. Informed Adam A re-inspection would occur 4/1/22 and that I would need access inside and outside to confirm compliance. Adam stated it is not okay to come inside without violation papers stating we need inside.

24. 3/31/22- (14:20) Called and spoke with Adam (Ms. Minkoff's son) to inform him that I would be on site Friday, April 1, 2022, at 10:00 a.m. to verify if the items noted in the NOV dated February 15, 2022 have been satisfactorily addressed. This NOV also stipulated a deadline for compliance of March 30,2022. Adam acknowledged my request and gave verbal permission to enter the rear yard to perform the applicable follow up inspection. Adam also stated he would try to meet me on-site around 10:00 a.m. Adam reiterated his mother is not well or very mobile, therefore he would inform her that I would be on-site to prevent her from being alarmed if she saw someone walking around outside. Adam further stated he is planning to have his mother moved closer to his residence in Overland Park and that he had a potential buyer meeting with him late morning early afternoon to look at the house. I will also knock on the door upon my arrival to allow for additional notification to Ms. Minkoff.
25. 4/1/22- (1000) Knocked on Ms. Minkoff's door to announce my arrival. Received no response or acknowledgement of my arrival. Proceeded with the follow up inspection to include entering the rear yard to verify if the roof repairs had been completed. This inspection revealed the roof repair was complete, however several significant violations were discovered, which will necessitate a separate NOV.
- 26.4/7/22- Per USPS tracking- NOV left (no authorized recipient available). Also, per USPS tracking, on 4/19/22- NOV delivered front desk/reception area.
27. 4/8/22- Mr. Meyers reported he removed the gutters and fascia board from his dwelling and is still unable to catch all the animals/rats within the vaulter ceiling and walls.
28. 4/18/22- Mr Meyers reported a gas odor coming from the lower-level bedroom with the source apparently coming from 6350 W 49th St. Ms. Minkoff's dwelling. Staff contacted CFD#2 and Kansas Gas to dispatch an emergency response to Mr. Meyer's residence. Received verbal report that Kansas Gas disconnected service to 6350 W 49th St. In addition, Mr Meyers reported that Critter Control had been out an additional 4 times and still have not caught all the rats.
29. 4/22/22- Staff contacted the co-responder with JOCO Mental Health to apprise her of the current events and to request any updates from their perspective. Staff also requested a point of contact for JOCO Department of Aging and Human Services.
30. 4/24/22- Received correspondence from the co-responder with JOCO Mental Health and was advised they had no updates, and that they would reach back out to Ms. Minkoff. Was also provided with a point of contact for JOCO Dept of Aging and Human Services.
31. 4/25/22- Sent an email to the point of contact with JOCO Dept of Aging & Human Services, requesting any assistance they may be able to provide to help resolve the issues. Confirmed with Water One that the water service for Ms Minkoff's residence was still "on and active".
32. 4/26/22- Met with City Prosecutor to discuss next steps.
33. 5/6/22- Received verification from Critter Control they had trapped and identified (4) Norway Sewer Rats in Mr. Meyers soffit area. They confirmed the source of the rat infestation as coming from Ms Minkoff's residence.
34. 5/11/22- Mr. Meyer's provided a letter describing current events addressed to the City Administrator, Deputy City Administrator and Building Official. Staff met with Mr. Meyers to discuss items noted in the letter. Staff witnessed and verified the size of the Norway Sewer Rats Mr Meyers brought to the meeting.
35. 5/19/22- Follow up meeting with City Prosecutor and Detectives to provide updates and finalize a plan of action going forward.
36. 5/24/22-Follow up meeting with City Prosecutor to discuss next steps.

37. 5/25/22- Received a call from Ms. Minkoff's son (Adam) stating he was in process of selling the house and should have a contract by end of the week. Also stated he would begin remediation and reach out to a pest control company to remove all pests. Staff advised Adam to provide written evidence of the pending sale (contract) by close of business Friday, 27 May 2022.
38. 5/27/22- Received voice mail from Adam stating he had a pre-approval agreement and had contacted a pest control company that couldn't arrive until 6 June. Adam did not provide written evidence of said pre-approval purchase agreement.
39. 5/31/22- Called Adam to remind him that we needed written evidence of a pre-approval agreement and name of the pest control company. Adam did not answer the phone and unable to leave message because the voicemail mailbox is full. No evidence of a signed contract provided.
40. 6/1/22- Issued citation/summons to appear in Municipal Court per the City Prosecutor's directive.
41. 6/14/22- Proof of delivery of the citation provided to the court clerk. A dumpster arrived on-site and items are beginning to be discarded. Critter Control allowed to place traps, exterior only. No interior access granted.
42. 6/17/22- At the request of DCF, provided an updated status. In turn, did not receive any updates from DCF.
43. 7/1/22- Received an update from the neighbor, Mr. Meyers, stating an individual (Robert Bledsoe) was apparently interested in purchasing the property and had hired a home inspector to evaluate the property. Mr. Bledsoe was planning to take possession in 10 days pending the result of the home inspection. Dumpster was only filled about half-way and then removed. Critter Control has not been back and still no evidence of a signed contract has been provided.
44. 7/8/22- Follow up meeting with City Prosecutor to discuss next steps.
45. 7/12/22- Staff performed a follow up inspection to verify current conditions and/or compliance in response to Ticket # 252576. Property remains in non-compliance after the investigation.
46. 7/15/22- Mission PD serves a warrant PD explained the details of the warrant and reiterated the court date is 15 July at 6:00PM. Staff is prepared to issue another citation if necessary.
47. 7/19/22- Received signed Real Estate Sale Contract from 207 Properties Inc.(Randall Robb). This contract indicates closing date of 20 August 2022 and possession 30 August 2022.
48. 8/23/ Court ordered Ms. Minkoff to appear at next available court date. (6 September 2022.)- Ms. Minkoff has apparently pushed out the closing date of 30 August an additional 60 days. City Prosecutor informed Ms. Minkoff's attorney that this was unacceptable.
49. 9/6/22- Ms. Minkoff did not show up for court. Her attorney represented her instead. Warrant issued for Ms. Minkoff's arrest. (Failure to appear)
50. 9/7/22- Warrant served. JOCO mental Health Co-responder accompanied officers to serve the warrant. Co-responder determined Ms. Minkoff needed immediate medical attention. Ms Minkoff transported to hospital for treatment.
51. Ms. Minkoff missed a follow up court appearance as well. Was apparently still in hospital. Ms. Minkoff arrived back home the day after the missed court appearance.
52. Case set for trial 27 October @ 6:00 PM.

53. The neighbor, Mr. Meyers contacted me to state he was notified he was informed that he will be a key witness in the trial 27 October. As such, he requested that the City Prosecutor contact him ahead of the trial to discuss.
54. 10/27/22- This case came to trial and Ms. Minkoff was found guilty of counts 1-9 with continuous noncompliance for 149 days, to which a fine of \$100,615.00 was imposed. The case was continued to 15 November 2022 under an appearance bond to allow Ms. Minkoff to appear and subsequently evaluate the defendants ability to pay the imposed fines, explain any hardships, or to provide evidence of a lease or other mechanism proving that she is vacating the property, relinquishing possession and the property is in the process of being sold.
55. 11/15/22- Due to unforeseen circumstances with the Judge, the case was continued to 29 November 2022.
56. 11/29/22- The judge made it abundantly clear to Ms. Minkoff, her son (Kevin), and Ms. Minkoff's attorney (Michael Page) that no further delays or inaction would be tolerated, to which all parties acknowledged and agreed they understood. Ms. Minkoff stated that she and her son (Kevin Minkoff) were in the process of finding her an apartment and anticipated that a lease would be signed soon. They proposed a departure date of the first week of January 2023. The prospective buyer for Ms. Minkoff's property (Randall Robb) stated that he was ready to close within 10 days of it being vacated and taking possession. The Judge directed Ms. Minkoff and her attorney to provide a signed lease agreement to the court clerk no later than 3:00p.m. on 6 December 2022. In the absence of providing a lease agreement Ms. Minkoff was ordered to appear in court again on 13 December 2022.
57. 12/6/22- It was brought to the court's attention that Ms. Minkoff was transported by ambulance to the hospital on 2 December 2022 and was still in the hospital on 6 December 2022. As a result, no lease agreement was provided by the 3P.M. deadline.
58. 12/13/22- Ms. Minkoff did not appear for court. Ms. Minkoff's attorney (Michael Page) was in attendance on her behalf. Mr. Page stated Ms. Minkoff was unable to appear because she had recently been released from the hospital and she requested that Mr. Page convey to the court that she had no control of her bowels, thus a one week continuance was requested. Mr. Page also presented to the court "application information" from Sandstone Creek Apartments, which reflected Ms. Minkoff as being a primary applicant for Apartment # 4001. No signed lease was provided and Mr. Page stated that Ms. Minkoff is apparently having difficulty obtaining a lease because she has not had a valid Kansas ID for approximately 20 years. The Judge again made it abundantly clear no further delay tactics would be tolerated and ordered Ms. Minkoff to personally appear on 20 December 2022. It was emphasized that failure to appear would most likely result in a warrant for her arrest.
59. 12/20/22- Received a letter from a physician stating Ms. Minkoff was under his care and would be unable to attend court on 20 December 2022. Case continued to 27 December 2022.
60. 12/27/22- Order to Appear and Show Cause Hearing. Ms. Minkoff did not appear for court. Ms. Minkoff's attorney (Mr. Page) informed court that Ms. Minkoff was in a skilled nursing facility. The Public Officer and City Prosecutor presented Mr. Page with the City's plan going forward to file a Complaint and Notice of Hearing with District Court. It was determined that Mr. Page is authorized to accept service of papers from the city on behalf of Ms. Minkoff. The court urged Mr. Page to convey to Ms. Minkoff the need to take the next two weeks to work with the potential buyer (Randall Robb) and the City to conclude the sale and transfer of the property as was previously stated would be completed by 1 January 2023. Case continued to 10 January 2023.
61. 12/28/23- The adjacent neighbor notified city staff a water line had burst in the lower level of the Minkoff residence and was flooding his basement area. City staff notified Water One and had the water service disconnected.
62. 1/10/23- Ms. Minkoff, both sons (Kevin and Adam) and her attorney (Mr. Page) appeared for court. Mr. Page informed the Judge that Ms. Minkoff would not be returning to the property and she would be residing with their son (Adam Minkoff) going forward. Mr. Page informed the Judge that a dumpster and a POD would be arriving on site in the next week or so to begin cleanup and removal of personal items. A follow up court date was set for 24 January 2023. The Judge advised Ms. Minkoff that defined actions and evidence toward resolving the ongoing issues must be clearly demonstrated at the follow up court hearing on 24 January 2023.
63. 1/24/23- Case continued to 7 February 2023.
64. 1/25/23- Notice of Complaint and Order for Hearing filed in District Court.

City of Mission, KS
Monday, April 3, 2023

Chapter 510. Unsafe or Dangerous Structures

Article II. Minimum Structures

Section 510.130. General Provisions.

[Code 1974 §11-701; CC 2000 §4-701]

Whereas, the Governing Body has found that there exists in such municipality structures which are unfit for human use or habitation due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities or due to other conditions, including those set forth in Section **510.170** hereof, which render such structures unsafe or unsanitary or dangerous or detrimental to the health, safety or morals or otherwise inimical to the welfare of the residents of the City and it is hereby deemed necessary by the Governing Body of the City to require or cause the repair, closing or demolition or removal of such structures in the manner hereinafter provided.

Section 510.140. Definitions.

[Code 1974 §11-702; CC 2000 §4-702]

A "*residential structure*" or "*dwelling*" shall mean any building or structure or part thereof used and occupied for human habitation or intended to be so used and includes any appurtenances belonging thereto or usually enjoyed therewith. A "*non-residential structure*" shall mean any structure which is used for other than residential purposes or a part of such structure or a structure a part of which is used for other than non-residential purposes and, where applicable, the premises on which such structures are situated.

Section 510.150. Code Enforcement Officer.

[Code 1974 §11-703; Code 1997; CC 2000 §4-703]

The Code Enforcement Officer of the City is hereby designated and appointed to exercise the powers prescribed by this Article and shall be hereafter referred to as the Code Enforcement Officer in this Article.

Section 510.160. Petitions.

[Code 1974 §11-704; CC 2000 §4-704]

- A. Whenever a petition is filed with the public officer by at least five (5) residents of the municipality charging that any structure is unfit for human use or habitation or whenever it appears to the public officer, on his/her own motion, that any structure is unfit for human use or habitation, he/she shall, if his/her preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner, every mortgagee of record and all parties in interest in such structure (including persons in possession) a complaint stating the charges in that respect. Such complaint shall contain a notice that a hearing will be held before the public officer or his/her designated agent at a place therein fixed not less than ten (10) days nor more than thirty (30) days after the serving of the

- complaint; the owner, mortgagee and parties in interest shall have the right to file an answer to the complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the public officer.
- B. If, after such notice and hearings, the public officer determines that the structure under consideration is unfit for human use or habitation, he/she shall state in writing his/her findings of facts in support of such determination and shall issue and cause to be served upon the owner thereof an order which:
1. If the repair, alteration or improvement of the structure can be made at a reasonable cost in relation to the value of the structure, which shall not exceed fifty percent (50%) of the fair market value of such structure, the owner of the property shall within the time specified in the order repair, alter or improve such structure to render it fit for human use or habitation or shall vacate and close the structure until conformance with this Article is met; or
 2. If the repair, alteration or improvement of the structure cannot be made at a reasonable cost in relation to the value of the structure, that is to say, under fifty percent (50%) of such fair market value, which is hereby deemed to be a reasonable cost by the Governing Body, the owner shall within the time specified in the order remove or demolish such structure.
- C. If the owner fails to comply with an order to repair, alter or improve or to vacate and close the structure within thirty (30) days from the date of such order, the public officer shall file with the Governing Body his/her written report of his/her proceedings and orders which shall be reviewed by the Governing Body at its next regular meeting and, upon approval of the report and proceedings by the Governing Body, the public officer may cause such structure to be repaired, altered or improved or to be vacated and closed.
- D. If the owner fails to comply with an order to remove or demolish the structure within thirty (30) days from the date of such order, the public officer shall file with the Governing Body his/her written report of his/her proceedings and orders which shall be reviewed by the Governing Body at its next regular meeting and, upon approval of the report by the Governing Body, the public officer may cause such structure to be removed or demolished.
- E. The amount of the cost of such repairs, alterations or improvements or vacating and closing or removal or demolition by the public officer shall be a lien against the real property upon which such cost was incurred and such lien, including as part thereof allowance of his/her costs and the necessary attorney's fees, may be foreclosed in judicial proceedings in the manner provided or authorized by law for loans secured by liens on real property or shall be assessed as a special assessment against the lot or parcel of land on which the structure was located. The City Clerk shall, at the time of certifying other City taxes, certify the unpaid portion of the aforesaid costs and shall extend the same on the tax rolls of the County against the lot or parcel of land. If the structure is removed or demolished by the public officer, he/she shall sell the materials of such structure and shall credit the proceeds of such sale against the cost of the removal or demolition and if there be any balance remaining, it shall be paid to the parties entitled thereto as determined by proper judicial proceeding instituted by the public officer after deducting the costs of such judicial proceedings, including his/her necessary attorney's fees incurred therein, as determined by the court.

Section 510.170. Defects and Conditions.

[Code 1974 §11-705; CC 2000 §4-705]

The public officer herein designated may determine that the structure is unfit for human use or habitation if he/she finds that conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such municipality or which have a blighting influence on properties in the area. Such conditions may include the following, without limitations: defects therein increasing the hazards of fire, accident or other calamities; lack of adequate water supply or facilities; lack of adequate ventilation, air pollution, light or sanitary facilities; dilapidation, disrepair, structural

defects; uncleanliness; overcrowding; inadequate ingress and egress; dead and dying trees; limbs or other unsightly natural growth; unsightly appearances that constitute a blight to adjoining property, the neighborhood or the City; walls, sidings or exteriors of a quality and appearance not commensurate with the character of the properties in the neighborhood; unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof; vermin infestation; inadequate drainage; or any violation of health, fire, building or zoning regulations or any other laws or regulations relating to the use of land and the use and occupancy of buildings and improvements.

Section 510.180. Complaints.

[Code 1974 §11-706; CC 2000 §4-706]

Complaints or orders issued by the public officer pursuant to this Article shall be served upon persons either personally or by registered or certified mail, but if the whereabouts of such persons is unknown and the same cannot be ascertained by the public officer in the exercise of reasonable diligence and the public officer shall make an affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing the same once each for two (2) consecutive weeks in the official newspaper of the City. A copy of the complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order and shall also be filed with the Clerk of the District Court of Johnson County, Kansas. Such filing of the complaint or order shall have the same force and effect as other lis pendens notices provided by law.

Section 510.190. Appeal.

[Code 1974 §11-707; CC 2000 §4-707]

Any person affected by the order issued by the public officer may petition the District Court of Johnson County, Kansas, pursuant to laws of the State of Kansas, for relief pursuant to K.S.A. Section 17-4759, as amended.

Section 510.200. Powers.

[Code 1974 §11-708; CC 2000 §4-708]

- A. The public officer is hereby authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this Article, including the following powers, in addition to others herein granted:
1. To investigate the structure conditions in the municipality in order to determine which structures therein are unfit for human use or habitation;
 2. To administer oaths, affirmations, examine witnesses and receive evidence;
 3. To enter upon premises for the purpose of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted;
 4. To appoint and fix the duties of such officers, agents and employees as he/she deems necessary to carry out the purposes of this Article; and
 5. To delegate any of his/her functions and powers under this Article to such officers, agents and employees as he/she may designate.

Section 510.210. Requirements of Owner.

[Code 1974 §11-709; CC 2000 §4-709]

The owner of any structure ordered to be demolished or removed by the public officer shall comply with the pertinent provisions of the Building Code. Upon removing such structure, the owner, wrecker or licensed contractor shall seal the sanitary sewer connection in the manner set forth by the Building Inspector. In addition, the owner or licensed contractor shall fill any basement or other excavation located upon the premises and take such other action necessary to leave the premises in a safe condition.

Section 510.220. Notice.

[Code 1974 §11-710; CC 2000 §4-710]

Upon the issuance of an order by the public officer hereof, the public officer shall place a notice on the particular structure covered by the order as follows:

"This structure has been found unfit for human habitation by the order of the Director of Public Works of the City of Mission, Kansas. This notice shall remain on this structure until it is (use either of the following phrases as applicable) "repaired, altered or improved or vacated and closed as required by said order" or "removed and demolished as required by said order."

Section 510.230. Conflict.

[Code 1974 §11-711; CC 2000 §4-711]

Nothing in this Article shall be construed to abrogate or impair the powers of the City, its courts or departments of the City to enforce any other provisions of its laws or its Charter or regulations nor to prevent or punish violations thereof; and the powers conferred by this Article upon the designated public officer or other public officials shall be in addition and supplemental to the other powers conferred by any other law of the City.

Section 510.240. Unlawful Defects and Conditions.

[Ord. No. 673, 8-28-1985; CC 2000 §4-712]

It shall be unlawful for either an owner or occupant of structures within the City to allow the structure to be unfit for human use or habitation because of conditions which exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of the City or which have a blighting influence on properties in the area. Such conditions include the following, without limitations: defects therein increasing the hazards of fire, accident or other calamities; lack of adequate water supply or facilities; lack of adequate ventilation, air pollution, light or sanitary facilities; dilapidation, disrepair, structure defects; uncleanliness; overcrowding; inadequate ingress and egress; dead and dying trees; limbs or other unsightly natural growth; unsightly appearances that constitute a blight to adjoining property, the neighborhood or the City; walls, sidings or exteriors of a quality and appearance not commensurate with the character of the properties in the neighborhood; unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or parts thereof; vermin infestation; inadequate drainage; or any violation of health, fire, building or zoning regulations or any other laws or regulations relating to the use of land and the use and occupancy of buildings and improvements.

Section 510.250. Penalties.

[Ord. No. 673, 8-28-1985; Code 1987; CC 2000 §4-713]

In addition to the penalty provision of Section **100.100** of this Code, the court may, upon conviction, prevent the use or occupancy of any structure which is injurious to the public health, safety, morals or welfare.

City of Mission	Item Number:	7g.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Public Works	From:	Celia Duran

Action items require a vote to recommend the item to full City Council for further action.

RE: Resolution Approving 2024-2028 CARS Project List

RECOMMENDATION: Approve the Resolution adopting the Five-Year City/County Street Improvement Program for the City of Mission for 2024-2028.

DETAILS: Through a combination of state gas tax dollars and County General Fund revenues, the CARS program provides funds to cities to construct and maintain eligible streets. Each year, cities submit a 5-year road improvement plan to the County from which projects are selected for funding (up to 50% of the project’s construction and construction inspection costs). Cities are responsible for design, right-of-way, and utility relocation costs. Mission’s CARS-eligible streets include:

- Lamar (Foxridge to 67th)
- 51st (Lamar east to City Limit)
- 63rd (Nall to Roe)
- Foxridge (56th to Lamar)
- Johnson Drive (Metcalf to Roe)
- Roe (Johnson Drive to 63rd)
- Nall (Johnson Drive to 67th)
- Martway (Metcalf to Roeland)
- Roeland Dr (Johnson Drive to SMP)
- Broadmoor (Johnson Drive to Martway)

Each City is required to pass a resolution adopting a 5-year plan based on their own unique goals and objectives, and CARS projects are ultimately adopted as part of the County’s annual budget process. The final commitment of funds occurs through the approval of specific interlocal agreements for each project. The recommended 2024-2028 CARS program is similar to the 2023-2027 CARS program although total project costs have increased from last year’s program. Project descriptions and costs for the 2024-2028 program are provided below, as well as a comparison of project costs from last year’s program to this year’s program.

2024	2025	2026	2027	2028
Roe Avenue (Johnson Dr. to 63 rd St.)	63rd Street (Nall Ave. to Roe Ave.)	Johnson Drive (Metcalf Ave. to Lamar Ave.)	Nall Avenue UBAS (Martway St. to 63rd St.)	Martway Street (Woodson Rd. to Roeland Dr.)

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Various
Available Budget:	N/A

City of Mission	Item Number:	7g.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Public Works	From:	Celia Duran

Action items require a vote to recommend the item to full City Council for further action.

2024 - Roe Avenue (Johnson Drive to 63rd Street): Proposed improvements include mill and overlay with 2-inch asphaltic concrete surface; traffic signal replacement; pedestrian signals on the east side of the intersection of Roe Ave. and Johnson Dr.; pavement and median repairs; stormwater repairs; spot replacement of curb and gutter, sidewalks, and ADA ramps; and pavement markings. Total estimated project cost: \$1,828,000.

Fairway was originally planning to manage and administer this project; however, it was determined this year that Mission would manage the project since our project portion is greater than Fairway's. This is a joint project with Fairway, Roeland Park, and Prairie Village. Mission's funding portion is \$599,445, Fairway's portion is \$209,330, Prairie Village's portion is \$9,515, and Roeland Park's portion is \$133,210.

2025 - 63rd Street (Nall Avenue to Roe Avenue): Proposed improvements include a 3-inch mill and overlay; pavement repairs; replacement of curb and gutter; spot replacement of sidewalks and ADA ramps; and pavement markings. Total estimated project cost: \$875,000, with Mission funding \$369,325 and Prairie Village funding \$98,175.

2026 - Johnson Drive (Metcalf Ave. to Lamar Ave.): Proposed improvements include full depth pavement replacement; traffic signal replacement; HAWK pedestrian signal at Riggs Ave.; spot replacement of curb and gutter, sidewalks, and ADA ramps; streetlights; and pavement markings. Additionally, stormwater infrastructure will be replaced and includes the continuance of the stormwater interceptor completed with the Johnson Dr., Lamar Ave. to Nall Ave. Phase I project. Olsson, the City's on-call design engineer, is currently working on concepts to evaluate right-of-way needs for widening sidewalks, including costs and any potential impact to adjacent businesses.

Mission has been awarded a \$6,000,000 Surface Transportation Grant (STP) for this project. Total estimated project cost: \$14,800,000 (or \$8,800,000 with funds from the STP grant.)

2027 - Nall Avenue (Martway Street to 63rd Street): Proposed improvements include UBAS surface treatment; pavement repairs; spot replacement of curb and gutter; sidewalks, and ADA ramps; and pavement markings. Total estimated project cost: \$380,000.

Prairie Village is applying for CARS funds for Nall Avenue (63rd St. to 67th St.) and Mission's funding portion is estimated to be \$73,750.

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Various
Available Budget:	N/A

City of Mission	Item Number:	7g.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Public Works	From:	Celia Duran

Action items require a vote to recommend the item to full City Council for further action.

2028 – Martway Street (Woodson Road to Roeland Drive): Proposed improvements include a 2-inch mill and overlay; pavement repairs; stormwater repairs; spot replacement of curb and gutter; sidewalks, and ADA ramps; and pavement markings. Total estimated project cost: \$932,000.

**CARS Program
2023-2027 to 2024-2028
Budget Comparison**

Project	2023-2027 Total Project Budget*	2024-2028 Total Project Budget*	Cost Difference (% Increase)	Notes
Roe Ave. (Johnson Dr. to 63 rd St.)	\$1,012,000** (Mission: \$655,480)***	\$1,828,000 (Mission: \$599,445)	\$816,000 (Mission: (-\$56,035; -8.5%)	Fairway originally planned to administer the project. Previous costs based on estimate by Fairway.
63 rd St. (Nall Ave. to Roe Ave.)	\$920,000 (Mission: \$276,250)	\$875,000 (Mission: \$369,325)	-\$45,000 (Mission: \$93,075; +34%)	Total project costs have decreased since Prairie Village has repaired their concrete. Mission's portion increased based on pipe condition and bid tabs.
Johnson Dr. (Metcalf Ave. to Lamar Ave.)	\$12,400,000	\$14,800,000	\$2,400,000 (+19%)	Staff is working with Olsson to refine costs (i.e., ROW, interceptor, etc.).
Nall Ave. (Martway St. to 63 rd St.)	\$ 325,000	\$380,000	\$55,000 (+17%)	Cost increase based on recent bid tabs.
Martway St. (Woodson Rd. To Roeland Dr.)	N/A	\$932,000	N/A	New project for 2028.

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Various
Available Budget:	N/A

City of Mission	Item Number:	7g.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Public Works	From:	Celia Duran

Action items require a vote to recommend the item to full City Council for further action.

Notes:

*=Does not include CARS funding

**=Cost includes Mission's estimate for Roe Ave. (Johnson Dr. to 59th St.) plus Fairway's estimate for Roe Ave. (59th St. to 63rd St.).

***=Includes Mission's total estimated cost minus CARS funds

Approval of the attached resolution does not specifically commit the City to any expenditure of funds and its purpose is to communicate to the County the CARS eligible projects the City is considering over the 2024-2028 planning horizon.

CFAA CONSIDERATIONS/IMPACTS: These projects support a number of items in the Transportation and Mobility category, including ADA compliance and sidewalk connectivity to provide pedestrian modes of transportation, and streetlight upgrades.

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	Various
Available Budget:	N/A

**CITY OF MISSION
RESOLUTION NO. _____**

A RESOLUTION APPROVING A FIVE-YEAR CITY/COUNTY STREET IMPROVEMENT PROGRAM.

WHEREAS, The City of Mission desires to obtain County funds for certain street improvement projects within the City; and

WHEREAS, in order to have projects considered for the CARS Program by the Johnson County Board of Commissioners, the Governing Body must submit a written five-year road improvement program request; and

WHEREAS, all requests must be accompanied by a resolution which provides that included projects have been reviewed and approved by the Governing Body; and

WHEREAS, the 2024-2028 CARS Program is an important budgeting and planning document for both the City of Mission and Johnson County; and

WHEREAS, submission of the 2024-2028 CARS program does not specifically commit any expenditures on behalf of the City of Mission.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:

SECTION 1. That the attached Five-Year City/County Street Improvement Program has been reviewed and approved for submittal to the Johnson County Board of Commissioners as the City's 2024-2028 CARS Program request.

THIS RESOLUTION IS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MISSION, THIS 19th DAY OF APRIL 2023.

THIS RESOLUTION IS APPROVED BY THE MAYOR THIS 19th DAY OF APRIL 2023.

Solana Flora, Mayor

ATTEST: (Seal)

Robyn Fulks, City Clerk

County Assistance Road System

2024-2028 Five Year Program

Participating City: Mission

Priority	Project Location	Proposed Start/ Finish	Project Description	CARS Route Classification		CARS Program Funding Request	CARS Participation Eligible		Comprehensive Project Budget Total	Mission Total
				Major	Minor		Yes	No		
2024	Roe Avenue (Johnson Dr. to 63rd St.)	4/24-10/24	The project includes mill and overlay with 2-inch asphaltic concrete surface; traffic signal replacement; pedestrian signals; pavement and median repairs; stormwater repairs; spot replacement of curb and gutter, sidewalks, and ADA ramps; and pavement markings. This is a joint project with Fairway, Roeland Park, and Prairie Village.	X		\$876,500	\$1,753,000	\$75,000	\$1,828,000	\$951,500 (Mission:\$599,445; Fairway: \$209,330; P.V.:\$9,515; Roeland Park: \$133,210)
2025	63rd Street (Nall Ave. to Roe Ave.)	4/25-10/25	The project includes full depth reconstruction with 10-inches asphaltic concrete; pavement repairs; replacement of curb and gutter; spot replacement of sidewalks and ADA ramps; new sidewalks on the north side of 63rd St.; and pavement markings.		X	\$1,154,500	\$2,309,000	\$230,000	\$2,539,000	\$1,384,500 (Mission \$747,630; PV \$636,870)
2026	Johnson Drive (Metcalf Ave. to Lamar Ave.)	3/26-12/26	The project includes full depth pavement replacement; traffic signal replacement; HAWK pedestrian signal at Riggs; streetlights; spot replacement of curb and gutter, sidewalks, and ADA ramps; and pavement markings. Additionally, stormwater infrastructure will be replaced and includes the continuance of the stormwater interceptor completed with the Johnson Dr., Lamar Ave. to Nall Ave., Phase I project.	X		\$2,500,000	\$12,300,000	\$2,500,000	\$14,800,000	\$12,300,000
2027	Nall Avenue (Martway St. to 63rd St.)	5/27-10/27	The project includes a UBAS surface treatment; pavement repairs; spot replacement of curb and gutter, sidewalks, and ADA ramps; and new pavement markings.	X		\$175,000	\$350,000	\$30,000	\$380,000	\$205,000
2028	Martway Street (Woodson Rd. to Roeland Dr.)	5/28-10/28	The project includes a mill and overlay; pavement repairs; stormwater repairs; spot replacement of curb and gutter, sidewalks, and ADA ramps; and new pavement markings.		X	\$451,000	\$902,000	\$30,000	\$932,000	\$481,000
TOTALS:						\$5,157,000	\$17,614,000	\$2,865,000	\$20,479,000	\$15,322,000
Note: Jo. Dr. CARS amount is an estimate only.										
										951500
										1384500
										12300000
										205000
										481000
										15322000

County Assistance Road System

2024-2028 Five Year Program

Participating City: Mission

Priority	Project Location	Proposed Start/ Finish	Project Description	CARS Route Classification		CARS Program Funding Request	CARS Participation Eligible		Comprehensive Project Budget Total	Mission Total
				Major	Minor		Yes	No		
2024	Roe Avenue (Johnson Dr. to 63rd St.)	4/24-10/24	The project includes mill and overlay with 2-inch asphaltic concrete surface; traffic signal replacement; pedestrian signals; pavement and median repairs; stormwater repairs; spot replacement of curb and gutter, sidewalks, and ADA ramps; and pavement markings. This is a joint project with Fairway, Roeland Park, and Prairie Village.	X		\$876,500	\$1,753,000	\$75,000	\$1,828,000	\$951,500 (Mission:\$599,445; Fairway: \$209,330; P.V.:\$9,515; Roeland Park: \$133,210)
2025	63rd Street (Nall Ave. to Roe Ave.)	4/25-10/25	The project includes a 3" mill and overlay; pavement repairs; replacement of curb and gutter; spot replacement of sidewalks and ADA ramps; and pavement markings.		X	\$407,500	\$815,000	\$60,000	\$875,000	\$467,500 (Mission \$369,325; PV \$98,175)
2026	Johnson Drive (Metcalf Ave. to Lamar Ave.)	3/26-12/26	The project includes full depth pavement replacement; traffic signal replacement; HAWK pedestrian signal at Riggs; streetlights; spot replacement of curb and gutter, sidewalks, and ADA ramps; and pavement markings. Additionally, stormwater infrastructure will be replaced and includes the continuance of the stormwater interceptor completed with the Johnson Dr., Lamar Ave. to Nall Ave., Phase I project.	X		\$2,500,000	\$12,300,000	\$2,500,000	\$14,800,000	\$12,300,000
2027	Nall Avenue (Martway St. to 63rd St.)	5/27-10/27	The project includes a UBAS surface treatment; pavement repairs; spot replacement of curb and gutter, sidewalks, and ADA ramps; and new pavement markings.	X		\$175,000	\$350,000	\$30,000	\$380,000	\$205,000
2028	Martway Street (Woodson Rd. to Roeland Dr.)	5/28-10/28	The project includes a mill and overlay; pavement repairs; stormwater repairs; spot replacement of curb and gutter, sidewalks, and ADA ramps; and new pavement markings.		X	\$451,000	\$902,000	\$30,000	\$932,000	\$481,000
TOTALS:						\$4,410,000	\$16,120,000	\$2,695,000	\$18,815,000	\$14,405,000
Note: Jo. Dr. CARS amount is an estimate only.										
										951500
										1384500
										12300000
										205000
										481000
										15322000

City of Mission	Item Number:	7h.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Parks + Recreation	From:	Penn Almoney

Action items require a vote to recommend the item to the full City Council for further action.

RE: Mission Summer Camp Staff Pay Adjustments

RECOMMENDATION: Increase the starting summer camp staff pay rate to \$14.00 with an estimated budget impact of \$15,840.00.

DETAILS: Mission Parks + Recreation Summer Camp staff are the driving force behind the Mission Summer Camp. Programming staff must recruit and retain qualified and motivated employees to keep our operations running at 100%. The referral and sign-on bonus will help with staffing; however, camp instructor interest is low at this point. As you can see from the Parks + Recreation Summer Camp Staff wage analysis below, Mission is in the mid-range level of the wage scale, with several comparable camps offering a higher starting rate. Other municipal departments paying staff similarly to Mission are either smaller camps or have less activities/inclusions.

Data was pulled from two different resources:

- Kansas City Metro Programming Group (KCMPG) network of professionals
- Network of recreation professionals outside of the KC Metro

Blue Springs	\$12
Grandview	\$12.50
JCPRD	\$12
Lawrence	\$14
Lenexa	* \$14
Liberty	\$13.55
Mission	* \$12
Olathe	* \$13.50
Ottawa	\$11
Jewish CC (The J)	\$13
Raymore	\$12
Shawnee County (Topeka)	\$10
Unified Gov't KCK	* \$15

* **Camps of similar size, activity inclusion and registration cost**

The increase in pay is important to meet the following needs:

- Maintaining a staff to camper ratio per KDHE licensing requirements (Minimum- 1:15; Preferred- 1:10)
- Less time spent recruiting and training new hires leading to less turnover in

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	01-27-101-02
Available Budget:	\$520,000 (PCC)

City of Mission	Item Number:	7h.
ACTION ITEM SUMMARY	Date:	April 19, 2023
Parks + Recreation	From:	Penn Almoney

Action items require a vote to recommend the item to the full City Council for further action.

- summer staff, higher retention and better culture
- Higher wages generate more interest from applicants and yield a higher caliber worker
- Need enough PT staff coverage so FT team is not needing to fill staffing gaps due to sickness, etc.
- Ability to pick the best candidates for the job rather than choosing anyone who applies regardless of experience or ability

Staff are recommending an increase in the starting wage of Mission Summer Camp Counselors from \$12/hr to \$14/hr. The net increase in personnel expenses is \$1,760 per week (22 camp staff X \$2 increase X 40 hrs) for a total seasonal increase of \$15,840.

In 2023, staff has secured a Child Care Aware grant that will offset the total wage increase. Planning for 2024, staff has reviewed the comparable camp registration fees and will propose raising Mission Summer Camp fees to offset the increased costs in future years. Mission can also increase the number of campers from 150 to 160 next season to help further offset the increased expense.

Mission has a high level of returning campers and offers more activities for the same cost as many other regional camps. For the 2023 season there are currently 20 or more wait list participants for each week which underscores the value others see in Mission's Summer Camp.

CFAA CONSIDERATIONS/IMPACTS: Maintaining a competitive and supportive work environment focused on total compensation and benefits for a wide range of employees helps to ensure services can be delivered consistently to Mission residents and businesses. Family members of all ages and abilities use camp services for health and wellness and the City strives to use employment practices that meet the needs of employees of all ages and abilities.

Related Statute/City Ordinance:	N/A
Line Item Code/Description:	01-27-101-02
Available Budget:	\$520,000 (PCC)