



MINUTES OF THE MISSION CITY COUNCIL MEETING

July 19, 2023

The Mission City Council met in a regular meeting on Wednesday, July 19, 2023 at 7:00 p.m. at Mission City Hall. The meeting was called to order by Mayor Flora. The following councilmembers were in attendance: Hillary Thomas, Trent Boultinghouse, Mary Ryherd, Lea Loudon, Debbie Kring, Kristin Inman and Ken Davis. Councilmember Chociey appeared via Zoom. No councilmembers were absent.

Mayor Flora explained that the meeting was also offered virtually through Zoom, if preferred. The public was invited to participate in the meeting by using the instructions included in the City Calendar item listed on the front page of the website. For those participating virtually, they had the option of utilizing the "chat" feature to voice their comments which would be read aloud. The members of the public in person were encouraged to raise their hand and stay at their seats to be called on. The Mayor requested that anyone commenting please state their name and city of residence as well as to be conscientious of others talking and to speak clearly and slowly.

REVISED AGENDA

The Council considered a revised agenda.

Moved by Loudon, seconded by Boultinghouse to approve the July 19, 2023 City Council meeting Agenda as revised.

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

PUBLIC HEARING

There were no Public Hearings.

SPECIAL PRESENTATIONS

Recognition of Retiring Businesses – Dr. Brill – Brill Eye Center



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Mayor Flora began the Special Presentations by recognizing Dr. Raymond Brill of Brill Eye Centers upon his retirement after forty years of practicing top quality eyecare in Mission. Mayor Flora wished Dr. Brill success upon his retirement and thanked him for helping to build a thriving business district in Mission.

Dr. Brill thanked Mayor Flora and the Council and explained how he began his career and built his practice in Mission. He expressed his thanks to his patients and staff and gave an updated on the status of the practice after his retirement.

Parks and Recreation Month Proclamation

Mayor Flora next presented a proclamation proclaiming July as Parks and Recreation Month in Mission. She explained that Parks and Recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region. Parks and recreation programs build healthy, active communities and increase a community's economic prosperity. She also encouraged all to enjoy the many facilities, parks and programs in the City. She thanked Parks and Recreation Director Penn Almoney for his work and presented him with the proclamation.

Introduction of Recreation Coordinator

Mayor Flora welcomed Mr. Almoney back to introduce the City's new Recreation Coordinator, Misty Town. Mr. Almoney introduced Ms. Town and reviewed her experience in the Parks and Recreation field. Ms. Town also sings in a band and performed during the camp talent show at Mission Summer Camp. Additionally, she enjoys playing pickleball.



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Ms. Town expressed her excitement for the position and that she has enjoyed what she has experienced so far in the City. She looks forward to continuing to build the Parks and Recreation program in Mission.

BT&Co Presentation of 2022 Annual Comprehensive Financial Report

The final presentation of the evening was from BT&Co on the 2022 Annual Comprehensive Financial Report. Mayor Flora asked Deputy City Administrator Brian Scott to make his presentation. Mr. Scott introduced that when the fiscal year closes out on December 31, an audit of the previous year's books begins. Because of the departure of the Accounting Manager at the end of the year, the Mr. Scott took the lead this year while also maintaining his usual responsibilities. He reviewed that the GFOA has awarded a certificate of excellence of achievement for financial responsibility and reporting to the City for the past twenty-seven years. This year's audit will also be submitted for consideration for that award.

He reminded the Council that the audit is conducted in accordance with the "Kansas Municipal Audit Guide," and the standards applicable to financial audits contained in Government Auditing Standards. Mr. Scott introduced Stacey Hammond and Dusty Wagner, partners at BT&Co with oversight responsibility for the City's FY 2022 audit. Ms. Hammond reviewed the responsibilities of the auditors as set forth by State standards. Those standards require BT&Co to perform procedures to obtain reasonable assurance as to if the City's financial statements are free from material misstatements. There was also a review of the accounting practices used by Management, along with an evaluation of the overall statement presentation. She stated that the most important thing she would relay tonight is that the result of using those standards and procedures, auditors were able to determine that the City's financial statements are represented fairly in all respects, in accordance with generally accepted accounting principles. Auditors were then able to issue an unmodified audit opinion, which is the strongest opinion the City can receive.



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Ms. Hammond then moved to the accounting policies and practices section of the report, which is where any changes in existing policies or new accounting policies would be listed, along with significant or unusual transactions or estimates. She reported the only item in this area is an item that relates to significant estimates as the city does have several significant estimates. Those estimates are the total of post-employment benefit liabilities and net pension liabilities related to the City's participation in KPERS. Ms. Hammond measures and records those estimates. The conclusion next to each estimate shows that the City does have a reasonable process in place to measure and report those estimates.

She reviewed that a couple of audit adjustments were made as a result of the audit. The City provides journal entries, and the adjustments made relate to those journal entries.

The final section Ms. Hammond reviewed where any concerns or issues, disagreements with management or significant difficulties or consultations, of which there were none. She complimented City management for their cooperation throughout the audit process and their transparency in answering questions. She also included in the report a Management's Representation letter. That letter puts into writing everything that City Management represented to the auditors through the course of the audit. That should help fulfill fiduciary responsibilities as well. She also thanked Mr. Scott for his hard work in the audit process.

ISSUANCE OF NOTES AND BONDS

There were no items related to Issuance of Notes and Bonds.

CONSENT AGENDA

- 4a. Minutes of the June 21, 2023 City Council Meeting
- 4b. Milhaven HOA Picnic – Mohawk Park



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- 4c. Resolution Updating Bank Signatories (Security Bank)
- 4d. Resolution Updating Authorized Users in the Kansas Municipal Investment Pool (KMIP)
- 4e. Crossing Guard Contract
- 4f. Sponsor Agreement for Planning Sustainable Places Grant #2 – City-Wide Bike/Ped Trail Connection Study
- 4g. Flooring for PCC Conference Space
- 4h. North Breezeway Wood Staining

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

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

PUBLIC COMMENTS

Kim Donoway of Mission, KS commented that she is not in favor of the raise of the mill rate. Mayor Flora reminded her that this item is on the Regular Agenda and she can speak to it at that time. Ms. Donoway apologized. She moved on to express her dislike of the subsidizing of new developments or housing projects with public incentives. She feels that is an issue for many longtime residents having to burden costs. She also stated she would like to know if there is a written policy that prohibits personal cell phone use by employees. She believes that she is paying for employees to be using their personal cell phones. She would encourage the City to have a written policy. She has also mentioned this to the County offices for their employees. She believes that no tax dollars should be spent on personal cell phone use.

Councilmember Davis noted that the Consent Agenda was just adopted through item 4G but should have been done through 4H for accuracy. That fix will be in the minutes and the clerical error will be corrected. No additional Council action was required.

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City Planner Karie Kneller presented to the Mayor and Council information regarding the Swig drive through soda shop that will have a walk-up window, limited vehicle parking and extensive landscaping. The property is almost $\frac{3}{4}$ of an acre lot at Martway and Barkley Streets. The lot has been vacant for many years. The development did not comply with the form-based code; however it is difficult to develop on that size lot in strict accordance with form-based code requirements. She emphasized that the Developer had done a good job of matching the intent of the form-based code wherever possible with regard to reducing and closure of the Martway entrance. They also did a good job of working with Staff to bring the drive through access away from the main pedestrian paths. The Developer did add EV charging, bike racks, a pocket park with outdoor seating and "no idling" signs. The Developer also met with the Sustainability Commission and received a Gold rating on the Sustainability Scorecard. During the Planning Commission hearing no one had comments for or against the project, and the vote was unanimous to recommend approval with the seven conditions included in the Staff report.

Kim Donoway of Mission, KS expressed her interest in the project, and it's help with sales tax revenue. She does worry about water, drainage and wastewater in the commercial district and hopes that can be kept in mind.

Mayor Flora asked Ms. Kneller to speak to the Sustainability Scorecard. Ms. Kneller reported that the impervious surface on the site will be decreased quite a bit which will help immensely with drainage and runoff on the site, especially compared to what is there now. Mayor Flora asked about native plantings on the site and Ms. Kneller agreed that those requirements will be confirmed during the final development plan.

Councilmember Kring reported that the Developers did a great job during their Sustainability Commission presentation and that she believes the project will be a great asset to the City.

Councilmember Chocie expressed his concern about the project because, although the form-based code is difficult to work to on a small site, he believes that there is a lot of deviation from the code provisions, and what he would like

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to see on this parcel in the form-based code district. He believes that, although the developer has done a good job of working with Staff, he doesn't find a car-friendly, low-density development in that area of the City is appropriate. He finds the project to be contrary to the City's climate action goals.

Councilmember Thomas asked for confirmation of the EV charging stations and "no idling" signs on the site, and Ms. Kneller confirmed one charging space and six parking spaces on site with the signs.

Moved by Davis, seconded by Kring to approve a preliminary development plan for Swig Soda Shop at 5959 Barkley Street.

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

6b. Preliminary Development Plan for Waterworks Park

Ms. Kneller presented the preliminary development plan and praised the collaboration with Mr. Almoney during working together on the project. She reviewed the unanimous Planning Commission approval with the seven conditions listed in the Staff Report. One was the connection to Rushton Elementary School to ensure that the park allows access to the school.

She reviewed public comments, including the height of trees shading adjacent properties with gardens, solar table maintenance green infrastructure location to capture parking lot runoff, shelter and restroom orientation and comments about visibility or the view of the park. Staff did receive a comment after the Planning Commission meeting that outlined the previous concerns, but also emphasizing a dislike of the amount of parking spots concerned that it would bring in users outside of the community.

Kim Donoway of Mission, KS spoke for her son and daughter-in-law, who live across the street from the park. They are concerned about the restrooms being locked at night, as they are concerned about safety and who could be hiding in the restrooms, she also believes that speaks to the orientation of the restrooms for safety. She also believes that residents near the park don't want fourteen parking spots as the spots that are there now are not typically used except for



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during school pick up times. She believes additional parking spots are a waste of resources.

Councilmember Davis thanked Mr. Almoney and his staff for the work done for planning for the park improvements. He clarified that the Planning Commission minutes are available to the Council, and they have reviewed those comments made by residents.

City Administrator Laura Smith mentioned that the orientation of the restrooms was designed with public safety in mind to allow for a clear line of sight for public safety officers. The restrooms will lock, and just like in all parks, park hours will be enforced.

Moved by Davis, seconded by Loudon to approve a preliminary development plan for Water Works Park at 5814 W. 53rd Street.

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

COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Ryherd reported that the Finance and Administration Committee met on July 5 and considered nine items. The meeting minutes, Milhaven HOA picnic at Mohawk Park, Resolution updating bank signatories and Resolution updating authorized users in the Kansas Municipal Investment Pool were approved under the Consent Agenda.

A tax abatement policy, and Resolutions of intent to levy a property tax exceeding the Revenue Neutral Rate for the 2023 Budget for the City of Mission, Rock Creek Drainage District number one and Rock Creek Drainage District number two will be considered under the Regular Agenda this evening.

7a. Tax Abatement Policy

Councilmember Ryherd reported that Mission's current tax abatement policy (Council Policy 116) was approved in May 2007. It was drafted to ensure there

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was a foundation for the consideration of requests for tax abatement but has not been used since its adoption.

She informed the Council that two developers have requested consideration of both sales and property tax abatements in connection with their proposed multi-family projects and staff initiated a review of the existing Council policy to ensure it could align more closely with the current Council's goals and objectives related to redevelopment and the use of incentive tools. The updated policy seeks to clearly define the purpose, scope and policy of the Governing Body when considering any request for property tax abatement.

Like other economic development incentives, the decision to approve the tax abatement tool is completely discretionary, and no decision to grant or deny property tax abatement and/or tax incentives shall serve as a precedent for any future decisions. The proposed policy establishes a standard tax abatement percentage (45%) assuming the project meets other threshold criteria. The policy then outlines additional abatement criteria and potential adjustments (increases over 45%) that could be earned by a developer. It also establishes some clear parameters yet provides flexibility for the City allowing for each project to be evaluated on a case-by-case basis. The policy includes the obligations of the developer to cover costs incurred by the City in the review and evaluation of any request, and the bond origination fees to be paid by the developer should the City approve the request for a tax abatement.

Councilmember Kring stated she voted against the tax abatement policy in 2007, and that she intends to vote against it again. She does not believe that putting apartments in a small community using tax abatement is fair to other small apartment owners. She also does not like considering an increase in the mill levy while also voting to approve incentives.

Ms. Smith stated that tax abatement is different than TIF, abatement is property tax only whereas TIF can be sales tax also. She reviewed that the property tax abatement tool has not been used previously, and it is only for a maximum of ten years unlike a TIF District of 20 years or a CID of 22 years. She referred to pages 60-63 of the draft audit which show helpful summaries of TIF districts and the use of incentive tools currently in place. She also reviewed the extensive review process for the evaluation of need before a project would even proceed. She believes that these clear parameters create a

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more stringent policy currently in place, and one that is easy to communicate to potential developers. This new policy starts at 45% and caps things at 75% and she believes this policy helps to communicate the Council's desire not to offer 100% abatement. She finds that any consideration of incentives requires a balance. She believes the Council is moving in a direction to ensure that revenues are available immediately in the event of new developments. She believes the policy communicates the things the Council wants to see Developers incorporate in a project if they intend to ask for public incentives.

Councilmember Kring commented that she feels her values do not align with giving financial benefits to a Developer over the priorities of her constituents. She is always balancing the best interest of the City vs. the best interest of her constituents. She doesn't believe that residents get anything out of these projects while the need for resources rises as more residents are in the City.

Ms. Smith explained that a formal cost benefit analysis will occur with every project and will help illustrate any potential benefits of a project. Staff has been waiting for a policy to be approved to be able to move into more specific conversations with the developers on pending projects. That analysis will be coming forward in a future presentation. The Developers have been connected with the City's financial team and are ready to move forward once a policy is in place. Then the staff will come back with a comprehensive report and recommendation.

Mayor Flora commented that she rejects the premise you cannot be pro-development and incentives in some circumstances, and automatically have that suggest you are against what is in the best interest of our residents. She believes that all of Mission's elected officials are trying to do what is best for the City and its residents.

Councilmember Davis voiced his support for the Policy. He found that it was made clear during the abatement policy work session that the policy is not specific to any one project but is a concept and tightens up the basis of evaluation for each any future projects. He believes this policy is a big improvement over what is currently in place.

Councilmember Chociej voiced his agreement with Councilmember Davis and thanked him for the reminder that the consideration is for a policy, rather than



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a specific project. He feels that the new policy tightens things up rather than opening floodgates and provides a much more deliberate consideration for a projects when and if incentives are requested.

Councilmember Boultinghouse echoed Councilmember Chociey and stated he believes that the policy provides better guardrails for residents and the City. He agreed with Councilmember Kring that the answer will not be "yes" every time, but, because Developers will be asking, he likes having something like this in place.

Councilmember Thomas believes codifying incentives ties in with this Council's values. She asked Ms. Smith for clarification on exploring new policies surrounding TIF and CID and if those conversations would happen soon. Ms. Smith confirmed that is correct. She believes many provisions of this policy would transition relatively easily into TIF and CID policies.

Moved by Ryherd, seconded by Davis to adopt the new Tax Abatement Policy and repeal and replace City Council Policy 116.

Voting AYE: Boultinghouse, Thomas, Chociey, Davis, Ryherd, Loudon

Voting NAY: Inman, Kring **Motion Carried.**

7b. Resolution of Intent to Levy a Property Tax Exceeding the Revenue Neutral Rate for the 2023 Budget – City of Mission

Councilmember Ryherd reported that formal Council resolutions are required to ensure Mission can capture the appropriate revenue when planning for the 2024 Budget. A maximum mill levy rate of 18.5% has been proposed for the 2024 budget. The mill levy may always be reduced following the public hearing in September, but it may not be increased once notice is given to the County by the July 20 deadline. Three separate resolutions have been prepared which gives the County notice of our intent to exceed the revenue neutral rate, and which establish the date and time of the required public hearings which will be held during a Special City Council meeting on Wednesday, September 6, 2023.

Kim Donoway of Mission, KS stated she believes residents are angry. She questioned the Council's knowledge residents' feelings. She feels like money is being thrown away and taxes are going up. She feels that asking for multi-



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million-dollar subsidies for projects while raising the mill levy rate is not appropriate. She said residents don't speak up but do not like the things that are happening in Mission.

Moved by Ryherd, seconded by Davis to approve the Resolution for the City of Mission providing notice of the Governing Body's intent to levy a property tax exceeding the revenue neutral rate for the City of Mission 2024 Budget.

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

7c. Resolution of Intent to Levy a Property Tax Exceeding the Revenue Neutral Rate for the 2023 Budget – Rock Creek Drainage District #1

Ms. Smith clarified that the only parcels being assessed within Rock Creek Drainage District #1 are parcels on the Gateway site. Mayor Flora asked Ms. Smith to clarify also about the rates and she stated that the rates exceed revenue neutral but are recommended to be held consistent with the rate being charged to fund the 2023 budget.

Councilmember Kring asked, with the uncertainty with the Mission Gateway site, would there be a chance for funds not to come back to the City? Ms. Smith stated that the money will still be due and payable to the City like any other taxes, however the City does not control the timing of collection of those taxes as that is done by the County.

Ms. Smith also clarified that Rock Creek Drainage District #2 begins at Roeland Drive and extends to Lamar Ave generally following the creek. Those properties are assessed an additional mill to fund drainage improvements. The City has made \$30 million improvements over the past 10-15 years, taking many properties out of the 100-year flood plain.

Councilmember Chociey asked to clarify that, when there are unpaid taxes on a parcel, are there other ways to discharge them other than being paid at tax sale. Ms. Smith stated sometimes a request to consider alleviating those taxes, however there is nothing that automatically does so.



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Moved by Ryherd, seconded by Davis to approve the Resolution for Rock Creek Drainage District #1 providing notice of the Governing Body's intent to levy a property tax exceeding the revenue neutral rate for the 2024 Budget.

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

7d. Resolution of Intent to Levy a Property Tax Exceeding the Revenue Neutral Rate for the 2023 Budget – Rock Creek Drainage District #2

Moved by Davis, seconded by Davis to approve the Resolution for Rock Creek Drainage District #2 providing notice of the Governing Body's intent to levy a property tax exceeding the revenue neutral rate for the 2024 Budget.

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

Community Development Committee

Councilmember Loudon reported that the Community Development Committee also met on July 5 and considered 10 items. The meeting minutes, Sponsor Agreement for Planning Sustainable Places Grant #2, Flooring for the Powell Community Center conference space and north breezeway wood staining at the Powell Community Center were approved under the Consent Agenda. A design agreement for Roe Ave., the 2024 CARS Project, a 2023 Stormwater System Inspection Project Agreement, Interlocal with Johnson County for 2023 Stormwater System Inspection Project, and Broadmoor Trail Construction will be considered under the Regular Agenda this evening.

7e. Design Agreement for Roe Ave. (2024 CARS Project)

Councilmember Loudon reported that The Roe Ave. (Johnson Dr. to 63rd St.) project is included in the City's 5-Year Capital Improvement Program (CIP) and 5-year CARS Program for construction in 2024 at an estimated cost of \$1,740,000. The scope of work includes a 2-inch mill and overlay, sidewalk installation on the east side of Roe Ave. between Johnson Dr. and W. 59th St., spot sidewalk and curb replacement, retaining walls, stormwater repairs, traffic



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signal buyout and replacement at the intersection of Roe Ave., and pavement markings. The design agreement with Olsson includes design services, utility coordination, easement acquisition, project management, and bid and construction phase services. This project will be administered by the City of Mission and is a joint project with the cities of Fairway, Roeland Park, and Prairie Village. Design and construction costs will be split between Mission, Fairway, Roeland Park and Prairie Village and Johnson County Wastewater proportionately.

Councilmember Kring commented that, in future discussions about street projects, she would like to evaluate the feasibility of burying utility lines.

Moved by Loudon, seconded by Davis to approve a task order with Olsson for design of the Roe Ave. project from Johnson Dr. to 63rd Street in an amount not to exceed \$105,657.

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

7f. 2023 Stormwater System Inspection Project Agreement

Councilmember Loudon reported that in the last ten years, Mission has had a considerable problem with sinkholes caused by deteriorating stormwater infrastructure. To be more proactive, funds to begin work on an updated inventory and condition assessment are budgeted in the Capital Improvement Program. The Johnson County Stormwater Management Program (SMP) will provide up to 50% matching funds for structures and pipes with an estimated risk of 3.2 or higher. Matching funds are not provided for infrastructure with no inspection data or risk factors less than 3.2. The City's last stormwater system inspection was completed in 2020 by BHC Rhodes.

She then reported that following the 2020 inspection, Staff submitted an application in 2022 to the SMP for BHC Rhodes to inspect remaining structures and pipes with estimated risk of 3.2 or higher for 2023 funding with an estimated total project cost of \$142,876 and SMP matching funds of \$71,438. The scope of services was based on using a pipe camera for shorter pipe segments and a "crawler" camera for pipe runs exceeding 150 linear feet. This methodology was used for the previous inspection in 2020; however, it was

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determined in early 2023 that more accuracy is needed in order to thoroughly inspect and assign an accurate risk rating to all structures and pipe. City staff subsequently requested that TREKK Design Group, LLC submit a new scope of services using the "crawler" camera for all pipe runs regardless of length. This project has a total project cost of \$175,536 and SMP project share of \$87,768.

Moved by Loudon, seconded by Davis to approve an agreement with TREKK Design Group, LLC to perform stormwater system inspection in an amount not to exceed \$175,536.

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

7g. Interlocal with Johnson County for 2023 Stormwater System Inspection Project

Councilmember Loudon reported that the Interlocal Agreement specifies the County's policy and procedures, stormwater system inspection requirements, the County's contribution towards project costs (50% of the total project cost of \$175,536 or \$87,768) and commits the City's funds to the project. Approval of the interlocal agreement will cancel the original application and request for funds originally submitted in 2022 (total project cost of \$142,876 and SMP matching funds of \$71,438) and is the final step with the County to accept 2023 funds for this project. She also reported that there is currently funding available in the Stormwater Utility Fund for this project.

Moved by Loudon, seconded by Davis to approve the Interlocal Agreement with Johnson County for the 2023 Stormwater System Inspection Project

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

7h. Broadmoor Trail Construction

Councilmember Loudon reported that in 2019, the City contracted with Confluence to begin master planning improvements for each of the City's major parks. Improvements to Broadmoor Park's trail have been a long-standing



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priority of the Parks, Recreation and Tree Commission. The project includes a 10-foot concrete perimeter trail, ADA trail access points and grading that supports both safety and accessibility goals. Based on a review and evaluation of the bids, Staff recommends approval of a contract with Gunter Construction Co. for Broadmoor Park Trail Improvements (base bid and bid alternate) in an amount not to exceed \$306,935. Construction is anticipated to begin in September 2023 and be completed in January 2024.

This project is funded from the 2023 Park System Improvements budget (Parks + Recreation sales tax) identified in the Parks + Recreation Capital Improvement Plan.

Councilmember Inman expressed her excitement for the progress on this project.

Councilmember Ryherd expressed her excitement for seeing projects at two parks on the agenda together, and thanked Mr. Almoney for his work on both projects.

Moved by Loudon, seconded by Davis to approve a contract with Gunter Construction Co. for Broadmoor Park Trail Improvements in an amount not to exceed \$306,935.

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

UNFINISHED BUSINESS

Mayor Flora explained that there was no unfinished business tonight.

NEW BUSINESS

Mayor Flora explained that there were three items of new business tonight. The first is acceptance of the 2022 annual comprehensive financial report. She asked Deputy City Administrator Brian Scott to share the details with the Council.



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9a. Acceptance of 2022 Annual Comprehensive Financial Report

Mr. Scott did not have anything further on the item outside of what was reported by BT&Co earlier in the meeting.

Moved by Ryherd, seconded by Kring to accept the audited financial statements for the year ending December 31, 2022.

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

9b. State of Emergency / Disaster Proclamation

Mayor Flora explained that the second and third items of new business both relate to the heavy storms that impacted Mission residents and businesses last week. The first is consideration of a State of Emergency and Disaster proclamation, and the second is approval of rates for storm debris removal. She asked Ms. Smith to please share the details with the Council.

Ms. Smith shared that when storms with heavy damages come through, or for other reasons, the City can declare a state of emergency. The last time one was issued by the City was during the COVID-19 pandemic. Tonight, a proclamation is presented that that aligns with authority granted to the Mayor through the Municipal Code to declare a state of emergency/disaster. The declaration temporarily sets aside normal policies and practices to allow Staff to move more quickly. Many of Mission's neighboring cities are also making similar declarations. Ms. Smith noted, however, that damages will likely not meet the County's threshold for declaring a State of Emergency which would allow for reimbursement of a portion of costs incurred by the City. The action recommended for tonight preserves the City's ability to be able to take advantage of County, State or Federal funding available should it become available. She stated that the proclamation will stay in effect until rescinded by the Mayor. She was not able to give an exact timeframe for how long storm recovery will take, however she believes the emergency declaration will be able to be rescinded by mid- to late-August.



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Ms. Smith also reviewed the status of storm recovery operations. She stated that Evergy has been able to restore power throughout the community. Some homes had their electric meters pulled from their homes which required the work of an electrician and additional inspections by Staff, who have been working hard to get those completed quickly. She also reviewed that the community center was without power until noon on Saturday. There are some lingering effects from the power outages which Staff is evaluating.

The roof on the community center held up fairly well with a few leaks around the new skylights in the natatorium, so those repairs are being pursued. She also reported that approximately 250 gallons of diesel fuel was required to run the Community Center's generator. Staff at the community center did a great job of staying in touch with rental patrons and was able to pull off a 200 person wedding at the community center Saturday evening. She reported that storm related costs currently stand at about \$7,500.00 with invoices for work at the pool still pending. Other losses included a bench along the Rock Creek Trail and many limbs down in City parks.

Ms. Smith thanked Public Works crews, who did a fantastic job of moving storm debris and having the majority of streets opened by Friday evening. Live power lines did keep two locations closed until Monday afternoon when Evergy crews could make repairs. All traffic lights were back up by Monday, and Public Works staff is now focused on clearing out smaller tree limb debris. The street sweeper will also be making its rounds to clean up streets throughout the City. There was some minimal streetlight damage, and the on-call contractor is aware and will get repairs completed.

Ms. Smith reported that the Police Department responded to 73 calls for service, and also pulled limbs from streets to clear them. Damages have been documented in the event that there is an opportunity to apply for reimbursement of funds, although again, she does not believe the County will be at a point to declare disaster at that level. She reported that, at City Hall and the police station, no lingering effects are known from the storm. Power was restored to that building late on Sunday evening. Some reliability issues with regards to generators in the building are being assessed for future events, however they are related to issues that had been identified prior to the storm. She reviewed that Consolidated Fire District No. 2 has shared some preliminary



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numbers and would likely be happy to come and share a more comprehensive report in the coming months.

She reviewed that tree damage was the largest issue for most residents. Staff made the decision Friday evening, as many other communities did, to offer curbside pickup, which has been communicated to residents. A contractor has been lined up and messaging has gone out to residents as to how to prepare debris for pickup. The collection will begin on July 24, giving residents time to get debris ready for collection. She also reported that the last time curbside collection was done in the winter of 2019. The contractor will begin collections at the north end of the City, and will not handle yard waste in bags. Those bags can still be set out for GFL collection, up to ten bags, each week as well.

Ms. Smith also expressed her appreciation for Staff who worked seamlessly and quickly in these situations.

Councilmember Inman asked if homeowners would be required to obtain a permit for work if the electrical box was pulled away from the home, and, if so, what the cost is.

Ms. Smith answered that a permit is required, and Mr. Scott followed up that he is unsure of the cost but that a permit is required, and work will be done once a permit is obtained.

Councilmember Kring asked about inquiries from residents for extra trash pickup due to having to throw away spoiled groceries after the long power outages. Ms. Smith replied that GFL is not offering any amnesty from regular collection limits, however Staff would be happy to help someone in that situation and they should call City Hall for that help.

Moved by Loudon, seconded by Kring to approve and confirm the State of Emergency / Disaster Proclamation related to the July 14, 2023 storm event.

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

9c. Approval of Rates for Storm Debris Removal



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Councilmember Davis asked if, with collection beginning at the north end of the City, would there be a circle back provision for residents. Ms. Smith answered that those issues could be dealt with on a case-by-case basis. She believes that, in 2019, there were always a few issues at the end, and she believes that will be the case this time as well.

Councilmember Kring commented that Kansas City Tree Care, LLC is a company owned by a Mission resident who lives in Ward III. Mayor Flora confirmed that the contract is with the same contractor who did the last curbside pickup during the winter of 2019 and the work was very satisfactory and done timely. She believes the rates are fair, although higher than in 2019 due to increased fuel, labor and disposal costs. Cleanup in 2019 was approximately \$60,000.00. She believes cleanup costs from this storm could trend higher.

Moved by Ryherd, seconded by Kring to approve collection and disposal rates associated with curbside storm debris collection and removal with Kansas City Tree Care, LLC

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

COMMENTS FROM THE CITY COUNCIL

Councilmember Thomas praised Staff for their work, and echoed Councilmember Kring's comments about looking into the feasibility of burying power lines. She would like to learn more and begin that conversation.

Councilmember Kring announced she is holding a Ward III Meeting on Thursday at the Powell Community Center at 7:00 p.m.

Councilmember Davis expressed his thanks to Staff for their hard work during the storm weekend.

COUNCIL COMMITTEE LIAISON REPORTS

Sustainability Commission (Kring/Thomas)

Councilmember Thomas shared that several members liked the potential of the

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tax abatement policy as it relates to the sustainability provisions. Additionally, a Climate Action Plan Task Force meeting will be held next week, the Swig scorecard was shared, and a ribbon cutting is planned for the JoCo Transit 487 line, which runs from Mission to Lenexa with stops in Prairie Village and Overland Park. Councilmember Thomas asked Deputy City Administrator Emily Randel to speak to energy audit and grant program that is being rolled out.

Ms. Randel shared that an energy audit and grant program has been launched for residents. Funds allocated will be used to fund up to 15 energy audits to obtain information about weatherization in homes. Some funds will also be allocated to help residents make those improvements. Contractors have been confirmed for the work and the application process is now open. She shared that the goal is for audits to be done at a variety of housing types. Applications are due within two weeks.

Councilmember Kring reminded everyone that the "GO Green" Environmental Fair will be held at the community center on September 23. The Sustainability Commission is a leading force in planning and executing the event, which will be in its second year. Councilmember Kring also shared that, in her role sitting on the Johnson County Solid Waste Commission, she was able to visit the new household hazardous waste facility at 105th Street and Mastin. She enjoyed visiting the facility.

Parks, Recreation + Tree Commission (Loudon/Ryherd)

Councilmember Ryherd reported that the Commission met the previous Monday, however she and Councilmember Loudon were unable to attend. She asked Mr. Almone for any updates.

Mr. Almone reported that the Commission discussed a walk along the Rock Creek Trail and reviewed notes from the walk. Takeaways were the fastest route vs. the most solitary route, does the trail always have to be a sidewalk or can it be a bike/ped lane. He believes those comments can be used for further discussions. The Commission also reviewed upcoming action items and expressed excitement for the upcoming park projects in Broadmoor Park and Waterworks Park. Finally, the Commission discussed upcoming activities including Yoga on Deck and the "Under the Sea" pool party at the Mission Family Aquatic Center.



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Mission Magazine Editorial Board (Boultinghouse)

Councilmember Boultinghouse reported that the magazine Editorial Board was not able to meet recently. He hopes to have an update at the next Governing Body meeting.

Family Adoption Committee (Chociej)

Councilmember Chociej reported that the Committee met on June 29 to discuss logistics and a retrospective of the previous year. They are reviewing logistical struggles of partners such as Harvesters, along with schools that are under construction and a tighter budget.

MAYOR'S REPORT

Mayor Flora did not have anything to report. She echoed the thanks shared earlier in the meeting to City Staff for their hard work during the storm weekend.

CITY ADMINISTRATOR'S REPORT

Ms. Smith shared that a member of the City Staff lost his life over the weekend from the City's Public Works Department. She is working with the organization to provide support to his family and to help navigate the situation. It is a difficult time for the Department and the entire organization and the City is providing grief counseling and support to anyone interested.

She also echoed thanks to Mr. Scott on his work for the audit. She feels like she and Mr. Scott will be able to pass knowledge very effectively to the new Budget and Finance Manager in the coming months.

Ms. Smith also gave kudos to the Parks and Recreation staff for their hard work at the Mission Summer Family picnic. She acknowledged their hard work on the event and looks forward to 2024. She also shared that a ribbon cutting will be held on August 17 at 4:00 p.m. for Mohawk Park.

The Police Department has scheduled an apartment community outreach at the Silverwood Apartments on Wednesday, July 26 from 6-8 p.m. The Council is encouraged to attend if schedules permit.



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Finally, Ms. Smith shared that, to answer Ms. Donoway's question earlier in the evening regarding personal cell phone use, the City does provide a cell phone allowance as a taxable fringe benefit for some employees. That is done because most employees are not required to carry a work and personal cell phone, and many employees are using their cell phones to conduct City business. She also shared that a cell phone use policy is covered in the City's Personnel and Policy Guidelines.

City Clerk Robyn Fulks provided business updates for the month, including Collective Salon & Barbershop, Wee Create, an art school for children, has moved in the Mission Mart from 5611 Johnson Drive to 5423 Johnson Drive. Ovation Dance Academy will expand their current space into the former Wee Create space. Lil' Dudes will open in September at 5624 Johnson Drive. Profile Cabinet will open later this year at 5601 Johnson Drive, and KC Weightlifting is open at 5809 Johnson Drive, and NellaSTar at 5903 Dearborn.

EXECUTIVE SESSION

Mayor Flora explained that there was no need for an executive session tonight.


ADJOURNMENT

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

Respectfully submitted by Robyn L. Fulks, City Clerk.



Solana Flora, Mayor



Robyn L. Fulks, City Clerk