



MINUTES OF MISSION WOODS CITY COUNCIL
Tuesday, July 7, 2020
7:00 p.m.

The City Council of Mission Woods, Kansas met in regular session on Tuesday, July 7, 2020 virtually, via Zoom.

Members Present: Mayor Darrell Franklin
Council Member Carrol Thomas
Council Member Thomas Clemente
Council Member Christopher Brent
Council Member Lauren Aleshire
Council Member Selina Zapata Bur

Others Present: Alex Felzien, City Attorney
Dan Miller, City Engineer – Lamp Rynearson Engineering
John Martin, City Treasurer
Greg O’Halloran, Chief of Police

I. CALL TO ORDER

Mayor Franklin called the meeting to order at 7:03 p.m. A quorum was present. Mayor welcomed Council Member Bur to her first Council meeting. Council Member Bur was appointed at the June Council meeting and was sworn in prior to tonight’s meeting.

II. REVIEW AND APPROVAL OF JUNE MINUTES

There were no comments or changes to the June minutes from the Council. Council Member Aleshire moved to approve the minutes and Council Member Brent seconded the motion, which passed unanimously. (Ayes – V, Nays – 0).

III. REVIEW AND APPROVAL OF JUNE WARRANTS

Mayor Franklin noted that the \$6,157.00 expense noted on the warrants was for a fence related to the storm water project on west 51st Street. This was the final bill for the fence related to storm water project on west 51st Street. Mayor Franklin stated that the wooden fence is an aesthetic upgrade to the chain-link fence it replaced. There were no other comments on the June warrants. Council Member Aleshire moved to approve the warrants, Council Member Clemente seconded the motion which passed unanimously. (Ayes – V; Nays – 0).

IV. Review of Police Report

There was no discussion or comments from the Council regarding the June police report.

V. DISCUSSION OF ULTRA-THIN BONDED ASPHALT SURFACE (UBAS) STREET PROJECT

Mayor Franklin began the discussion by stating he has received two comments on this project: when the project will be finalized, and concern regarding the white lines found on Mission Woods Terrace and Mission Woods Road. Mayor Franklin was advised that coating the road to cover the white lines would cost \$3,000.00 and would require all cars be off the streets for one to four hours while the coating dries. Further, Mayor Franklin was advised the white lines will not be visible in a year. Council Member Thomas then mentioned the cul-de-sac appears uneven and noted areas of concern in the pavement. City Engineer Dan Miller explained that cul-de-sac paving is always more difficult because the pavers are designed for straight roadways, and there is no paver designed for a round cul-de-sac. The City Engineer stated that MacAnany will honor their word regarding the standard of the cul-de-sac and that it would be up to his standard as well. The City Engineer resolved to look at the cul-de-sac again with the contractor and will report back to the Council.

VI. PRESENTATION/DISCUSSION OF A RESOLUTION SUPPORTING GOVERNOR KELLY'S EXECUTIVE ORDER

Mayor Franklin invited City Attorney Felzien to advise the Council on the proposed resolution support Kansas Governor Laura Kelly's Executive Order 20-52 requiring facemasks in public. City Attorney Alex Felzien explained the resolution is symbolic and states that Mission Woods will further Governor Kelly's Order. Council Member Aleshire noted that there are not many commercial buildings within Mission Woods city limits. Council Member Brent made a motion to adopt the resolution, Council Member Bur seconded, and the resolution passed unanimously. (Ayes – V; Nays – 0).

VII. CITY ORDINANCE 237 – CHANGING MOWING TIMES ON SUNDAYS AND LEGAL HOLIDAYS

Mayor Franklin invited City Attorney Alex Felzien to advise the Council on Ordinance 237. The City Attorney explained that the Ordinance would change the allowable mowing times on Sundays and legal holidays from 10:00 A.M. to 5:00 P.M. to 12:00 P.M. to 5:00 P.M. Council Member Aleshire stated she was not in favor of the Ordinance because it would limit working professional's ability to maintain their lawn outside of normal business hours. Council Member Clemente stated that 10:00 A.M. was too early but he did not want to further regulate the citizens. Council Member Bur stated she thought 10:00 A.M. was sufficiently late, stating busy professionals and families may not have enough time on the weekend to accomplish yard tasks if they are limited on Sunday to the 12:00 P.M. and 5:00 P.M. timeframe. Council Member Thomas reiterated her desire for a 12:00 P.M. start time, stating she and her mother enjoy peaceful Sunday mornings. Council Member Brent stated he is neutral on this topic. Council Member Clemente made a motion, which Council Member Brent seconded, amending the Ordinance to allow mowing on Sundays and legal holidays to occur from 11:00 A.M. to 5:00 P.M. Council Members Aleshire, Brent, Clemente, and Bur voted in favor of the amendment, Council Member Thomas opposed the amendment. Next, a roll call vote was taken on the Ordinance, as amended: Council Member Aleshire: yes, Council Member Brent: yes, Council Member Clemente: yes, Council Member Bur: yes, Council Member Thomas: no. The Ordinance, as amended, passes. (Ayes – IV; Nays – I).

VIII. CITY ORDINANCE 238 – CHANGING THE DATE OF APPOINTMENT OF CITY OFFICERS

Mayor Franklin invited City Attorney Alex Felzien to advise the Council on Ordinance 238. City Attorney Felzien explained that this Ordinance would bring Mission Woods' Code up to date with recent changes in Kansas law moving municipal elections from April to November. Council Member Brent made a motion to approve the Ordinance, Council Member Clemente seconded the motion. Next, a roll call vote was taken on the Ordinance: Council Member Aleshire: yes, Council Member Brent: yes, Council Member Clemente: yes, Council Member Bur: yes, Council Member Thomas: yes. The Ordinance passes. (Ayes – V; Nays – 0).

IX. REVIEW OF JOHNSON COUNTY RIGHT OF WAY AGREEMENT

City Attorney Alex Felzien advised the Council that Johnson County has requested Mission Woods enter into an agreement for Johnson County's use of the Right of Way in Mission Woods. The City Attorney explained that the agreement was reviewed by his office and no issues with the agreement were found. Secondly, the City Attorney explained, that Johnson County is reluctant to negotiate its contracts because what it gives to Mission Woods it could have to give to Overland Park, Fairway, etc. Lastly, Mission Woods is due \$40,000.00 from Johnson County for the work already completed on the 51st Street storm water project. There were no comments or questions from the Council. Council Member Thomas made a motion to approve the agreement and authorize Mayor Franklin to sign the agreement. Council Member Brent seconded the motion, which passed unanimously. (Ayes – V; Nays – 0).

X. Tree Trimming in Right of Way

Mayor Franklin began the discussion by stating that the city trimmed trees in City Right of Way three years ago, at a cost of approximately \$8,000.00. City Treasurer John Martin explained that the alcohol tax fund currently has \$9,400.00 that could be used for trimming trees in City Right of Way. Council Member Clemente stated he believed the City should assume this duty and keep the Right of Way as nice as possible. Mayor Franklin said he would request KC Tree Service to come out and look at trees in Right of Way to get a determination if the trees must be trimmed this year or can wait until next year. The Council was in agreement that the trimming should be deferred until next year if at all possible, given the money already spent on infrastructure this year and the City's reduced budget due to the COVID-19 pandemic.

XI. Saint Rose Property at 2216 51st Street

Mayor Franklin was informed by Eddie McNeil that the church has submitted plans for the building on 51st Street and that an Architectural Review Board meeting will be scheduled soon to consider the plans.

XII. Presentation of 2021 Mission Woods Budget

City Treasurer John Martin gave a presentation of the current state of the 2021 Mission Woods budget. City Treasurer Martin explained that municipal court fines would be lower given the pandemic, from \$116,000.00 to \$75,000.00 and may even be lower than that figure. City Treasurer also explained that sales tax numbers will also be lower than 2019 numbers for the same reason. The Mayor recommended the mill levy remain the same for 2021. The Mayor explained that the biggest change in expenses would be the reallocation of roughly \$35,000.00 in police overtime. The City Treasurer explained that whatever expenditure limits the Council agreed on would be in place until 2022. A public hearing on the 2021 budget will take place on August 3, at the next Council meeting. Council Member Aleshire made a motion to approve the budget for publication, Council Member Bur seconded the motion which passed unanimously. (Ayes – V; Nays – 0).

It was decided by the Council to meet via Zoom for the August meeting.

Council Member Aleshire made a motion to adjourn the meeting, which Council Member Brent seconded. The meeting was adjourned at 8:05 P.M.