

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

REGULAR SESSION
FEBRUARY 2, 2023

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Regular Session Thursday, February 2, 2023, with eleven members present via Zoom and on site: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Stites, Commissioner Seventh District; Davis, Commissioner Eighth District; and Garner, Mayor/CEO, presiding. The following officials were also in attendance: Cheryl Harrison-Lee, Interim County Administrator; Misty Brown, Chief Counsel; Patrick Waters, Deputy Chief Counsel; Dr. Mildred Edwards, Chief of Staff in Mayor's Office; Debbie Jonscher, Acting Chief Financial Officer; Brett Deichler, UG Clerk; and Monica Sparks, Deputy UG Clerk.

Mayor Garner said before I call the meeting to order, I want to announce that some commissioners, staff, and the public are attending remotely via Zoom, by phone, or on site. All participants joining by phone should mute their phones when not speaking to avoid background noise.

During the meeting, please make sure that you announce yourself by name and title every time you speak so the public that is observing knows who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General's Office.

I will now call this meeting to order. Clerk, roll call, please.

Roll call: Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Sites, Davis, Bynum, Garner.

Mayor Garner said the invocation tonight is going to be given by Commissioner Harold Johnson of Faith Deliverance Church of God in Christ, followed by the Pledge of Allegiance.

Mayor Garner said, Clerk, I will ask if there are any revisions to tonight's agenda? **Mr. Deichler** said, Mayor, sir, yes. At your discretion, we have added a statement surrounding public input for Item No. 2 on your agenda which discusses the charter ordinance creating a new PILOT for residential class option. Public input will now be allowed for this item with a two-minute duration per speaker.

Additional changes to tonight's agenda include Item Nos. 3, 4, and 5 on the Mayor's Agenda which includes ordinances and resolutions regarding term limits and prohibition on Unified Government commission members, adjusting compensation and benefits of the Commission, and amending Unified Government rules of procedures relating to travel on Unified Government business.

That represents all the modifications to tonight's agenda, Mayor.

Mayor Garner said we do have, I believe, it's Mayor Harrington and so I'm going to change this up slightly and, Mayor Harrington—and we've got President Johnson, and they're going to give an update on the Administrator search.

Bill Johnson, General Manager, Board of Public Utilities, said we came here last meeting and gave a brief update. I'm back with Mayor Harrington. Just wanted to kind of bring you up to speed. We did conduct our interviews this week. Prior to going into the week, we had trimmed a list of candidates down from 32 down to 16. Then we met and then moved forward six candidates with one alternate. From that, two had withdrawn before the interviews started, so we actually interviewed five candidates on Monday.

A little bit of a breakdown on the candidates themselves. There were, again, 32 applicants. Twenty-two were white males, three were African American or black males, one was two or more races, and one male did not identify any race. There was one African American and three white females that were also part of the initial group. We did, again, narrow it down to the six candidates, plus the one alternate.

I'll pause and let Mayor Harrington take it from there, and then I've got some stuff I'll come back to.

Jeff Harrington, Mayor of Bonner Springs, said we're proud to announce we're forwarding three candidates for your review and ultimate selection. The first of which is Mr. John Curp. John is a government executive committed to professional administration, economic development, social justice, and proactive community leadership. He has served as a former City Chief Legal Officer and Chief Prosecutor. He most recently served as the Interim City Manager. John brings 20 plus years of successful professional government management, residential engagement, and economic development experience working in a diverse urban community.

Also, Ms. Elke Doom. Elke is a Municipal Manager with over 20 years of progressive responsibility in public administration. She is proficient at working with professionals at all levels and has obtained proven results in building relationships with diverse populations while maintaining the highest level of professionalism. Her background includes proven expertise in budget, finance expertise, intergovernmental and community relations, downtown redevelopment, and capital improvement projects.

Also Mr. David Johnston. David brings 25 years of visionary public service and management experience with success in intergovernmental relations, economic development, strategic planning, financial management and budgeting, and staff development mentoring. He is a trusted and dependable advisor who delivers ethical, transparent, and engaged leadership to stakeholders of communities with diverse and often complexed needs. He has delivered win-win partnerships, meaningful investments, and quality service.

In the next week, next Tuesday, the three finalists will visit the county and engage in the following series of tours, workshops, and meet and greets. We'll have an opportunity to tour the county with these individuals, as well as the individuals have an opportunity to meet all of you. Also, there'll be a public meet and greet where the citizens of the community will have an opportunity to meet these individuals and give feedback on their interpretations. We'll have a moderated question and answer period, and hopefully everyone can get registered for that ahead of time. That will all be prior to Mayor Garner and his team having an opportunity on Wednesday.

We certainly hope these applicants meet your specifications. I feel the committee has done a great job and we returned a very good product back to you, a great slate of applicants.

Hopefully, all this will be wound up by mid-February. I'd like to thank all of you commissioners for making such great, thoughtful selections to this committee. All of your representatives were exemplary, and you can be very proud of them. They were very professional

and brought a wide range of expertise to this process. No one could have done this job by themselves. Hopefully, you'll be impressed with the level of professionalism these applicants bring forward.

Mr. Johnson said finally, just finishing up on my side, I do believe, again, that the most qualified candidates that were presented to us from the search firm were advanced forward for your consideration. The three that we are moving forward all received the highest number of votes from the task force as a whole. If you remember, the task force was assembled by all of our governing bodies, so the Mayor and commissioners all had a role in selecting this task force. It was very diverse. It was a very well put together task force. There were a lot of conversations. We went back and forth on a number of candidates. There were internal and external candidates. Again, the three that were thought to be the most qualified, were all moved forward.

I appreciate the fact that you guys have all empowered us to go through this process. Personally, I have not heard from commissioners or the Mayor, so I thank you for allowing us to do our work. There was no interference in the process. We got through it quite well. Again, thank you for all your support.

Mayor Harrington said the professionals that helped us from GovHR were very helpful. They assisted greatly in reviewing and bringing forward great candidates from all over the country.

Mayor Harrington said since I just have one second, you all are addressing situations with the Loring service area this evening with KCK and the Unified Government Police Department, Sheriff's Department, and KCK Police. I just wanted to make sure everyone knows the Bonner Springs Police Department consists of 27 full-time employees. Currently that includes a cadre of 24 full-time certified police officers, a records coordinator, evidence records clerk, and animal control officers. Our department has adopted several law enforcement capabilities in recent years including an advanced drone program equipped with state-of-the-art 4K thermal search camera that's been utilized across the whole region, a bike patrol program, and a recognized award-winning canine program.

We also are home to the use of a force simulator in addition to other tangle items in our Police Department, a multimillion dollar state-of-the-art facility.

We stand ready to assist the Kansas City, KS Police Department, the Wyandotte County Sheriff's Department, and the Unified Government to ensure proper security measures exist for Azura Amphitheater, and think that there could be a similar agreement between the three to help provide that security. I know the season is coming up quickly, and our administrations are working on that.

Any questions you have for the County Administrator search project?

Commissioner Stites said thank you guys, and thanks for everyone that was put on the committee by each of us. We appreciate your hard work. Thank you.

Mayor Garner said I share in that. Thank you, Mayor and Mr. President, for the hard work; and thank you to all the volunteers because those were our volunteers that spent a lot of time and hours trying to get us to where we're at today.

Mayor Garner said, Dr. Edwards, who is my Chief of Staff, if you could come forward. She's going to talk briefly, real briefly about next steps in that process.

Dr. Mildred Edwards, Chief of Staff in Mayor's Office, said on Tuesday the 7th, we will begin our day with windshield tours, celebrating Wyandotte County and giving our candidates an opportunity to tour our great county and to take advantage of the expertise of our Buildings and Logistics staff, along with the gentleman that you just heard from, and another appointee on the task force. So, they will be touring.

While they're doing that, I submitted a request also during that timeframe for them to be able to meet with, if possible—now this is a moving calendar. We're trying to do a lot with them in a very short period of time, but we would like for those that aren't touring to then meet with key members of our administrative team. So, administrative staff giving tours of the Unified Government buildings, and to make sure that they have a keen knowledge and understanding of what we would need them to consider in the role in that capacity.

They will meet with the commissioners, as noted, 1:00 – 4:00, and they will individually be able to ask questions. Commissioners, thank you all for submitting your questions. I've compiled those and submitted them to Commissioner Bynum. You'll be able to ask questions to

get to know those candidates and to know who that task force has brought before you for your final confirmation.

In the evening, the public will have an opportunity, as the chairs noted. This will begin at 6:30. Our initial communication to the community was 7 p.m. That is, indeed, 6:30 with the reception. You will hear not only from each of the candidates, but from the chairs of the task force, again, and the representatives from our search firm.

We will break out then into breakout rooms, one being here in the Commission Chambers. The second one will be in one of the Courthouse areas. The third group would be in the 5th Floor Conference Room. Candidates will rotate through each of those groups. So, we have about 101 residents that have registered to attend that event. They will break out in groups of three and remain in those groups for the evening. The candidates will rotate through. There's been questions also submitted by our community residents to the candidates that will be fielded by, again, our chairs and a representative from the task force who will be moderating each of those sessions.

On Friday, the Mayor and our team will have an opportunity to meet with them, and then they will also have an opportunity to meet with department heads and ACAs.

So, that's the plan. We're really, really excited about our candidates and hopefully, you will enjoy meeting them as well.

Mayor Garner said, Clerk, there was one last revision. Could you read that, please? **Mr. Deichler** said, Mayor, the approval of the Administrator's Agenda will not be put in motion tonight.

MAYOR'S AGENDA

Item No. 1 – 211539...COMMUNITY INPUT AND RECOMMENDATIONS

Synopsis: Public forum to allow citizens to express concerns and present solutions relating specifically and solely to the Unified Government's span of interest and control. Participants will be limited to two minutes in duration. Citizens appearing in the Municipal Office Building lobby will be given priority, followed by a limited number of participants who have registered online through the Unified Governments Clerk's Office. Those who have registered online may not be given an immediate opportunity to participate due to time constraints to be determined by the Mayor/CEO. If time allows, persons listening online who wish to make comments will be

recognized, all interested participants should know that Mayor/CEO Garner has also placed a maximum time limit of 45 minutes to host & conclude these discussions. In the interest of time, there should be no exception for requested participants guaranteed inclusion to be recognized for comment and participation.

Mayor Garner said I will now open the public comment. I'll ask the Clerk to provide a synopsis on how many comments were submitted to the Clerk's Office. I would remind the public, please be respectful. Hold your applause and comments. Be respectful whether you agree, disagree; just respect everybody's opinion as neighbors, as common citizens, and as the adults that we are and allow people to speak freely without any interruption.

You'll be given up to three minutes; no more. I'll ask the Clerk to read some of the ground rules.

Mr. Deichler said I would just make a quick note that we will actually—it was published as two minutes for the speaking time this evening. The Clerk has not received any written requests for engagement here, but we do have 24 people signed up. We can start, Mayor, at your discretion, calling them in order. **Mayor Garner** said yes. You can proceed, Clerk.

Helen Hokanson, 6453 Cernech Rd., said I also own a home at 419 S. 81st St., where my son lives. Mayor Garner, thank you for reinstating Commissioner Davis to his standing committees. In doing so, you've blown up my perfectly crafted two-minute statement, but I forgive you.

I've recently begun asking questions around KCK Animal Control procedures. The more I learned, the greater need I see there is to update those procedures. Just one example of what I'm hearing involves an 80-year-old woman who has moved into a new house where the previous owner has abandoned a dog that is desperate to get into the house. He sleeps huddled near the foundation, and the lady can't let her own dogs go outside because she's afraid of it. One day the dog gets into the garage. Animal Control does come, gets the dog out of the garage, and then lets the dog go. During one of the last cold spells that we had, he became so desperate to get inside the house...**Ms. Sparks** said one minute.

Ms. Hokanson said ...that he tore the pads of his feet and broke his nails leaving blood dripping down the door. Is this what Wyandotte County residents deserve? When folks drive

down that street and see that, are they going to want to move into our community? I'm asking myself if I want to continue living in this community. This is not just an animal problem; it's a people problem and it deserves attention.

I was excited to attend a Land Bank listening session with Commissioner Davis. It seemed that the potential that brought me here to Wyandotte County was starting to be realized. He and I had talked about setting up similar animal control listening sessions, which is why I was very concerned about him being removed from his standing committee.

The rest of what I was going to say was in my original—so I would love to have some listening sessions. Off the top of my head, there's so many things we can do right now before listening sessions...**Ms. Sparks** said your time has expired.

Donna Henderson-Hoyt, 6422 Cernech Rd., said I'm also coordinator for Cernech Area Neighborhood Association. I've communicated with many of you before recently. I appreciate that. I'm saddened by the recent stuff that's gone on. It really is a perceived perception. It's not something that Wyandotte County needs to be involved in. We need to come together and work together.

Our community—Helen is my neighbor and friend—have many issues that need to be addressed from animal control, code enforcement, problem properties, planning and zoning. I've met with Commissioner Davis, who is my commissioner, as well as Commissioner Bynum, and have recently met with Chief Legal Counsel Waters to go over a situation with protest petitions. Our systems are not coordinated. They're not connected. We've got mapping listing one person as an owner of a property, and we've got Appraiser's Office listing another person as...**Ms. Sparks** said one minute remaining.

Ms. Henderson-Hoyt said...your owner of a property, and that has affected us. I know if it's affected me, it's affecting everybody in Wyandotte County. This community needs to come together. This government needs to come together and fix some of these issues.

You've got 70 people. You're looking for 70 open—I've applied for some of those positions, and I don't know if I ever will again. Besides the initial email that says you've received my application, I have not received one communication back that said my application has been reviewed, in review, rejected for whatever reason. That's just not professional, and it's sad to say

this is the county I live in. I want to see some changes. I expect to see everybody working together and making that happen in the future.

Brandie Armstrong, 2407 Nebraska Ct., said I thank you for the ability to come before you and speak tonight. I am so thankful that Commissioner Davis has been reinstated and that District 8 once again has a voice and a vote on the standing committees, but I still stand before you disheartened and disappointed community member and voter.

Last week there was an attempt, for whatever reason, to block the item being discussed and being displayed for the public to follow along with. In order to have a government that is truly for the people, it is imperative that there is accessibility for all community members. Not having visible what is being discussed, not having an ASL interpreter, nor having any translators for our wonderfully diverse community is keeping the Commission meetings from being truly accessible for all. As someone who suffers from an auditory processing disorder, being able to follow along with written words is key for me to being able to have true and equitable access to our meetings. I know I am not the only one in our community with this disorder. That is why I am asking you, Mr. Mayor, commissioners, to please work together to put into place...**Ms. Sparks** said one minute.

Ms. Armstrong said...a rule that would make it mandatory that all agenda items that are in written format, such as the rules discussed last meeting, to be displayed during the entirety of discussion. That there be a permanent ASL interpreter for all meetings. And there be at least three translators for the top three languages spoken per capita in Wyandotte County at all meetings.

I thank you for your time, and I hope you will all help to make our Unified Government more accessible for all.

Faith Rivera said I am a registered voter in Kansas City, KS. I live in Turner. As some of you guys know, I am on the Parks & Rec Board. What I'm here to say is, I am a registered voter in Kansas City, KS. I've had a conversation with you, Mr. Mayor, before you even ran about putting—making sure that I hold—we all hold your feet to the fire. This is what it looks like. This is us coming to Commission meetings and holding your feet to the fire.

With that being said, I support reforming the rules to stop abuse of power by a single body. This is what we talked about before when we had a conversation about running and what we—

wanting change. This is exactly what it is. We were sick and tired of the same people having the same power and continuously not listening to us. So, this is what it looks like. It does not have—and sadly, it's coming from a person of color, in my opinion. I am a person of color. **Ms. Sparks** said one minute.

Ms. Rivera said I am a Latina. To stop the abuse of power by a single body. I support my commissioner to vote for fair representation for all districts in Wyandotte County. Please vote to reform the rules.

Marge Gasnick, 3322 N. 54th St., said I want to thank, first of all, thank the employees of the Unified Government. Your work is vital to the community, and I appreciate all of you. I want to thank the UG commissioners for their service and their work within their districts. Ms. Harrison-Lee, thank you for your work as our Interim County Administrator.

Mayor Garner, I appreciate the great responsibility that you face as mayor. I voted for you because I felt you could bring about the changes that are needed, but I do feel you've gotten off track. I was happy in the previous meeting to hear that Commissioner Davis will be reinstated on standing committees. I felt like the memo that was sent out last Friday struck me as terribly damaging and unproductive. So, I recommend a reset on your relationship with him.

I also want to express my strong support for the proposed changes...**Ms. Sparks** said one minute.

Ms. Gasnick said ...to the rules of procedures regarding agendas and standing committees. These changes have actually been needed for a very long time, well before you were in office. Why are they needed? For the balance of power. We have an imbalance of power right now, and that affects all of the districts in Wyandotte County. We need a stronger and clearer set of checks and balances for the governance of the Unified Government Board of Commissioners.

We have a commission in place that is willing to make these changes now, if you will allow that, for the good of the community. So, I ask you, Mr. Mayor, to please be the change you want to see.

Nikki Richardson said I thank you for your time. I come to you today as a life-long resident of Wyandotte County. I live in the Village West area and I'm a registered voter. I'm also an active

and engaged citizen that is committed to fair and honest governance and transparency and accountability throughout all governing bodies in Wyandotte County.

I stand here with a plea to the Board of Commissioners to support reform to the current rules that until today, left District 8 without representation and has slowed the county's progress over the last year.

Furthermore, if there is any concerns that these people behind me, some even who are associated with the Local NAACP Chapter, speak for all the black people in this county, and this is no disrespect to them, they do not. Admittedly, some of us may have been too silent over this last year and honestly, I feel that we wanted to give the Mayor some grace in his first year because this was his first time in the elected office of this capacity and because he was...**Ms. Sparks** said one minute.

Ms. Richardson said ...our first black mayor in this county. Unfortunately, I fear that grace has left some of the commissioners and UG staff to believe that there are no black voices that stand with you. So, I want to say that I stand with you.

There is real and understandable trauma in this room that people really did experience from previous administration. There have been attempts to use this genuine fear from the past as a just cause to villainize the current Board of Commissioners, but I know for a fact that if a previous mayor acted this way, they would not stand for it.

So, I ask the Mayor and his supporters to not diminish your ethics and values today. Please support reforming the rules.

America Patton said first I want to say thank you to our honorable Mayor Tyrone Garner and our elders in the room who are giving the opportunity to speak. I'm here representing the Vernon Multipurpose Center and the Quindaro Underground Railroad Museum, as well as the Flint Hills International Writing Project, and Porter State University as a final semester student for my second master's degree.

My first question is pertaining to the Special Olympics, the unified champion schools. According to recent data that I received, currently 31% of Special Olympics unified champion schools are in urban school districts, but only 8% are in urban school districts of the highest need, according to the championship schools. So, my question was, is there anything in place to help accommodate the growing need for students with special needs.

My next question is pertaining to the infrastructure and the \$1T...**Ms. Sparks** said one minute.

Mr. Patton said ...bill that was signed into law by President Biden. Are any of those funds going to be allocated to our community to help rebuild some of the infrastructure to where our native indigenous cultures lived and many are still sustaining?

Reginald Jones said first of all, give honor to God, to the Mayor, to all of his colleagues. My say will be short. I want to say this. I was here probably about three months ago and we made a petition to put some of the things to get done in Wyandotte County. I'd like to thank Mrs. Townsend. First of all, I'd like to thank the Mayor for just listening to us on the things that we needed to get done and they got done with the help of Mrs. Townsend in the First District. I just want to let you know I appreciate that. We got the track for Carl Bruce Middle School. We got a tree cut down that was over the water park at Heathwood Park.

I'm making a plea tonight to let you know that I was listening to Dr. LaVert Murray. He said some things are in place for the little people. I just wrote this down. It says, no one speaks up for the little people at Parkwood Pool that has been there...**Ms. Sparks** said one minute.

Mr. Jones said ...60 years plus. I'm 67 years old. There's nothing that's been done. We just ask that you would add on a water slide for the little people and a water shower that needs to be put on the outside.

I really, really do appreciate the Mayor and Mrs. Townsend for completing the things that we asked for in the community. I've seen it and I'm just really glad and I appreciate it, and I hope you don't forget about the little people. I'm one of the managers down at Parkwood Pool.

Samuel Fennell said I don't have too much to say. I'm just a concerned citizen. Tyrone, you remember me? Remember when I told you that when you get this job, it's not going to be easy. Well, I just hope you make it and get stuff done. The other administrations, they didn't do a darn thing for the north end down here. I live at 405 Walker. When they built those houses down there, I stayed in Wyandotte County. I could have moved to Johnson County but I said well, something might be done, but that's my community. So, I've been here for about 80 years, but I'm just blessed. I just hope you get something done.

Carolyn Wyatt, 359 Troup, said I just want to say that I was on Tyrone's campaign and Mr. Davis came on the campaign and Nikki Johnson; Nikki Richardson, sorry. Anyway, Mr. Davis left the campaign after somebody came on that actually got his money from the union for him. He left the campaign. Before he left, he sent a letter to each of the people on his campaign so thinking we were going to leave the campaign. So, then next, Nikki Richardson left the campaign and sent a letter to all of us thinking we were going to leave the campaign; wasn't going to break it up. So, she became his campaign manager when he ran. We still supported him—I still supported him up there, even though he's a black man, yeah, I still supported him. What I'm saying is that he must have been a plant. A plant is somebody that comes to try to destroy what you're trying to do...**Ms. Sparks** said one minute.

Ms. Wyatt said ...but all they do—all it did was made us work harder. It was only a few of us, 80-year-old people, whatever, but we worked harder and we succeeded with that. So, what I'm saying, Tyrone's doing a great job. There's nothing wrong with what he's doing. It's just people working against him. There's a lot of evilness in this world, and we need to change that because God is not going to bless that.

So, what I'm saying, there's nothing wrong with what he's doing. You had mayors a hundred years ago. This is the first black African American mayor. So, what is the problem? You didn't want the changes then. Why do you want the changes now? Is there a threat? There must be a threat.

So, what I'm saying, he's doing a great job. We support him. People put him in that position more than any other district, the whole community, Kansas City, KS, put him in that position. He's doing his job. Support him. Support him.

Curtis Martin, 3071 N. 32nd, said I'm a life-long resident in Kansas City, KS. I've been knowing Tyrone for years. I know he supports this city. He wants change in the Northeast part of the town because everything's been going out west.

It's a shame. You look in the newspaper and I see one of these commissioners steadily badgering him. Our mayor is just trying to make changes in this city because the other mayors haven't done very many things in the area at all. Every time I look up, I'm hearing this name: Davis, Davis. If you don't like it, you need to get out of the chair and go home and get you another job. That goes for any of the rest of you guys that are voting against him and talking against him.

If you don't like what he's doing, get out of the seat. Resign and get out of the seat. Simple as that.

There's a lot of things we need done in Wyandotte County. I've told Tyrone about several things. We need a dump station for trash. **Ms. Sparks** said one minute.

Mr. Martin said and just several things we need done, and we'd like to see that get done and stop all of this bickering.

Pastor Johnson, you need to get on board with God. You're a man of the Word. You're supposed to be a man of the Word, so do what you say. In fact, this man up there is trying to make changes for the people around here. I just got to say that.

God bless you, Tyrone. I pray for you. I hope you can make it all the way through it.

Louise Lynch, Kansas City, KS, said there's a few things I had planned to say but after the meeting earlier, I've changed my mind as to what I need to say. First, I want to say thank you, Mayor Garner. Always willing to compromise. However, we, the people, say you can't compromise with insurgents.

I am a voter and the co-founder of Community Conscience Action Network. It is despicable to hear today at this meeting while you're speaking, you have two commissioners, District 8 and District 6, talking while you're speaking, air talking, laughing while you're speaking. That's not cooperation. That's not I'm willing to come to the table. That is total disrespect and disgrace. That is not a willingness. We, the people, are sick of this. Enough is enough. If you don't won't to have respect...**Ms. Sparks** said one minute.

Ms. Lynch said ...for the people, get out. None of you who voted to overthrow this local government has even apologized to the community or to the mayor. Another form of disrespect. It's no longer going to be tolerated.

I stand here today shaking in fear of my life because a certain commissioner on this Board right here threatened me and my family. We had to get an order of protection. My husband almost died from that fear. I am here shaking because I don't know what will happen as they told me that they will not be responsible for what happens to me for opposing them.

I am not here to berate anyone, but how dare they tell you, Mr. Mayor, that they don't work for you. Well, guess what? They work for the people. We are the ones in charge. **Ms. Sparks** said your time has expired.

Ms. Lynch said we don't work for them. Respect us or get out.

Mia Joe said I'm not here on anybody's side. I'm with the people and I'm for the people. The things that are going on this county is a disgrace. We are a laughing stock.

I take those signs to the street every day to stop the murder and the violence. I spent thousands on those signs and billboards to unite our community, and when I see how you are being divided, has divided this community. Nobody called me and asked me to bring those signs. The spirit of God compelled me to bring those signs and it broke my heart that the signs that I take to the street, people come together. Unity's our strength. People, love conquers all. This is what I take to the street every day that I have to bring before our county commissioners. That's a disgrace. You all should all be hanging your head in shame and apologizing for backstabbing your colleagues, your coworkers, and then saying the Hispanic community is better. **Ms. Sparks** said one minute remaining.

Ms. Joe said they don't approve of that and neither do I. But, commissioners, I have a lot to say. I'm here on assignment because God has me here. Mayor, you're on assignment. You didn't put yourself in that seat, and you didn't give yourself the heart for the people. God has a heart for his people, and his people have always been at heart. He's given you a heart for the people. You stand for the people and God will stand with you. Stand for the people.

I've listened to people stand here and take sides. I'm not taking sides. Commissioners, the Mayor fought to lower our taxes. He fought to lower the BPU bill. I have went to Mr. Davis. I have went to you all and told you we're drowning in taxes. People can't afford the high taxes, and you voted to raise them and fought the Mayor to get them raised, but yet you say you lowered the mill levy. Well, why didn't you agree with the Mayor on lowering the taxes and it would have happened? Why didn't you vote with him to bring to lower the taxes? Why did you override his veto? **Ms. Sparks** said your time has expired.

Ms. Joe said this is something that affects our whole entire community. Black, white, I don't care what you were. I am here for the issue and for the people. **Ms. Sparks** said, ma'am, your time has expired.

Fannie Hill said I'm just going to get started to the point. I don't like how I've been abused and used for 17 years. I don't like that Ms. Townsend just acts like she runs everything. Now she's

trying to do something with the Land Bank. How is she going to run something about the Land Bank?

A friend called me and said she wanted to buy some land and then she was told if she buys the land, she's got to put a garage on there. How you going to tell somebody what to do with their money and then you're going to deprive them of it because they're not doing what you say? That's wrong. If you're trying to run us, you don't even be here half the time. You don't even acknowledge nobody, Ms. Townsend. Then, Ms. Cherise Harris, I didn't know you exist. I thought you were just an entity and just a thing until I see you sitting there, but you never respond to any of my emails or my calls. It's been about 30 of them since September.

But, anyway, taxes, yeah. I got a lot. It started at \$300. It's up to \$900. I called in and asked why. Is it extra dog poop because I don't understand what happened. Nothing happened. Did I build anything on there? **Ms. Sparks** said one minute.

Ms. Hill said no, nothing. It's just discussing how you say be open and we need to talk to you. You just don't know. You've got a lot of bullish-dodgers around here that you don't even get my information. Then your Legal Department, they don't want to believe nothing unless—they don't believe water's wet until they're drowning. So, that's where I'm at right now. It took 17 years for me to even get here to talk because they've been avoiding me, blocking me, giving me all kinds of stipulations that I've got to go through in order to speak. Thank God for this moment, and I just say this is a Jerico moment. It took 17 years to say, hey, I said it.

Darryl Hall, 2314 N. 82nd Terr., said I'm not here to badger anybody. I'm here to say good evening, people's choice. You all are the people's choice. I do understand that a unified government motto is a complicated structure that must operate like a fine-tuned machine firing on all cylinders harmoniously in order to achieve the desired results. We feel that we have a proper elected components in position to operate the system for the change that is the will of the people. We have a mayor and CEO who has kept his vows to walk with the people while working for the people because he knows that in order to lead the people, you've got to love the people. **Ms. Sparks** said one minute.

Mr. Hall said in order to love the people, you've got to know the people. In order to know the people, you've got to walk with the people. So, we the people, are here asking for your support, Commissioners Ramirez and Davis. Can we get your support? We know we have Commissioner

Johnson. He's called for unity. I'm just calling for unity. Not calling anybody out; just saying if we work together, I believe we can make things happen just by working together as a whole unit. Everyone working together, we can make a change for the people so we all look good. We don't want to be embarrassed. It's not a good look. Don't you all agree? It's not a good look. **Ms. Sparks** said your time has expired.

Mr. Hall said but, please, let's work together.

Tscher Manck said everybody calls me CeCe. As a voter in the Eighth District, Mr. Davis, if I was to assume the Eighth District voted you in to represent them. It was not to disrespect the Mayor as you've done since day one. I remember being on a virtual call the first time and you hadn't even been in a good 30 days and Mr. Gorman called you out for your treatment of our Mayor. Now, understand, I did not support Mr. Tyrone but he is my mayor. He is the first black mayor. You're not even from here. Who are you to disrespect somebody from Wyandotte County because when you disrespect him, you disrespect us, sir. You're supposed to be here to represent Eighth District and Wyandotte County. You haven't done that because nobody else here is disrespecting this man but you.

Mr. Mayor, I second that motion when you took him off those board meetings. If you need some good residents...**Ms. Sparks** said one minute remaining.

Ms. Manck said ...to stand on those board meetings, I can refer you some. Also, we should also consider removing that ARPA board and asking the US Department of Treasury to come in and audit how Ms. Markley allocated those funds because according to your graph, you all gave so much money for affordable housing that there shouldn't be one homeless person in Wyandotte County. I actually look at you all's graphs and listen to you all.

By the way, I was here present on the front row for the Willie Lanier contract. Mr. Garner, Mr. Stites, and yourself were the only three people who didn't know about that contract. All the rest of them knew about time limits and everything else. So, if you want to hold somebody accountable for that, talk to Ms. Markley and your Marquettes.

Simeon Bond said I want to give honor to the commissioners on the Board and staff, the Clerk, the Attorney, Deputy Administrator, to the Mayor. I appreciate all of you and all that you do. I'm not going to be up here long, but what I do want to say is I've been a resident of Wyandotte County

since I was seven. My family lived here before that. They've been residents of Kansas City for a long time.

As a young person who has aspirations to do a lot of great things in life and has a lot of promise—in high school, when I was growing up, everybody talked about leaving Wyandotte County. I'm going to be completely transparent with you. As I embarked on my professional career journey getting a degree in sports management and seeing my career in marketing and entrepreneurship, I had no thoughts of Kansas City. I had no thoughts of Wyandotte County. I started hanging out...**Ms. Sparks** said one minute.

Mr. Bond said ...with this dude in the summertime that was from Chicago. He convinced me that my community was worth investing in and that young people could have a voice. He has a master's in public administration.

I'm just going to say that not everybody here's perfect. Not everybody knows what's going on. There's obviously a lot of things that need to be changed, but that's what checks and balances are for. We don't have to agree on everything, but we do have to agree sometimes to move something forward, sometimes to have progression that you have to put your differences aside to what's going to work best even if it's—and to the Mayor, that's what these commissioners are here to do whether you like to hear it or not. And for the commissioners, that's what the Mayor's here to do whether you like to hear it or not, you have to check each other. Checks and balance and that's how we'll move forward.

I'm not here to be on any one side. I voted for you as well and I voted for you, Commissioner Davis. I just want to say I appreciate you all and I believe in you. You're going to push Wyandotte County forward in the right direction and that's why I decided to stay...**Ms. Sparks** said your time has expired.

Vilmer Alvarado said I am a proud resident of this great county and a proud person of color; a proud Latino American. I support reforming the rules to stop any abuse of power by any single body because this is America. This is a democracy and not a tyranny. I want to say that I strongly support my commissioner, Andrew Davis, and voting for fair representation for all districts in this county. I hope that all other commissioners do the same.

I want to say also that I've lived here for many years and, frankly, I haven't seen a lot of change happen in this county. I don't see things being any different with this administration, sadly.

I think that in order for real change to happen, we need to reform the system, first and foremost. We need to work together and we need equal power. This is the only way to make change happen...**Ms. Sparks** said one minute.

Mr. Alvarado said ...in this county and in this country. I hope that this happens and, like I said, that all commissioners vote for reforming the rules.

Raúl Suenz Escarcega said first and foremost, I appreciate everyone. I appreciate the commissioners. I appreciate the mayor. I appreciate everyone who comes here. I've been a resident for Wyandotte County for quite some time. I graduated from that small little school in that corner, not that well known to be honest.

But growing up in Wyandotte County, as being a first generation immigrant, there was a lot of culture shock. The culture shock of Wyandotte County brought in a lot of different perceptions. Growing up in Wyandotte County as kind of like one of the youths here, the perception of leaving Wyandotte County, and that's fair. Everybody has to leave somewhere; everybody has to move. But I stand here, as a resident, because this is a calling to being in Wyandotte County whether that be familiar, whether that be for the duty of your family, or this is an option that you just tie with the community. There's nothing wrong with it. **Ms. Sparks** said one minute.

Mr. Suenz Escarcega said but it has left a lot of perception with us. Being also instructor for different youth, I'm also very concerned about the perception that we have left in our current system for our upcoming youth because this perception has been a generational issue and will be that will impact the next incoming of potential professionals, politicians, scientists here, and we need to reevaluate our systems and our own sort of like direct values for the upcoming generations that make take all of your places.

Linda Sullivan, 1137 Haskell, said I voted for you, Mayor. This is to the commissioners. My question is, why doesn't Kansas have any litter laws? You know what I'm saying? People blow their grass in the street and leave it. There's no litter laws. I don't see any Do not Litter Signs. My daughters, so that graduated and got jobs, they said, Mom, I don't want to live in Wyandotte. They moved. They moved up north. They said I want to live somewhere that's clean, that's neat,

there's no trash in the streets. So, that's my question. How come we don't have litter laws to get the trash out of the street and clean up our community?

Then also I want to ask the question of when the city has a budget, and then you see that budget overflowing to where we get into debt, who stops that debt? Who says, oh, we're in debt? We need to come back and push back some things. **Ms. Sparks** said one minute.

Ms. Sullivan said we're in debt. Then the commissioners, when the Mayor had an agenda to get us out of debt, you all, I think you all bashed that down. So, what's your agenda? How are we going to get out of debt? Then, do you have—will that be written down to where we can see how we're going to get out of debt as a county? My granddaughter, she's three. She'll be paying taxes. She'll still be paying taxes. I don't want to tell my age, but I'm older. I think that when I pass, that debt's going to be left if they stay in Wyandotte County. You know what I'm saying? If they stay.

Don't nobody want to live where it's dirty and nasty and then you're in debt. You know what I'm saying? I want to move, but I grew up here and my parents grew up here. Really nothing's changed. So, we do have to...**Ms. Sparks** said your time has expired.

Ms. Sullivan said we have to change some things.

Amanda Lindahl, 3425 Forest Ave., said I second that. We need to do something about the trash, but also the first speaker that spoke about the issues with animal control. There are packs of dogs that travel around our neighborhoods, and I've been told multiple times that there's no space for them so we can't do anything about it.

I came here to speak in support of Commissioner Davis and the work that he's done on the Commission, particularly with the Land Bank feedback sessions. I was completely thrilled to be a part of some of those sessions, and was just really awesome to hear about a new approach and potential for a redirection and the focus and the priorities of the Land Bank.

Last year I supported a couple of farmers in applying for purchase of a Land Bank property in the historic Northeast. The response was honestly pretty negative at first from that committee until Davis mentioned that hi, we maybe should consider the fact that we need some more sources of healthy food...**Ms. Sparks** said one minute.

Ms. Lindahl said ...in our neighborhoods as well. So, our farmers eventually, with the support of our organization, Cultivate Kansas City, were able to purchase that Land Bank property,

and we were very thrilled for them. I was sad to hear that, my understanding, they were the only farmers or groups of people interested in gardening, using land for agricultural use, that were approved in the past two years. So, that's just really, really disappointing. It's been clear that the focus of the Land Bank has only been on housing development.

I would just urge the rest of the commissioners to continue more of these listening sessions, listening to your constituents, and continuing to think about particularly the Land Bank being a more well-rounded approach for housing as well as agricultural use to support the farmers that are very in need of land within our county.

Meredith Sullivan, 1137 Haskell Ave., said I pastor a church on 13th & Quindaro, Antioch Baptist Church. I support the mayor. My thing is that you all work for the people. You all here to represent the people and that hasn't been happening, especially in my neighborhood. I've been here my whole life in the Northeast. There's nothing going on. It's just like a ghost town.

They said they were going to build up the corridor on 7th St. from Fairfax so when people come off the highway, they know they're coming into a nice place. Even off of 18th St., when they come off the highway, they come into a nice place. All that is blighted. The whole community is blighted. Not only is it blighted, we don't have nothing for our kids. We don't have nothing for young people. We don't have nothing...**Ms. Sparks** said one minute.

Pastor Sullivan said...therefore, they're leaving, going to other places that will give them what they need. So, you all need to do you all jobs.

Terry Bradshaw said it's an honor and privilege to stand before you, the people of Wyandotte County, and the commissioners and the Mayor. I'm going to cut to the chase tonight and come directly to who I need to talk to and that is Commissioner Davis. As I'm talking to you, I want you to do what you usually don't do which is look at me in my eyes as I'm speaking.

Commissioner Davis, you said the Mayor doesn't work for you, which is true. He works for us but so do you. You've wasted precious time attacking him when you should be collaborating. You're talking when you should be listening. Making assumptions when you should be seeking understanding. Why you're telling the Mayor how to do his job, you need to do a better job of your own job and sweep around your own front door. Your focus must be on

doing what we, the citizens of this community, have elected you to do and that is be an agent of real change, a champion for what is right, and in the words of Mary J. Blige, “no more drama.”

Your conduct has gridlocked the progress and is directly affecting the Northeast side of town. We can no longer...**Ms. Sparks** said one minute.

Pastor Bradshaw said ...wait for an actual grocery store. We can no longer wait for housing projects that we need, homeless shelters. Now is the time for us to build and collaborate. Tonight, Commissioner Davis, you asked the Mayor for insurance on him keeping his word, well, tonight I’m asking you for the same insurance. Will you stop the slick talking behind the back, bite batting, leaking information to the media and be a grown man and be a man of integrity that this community needs because the people that elected you are counting on you. You’re an intelligent young man. You’ve got a bright future, but you need to do better. If you don’t do better, Pastor Terry Bradshaw, Jr., well, watch this. I will take the responsibility to put somebody else in your seat and it might be me.

Chancellor Adams said I’m from this county. I went to Sumner Academy and then from there I went to KU and everything. I had the privilege to actually grow up with a lot of people in this room. I found a lot of leadership too, especially from black men in this room, and a lot of friendships and guidance from other black people in this room.

I think honestly, I’m just really sad. You know what I’m saying? I think that I’m seeing people that I respected my whole life act crazy. I’m seeing people say things that’s just like beneath them. I don’t want to do anything or say anything that’s disrespectful, but when you come up here and you say things that doesn’t really help anything, and actually is not even accurate, we have to know how our city is governed.

More importantly, I will say this just to speak too because I’m here for Andrew. I am here because I am from this community. I am here for Andrew. I support him and, yeah, people don’t want to celebrate anymore. **Ms. Sparks** said one minute.

Mr. Adams said the point that I’m trying to say is, at the end of the day, I didn’t want to vote for you. I was at Elevate. You didn’t come. The reason why I say I was at Elevate, Elevate actually had a thing where it was pretty much black constituents, from my perspective. I didn’t know you and this was going to be my opportunity to actually hear from you. Drew was like, bro,

no, no, no. You need to vote for him. I wanted to vote for Alvey. I had a conversation with Alvey at a Waffle House.

I seen you talking to Bradshaw at First Watch. You didn't want to talk to me. You probably didn't know that I'm from Wyandotte. You know what I'm saying? To me, that really rubbed me the wrong way. I voted for you not because Drew said let's vote, but he did encourage it, but more importantly, I saw the bigger picture. You are the first black mayor and I respect you. You know what I'm saying? There's some things that you do that I don't like. I hear about it. There's some things that everybody does that we don't like, but we are in government...**Ms. Sparks** said your time has expired.

Mr. Adams said if I may just say this last point. We are in government and people are going to not like what we do, but at the end of the day, we have a community that's saying things that's really important. We are a community of diverse groups. **Ms. Sparks** said your time has expired.

Mr. Adams said the last thing I will say is please, you all, stop saying that people ain't from here. You all sound like bigots. **Mr. Deichler** said, sir, your time has expired.

Reece Towers said, Mayor, I want to stand in support of you. I want to tell you that no weapons formed against you will prosper, and that you are more than a conqueror. That any man's here to steal, kill, and destroy, but you've got to know that we, as a community—see this room. More than half of us have your back.

Now I want to talk to the community. We are their boss. We pay their salary. If we don't get the things that are done in this community done the way that we need it done, you vote them out. You recall them. I'm going to say thank you, Nikki. She was talking about when she said the NAACP. I stand for change. I stand for my people. I stand for the Mayor. I stand for the black women of businesses. I stand for the Latino community. The problem is, we've got too much division and it's coming from one person.

I, too, was on Mayor Garner's campaign. I, too, know what went on with Nikki and Andrew. Let's talk about it. One thing we're going to address is, we need to unify in...**Ms. Sparks** said one minute.

Ms. Towers said ...this community. We need to unify. Work on unification instead of division. Don't go on Facebook creating chaos when you can have a personal conversation with

the Mayor. These are the problems that we're facing in the community. You've got two black men fighting against each other running amok. It's really one black man fighting against another black man because he does not want to sit and have a conversation. He cancelled all his meetings. Let's talk about it. He cancelled all his meetings; refused to meet with half the people in the community. He may meet with some of you all, but he ain't met with us. That's the problem. He's the one who said he don't need the black people's vote. He don't need the black people's vote, but we're going to show you, Andrew, how bad you need the black people's vote.

Mr. Deichler said, Mayor, sir, that concludes the speakers here on site.

Mayor Garner asked, is there anyone else before I close this that would like to speak?

Freddie Wilson said I didn't come up here. I didn't know what was going on tonight. I really learned a lot. I'm glad to be here. I'm not up here to talk about what everyone is talking about. I've been here in Wyandotte County all my life. I would like to take this time to say hello, Melissa. How you doing, sweetheart?

We lost a real good friend of ours, me and Melissa, Monday. I just wanted—it just came on my heart to say this. I think the Unified Government, somehow, should say or do something to honor Ms. Esther. I don't know if you're aware of her. She lived to be 105 years old. Probably the oldest person ever lived in the state of Kansas and no one would ever live that long. She passed away Monday. She's going to have a funeral Saturday at Porter's. I think there should be some type—there's nothing to give because she had no children, no key to the city, or nothing; but just something to recognize...**Ms. Sparks** said one minute.

Mr. Wilson said ...the sweetest woman I ever known in my life. With that, everybody have a good evening and work it out, whatever the problem is.

Lisa Walker Yeager said I will not put my address out here. I am born and raised in Kansas City, KS, in the Parkwood neighborhood. This is February 2nd. February is Black History Month. Regardless whether we voted for one person or not, the fact is, we're going to respect each other, okay? That goes for everybody. I ran against Ms. Townsend, but that's still Ms. Townsend. I'm

going to respect her. I say that, Mr. Davis, because, and I point that out to you because we ran together in the same thing. **Ms. Sparks** said one minute.

Ms. Walker Yeager said so, it's important that we take the time out and you're going to need our black votes. Wyandotte County—I don't know whether you said it because I didn't hear it, okay? Wyandotte County is mixed with all races. This is the beauty of Wyandotte County. The key thing that we need to worry about right now is he is the mayor and he is for the people, okay? Not for big corporations because we have been neglected for so long. You guys get it together, please, because we need you all.

We need—BPU came with us and worked with us and we're trying to get this together and get our bills handled where we can live here. This is very important because I work for KCTA. I see, I drive the 101, and I see the people...**Ms. Sparks** said your time has expired.

Ms. Walker Yeager said ...that I haul on this bus line. These are not just—these are people that lost their jobs during COVID. These are elderly people that can't find houses. **Mr. Deichler** said, ma'am, your time has expired.

Ms. Walker Yeager said I need you. If you don't want to—you want to get up off that chair and if you want to get up off that chair and I'm going to both of you guys. Come get on my bus line. Come see what your community is dealing with for real. These are veterans, white, black, brown, Chinese. Our community needs to get together. This is not a white or black thing and I am tired of it. We're going to get with this corruption and we're going to get it over with because the judges ain't right, the Police Department ain't right, and we need you all to get it right. So, I want to see you all two shake hands and say hey, we're...**Mr. Deichler** said, ma'am, your time has expired.

Ms. Walker Yeager said ...we're going to work together. We're going to make this happen.

Pastor Tamika Shannon, Safe Haven Ministries of Holiness Church, said I am here on behalf of the people. Stand with Evangelist Fannie Hill when she speaks to the need to address the needs and concerns of the people. Mayor Garner has participated in several different events that we have put on in the community. He is always upfront. He is always present.

Commissioner Davis, I met you once. I invited you to an event. You couldn't come. You sent me a notification to say that you would schedule a time and I responded, but we never got that

meeting. Now that's not to point finger or make blame, but my point is, the people need to have communication and contact with the leadership. The reformation of the community will not begin with buildings. It will not begin with high-income housing. It will not begin with beautifying the outside and leaving the inside decrepit and torn and broken down. The meandering of what's...**Ms. Sparks** said one minute.

Pastor Shannon said ...going on the inside of the community, the community needs to be the focus. You can't begin the process of healing that until you guys are healed. Unified government. One body. Many members. Opinions are good. Differences are good, but we have to learn how to flow together and be unified to rebuild this community and show the beauty of the history of this community and the beauty of the diversity of this body of leadership.

You were all chosen for a reason. I'm asking you to look within your hearts and understand why you were chosen to do the job that you were chosen to do. Set aside your differences and come together on one accord to rebuild Wyandotte County.

Andrea Davis said I live in the Eighth District. I have a few words that I have written down. I'm just going to read them off. Over the last year, since the newest-elected officials have taken office, I've watched our elected commissioners and UG staff be berated and mistreated by our first black mayor of the Unified Government. While I am disturbed by the subjugation of each of our elected officials and UG staff that has occurred, I'm even more concerned for the impact that this abuse will have on future generations of young leaders that wish to plant roots and invest in our community.

Leaving Wyandotte County has been a common thing amongst much of the younger folks who have spoken tonight. I'd like to see our current leaders begin to embrace these young voices of the future in our community. My generation brings a wealth of experiences, education, and ideas that are stifled by many of the older generation's leaders when we could be building bridges and bringing people to the table. I am hopeful that our current leaders will begin to do this.

I'm asking the commissioners tonight for some things. One, please vote in favor to reform the rules of procedures that was unanimously voted through 9 to 1...**Ms. Sparks** said one minute.

Ms. Davis said ...(inaudible) meeting, and I'm asking for accountability from our elected officials on the treatment of our staff and elected officials as well. I want to say thank you to each of you for serving. I appreciate all of you, and I apologize for the way that the mayor has treated

each of you throughout the duration of this year. That is not Wyandotte County. That is not who we are and we deserve better.

Yasmine Bruno Valadez said I am a resident of Wyandotte County since I was three years old. I grew up here in Kansas City, KS. I went to William Allen White. Went to West Middle School. Graduated from Sumner Academy and now pursuing a bachelor's degree at Rockhurst University. I'm studying political science and non-profit management. Something that you learn in political science is actually about government which is something that I love and care about.

When Tyrone Garner ran for mayor, I was excited and ecstatic. I remember the feeling when I was like eight years old and Obama had won the presidential campaign and we had a black president for once. I was so proud to see someone representing our community. The same feeling I got when I saw President Obama win, I got when I saw Tyrone Garner win. I thought that finally, for once, our communities would be seen and listened to. Unfortunately, I stand here today feeling disappointed. **Ms. Sparks** said one minute.

Ms. Bruno Valadez said this community has been torn apart, as we've seen all night. People are arguing and fighting, and I know this isn't who we are. I ask you, Mr. Garner, to please open a government book. Let's look at checks and balances. Let's analyze how can we do better. How can we implement these rules into the community that we have here and make a better government? Wyandotte County deserves it. I hope that you all listen. That every commissioner here comes together and does shake hands and talk it out because we don't deserve this. I know that we are capable and we can do better.

Mayor Garner asked, Clerk, do we have anyone joining us virtually? **Mr. Deichler** said, Mayor, we do not, sir. Mayor, there is no one, sir.

Mayor Garner said thank you all so much. I was asked to allow this. Before I became mayor, a lot of people in the community said they weren't allowed to have a voice. Your voice is really important. That's how we get better. We learn. None of us are perfect. The goal is, we want to do our best to serve you. To serve you the best, we need to hear from you. So, thank you for all the comments. Thank you all for being respectful. The commitment that we all have is we're

going to learn from this and we are going to be a better Unified Government moving forward. So, thank you so much for everyone that participated.

Action: **Public comments were taken.**

Item No. 2 – 212244...ORDINANCE: A CHARTER ORDINANCE CREATING A NEW PILOT RESIDENTIAL CLASS OPTION

Synopsis: A Charter Ordinance creating a new residential class option for purposes of determining PILOT percentages and lowering the overall percentage cap, submitted by Patrick Waters, Deputy Chief Counsel.

Mayor Garner said this is something that I spearheaded and wanted to move forward, along with several other commissioners. We've heard you. What this does is at least gives this Commission an opportunity, as they move to the budget cycle, to see how best and to responsibly make a decision and debate within our means to seek BPU PILOT relief for those that need it most.

Proposal:
BPU Electric & Water PILOT Separation
for Residential Accounts and Lowering of
PILOT cap to 12%

Full Commission
 February 2, 2023

Patrick Waters, Deputy Chief Counsel, said the option before you tonight is something that you don't see very often. It's an amendment of a charter ordinance.

Separation of Residential Accounts & Lowering of PILOT Cap

Possible Commission Action

1. Amend Charter Ordinance CO-3-02 in order to provide the option for a separate residential PILOT percentage.
2. Lower the PILOT cap for both residential and all other accounts to 12% from the current 15%.
3. Change the notification deadline from September 1st to October 1st to take into account the longer budget adoption season.

What the ordinance before you tonight, it would do two main things. It would allow the Commission the option to separate out the residential PILOT percentage when you are voting to set the PILOT percentage every year. It doesn't require it, but it would allow you to do so. In other words, you would be allowed to set one rate for residential accounts and another rate for all other accounts. Lower, higher, however you want to adjust it, but this amendment would give you that option.

It would also lower the PILOT cap. So I talked about No. 1, providing the option for a separate residential PILOT percentage.

No. 2, it would lower the cap from the current 15% to 12%. We've been at 11.9%, I think, since 2014. This would prohibit—basically set 12% as the cap that cannot—that you will not be able to go beyond.

Then just a minor cleanup item. Our current charter ordinance says that we need to notify BPU by September 1st what that percentage is. Given the extended budget season that we now have where we're now going into mid-September; it's kind of a cleanup item to extend that to October 1st.

- (a) As hereinafter directed, the board is hereby empowered to transfer to the unified government: (i) a percentage or other portion of the gross operating revenue of each utility; or (ii) a percentage or other portion of the gross operating revenue of each utility attributable solely to its residential accounts, and a different percentage or other portion of all other gross operating revenue of each utility attributable to all other accounts.
- (b) The amount to be transferred to the unified government under this section shall be determined by resolution by the unified government in an amount not less than five percent nor more than 12.45 percent of its gross revenues, whether combined or separated by accounts as set forth in Section 18(a)(ii), for such fiscal year. The

Here's the language that's in the amendment. Subsection a is the language that would allow for the separation of the residential accounts versus all other accounts. Then Subsection b is the section which would lower the cap from 15% to 12%.

Why this requires a Charter Ordinance

- “State law, specifically KSA 13-1271 and KSA 13-1269, both allow for a percentage of “gross operating revenues” of a utility to be transferred to the municipality.
- However, those statutes are non-uniform and so the UG exempted itself from the statutes starting with CO-5-01, amended by CO-3-2, but it kept in the “gross operating revenue” language.
- As such, under current ordinance we cannot separate out the residential versus other accounts without an amendment.
- Charter Ordinances require two-thirds approval (8 votes) plus a 61-day waiting period after publication to make sure there is no challenge via citizen petition.

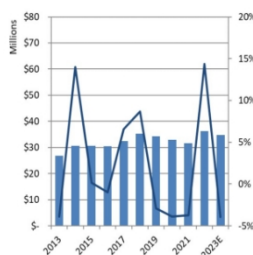
So, why do we need to do this through a charter ordinance? First of all, state law originally provided that municipalities can require a percentage of gross operating revenue be transferred to that municipality. We chartered out of that statute a long time ago; however, we kept in the gross operating language term. So, under our current ordinance, we set one percentage and that applies to all accounts. Again, what this would do is separate that out and allow you to set different percentages.

Charter ordinances require two-thirds approval. There’s a 61-day waiting period to see if there’s any citizen petition that challenges. That’s provided for in state law. So, it’s just a little bit different than a normal ordinance.

So, that’s kind of the legal perspective there. I have Debbie Jonscher, Chief Financial Officer, to kind of talk about the practical affect and how utilizing that separation of accounts would work in practice.

BPU PILOT— RECENT NUMBERS

- Electric and Water Franchise Tax (BPU PILOT) has been set at 11.9% since 2014
- Total 2021 BPU Pilot was \$31.7 M (down 3.7% from 2020), with \$26.3 M from electric and \$5.4 M for water.
- Total 2022 BPU Pilot was \$36.2 M (up 14% from 2021), with \$30.7 M from electric and \$5.5 M for water.
- Estimated 2023 BPU Pilot is \$35.0 M (down 3.9% from 2022), with \$29.2 M from electric and \$5.5 M from water.



Debbie Jonscher, Acting Chief Financial Officer, said this slide, just wanted to show you some of the numbers that we have for the BPU PILOT. The current PILOT rate has been set at 11.9% and that’s the current rate since 2014. Just wanted to show the past couple of years how much we have collected with the PILOT. In 2021, we were at \$31.7M. That was actually down 3.7% from

2020. I believe in 2020, we were around \$32.9M. So, \$26.3M of that is from electric and \$5.4M for water.

In 2022, the PILOT increased about 14% up to \$36.2M, with \$30.7M of that coming from electric and \$5.5M from water.

Currently, in the estimated 2023 budget, we have the PILOT set at \$35M, which is down from 2022; however, it was, I think, slightly increased from the budget that was in '22. So, that currently has \$29.2M from electric and \$5.5M from water.

The graph over there kind of shows all the way back to 2013 what the increase of the amount of revenue that we received every year. The line on there is the percentage change that we've had.

Potential Budgetary Effect of Separating and Lowering Residential PILOT

- The BPU has approximately 67,277 accounts, with 60,500 of those being residential.
- Residential accounts generated approximately \$12,736,336 in PILOT revenue in 2022.
- Each 1% PILOT reduction in residential accounts would amount to approximately \$1,070,000 in reduced PILOT revenue using 2022 numbers.

This next one just shows the budgetary effect of separating out the residential PILOT. Currently, the BPU has approximately 67,000 accounts. 60,500 of those would be residential, so that's almost 90%. Residential accounts generated approximately \$12.7M in PILOT revenue in 2022. Each 1% PILOT reduction in residential accounts would amount to approximately a little over \$1M in reduced PILOT revenue, according to the 2022 numbers that we had.

That is the end of the presentation, so I guess we can stand for any questions.

Commissioner Kane asked, have we involved like the BPU at all? **Mr. Waters** said yes, Commissioner. Obviously, Mr. Johnson and Lori Austin are both here tonight. **Commissioner Kane** said I'm not talking about them; I'm talking about their Board members. I would think—okay, and that's where I'm going. I thought Commissioner Bynum was already working on this with the folks. Is that correct? **Commissioner Bynum** said yes. I have a community that is working on this now. **Commissioner Kane** said okay, so I don't know why we would do this while she has a committee working on it now.

Then, I would think if we separate this and make it residential and business, can we get sued? **Mr. Waters** said that's a good question. We looked into the legality of this and we are comfortable with it. We don't believe that it is a suspect class to separate out residential versus commercial or additional separations. So, we do feel comfortable with the legality.

Commissioner Kane asked, are there any other municipalities doing the same thing? **Mr. Waters** said I do not know that, Commissioner. (Comments were made from the audience.) **Mayor Garner** said if we could just refrain from comments and let the commissioner speak, please. **Commissioner Kane** said I would rather have Melissa's group work on this and bring it to the full Commission because she's already working on it. She already has the understanding of what's going to happen in this process. I'd rather not step on her toes and see what she comes up with.

Commissioner Bynum said the Mayor had approached me in August or September to put a committee together to look at the PILOT, which I did. Dr. Edwin Hill and Rose Mulvaney Henry, who's now the current Board President of the BPU, are working with me along with a number of our staff people: Reginald Lindsey, our Budget Director; Mike Grimm, in the Budget Office; Monica Sparks, with the Clerk's Office; and Wesley McCain, in the Health Department. I'm leaving someone out, I'm sure. We've had help from Lori Austin providing information from the Board of Public Utilities so that we can sort through the data. I appreciate Commissioner Kane's suggestion.

I also appreciate the data because one thing that I wanted to be sure that I'm hearing correctly, even though within our committee structure, I feel like I've heard it several times and that is, Ms. Jonscher, you saying that 1% PILOT reduction just in residential is \$1M. **Ms. Jonscher** said that's correct.

Commissioner Bynum said, so, that being said, we are hoping, and I have spoken to the Mayor about this, our committee is hoping to bring forward a presentation that does include this separation, but also some other options that we, the Commission, can consider and based on that data alone, you all need to be warned how hard this will be to bring PILOT relief.

Now, let me just throw out some of the things that we're talking about but, again, we're hoping to bring a full presentation and we're hoping to have our data be correct. Within a separation of residential from commercial, we also hope to learn further, can we create classes

within the residential. That is the question that our Legal Department is working on finding an answer for right now because that's different than just separating residential from commercial. Can we further differentiate within the residential class by income, age, what have you, because what the Mayor and frankly I, and probably everyone on the diocese seeks is relief especially for those most vulnerable, for those for whom it is the most difficult to pay this payment in lieu of taxes on your utility bill. So, I will openly and honestly say we seek to benefit that group first and foremost, and the question is, can we do that within the law, the state law.

Mr. Waters said, Commissioner Bynum, I believe we can. I think it's maybe just a discussion with BPU as to what can they administratively handle. I'd defer to them. **Commissioner Bynum** said thank you for that because that's a whole lot of other—I was actually visiting with the Mayor about this today because anything we do is going to create a series of administrative actions and work for people to create these separations, etc.

So, I don't want to get ahead of my committee. In fact, Mr. Deichler, I don't know or Ms. Sparks, I don't know if BPU Board Member Rose Henry is online and also Dr. Edwin Hill because, Mayor, with your permission, I would really want to also afford each of them some time to comment, if that's okay. **Mr. Deichler** said, Commissioner, they are both online. **Mayor Garner** said, Clerk, you can invite them.

Rose Mulvany Henry, BPU Board Member, said I appreciate the opportunity to speak to this for a little bit. I think we started meeting in November, I think it was November—Commissioner Bynum, keep me honest there—to look at these very issues. Obviously, we at BPU are sensitive to these PILOT discussions as well. We're fully supportive to try to help this Commission make informed decisions based on the work and the input that the Unified Government staff has had into this as well as the Legal Department, in addition to BPU staff. So, we hope we get an opportunity to finish this work and give a whole presentation to the Commission with some recommendations. So, hopefully, we'll be able to get a chance to do that.

Dr. Edwin Hill said, Commissioner Bynum, thank you for including me as a part of the community to be a part of your committee. We have been meeting with you as others have already said. It has been encouraging to me that we're actually looking at ways to help us here in the community decrease this PILOT tax. So, I do look forward to us completing this work and moving

forward. I will say this, though. I am in favor of separating the residential and the commercial PILOT tax as was on the agenda. I am in favor of that.

A couple of other things. The cap is set, the 12% which I would say is good, but it's at 11.9%, that's really too high. Twelve percent is great, but it would be better not to increase it at all, but to decrease it for the sake of the most vulnerable and rest of the community members. So, I don't want to be long-winded, but I just want to say thank you for allowing me to be a part of this committee. We want to represent our community well. Thank you to our commissioners and the mayor.

Mr. Deichler said, Mayor, we do have three people here that signed up to speak on this as well. **Mayor Garner** said you can call them.

Louise Lynch, Kansas City, KS, said what I want to say is yes, we need to separate that right away off of our bills. It is ridiculous and people getting disconnected because they can't afford these PILOT bills and that we have no control over. There are other fees on there as well like the customer access fee, which can go up and above what the PILOT does. We wind up paying in fees almost 50 – 60% more than our usage. Those of us that are struggling, that are poor, that have other medical conditions that take up all of our finances and then some, don't have a pot to pee in let alone to pay these bills and risk not having life-saving electricity because of that or having BPU turn off our water, which should be totally off the wall. **Ms. Sparks** said one minute.

Ms. Lynch said that's ridiculous. Water is a human right. To continue month after month begging BPU, begging their Customer Service for help, is ridiculous. This PILOT should have been separated and taken off a long time ago. I agree. Separate it now. Get it off our bill now so we can pay our electricity, but don't stop there. We need to get rid of it totally. We cannot afford it. There are elderly and handicapped and medically people with large families, I mean, there's so much need in this community. This is really ridiculous to have us come up here month after month and beg. I came in September and spoke about this BPU issue. I asked about protecting the people from the cold. My family was one of them that was victimized by this cold and couldn't afford it. **Ms. Sparks** said your time has expired.

Ms. Lynch said take it off now. Enough. ARPA gave zero funds to the Council on Aging to help the seniors who can't pay for these bills and you all gave them zero. Shame on you.

Tscher Manck said my BPU did receive COVID and ARPA funds. I don't think that the people actually heard this young man here when he said that our charter for this PILOT fee was already overdue. I think I speak for all the working people in Wyandotte County, the ones who actually have to earn income and actually have to pick up a second job to pay these bills, hell no. Take it off our bill, period. We don't want it separated from anything but our bills along with a \$22 electric access charge and a \$21 water access charge. That right there is almost \$100 depending on how much usage for that PILOT fee.

While you're checking on those state regulations, let's check on the FEC's regulations for that PILOT fee to be put on our bill. Let's talk about that because I'm tired. I got at least 150...**Ms. Sparks** said one minute.

Ms. Manck said ...I got at least 150 people's bills who, for this month and the month of December, went to double. I had at least 100 people whose bills were almost \$1,000. Now, understand, I understand that we pay this man over here \$364,000 to rob us anyway. Take off all of the extra charges because at least \$100 of those charges are just fees. How in the hell are you all going to charge us for access to BPU and that's the only company we've got? Not one access charge, but two.

Mr. Garner, please consider giving us an extra minute. That is irritating with her, one minute left, one minute left. That is irritating. I'm sorry. I'm not trying to be disrespectful, but it takes away from our time of speaking and trying to...**Ms. Sparks** said your time has expired.

Ms. Manck said ...(inaudible) Board and let them know how we feel.

Susan Stevens, 4018 Silver Ave., Argentine neighborhood, said member of Community Conscious Action Network. I thank Mayor Garner for bringing this item to the agenda; Commissioner Bynum and everyone for working on it. I'm just really excited about—and I agree with the others who also said we don't need to stop here. We need to really, really alleviate the burden on the poor. I want to—I know one thing I'm hearing from people sometimes they're like, well, then that means services have to be cut because how are we going to cover the needed taxes. I really want to urge for us moving forward, every business that we want to bring on board to do business here like developers, everything, we should only bring in people who are really gung-ho

about they want to put back in this community. They want to pay full taxes. They don't want any free ride. **Mr. Deichler** said one minute.

Ms. Stevens said the novelist Stephen King, he wrote this article a while back, "I'm Rich, Tax Me." I mean that's the kind of people we want doing business here. People investing in this community and when they're getting rich, they want to put back into us. They want to pay all the taxes. They want to—I'm just saying we've got—and if they decide well, we're going to go to somebody who'll give us a better break, more free ride so we don't have to—so we can gut communities and not pour back into it then maybe we can start going back into our small businesses that we used to have.

I moved here to Argentine four years ago and what I heard was that there used to be just tons and tons of businesses up and down Strong Ave. That there was like a laundromat a few blocks from my house, I think. It is really good for my health, personally, to walk a mile to the nearest grocery store. I'm finding that very beneficial for me, personally. I walk a mile and a half to the laundromat. **Mr. Deichler** said your time has expired.

Ms. Stevens said, well, anyway, it's not that easy for everyone. It would be good to have more local, even smaller grocery stores closer.

Lisa Walker Yeager said I am going to talk about the definition of payment in lieu of taxes. It is for non-profit entities' payment in lieu of taxes or amounts paid to a state or a local government in place of taxes. Most commonly, property taxes, at issues, are the vast amount of land owned by universities, hospitals, and churches. You guys are taxing us twice. You just raised our taxes on our property. Okay? We had a discussion about houses and our elderly...**Mr. Deichler** said one minute.

Ms. Walker Yeager said ...that once they go up over \$350,000, that they will not be covered. I don't know if you guys are really listening to us. All I keep hearing you, Ms. Bynum, is talking about the \$31M and \$1M. No, that PILOT tax should not be on our utilities. There is no other entity that's doing this and you're talking about building the economy within our state. People are moving out of Wyandotte County because they cannot afford tax—the utilities. They cannot afford the taxes, the property taxes.

Our area, First District, looks like a desert literally where it had I don't know how many small businesses. So, as a small business, would I want to come here? No, because my utilities...**Mr. Deichler** said, ma'am, your time has expired.

Ms. Walker Yeager said ...are going to kill my small business, which I keep giving all these bonds out to these large corporations. **Mr. Deichler** said, ma'am, your time has expired.

Ms. Walker Yeager said so we have to work that out. I'm asking you guys please, please remove this from our utilities.

Thomas Gordon said I'm a resident of Wyandotte County. I've been here for more than 70 years. I just have a general question. I attended a BPU meeting not long ago and we asked the BPU representatives what was their purpose. They stated that their purpose was to deliver quality energy and water services. I ask the commissioners now; how can they be designated to be collectors of taxes? That is the question. There's no charter. There's no reason for the BPU to be collecting taxes. That is not part of their duties. That is not a part of their charter. It seems to be out of order. That needs to be corrected.

Mayor Garner asked, is there anyone else before I close the public comments that would like to speak about the BPU, specifically to BPU PILOT?

Mia Joe said look. This is what happened to me. Just to see how you all's ripping me off. I decided when I leave my home, I cut the main electric switch off to lower my bills. All right, they came out and switched over my meter. Okay. So then a month later, they come and redo it, re-switch it again. Now this is only because I'm lowering it. They're noticing that they ain't squeezing no money out of me. But then a third time, I get a note saying that if I don't be there for them to come and look into my house and see what's going on, that they were going to cut off my BPU.

I came to your meeting and said hey, look. I'm explaining what I'm saying right now. I cut my main switch off because I wanted to see how I can minimize my bill. You all trying to see how you all can modify that device to squeeze more money out because you all ain't getting no money out of me. That's just what happened. Oh, we'll send somebody out and see what's going on. No, what you want to do is come and tweak some more stuff on something so you all can raise

it up back to where you all think I should be paying. That's a rip off...**Mr. Deichler** said one minute.

Ms. Joe said ...and number one, trash. I put one little bag of trash and you all ripping me off for like \$16 a month. Older people eat less. So, what you all need to do is you all need to lower the trash prices on elderly people. You get one bag a week of trash and it ain't even full because I eat out. I don't eat them, right, but anyway.

Mayor Garner said thank you for all those comments. The only comment I have is that I know, Commissioner Kane, you got a question about the necessity. Commissioner Bynum and her task force are working diligently. This is really just a precursor to their work. Commissioner Bynum's task force was tasked with looking at the financials. This separates business from residential to at least allow for this Commission and for Commissioner Bynum's task force to do the hard work and have those debates on which, if any, to lower rates independent from each other. This allows for that. If not this year, at least sometime down the line and you can do it more responsibly as opposed to having them all combined, which would be even more of a tax hit.

Again, one of the things that I asked you, Ms. Bynum, and her task force to look at was those most in need in our community, which are those that are impoverished. I don't think any of us like paying our BPU bill, but there are some that are blessed to be able to pay our BPU bill along with out PILOT, but there are a lot of poor people in this town that are struggling to make ends meet.

When you look at the average of what a PILOT represents nationally, the average is 5.5%. Here, the equivalent of that and of ours is 11.9%. So, I know that it was raised, I believe, in 2009. I may be off a little bit, with some commitment that it would be lowered again and that has not happened. The Unified Government has maintained it at its current level.

So, I'm glad that we are having this conversation because people, especially those most in need and are poor in this community, they're getting cut off not because of the utilities that they utilize but because of the utilities and that tax because that's what it is and that's just real talk. So, trying to find a solution to that.

I think this is the first step. It doesn't commit the Unified Government, correct me if I'm wrong, counsel, to anything other than having this option when it comes to the budgetary considerations to have that option to be able to do it responsibly.

Mr. Waters said that's correct, Mayor. It just means in the next budget cycle that you would have options in terms of the rates.

Mayor Garner said with that, I'm going to close the public comments. Are there any further comments or discussions from our Commission in regard to this matter?

Commissioner Stites said, Mayor, what was—you said 5.9% was the national? **Mayor Garner** said it's about 5.5% is the national average. Regular utility companies call it a franchise fee. The equivalent is we have a PILOT.

Commissioner Stites said and we're currently at 11.9%. Is that correct? And you're saying that some time ago—obviously, prior to me. I wasn't here. I've only been here a year—that it was raised with the expectations that it was going to be reduced. Do we have any information as to why it was raised and what was the thought process behind that it would—what would make it come back down?

Mayor Garner said that's a good question. President/General Manager of the BPU is here. If you can weigh-in on that, that would really be great. We're glad to have him here.

Bill Johnson, General Manager, Board of Public Utilities, said I didn't bring anything with me. Obviously the speaker did, but I can certainly go off of memory. So, in 2009, the Unified Government was going through some budget issues/problems and you guys, I think, revenue had gone down, expenses were up. So, you were struggling with revenue losses and trying to get a budget passed at that time. So, both the BPU elected body and the Unified Government elected body at that time, came together here, in this chamber, and there was a conversation that took place on raising the PILOT from 9.9% at that time. I think it went up to 13.8%. Maybe, at one time, it may have been a one or a two-step process but it did go up to 13.8% with the promise to take it back down to 9.9%. So it went from 13.8% down to 11.9%, and has been at that level ever since that time. I don't have the years in front of me, but that's kind of the process we went through.

It was our understanding, in fact, this has been a conversation with our Board of Directors that they're anticipating—some of them remember, that were on the Board at that time that met with the Commission and remember exactly what was promised by the Unified Government Commission at that time. Unfortunately, it's never happened.

The Mayor is right. The national average for American public power is about 5.5%. That varies slightly over time, but that is about where the current average is. These are dollars, tax dollars that are levied against utility revenue and the people in this room and the people that are listening are paying for it.

Any other questions?

Commissioner Stites said I appreciate it. Honestly, I didn't mean to put you on the spot here tonight. I know you were not prepared.

Commissioner Stites said but here's my problem with it. The shortcomings of this Unified Government's budget shouldn't automatically defer to the taxpayers to make up that gap. If that 5.5%, if I'm doing my math right, to 11.9%, that's 6% to a total of; if 1% was \$1M roughly, that's \$6M. So, that's where I have the problem. It never came back down. What have we been doing to get it back down so people can afford to live here and pay their taxes and pay their bills?

I'm in favor of not only getting it down to a manageable number, but total elimination of the PILOT. With that, we have to also recognize that we're going to have to make some hard decisions with that revenue loss as to how we make up a balanced budget. So, we've got some homework ahead of us, but I think it's long overdue that we provide some sort of tax relief and this PILOT is a good start.

Mr. Johnson said I would leave you with this. I've been at BPU for over 40 years. Over that course of time, BPU has had to make many, many tough decisions on making sure that we become more efficient. We streamline our operations. We've lowered our costs. We've deferred raising rates. We've done a number of things to make sure that we didn't drop our service to the community, but we operated more efficient as a publicly-owned utility.

I think you're right looking in the right direction, and I think that there's some room to maybe build in more efficiency here.

Commissioner Davis said I'm so sorry to do this to you, Mr. Johnson, but I do have some questions for you. I'm so sorry. We talked about the PILOT, right, or the kind of service fee. There's also, right, the other large parts of the BPU bill, which is really electricity, right? **Mr. Johnson** said right.

Commissioner Davis said the PILOT itself is kind of a tax or a percentage of the entire bill. But if you look at the bulk of the bill, right, we're really talking about electricity. How do you all measure, right, electric use?

Mr. Johnson said there's two components, well, there's two components to the energy use. One is by how many kilowatts used over an hour period of time. That's kilowatt hours. That's mainly for residential customers. For commercial and large customers, there is a demand component to that too. So, within a 30-minute block window, depending on how much you use there, you'll get charged a demand charge on top of that.

There's two riders that's on our bill. One is called the environmental surcharge and the other one is just a fuel and purchase power charge. BPU generation, all the power that we generate is sent to the market, the SPP market. I'm not sure if it's the Southwest Power Pool market. It's comprised of like 14, 16 states. All bid all their generation into that market. The design behind that concept is, SPP would deliver the lowest price back to every community that it serves. So, they are operating by running the cheapest generation first. As load goes up, they'll add more and more loads, but it's a lot more efficient and less expensive to be operating that way as opposed to every utility trying to generate to its own load. That's the purchase power piece.

The other part is there's been a lot of federal regulation on closing down power plants. Utilities have kind of supported that to the best of our abilities, but we haven't gone as fast as some citizens have wanted or as fast as the federal government because I think we all want to get to a place where we're 100% renewable but it's going to take time.

Coal generation, for this region, is still one of the cheapest sources of power. It also provides reliability beyond what renewables can provide all by themselves. So, because of that, we had to spend \$250M on Nearman Power Plant just to keep it operational. To pay those bonds back, there was a rider placed on the bill to have to go back and pay for the debt that the federal government placed upon this utility.

Commissioner Davis said I guess I'm hinting at this because we're talking about kind of comparing our rates and how the PILOT is much higher. As far as what we charge for electricity, how do we compare to our peers, Power & Light and others?

Mr. Johnson said we are very competitive with Evergy; Kansas City Power & Light and Westar before they merged and after the merger. We're also very competitive with Independence.

I think there is a graph on our website that kind of shows how we compare with all of our competitors in the region.

On the water side, we're also competitive there too. I'm not sure if the water graph is there. I think it is, but I don't want to have you looking for something I'm not certain about.

Commissioner Davis said no, and I would love it if you can have your staff send me that information.

Commissioner Davis said the other thing I would ask is, for the public, just so you all know, we actually do receive audits or a budget from you all. We kind of look at your performance, and I kind of pay attention when I have time, right? **Mr. Johnson** said right.

Commissioner Davis said you all had a pretty good year when it comes to your revenues versus expenses. Would that be fair?

Mr. Johnson said, well, we have recovered from COVID. There was a time where we had to work with all customer classes and defer revenue; push it further out, not giving a lot of customers more time to pay. There was a time, also, that we allowed some of the state programs to kick in and start helping for rental and utility assistance from the state. So, we put in, I think, three or four moratoriums for almost a year's time, if you add them all up. We didn't disconnect. We allowed the public to be able to help get back on their own feet during the pandemic, and the BPU will start helping and also providing utility assistance along the way, too.

Commissioner Davis said I guess the only reason why I'm bringing that up is because I saw, and I don't know if this is correct or not, Bill, it's like a 30 plus or a \$30M plus revenue, right, more than your expenses. It was pretty—I don't know if that's accurate. I'm kind of throwing numbers out there. But those are numbers that we dream to have here at the Unified Government to see, right, our revenues much higher.

And so I just wanted us to kind of be aware, as we're having these conversations about the PILOT, that BPU is doing very, very well, right, and if we're going to have questions about...**Mr. Johnson** said I wouldn't go that far. **Commissioner Davis** said better than the Unified Government. If we are going to have questions about the PILOT, which I would absolutely be in favor of, I also think maybe we can gather the Board members and talk about water and electric rates.

Commissioner Davis said the last thing I will say on this is, I know that the bulk of the rates is residential centered; however, there are other folks who probably would have an opinion on this. I'm thinking about non-profit organizations. I'm thinking about churches. I'm thinking about schools. I just wonder what engagement we should do with them to say to them, your rates stay the same, but to residents, it changes. I don't have any opinion on that particular matter, but I do think it would behoove us to engage those folks as well.

Mr. Johnson said, Commissioner Davis, one last thing. I'd be happy to meet with you. Have a conversation of what we call contribution to the community and where the Unified Government sits in there.

Commissioner Markley asked, is this item for action?

Action: **Commissioner Markley made a motion, seconded by Commissioner Townsend, that Commissioner Bynum's committee continue their work to include the comments and discussion had we had tonight, and to bring us back recommendations as we move closer to budget time.**

Mayor Garner said we have a motion for this to proceed forward.

Commissioner Townsend asked, is there any idea at this point when that committee may be through with this work to make a presentation that takes into account a lot of just the basic questions about what the PILOT is, how we got there, and bring back not only this recommendation, but any other and to who these cuts may apply to? And more importantly, what the financial impact it's going to be to our budget. Someone has already made mention that we're going to have to grit our teeth to do this, and we've heard tonight that people want trash picked up. They're talking about code enforcement. So, that means we would have less money, but if that's the will of the people, that's fine. But my point is we need to do this in an environment and at a time that we understand everything that that's going to mean.

So, I would support the motion to come back. I kind of forgot to ask again, Commissioner, when you think your committee will be concluded with their work.

Commissioner Kane said what I'd like to do is when the next *Citizen* we put out, have an explanation of the PILOT with that. The reason I say that—and then when we have these meetings, have somebody out here, put up the chart right here on the wall and say here's what the PILOT is and here's where the expenses are going so everyone, on the screen, can see here's what's happening. I absolutely think that we need to put this in the *Citizen*. If it takes the bulk of the *Citizen*, that's fine; but to explain what the PILOT is, how it got started. There was a find in the middle of all that. This just didn't happen in the last couple of years. This has been an ongoing thing ever since I've been here. So, it's certainly that we need to explain to the public what happened, why it happened, and what our next move is.

Commissioner Bynum said we had hoped in March without a definitive date, but we have a work session to work on our presentation and our recommendations sometime in March because, again, we're trying to get ahead of the budget cycle and bring it to the full Commission for exactly this kind of discussion. A date in March that, again, I've been talking with the Mayor that could be a special session or part of a regular meeting that's already on the agenda. That's the best I can do right now is March.

Commissioner Burroughs said, Commissioner, I think it's a worthy cause to continue to pursue what we can do about the PILOT. I guess I want to make sure I fully understand that the residential PILOT is what we've been discussing and the resolution this evening was to separate the two out. So, are we going to have that included in the research work that goes in because I believe the \$6M that you referred to, Commissioner Stites, referred to only residential. It didn't refer to commercial. I think there may be some confusion there. So, I'd hope that whatever action we take, that we're understanding of exactly what we're doing and what part of the budget will be affected by what entity. So, I just wanted to make sure that we were clear on all of that.

Mayor Garner said there is a motion and a second. I would just ask, Commissioner Bynum, you have a task force and I know you all are doing the brunt of the work and it's a good relationship to have, those stakeholders. Because this is a complexed issue I'm hearing and a lot of questions from our commissioners, once you get your work done, if we can forward that to standing committee to have it vetted even further before it comes back to full Commission, that's just an

ask on my part. I think that would allow for a lot more clarity and for staff to spend a lot more time on this. So, when it does get to this body, the commissioners will have the information they need to make an informed decision at that time, especially as we go through the budget cycle.

There is a motion and a second for it to proceed.

Commissioner Markley said I was just going to clarify following Commissioner Burroughs' comments, but I do intend for that committee to both look at the separation of the PILOT, as discussed tonight, and the amount of the PILOT and all related issues.

Mayor Garner asked, Commissioner Townsend, do you concur with that? Okay. So, we have a motion and a second. Any further discussion? Clerk, roll call.

Roll call was taken and there were ten "Ayes," Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis, Bynum.

Item No. 3 - 212246...ORDINANCE/RESOLUTION: RELATING TO TERM LIMITS AND PROHIBITONS ON UNIFIED GOVERNMENT COMMISSION MEMBERS

Synopsis: Ordinances/resolution relating to term limits and prohibitions on Unified Government Commission members holding office or employment with the Unified Government after their term of office, submitted by Misty Brown, Chief Counsel.

Action: Item previously removed from the agenda, per the blue sheet.

Item No. 4 - 212251...ORDINANCE/RESOLUTION: ADJUSTING COMPENSATION AND BENEFITS OF THE COMMISSION

Synopsis: Ordinance/resolution adjusting compensation and benefits of the Commission, submitted by Misty Brown, Chief Counsel.

Action: Item previously removed from the agenda, per the blue sheet.

Item No. 5 – 212252...RESOLUTION: AMENDING UNIFIED GOVERNMENT RULES OF PROCEDURES RELATING TO TRAVEL ON UNIFIED GOVERNMENT BUSINESS

Synopsis: Resolution amending Unified Government Rules of Procedures relating to travel on Unified Government business, submitted by Misty Brown, Chief Counsel.

Action: **Item previously removed from the agenda, per the blue sheet.**

CONSENT AGENDA

Mayor Garner asked, do any members of the Commission or County Administrator wish to set aside any item on the Regular Consent Agenda? If an item is not set aside, all items on the Regular Consent Agenda will be voted on by one vote.

I will entertain a motion for approval of the Regular Consent Agenda.

Action: **Commissioner Davis made a motion, seconded by Commissioners Ramirez and Markley, to approve.**

Mayor Garner said we have a motion and a second. Is there any further discussion? **Mr. Deichler** said just to clarify. Who actually got in first on the second? **Commissioner Markley** said whoever you pick. **Mr. Deichler** said I'll put both.

Roll call was taken and there were ten "Ayes," Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis, Bynum.

Item No. 1 – 212196...APPROVAL: ACCESS, INNOVATION, AND COLLABORATION GRANT AWARD

Synopsis: Request approval to accept KDOT's Access, Innovation, and Collaboration (AIC) grant funds totaling \$1,253,390 to fund six public transportation-related projects, submitted by Ryan Hurst, Transportation Manager. There are UG matching funds required. On January 23, 2023, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to the full commission.

Action: **ORDINANCE NO. O-9-23/RESOLUTION NO. R-5-23, "An ordinance and resolution for the acceptance of state funds by the Unified Government of**

Wyandotte County/Kansas City, Kansas under the Access, Innovation, and collaboration (AIC) Program of the Kansas Department of Transportation.” **Commissioner Davis made a motion, seconded by Commissioners Ramirez and Markley, to approve the ordinance and adopt the resolution.** Roll call was taken and there were ten “Ayes,” Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis, Bynum.

Item No. 2 – 212199...RESOLUTION: APPROVING PROPOSED WYANDOTTE COUNTY PRE-DISASTER RECOVERY PLAN

Synopsis: A resolution approving the proposed Wyandotte County Pre-Disaster Recovery Plan, submitted by Matt May, Emergency Management Director. On January 23, 2023, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to the full commission.

Action: **RESOLUTION NO. R-6-23**, “A resolution to authorize the development and adoption of the Wyandotte County Pre-Disaster Recovery Plan.” **Commissioner Davis made a motion, seconded by Commissioners Ramirez and Markley, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis, Bynum.

Item No. 3 – 212204...ORDINANCE: REQUESTING APPROVAL FOR AMENDMENTS TO CHAPTER 35 TRAFFIC ATV

Synopsis: Approval of amendments to the Code of Ordinances relating to all-terrain vehicles, submitted by Chief Karl Oakman, Kansas City, Kansas Police Department. On January 23, 2023, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to the full commission.

Action: **ORDINANCE NO. O-10-23**, “An ordinance relating to Chapter 35 Traffic, adding new Article XXI. All-Terrain Vehicles (ATVs) Sections 35-967 through 35-971; and repealing Article X. All-Terrain Vehicles (ATV’s) from Chapter 19 Licenses, Permits and Miscellaneous Business Regulations Sections 19-304 through 19-310,

of the Code of Ordinances for the Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Davis made a motion, seconded by Commissioners Ramirez and Markley, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis, Bynum.

Item No. 4 – 212202...RESOLUTION: AUTHORIZING AN AGREEMENT BETWEEN WYCO SHERIFF’S OFFICE AND KCK POLICE DEPARTMENT WITHIN THE UNINCORPORATED CITY OF LORING, KANSAS

Synopsis: This is a resolution authorizing the approval of an agreement between the Wyandotte County Sheriff’s Office and the Kansas City, Kansas Police Department regarding the provision of law enforcement services within the unincorporated city of Loring, Kansas, pursuant to K.S.A. 22-2401a, submitted by Casey Meyer, Legal Department. On January 23, 2023, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to the full commission.

Action: **RESOLUTION NO. R-7-23,** “A resolution authorizing the approval of an interagency agreement between the Wyandotte County Sheriff’s Office and the Kansas City Kansas Police Department regarding the provision of public safety services to Loring, Kansas.” **Commissioner Davis made a motion, seconded by Commissioners Ramirez and Markley, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis, Bynum.

Item No. 5 – 212203...RESOLUTION: APPROVING THE SALE OF UG PROPERTY AND RENOVATION OF THE ARMOURDALE PUMP STATION

Synopsis: A resolution approving the sale of Unified Government property and authorizing the purchase of land necessary for the renovation of the Armourdale Pump Station, submitted by Joe Barnes, Public Works Department; and James Bain, Legal Department. On January 23, 2023, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to the full commission.

Action: **RESOLUTION NO. R-8-23**, “A resolution approving the sale of Unified Government property to 402 Central Ave., LLC and authorizing the Interim County Administrator to purchase land necessary for the renovation of the Armourdale Pump Station.” **Commissioner Davis made a motion, seconded by Commissioners Ramirez and Markley, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis, Bynum.

Item No. 6 – 213...REPORT: 2022 COMMISSION TRAVEL

Synopsis: A report on 2022 Commission travel, submitted by Thomas Wiss, Legislative Auditor.

Action: **For information only.**

Item No. 7 – 212245...NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

Denise Dias to the Wyandotte/Leavenworth Advisory Council on Aging, 2/2/2023 to 12/31/2023, submitted by Commissioner Bynum.

Cindy Hopewell to the Wyandotte/Leavenworth Advisory Council on Aging, 2/2/2023 to 12/31/2023, submitted by Commissioner Ramirez.

Action: **Commissioner Davis made a motion, seconded by Commissioners Ramirez and Markley, to approve.** Roll call was taken and there were ten “Ayes,” Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis, Bynum.

Item No. 8 – MINUTES

Synopsis: Minutes from the Commission meeting on March 31, 2022; and the Special Session meeting on December 8, 2022.

Action: **Commissioner Davis made a motion, seconded by Commissioners Ramirez and Markley, to approve.** Roll call was taken and there were ten “Ayes,”

Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis, Bynum.

Item No. 9 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business materials dated January 12, 2023.

Action: Commissioner Davis made a motion, seconded by Commissioners Ramirez and Markley, to receive and file. Roll call was taken and there were ten “Ayes,” Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis, Bynum.

COMMISSIONERS' AGENDA

No items.

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

No items.

PUBLIC ANNOUNCEMENT

No items.

ADJOURN

Mayor Garner said we have no further business tonight with this governing body. I'll entertain a motion to adjourn.

Action: Commissioner Burroughs made a motion, seconded by Commissioner Davis, to adjourn.

Mayor Garner said we have a motion and a second. Any discussion?

Commissioner Townsend said before we adjourn, presumably, I did want to set the record straight from some comments made in the public comments. Just so folks know, I have been a member of

the Land Bank since 2013, but I hold no other power beyond any of the other four commissioners I serve with. I'm not running anything other than that. You are open to come to our meetings and understand what the processes are. We endeavor to serve everyone in the community equally. So, I wanted to make that clear as well.

Also, let somebody think that you can only put out one bag of trash. Our trash is unlimited of the amount of refuse. Thank you, Mayor, for allowing me to clear that.

Mayor Garner said with a motion and a second, roll call, please.

Roll call was taken and there were ten "Ayes," Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Davis, Bynum.

MAYOR GARNER
ADJOURNED THE MEETING AT 9:30 P.M.
February 2, 2023

Brett A. Deichler, PMP|CPM
Unified Government Clerk

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February 2, 2023