

ACTION AGENDA
FEBRUARY 29, 2024 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:01 – 10:55 PM

Location: Hybrid

We invite you to view the meeting in person in the Commissioner Chambers, Lobby Level of the Municipal Office Building, 701 N 7th Street, Kansas City, Kansas, or virtually via a Zoom webinar.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87605474187>

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Webinar ID: 876 0547 4187

International numbers available: <https://us02web.zoom.us/j/87605474187>

I. CALL TO ORDER

II. ROLL CALL

Present: Burns, Hill, Kane, Lopez, Stites, Davis, Bynum, Townsend, Burroughs.

Absent: Ramirez, Garner.

III. INVOCATION GIVEN BY REVEREND

IV. PLEDGE OF ALLEGIANCE

V. REVISIONS TO THURSDAY, FEBRUARY 29, 2024 AGENDA

VI. CLERK'S STATEMENT

VII. PLANNING AND ZONING CONSENT AGENDA

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

IX. MAYOR'S AGENDA

X. REGULAR CONSENT AGENDA

XI. PUBLIC HEARING AGENDA

- XII. STANDING COMMITTEES' AGENDA
- XIII. ADMINISTRATOR'S AGENDA
- XIV. COMMISSIONERS' AGENDA
- XV. LAND BANK BOARD OF TRUSTEES' AGENDA
- XVI. PUBLIC ANNOUNCEMENTS
- XVII. ADJOURN

VI. CLERK'S STATEMENT

(Anyone wishing to speak about a particular item on the Planning & Zoning Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Planning & Zoning Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Planning & Zoning Consent Agenda are viewed as a single group and voted on with one vote.)

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. COZ2023-030 - RIAD BAGHDADI

Synopsis: Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District to construct a duplex at 2919 West 44th Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

(RECOMMENDED FOR DENIAL)

Tracking #: 212978

Motion to approve as recommended: Townsend

Second: Kane

Approved 8/0

2. COZ2023-033 - ROBERT KARL

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District to use the property for agricultural purposes at 6815 Cernech Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design

(RECOMMENDED FOR APPROVAL)

Tracking #: 212981

Motion to approve as recommended: Davis

Second: Kane

Approved 8/0

B. SPECIAL USE PERMIT APPLICATIONS

1. SP2023-078 - ANDREW HARRIS WITH PIPER DEVELOPMENT GROUP

Synopsis: Special Use Permit for grading/removal of earthen fill at 4919 North 126th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 212982

Motion to approve for 2 years as recommended: Davis

Second: Townsend

Approved 8/0

2. SP2023-096 - SANDRA COLEMAN

Synopsis: Special Use Permit to operate a Short-Term Rental at 2815 North 81st Court, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR DENIAL)**

Tracking #: 212984

Motion to approve as recommended: Townsend

Second: Kane

Approved 8/0

3. SP2023-103 - JUAN CARLOS MALDONADO

Synopsis: Special Use Permit for the Temporary Use of Land to keep a semi-tractor trailer at the residence at 4936 Waverly Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR DENIAL)**

Tracking #: 212985

Motion to approve as recommended: Townsend

Second: Davis

Approved 8/0

4. SP2023-108 - MARCOS OLIVA

Synopsis: Special Use Permit for a Short-Term Rental at 2903 West 45th Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 212986

Motion to approve for 1 year as recommended: Kane

Second: Townsend

Approved 8/0

5. SP2023-111 - RYAN FORSHEE WITH CATHOLIC CHARITIES OF NE KANSAS

Synopsis: Renewal of a Special Use Permit (SP2021-082 – expired 2/3/2024) to operate a group dwelling unit at 2601 Ridge Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 5 YEARS)**

Tracking #: 212977

Motion to approve for 5 years as recommended: Kane

Second: Davis

Approved 8/0

6. **SP2023-115 - DEBORAH SAGE**

Synopsis: Special Use Permit to operate an automotive dealership at 2959 North 7th Street Trafficway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 212987

Motion to approve for 2 years as recommended: Townsend

Second: Kane

Approved 8/0

7. **SP2023-116 - DONNA BARNETT**

Synopsis: Special Use Permit to operate a Short-Term Rental at 2311 North 104th Terrace, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 212988

Motion to approve for 1 year as recommended: Kane

Second: Davis

Approved 7/1 (Lopez voting No)

8. **SP2023-118 - JUSTIN APPLEBERRY WITH THE DAVENPORT**

Synopsis: Special Use Permit to operate a drinking establishment at 401 North 6th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 212989

Motion to approve for 2 years as recommended: Burns

Second: Davis

Approved 8/0

9. **SP2023-120 - HOUSTON DEFOE WITH BLUE PALM LLC**

Synopsis: Special Use Permit for a drinking establishment at 204 Orchard Street (downstairs), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 212990

Motion to approve for 2 years as recommended: Burns

Second: Davis

Approved 8/0

10. **SP2023-121 - JESSICA MORENO WITH NEXT GUEST KC**

Synopsis: Special Use Permit to operate a Short-Term Rental at 611 Douglas Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 212991

Motion to approve for 1 year as recommended: Townsend

Second: Kane

Approved 7/1 (Lopez voting No)

11. **SP2024-001 - GUY HOLBERT**

Synopsis: Special Use Permit for Penske truck leasing, rental and repair at 11 North James Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 212993

Motion to approve for 2 years as recommended: Burns

Second: Davis

Approved 8/0

C. PLAN REVIEW APPLICATIONS

1. **PR2023-039 - WILLIAM LANIER WITH LANIER UNITED LLC**

Synopsis: Preliminary and Final Development Plan for a mixed-use redevelopment of the Jack Reardon Center, which includes apartments, retail commercial, and an event center at 500 Minnesota Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212994

Motion to approve as recommended: Townsend

Second: Davis

Approved 6/2

D. MISCELLANEOUS - ORDINANCES (The following ordinances formalize previous Commission approval.)

1. AN ORDINANCE authorizing a Special Use Permit (SP2023-066) for a non-owner-occupied Short-Term Rental at 408 Sandusky Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212997

Motion to approve as recommended: Davis

Second: Townsend

Approved 8/0

2. AN ORDINANCE authorizing a Home Occupation Special Use Permit (SP2023-088) to produce gummies, topicals and a powdered drink at 11411 Hollingsworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212998

Motion to approve as recommended: Davis

Second: Townsend

Approved 8/0

3. AN ORDINANCE authorizing a Home Occupation Special Use Permit (SP2023-089) for a dog grooming operation at 10120 Hollingsworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.
(RECOMMENDED FOR APPROVAL)
Tracking #: 212999
Motion to approve as recommended: Davis
Second: Townsend
Approved 8/0
4. AN ORDINANCE authorizing a Special Use Permit (SP2023-102) for continuation of a drinking establishment with live entertainment at 614 Reynolds Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.
(RECOMMENDED FOR APPROVAL)
Tracking #: 213000
Motion to approve as recommended: Davis
Second: Townsend
Approved 8/0
5. AN ORDINANCE authorizing a Home Occupation Special Use Permit (SP2023-104) to operate a cottage bakery business at 1206 North 132nd Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.
(RECOMMENDED FOR APPROVAL)
Tracking #: 213001
Motion to approve as recommended: Davis
Second: Townsend
Approved 8/0
6. AN ORDINANCE authorizing a Special Use Permit (SP2023-105) for a non-owner-occupied Short-Term Rental at 4509 Garfield Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 213002
Motion to approve as recommended: Davis
Second: Townsend
Approved 8/0
7. AN ORDINANCE authorizing a Special Use Permit (SP2023-107) to operate a daycare on the campus of the Boys and Girls Club at 1220 Troup Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 213003
Motion to approve as recommended: Davis
Second: Townsend
Approved 8/0

8. AN ORDINANCE authorizing a Special Use Permit (SP2023-079) for eight (8) mature ducks and ducklings not to exceed 40 at any one time at 1921 Nebraska Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 213004
Motion to approve as recommended: Davis
Second: Townsend
Approved 8/0
9. AN ORDINANCE rezoning property at 290 South 10th Street (COZ2023-012) from CP-O Planned Nonretail Business District to RP-5 Planned Apartment District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 213005
Motion to approve as recommended: Davis
Second: Townsend
Approved 8/0
10. AN ORDINANCE rezoning property at 4105 Gibbs Road (COZ2023-029) from R-1 Single Family District to A-G Agriculture District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 213006
Motion to approve as recommended: Davis
Second: Townsend
Approved 8/0

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. COZ2023-032 - ASHLY MEEK

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District to operate an agro-tourism business at 3921 North 51st Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.
(RECOMMENDED FOR APPROVAL - 7/1 VOTE)

Tracking #: 212979

Motion to approve as recommended: Townsend
Second: Davis
Approved 8/0

B. SPECIAL USE PERMIT APPLICATIONS

1. SP2023-094 - FRAN SUTTON WITH CROSSLINES

Synopsis: Special Use Permit to operate an emergency cold weather shelter at 550 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS - 7/1 VOTE)**

Tracking #: 212983

Motion to approve for 2 years as recommended: Bynum

Second: Davis

Approved 8/0

2. SP2023-112 - ASHLY MEEK

Synopsis: Special Use Permit to operate an agro-tourism business at 3921 North 51st Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS, 7/1 VOTE)**

Tracking #: 212980

Motion to approve for 2 years as recommended: Bynum

Second: Townsend

Approved 8/0

3. SP2023-122 - ANDREW C. MALL

Synopsis: Special Use Permit to operate a Short-Term Rental at 6115 Oak Grove Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR DENIAL - 6/1 VOTE)**

Tracking #: 212992

Motion to refer back to the Planning and Zoning meeting in April: Kane

Second: Bynum

Approved 8/0

C. MASTER PLAN APPLICATION

1. MPL2023-020 - KELLY WINKEL

Synopsis: Master Plan Amendment from Downtown Mixed-Use (Downtown Area Plan) to Civic (Downtown Area Plan) to construct the KCKCC Downtown Campus at 645 Nebraska Avenue, 1101 North 7th Street, and 600, 612, 624, 632 and 646 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL - 5/2 VOTE)**

Tracking #: 212995

Motion to approve as recommended: Bynum

Second: Davis

Approved 6/2

D. PLAN REVIEW APPLICATIONS

1. PR2023-044 - KELLY WINKEL

Synopsis: Preliminary Development Plan for the KCKCC Downtown Campus at 645 Nebraska Avenue, 1101 North 7th Street, and 600, 612, 624, 632 and 646 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL - 5/2 VOTE)**

Tracking #: 212996

Motion to approve as recommended: Bynum

Second: Davis

Approved 6/2

TAX STATUS REPORT

BOARD OF COMMISSIONERS AGENDA FOR FEBRUARY 29, 2024

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2020.

NOTE: This information cannot serve as the basis for approval or denial of an application. It is not among the factors to be considered as set by ordinance or among accepted zoning factors and criteria. However, such information in certain cases might be relevant to evaluating accepted factors or as an accompaniment to other valid purposes and/or factors.

IX. MAYOR'S AGENDA

1. PROCLAMATION: BLACK HISTORY MONTH

Synopsis: Proclamation proclaiming February 2024 as Black History Month, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 213014

Proclamation read.

X. REGULAR CONSENT AGENDA

1. NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Economic Redevelopment Advisory Board:

Appointment of Wendy Green-Term 2/29/24 to 12/15/25, submitted by Commissioner Kane.

Appointment of Ken Yarnevich-Term 2/29/24 to 12/15/27, submitted by Commissioner Burns.

Appointment of Gordon Criswell-Term 2/29/24 to 12/15/25, submitted by Commissioner Townsend.

Appointment of Tim King-Term 2/29/15 to 12/15/27, submitted by Commissioner Lopez.

Community Benefit Advisory Board:

Appointment of Mary Dorr-Term 2/29/24 to 12/31/24, submitted by Commissioner Burns.

Appointment of Devaney Cole-Term 2/29/24 to 12/31/24, submitted by Commissioner Davis.

Appointment of Stefon King-Term 2/29/24 to 12/31/24, submitted by Commissioner Townsend.

Advisory Board on Human Relations and Disabilities:

Appointment of Stephanie Barton-Term 2/29/24 to 12/15/27, submitted by Commissioner Lopez.

Appointment of Claudine (Dinie) Sanders-Term 2/29/24 to 12/15/25, submitted by Commissioner Burroughs.

Wyandotte/Leavenworth Area Wide Advisory Council on Aging:

Appointment of Jamey Rodriguez-Term 2/29/24 to 12/15/27, submitted by Commissioner Lopez.

Park Board:

Appointment of Kevin Mitchell-Term 2/29/24 to 12/15/25, submitted by Commissioner Townsend.

Self-Supported Municipal Improvement District:

Appointment of Clayton Hunter-Term 2/29/24 to 12/15/27, submitted by Commissioner Hill.

Housing Authority:

Appointment of Dr. Nozella Brown-Term 2/29/24 to 12/15/25, submitted by Commissioner Townsend.

Landmarks Commission:

Appointment of Kevin Steele-Term 2/29/24 to 12/15/25, submitted by Commissioner Burroughs., submitted by Lisa Rangel, Professional Assistant, Diana Segui, Professional Asst, Commissioners' Office.

Tracking #: 213008

Motion to approve: Davis

Second: Kane

Approved 7/0

2. **PLAT: HOMEFIELD ATLAS 9**

Synopsis: Plat of Homefield Atlas 9, located at 98th Street and State Avenue, and being developed by HFS KCK LLC, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 213009

Motion to approve: Davis

Second: Kane

Approved 7/0

3. **PLAT: VUE39**

Synopsis: Plat of VUE39, located at West 39th Avenue and Booth Street, and being developed by Avenue Living U.S Operating LP No 5, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 213010

Motion to approve: Davis

Second: Kane

Approved 7/0

4. **PLAT: MCGREW GROVE**

Synopsis: Plat of McGrew Grove, located at Quindaro and North Hallock Street, and being developed by Southwest Boulevard Family, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 213011

Item was pulled aside by Townsend.

Motion to approve as recommended: Davis

Second: Kane

Approved 6/0 (Townsend _____)

5. **MINUTES**

Synopsis: Minutes from the Full Commission meeting on February 2, 2023, and the Special Session meeting on February 8, 2024.

Tracking #: MINUTES

Motion to approve: Davis

Second: Kane

Approved 7/0

6. **WEEKLY BUSINESS**

Synopsis: Weekly business materials dated January 25, 2024.

Tracking #: WEEKLY BUSINESS

Motion to approve: Davis

Second: Kane

Approved 7/0

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

1. **ORDINANCE/RESOLUTION: SALE AND ISSUANCE OF GENERAL OBLIGATION 2024-A BONDS**

Synopsis: Approval of a resolution/ordinance authorizing and providing for the issuance and sale of General Obligation Improvement Bonds, Series 2024-A, submitted by Debbie Jonscher, Interim Chief Financial Officer.

Tracking #: 212968

Motion to approve: Davis

Second: Kane

Approved 7/1 (Lopez voting No)

2. **RESOLUTION: GENERAL OBLIGATION 2024-B COUNTY BOND SALE**

Synopsis: An ordinance authorizing and providing for the issuance of General Obligation Improvement Bonds, Series 2024-B and a resolution authorizing and directing the sale and delivery of General Obligation Improvement Bonds, Series 2024-B, submitted by Deborah Jonscher, Interim Chief Financial Officer.

Sale of bonds was approved at the Full Commission Meeting held 12/7/2023 Full Commission.

Tracking #: 212970

Motion to approve: Bynum

Second: Davis

Approved 7/1 (Lopez voting No)

3. **RESOLUTION: GENERAL OBLIGATION 2024-I TEMPORARY NOTES SALE**

Synopsis: A resolution authorizing and directing the issuance, sale and delivery of Municipal Temporary Notes, Series 2024-I, presented by Deborah Jonscher, Interim Chief Financial Officer.

Sale of notes was approved at the Full Commission Meeting held 12/7/2023 Full Commission.

Tracking #: 212969

Motion to approve: Burns

Second: Davis

Approved 7/1 (Lopez voting No)

4. **ORDINANCE: PROCTER & GAMBLE TRAILHEAD**

Synopsis: An ordinance condemning real property and directing the Chief Counsel to institute eminent domain proceedings as provided by law to acquire the tracts and parcels of land for the Levee Trail Armourdale Improvements Project (Project No. 105 N-0779-01), submitted by Jeff Fisher, Executive Director of Public Works.

Tracking #: 212973

Motion to approve: Kane

Second: Davis

Approved 8/0

5. **ORDINANCE: JAMES STREET TRAILHEAD**

Synopsis: An ordinance condemning real property and directing the Chief Counsel to institute eminent domain proceedings as provided by law to acquire the tracts and parcels of land for the North James Street Trailhead (Project No. 105 N-0781-01), submitted by Jeff Fisher, Executive Director of Public Works.

Tracking #: 212974

Motion to approve: Kane

Second: Davis

Approved 8/0

6. **APPOINTMENTS: WITNESS DESTRUCTION OF ELECTION BALLOTS AND RECORDS**

Synopsis: Appoint Commissioner Ramirez and Commissioner Lopez to witness the destruction of ballots and records that no longer need to be retained on March 4, 2024. Should the primary appointments be unable to attend, alternate appointments should be Commissioner Hill and Bette McGill. Ms. McGill has been appointed as an alternate by Commissioner Lopez, submitted by Zach Hunt, Deputy Election Commissioner.

Tracking #: 213007

Motion to approve: Bynum

Second: Davis

Approved 8/0

7. **PRESENTATION: 2024 CASINO GRANT OVERVIEW**

Synopsis: An overview of the Hollywood Casino Grant process and timeline, submitted by Angel Ferrara, Director of Parks and Recreation.

For Information Only

Tracking #: 212966

PowerPoint presentation complete.

XIV. COMMISSIONERS' AGENDA

Motion to adjourn and reconvene as Land Bank Board of Trustees: Bynum

Second: Davis

Approved 8/0

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

1. **LAND BANK OPTION APPLICATIONS**

Synopsis: The following **option application(s)** was presented at the 01/08/2024 meeting:

Please visit the new site to review the applications below

<https://gisapp.wycokck.org/Landbank.html>

A. Single Family Homes – 5 Homes

B. Multi Family – 4 Units

Tracking #: 213015

Motion to approve: Davis

Second: Kane

Approved 8/0

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN

Motion to adjourn: Bynum

Second: Davis

Approved 8/0

The meeting adjourned at 10:55 PM.