



Unified Government of Wyandotte County and Kansas City, Kansas

Planning & Zoning / Board of Commissioners

Commission Chambers

701 N. 7th Street Trafficway, Kansas City, KS 66101

Mayor Tyrone Garner

Commissioner At-Large Dist. 1 Melissa Bynum – Commissioner At-Large Dist. 2 Tom Burroughs –

Commissioner Dist. 1 Gayle E. Townsend – Commissioner Dist. 2 Bill Burns –

Commissioner Dist. 3 Christian Ramirez – Commissioner Dist. 4 Dr. Evelyn Hill –

Commissioner Dist. 5 Mike Kane – Commissioner Dist. 6 Phil Lopez –

Commissioner Dist. 7 Chuck Stites – Commissioner Dist. 8 Andrew Davis

AGENDA UPDATE

Thursday, May 29, 2025

7:00 PM

1. CALL TO ORDER/ROLL CALL

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. REVISIONS TO MAY 29, 2025 AGENDA

Agenda Update Removing Item No. 9.1, Updating Item 10.2 and Adding Items 14.3.

5. CLERK'S-STATEMENT

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

6. MAYOR'S AGENDA

6.1 PRESENTATION: FUTURE LEADER OUTREACH NETWORK

Synopsis: Dr. Diana Clemons, Future Leader Outreach Network (FLON) founder and Executive Director, will provide an update of the Mayor's Youth Leadership Council's year-end activities, current recruitment efforts, summer plans and future.

For Information Only

Tracking #: 21533

6.2 PRESENTATION: YOUTH LEADERSHIP COUNCIL

Synopsis: Mayor Garner will present each of the graduates of his Youth Leadership Council: Chau Tran, Torrance Portley, Makayla Clark, Caleb Harris, and Anjel Robinson, with a Certificate of Participation to thank them for all their work.

For Information Only

Tracking #: 21534

6.3 PROCLAMATION: NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK

Synopsis: Proclamation proclaiming May 4-10, 2025, as National Correctional Officers and Employees Week.

Tracking #: 21529

6.4 PROCLAMATION: PROVIDER APPRECIATION DAY

Synopsis: Proclamation proclaiming May 9, 2025, as Provider Appreciation Day.

Tracking #: 21530

6.5 PROCLAMATION: OLDER AMERICANS DAY

Synopsis: Proclamation proclaiming May 22, 2025, as Older Americans Day.

Tracking #: 21531

6.6 PROCLAMATION: RUTH BENIEN DAY

Synopsis: Proclamation proclaiming May 25, 2025, as Ruth Benien Day.

Tracking #: 21532

6.7 PROCLAMATION: NATIONAL SALVATION ARMY WEEK

Synopsis: Proclamation proclaiming the week of May 12-18, 2025, as National Salvation Army Week.

Tracking #: 21544

PLANNING & ZONING COMMISSION

7. PLANNING AND ZONING CONSENT AGENDA

7.1 Change of Zone Application(s)

7.1.1 COZ2025-004 - MIKE MCCOWN

Synopsis: Change of Zone from CP-2 Planned General Business to CP-3 Planned Commercial District for a contractor warehouse and storage facility at 13100 & 13130 State Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0.

Tracking #: 21466

7.2 Special Use Permit Application(s)

7.2.1 SP2025-006 - TIFFANY CLARK WITH ROSEDALE ROADHOUSE LLC

Synopsis: Special Use Permit to operate a short-term rental at 1127 Southwest Boulevard, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 6 MONTHS.

Tracking #: 21460

7.2.2 SP2025-014 - DAVID SWANSON WITH SWANSON HOLDINGS

Synopsis: Special Use Permit for a short-term rental at 2629 South 49th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 1 YEAR.

Tracking #: 21461

7.2.3 SP2025-017 - ELI SCHWINN

Synopsis: Renewal of a Special Use Permit (SP2022-048, expired October 3, 2024) for storage of motor vehicles and other recreational vehicles and equipment for auction sales for Copart at 8400, 8410, & 8440 Gibbs Road, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 1 YEAR.

Tracking #: 21462

7.2.4 SP2025-018 - RYAN DENK WITH MCANANY, VAN CLEAVE, & PHILLIPS P.A.

Synopsis: Renewal of a Special Use Permit (SP-2019-54, expired May 30, 2024) for material and clean rubble excavation and stockpiling at 7751 South 73rd Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 5 YEARS.

Tracking #: 21463

7.2.5 SP2025-019 - TYLER SHIRK WITH BEAR B&B

Synopsis: Special Use Permit for a non-owner-occupied short-term rental at 2105 West 43rd Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 1 YEAR.

Tracking #: 21464

7.2.6 SP2025-020 - KATHERYN DUMOVICH

Synopsis: Renewal of a Special Use Permit (SP2023-007, expires June 1, 2025) for heavy truck parking at American Motel at 7949 Splitlog Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.

Tracking #: 21458

7.2.7 SP2025-022 - HASAN ABDULATEEF WITH HM SEMI TRUCK REPAIR

Synopsis: Special Use Permit for a semi and heavy truck repair and maintenance facility for United Truck Repair at 451 South 14th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.

Tracking #: 21465

7.2.8 SP2025-033 - ORACIO PEREZ

Synopsis: Special Use Permit for chickens in excess of six (6) at 3505 Sortor Drive, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 1 YEAR

Tracking #: 21486

7.3 Miscellaneous

7.3.1 ORDINANCE: REZONING PROPERTY (COZ2024-033)

Synopsis: AN ORDINANCE rezoning property at 2951 South 34th Street (COZ2024-033) from A-G Agriculture District to R-1 Single Family District, RECOMMENDED FOR APPROVAL.

Tracking #: 21502

7.3.2 ORDINANCE: AUTHORIZING A SPECIAL USE PERMIT (SP2024-057)

Synopsis: AN ORDINANCE authorizing a Special Use Permit (SP2024-057) for continuation of a volleyball training facility at 7120 Gibbs Road, RECOMMENDED FOR APPROVAL.

Tracking #: 21503

7.3.3 ORDINANCE: AUTHORIZING A SPECIAL USE PERMIT (SP2024-111)

Synopsis: AN ORDINANCE authorizing a Special Use Permit (SP2024-111) for continuation of a short-term rental at 809 Central Avenue, RECOMMENDED FOR APPROVAL.

Tracking #: 21504

7.3.4 ORDINANCE: AUTHORIZING A SPECIAL USE PERMIT (SP2025-008)

Synopsis: AN ORDINANCE authorizing a Special Use Permit (SP2025-008) for continuation of stockpiling and movement of materials for a rock crushing and gravel operation at 7241 Kaw Drive, RECOMMENDED FOR APPROVAL.

Tracking #: 21505

7.3.5 ORDINANCE: AUTHORIZING A SPECIAL USE PERMIT (SP2025-010)

Synopsis: AN ORDINANCE authorizing a Special Use Permit (SP2025-010) for the continuation of a Chiropractic Office at 5331 Miami Avenue, RECOMMENDED FOR APPROVAL.

Tracking #: 21507

7.3.6 ORDINANCE: AUTHORIZING A SPECIAL USE PERMIT (SP2025-012)

Synopsis: AN ORDINANCE authorizing a Special Use Permit (SP2025-012) for a short-term rental at 3030 North 64th Street, RECOMMENDED FOR APPROVAL.

Tracking #: 21508

7.3.7 ORDINANCE: AUTHORIZING A SPECIAL USE PERMIT (SP2025-015)

Synopsis: AN ORDINANCE authorizing a Special Use Permit (SP2025-015) for a short-term rental at 616 Elizabeth Avenue, RECOMMENDED FOR APPROVAL.

Tracking #: 21509

8. PLANNING AND ZONING NON-CONSENT AGENDA

8.1 Special Use Permit Application(s)

8.1.1 SP2024-088 - JESUS SANTOYO

Synopsis: Special Use Permit to keep pigeons at 2542 South 12th Terrace, RECOMMENDED FOR APPROVAL BY A VOTE OF 6 TO 1 FOR 2 YEARS.

Tracking #: 21459

REGULAR COMMISSION

9. REGULAR CONSENT AGENDA

9.1 RESOLUTION: TWO-YEAR EXTENSION OF COUNTY ADMINISTRATOR CONTRACT

REMOVED PER AGENDA UPDATE

Tracking #: 21535

9.2 RESOLUTION: ADOPTING FOURTH AMENDMENT TO KAW RIVER BRIDGE COOPERATIVE AND DEVELOPMENT AGREEMENT

Synopsis: A resolution approving the Fourth Amendment to the Kaw River Bridge Cooperative and Development Agreement.

*On April 28, 2025, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 21296

9.3 NOMINATIONS: BOARDS & COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

Angela Martinez to the Advisory Committee on Human Relations and Disability Issues (ACHRDI), 5.29.25 to 12/15/27, submitted by Commissioner Bynum

Tracking #: 21528

9.4 MINUTES

Synopsis: Minutes from the Special Session meeting on April 10, 16, and 24, 2025.

Tracking #: MINUTES

9.5 WEEKLY BUSINESS

Synopsis: Weekly business materials dated April 24 and May 1, 2025.

Tracking #: WEEKLY BUSINESS

10. PUBLIC HEARING AGENDA

10.1 PUBLIC HEARING/ORDINANCE: CREATION OF AMERICAN ROYAL COMMUNITY IMPROVEMENT DISTRICT

Synopsis: Commission action related to the American Royal project:

1. Conduct a public hearing to receive comments regarding the creation of the American Royal Community Improvement District and levy a sales tax within the district;
2. Approve an Ordinance authorizing the creation of the American Royal Community Improvement District and levy a CID sales tax within the district.

*On April 24, 2025, the **Board of Commissioners** voted 8/1 to adopt Resolution R-31-25 to set the public hearing. (PER AGENDAUPDATE)*

Tracking #: 21488

11. STANDING COMMITTEES' AGENDA

11.1 RESOLUTION: AUTHORIZING SIXTH AMENDMENT TO DEVELOPMENT AGREEMENT FOR LEGENDS WEST LAWN

Synopsis: A resolution extending the completion date of the paving and striping improvements required at Legends West Lawn, or alternatively establishes certain deadlines for the redevelopment of the parcel located at 1824 Village West Parkway. Additionally, the Sixth Amendment contemplates repairs and improvements to the common areas of the project prior to April 1, 2026.

*On April 28, 2025, the **Economic Development & Finance Committee**, chaired by Commissioner Burroughs, voted 4 to 2 to approve and forward to full commission.*

Tracking #: 21230

12. ADMINISTRATOR'S AGENDA

12.1 RESOLUTION: APPOINTMENT OF COUNTY APPRAISER

Synopsis: Resolution appointing Matthew Willard as the Wyandotte County Appraiser for the period of July 1, 2025, through June 30, 2029.

Tracking #: 21500

12.2 RESOLUTION: AGREEMENT WITH DOWNTOWN SHAREHOLDERS

Synopsis: Resolution seeking approval for the Unified Government to enter into an Agreement with the Downtown Shareholders, as contracting entity for the SSMID to provide additional KCKPD patrols for public safety purposes.

Tracking #: 21371

12.3 ORDINANCE: TERMINATING SPEEDWAY PLAZA REDEVELOPMENT DISTRICT AND TAX INCREMENT FINANCING

Synopsis: Adopt an ordinance to terminate the Speedway Plaza Redevelopment District, to terminate the Redevelopment Project Plan, and to terminate tax increment financing for the Speedway Plaza Redevelopment District pursuant to Home Rule authority.

Tracking #: 21510

12.4 RESOLUTION: MEMORANDUM OF UNDERSTANDING WITH INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL NO. 64

Synopsis: Adoption of a resolution Memorandum of Understanding Between Unified Government of Wyandotte County/Kansas City, Kansas, and International Association of Firefighters Local No. 64 for the period from January 1, 2025 through December 31, 2027.

Tracking #: 21524

12.5 RESOLUTION: MEMORANDUM OF UNDERSTANDING WITH CONSTRUCTION AND GENERAL LABORERS LOCAL NO. 1290

Synopsis:

Adoption of a resolution authorizing the County Administrator to execute the following Memorandums of Understanding (MOU) between the UG and the United Brotherhood of Carpenters and Joiners of America, St. Louis – Kansas City Carpenters Regional Council for the period from January 1, 2025, through December 31, 2027.

Tracking #: 2118

12.6 RESOLUTION: MEMORANDUM OF UNDERSTANDING WITH TEAMSTERS LOCAL NO. 955

Synopsis: Adoption of a resolution Memorandum of Understanding Between Unified Government of Wyandotte County/Kansas City, Kansas, and Teamsters Local No. 955 for the period January 1, 2025 through December 31, 2027.

Tracking #: 21501

13. COMMISSIONERS' AGENDA

LAND BANK BOARD OF TRUSTEE

14. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

14.1 RESOLUTION: ADOPTING REVISION TO THE LAND BANK POLICY

Synopsis: Revisions to Section 8 of the Wyandotte County Land Bank Policy regarding options.

On April 28, 2025, the Neighborhood & Community Development Standing Committee, chaired by Commissioner Davis, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Tracking #: 21293

14.2 RESOLUTION: LAND BANK HOLD UNIFIED GOVERNMENT

Synopsis: A resolution authorizing the Wyandotte County Land Bank to hold specified properties for the acquisition by USD 500.

On April 28, 2025, the Neighborhood & Community Development Standing Committee, chaired by Commissioner Davis, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Tracking #: 21140

14.3 LAND BANK OPTION APPLICATIONS (ADDED PER AGENDA UPDATE)

Synopsis: The following **option application(s)** were presented at the 04/28/25 Neighborhood & Community Development standing committee meetings:

Please visit the new site to review the applications below

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

264 Single Family Homes

17 Multi-Family Units

3 Commercial Units

Tracking #:

15. PUBLIC ANNOUNCEMENTS

16. ADJOURN

The Unified Government of Wyandotte County and Kansas City, Kansas will provide necessary, reasonable auxiliary aids and services, such as ASL translators, machine-readable copies of meeting materials, or on-site language interpretation. Individuals requiring any auxiliary aids or services should contact the Unified Government Office of the Clerk by emailing or calling UGclerkrequest@wycokck.org or 913-573-5260 at least 48 hours in advance of the meeting.

Persons may address the Commission during the time set aside for Public Comment on each item scheduled or at any time by suspension of the rules. All persons must address the commission and state their name and address for the record. Comments shall be limited to three (3) minutes for each participant. Disruptive comments and behavior are not permitted and may result in removal from the meeting.

Some commissioners, staff, and the public may attend remotely via Zoom or by phone. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, all speakers are asked to please 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.

El Gobierno Unificado del Condado de Wyandotte y Kansas City, Kansas, proporcionará ayudas y servicios auxiliares necesarios y razonables, como traductores de ASL, copias legibles por máquina de los materiales de la reunión o interpretación de idiomas en el lugar. Las personas que requieran ayuda o servicios auxiliares deben comunicarse con la Oficina del Secretario del Gobierno Unificado enviando un correo electrónico o llamando al UGelerkrequest@wycokck.org o al 913-573-5260 al menos 48 horas antes de la reunión.

Join from PC, Mac, iPad, or Android:

<https://wycokck.zoom.us/j/87304556826>

Webinar ID: 873 0455 6826

Phone one-tap:

+13462487799,85339542904# US (Houston)

+16694449171,85339542904# US

Join via audio:

+1 719 359 4580 US, +1 253 205 0468 US, +1 253 215 8782 US (Tacoma), +1 346 248 7799 US (Houston), +1 669 444 9171 US, +1 669 900 9128 US (San Jose), +1 507 473 4847 US, +1 564 217 2000 US, +1 646 558 8656 US (New York), +1 646 931 3860 US, +1 689 278 1000 US, +1 301 715 8592 US (Washington DC), +1 305 224 1968 US, +1 309 205 3325 US, +1 312 626 6799 US (Chicago), +1 360 209 5623 US, +1 386 347 5053 US 888 475 4499 US (Toll Free) 877 853 5257 US (Toll Free)

International numbers available: <https://wycokck.zoom.us/j/87304556826>

Cell phones may mute and unmute by dialing *6.

Raise and lower your hand to be acknowledged by dialing *9.

To raise your digital hand from your PC or Mac, click the button labeled “Raise Hand” at the bottom of the window on the right side of the screen.

**AGENDA UPDATE
UNIFIED GOVERNMENT COMMISSION MEETING
THURSDAY, MAY 29, 2025**

REMOVING ITEM

9. REGULAR CONSENT AGENDA

Item No. 9.1 – RESOLUTION: TWO-YEAR EXTENSION OF COUNTY ADMINISTRATOR CONTRACT

Synopsis: Approval of a resolution authorizing a two-year extension of the employment agreement of David W. Johnston as County Administrator of the Unified Government of Wyandotte County/Kansas City, Kansas.

Tracking #:21535

UPDATING ITEM

10. PUBLIC HEARING AGENDA

Item No. 10.1 – PUBLIC HEARING/ORDINANCE: CREATION OF AMERICAN ROYAL COMMUNITY IMPROVEMENT DISTRICT

On April 24, 2025, the Board of Commissioners **voted 8/1** to adopt Resolution R-31-25 to set the public hearing.

Tracking #: 21488

ADDING ITEMS

14. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

Item No. 14.3 – LAND BANK OPTION APPLICATIONS

Synopsis: The following **option application(s)** were presented at the 04/28/25 Neighborhood & Community Development standing committee meetings:

Please visit the new site to review the applications below

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

264 Single Family Homes

17 Multi-Family Units

3 Commercial Units



Report to Planning & Zoning / Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	Irene Caudillo, Chief of Staff icaudillo@wycokck.org x5010	Mayor's Office
AGENDA ITEM #6.1.		
PRESENTATION: FUTURE LEADER OUTREACH NETWORK		
BACKGROUND		
Dr. Diana Clemons, Future Leader Outreach Network (FLON) founder and Executive Director, will provide an update of the Mayor's Youth Leadership Council's year-end activities, current recruitment efforts, summer plans and future.		
RECOMMENDATION		
For information only		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		
MYLC Presentation		

Approved by Administrator to add to agenda.

Mayor's Youth Leadership Council (MYLC)

Quarterly Progress Report



MYLC Mission Statement

The Mayor's Youth Leadership Council empowers young people in Wyandotte County to tackle community challenges, celebrate WYCO's beauty, and support neighborhood revitalization. By amplifying youth voices, we aim to create a safer, more vibrant, and inclusive future for all.

Meet The Mayor's Youth Leadership Council:



Chau Tran

Piper H.S.
MYLC President
District 5



Torrance Portley

Washington H.S.
MYLC Media Coordinator
District 8



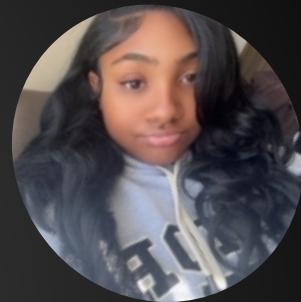
Makayla Clark

Washington H.S.
MYLC Secretary
District 8



Caleb Harris

Wyandotte H.S.
MYLC Public Relations Officer
District 4



Anjel Robinson

Schlagle H.S.
General Member
District 1

Meet our sponsors: Future Leaders Outreach Network



Dr. Diana E. Clemons

Founding Executive Director



Monica Portley, M.S.Ed.L

Associate Director



Jerome Bobbitt, M.Ed.L

Assistant Associate Director

During This Period

During this period, the goal was to engage the MYLC members in creating a bridge from the foundation of the previous work of identifying key issues in Kansas City, KS, and Wyandotte County

- 1. Develop a presentation deck proposing solutions to address these challenges and take meaningful steps toward resolving them.**
- 2. Recruit new members that understand the mission of MYLC and furthering the pursuit of establishing the “Helping Hubs” for the citizens in need in Wyandotte County.**



During This Period

Feedback from the MYLC members regarding their experience. Below are questions the members responded to in a Google Form survey:

- . How has MYLC impacted your personal growth and leadership development?**
- . How did you feel about the process of creating the proposal for “Helping Hubs”?**

What was your favorite part of presenting in front of the Unified Government of Wyandotte County?



During This Period

Feedback from the MYLC members regarding their experience. Below are questions the members responded to in a Google Form survey:

- What advice would you give to future MYLC participants about making the most of this program?
- Is there anything else you would like to share about your experience with MYLC or ideas for improving the program?



Responses from MYLC Members

“Through MYLC, I was able to expand upon my leadership skills by pinpointing to lead in a way that is both productive and progressive. Furthermore, we were able to apply and integrate our leadership skills in real life situations, contributing to my personal growth of being more confident and thinking creatively.”

“I felt confident. I was confident because of our idea and how it could help my community. I was confident because I had the guidance and the perfect team. I am confident for our future ideas”

“My favorite part was talking to the commissioners and setting forth our problem and solution. Being able to express and exemplify our voices to an audience who can help us make change is something very impactful.”



Responses from MYLC Members

“MYLC has impacted me tremendously! I have grown with my public speaking skills, my connection skills and just grown overall”

“My experience is nothing like my leadership positions at school. When you're given the opportunity to be in this group, take it, because it is so worth it!”



MYLC Recruitment Video



THANK YOU!

**Mayor Tyrone A. Garner, Steve Williams,
Irene Caudillo and J.D. Rios**

Onward and Upward to Pursue **Our** Dreams

WE Will Return Back to Kansas City to Pay It Forward



Report to Planning & Zoning / Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	Irene Caudillo, Chief of Staff icaudillo@wycokck.org x5010	Mayor's Office
AGENDA ITEM #6.2.		
PRESENTATION: YOUTH LEADERSHIP COUNCIL		
BACKGROUND		
Mayor Garner will present each of the graduates of his Youth Leadership Council: Chau Tran, Torrance Portley, Makayla Clark, Caleb Harris, and Anjel Robinson, with a Certificate of Participation to thank them for all their work.		
RECOMMENDATION		
For information only		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		

Approved by Administrator to add to agenda.



Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

WHEREAS, members of law enforcement agencies within the Unified Government of Wyandotte County/Kansas City, Kansas, plays an essential role and works tirelessly to ensure public safety and uphold justice; and

WHEREAS, the Wyandotte County Sheriff's Office plays a critical role in maintaining safety within our jails and community; and

WHEREAS, Correctional facilities in our county are run by highly qualified and experienced individuals with a deep understanding of the challenges within the profession and responsible for the custody, care, and rehabilitation of offenders every year; and

WHEREAS, we commemorate today our brothers and sisters who died in the line of duty, we Acknowledge the losses experienced by the families, friends, and colleagues of all our fallen officers; and

WHEREAS, we ask all citizens to honor the Sheriff's Deputies for their service and exceptional performance of duties under the most difficult circumstances; and

WHEREAS, National Correctional Officers' Week was first proclaimed on May 5, 1984, by President Ronald Reagan, we will observe and celebrate May 4 – May 10, 2024 National Correctional Officers and Employees Week, in partnership with the American Correctional Association.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim May 4-10, 2025, as:

“National Correctional Officers and Employees Week”

in Wyandotte County/Kansas City, Kansas, and urge all citizens to recognize the importance of National Correctional Officers and Employees Week. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

TYRONE GARNER, MAYOR/CEO



PROCLAMATION

WHEREAS, Child Care Aware® of America and other organizations nationwide are recognizing Child Care Providers on this day; and

WHEREAS, the Child Care System supports children's growth, development, and educational advancement and creates a positive economic impact for families and communities; and

WHEREAS, Child Care Providers are essential to the health of our communities by fostering welcoming spaces, supporting working families, and creating positive, enriching environments where children can develop lifelong skills; and

WHEREAS, Wyandotte County/Kansas City, Kansas recognizes that child care has been and continues to be a lifeline for families, communities, and the economy. As such, it has provided much-needed support to providers to help sustain the viability of childcare by protecting the health, safety, and welfare of children receiving care away from their parents and home. The law also provides consumer protection, assuring parents that the care meets foundational health and safety standards; and

WHEREAS, support for affordable, accessible high-quality childcare represents a worthy commitment to help families work, support children's healthy development and learning, and keep our economy growing.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim May 9th, 2025, as:

“Provider Appreciation Day”

in Wyandotte County/Kansas City, Kansas. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

TYRONE GARNER, MAYOR/CEO



PROCLAMATION

WHEREAS, May is Older Americans Month, a time for us to recognize and honor Wyandotte County/Kansas City, Kansas older adults and their immense influence on every facet of American society; and

WHEREAS, through their wealth of life experience and wisdom, older adults guide our younger generations and carry forward abundant cultural and historical knowledge; and

WHEREAS, Older Americans improve our communities through intergenerational relationships, community services, civic engagement, and many other activities; and

WHEREAS, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

WHEREAS, Wyandotte County/ Kansas City, Kansas must ensure that Older Americans have the resources and support needed to stay involved in their communities, reflecting our commitment to inclusivity and connectedness; and

WHEREAS, this year's theme, "Flip the Script," focuses on transforming how society perceives, talks about, and approaches aging. It encourages individuals and communities to challenge stereotypes and dispel misconceptions.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim May 22nd, 2025, as:

"Older Americans Day"

in Wyandotte County/Kansas City, Kansas. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

TYRONE GARNER, MAYOR/CEO



PROCLAMATION

WHEREAS, the Ethics Program of the Unified Government of Wyandotte County and Kansas City is a model for local governments nationwide; and

WHEREAS, Ruth Marie Benien served as the Ethics Administrator for the Unified Government and fulfilled her duties with unparalleled dedication and enthusiasm from 2008 to 2024; and

WHEREAS, in a similar capacity, Ruth served as Ethics Administrator for the Board of Public Utilities; and

WHEREAS, she became a champion of ethical government in Wyandotte County and a trusted resource for Unified Government and BPU employees and Wyandotte County citizens alike; and

WHEREAS, Ruth served in numerous local organizations and as President of the Wyandotte County Bar Association and a member of the Association of Women Lawyers of Greater Kansas City; and

WHEREAS, she proudly served as the first woman President of the Kansas Trial Lawyers Association.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim Sunday, May 25th, 2025, as:

“Ruth Benien Day”

in Wyandotte County/Kansas City, Kansas. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

TYRONE GARNER, MAYOR/CEO



Unified Government of Wyandotte County/Kansas City, Kansas

PROCLAMATION

WHEREAS, The Salvation Army Kansas City, Kansas Citadel Campus has been serving the people of Wyandotte County since 1889 with unwavering dedication to its mission of preaching the gospel of Jesus Christ and meeting human needs in His name without discrimination; and

WHEREAS, The Salvation Army is present to meet the needs of the community, including the vulnerable populations, the homeless, the food insecure, the addicted, seniors, and the spiritually tired; and

WHEREAS, The Salvation Army Kansas City, Kansas Citadel Campus continues to serve as a beacon of hope, compassion, and practical support for individuals and families in need across Wyandotte County; and

WHEREAS, it is important to recognize the tremendous impact of volunteerism, philanthropy, and community support during National Salvation Army Week from May 12th to May 18th, 2025; and

WHEREAS, their continued service has brought comfort, dignity, and empowerment to countless residents and families throughout our community; and

WHEREAS, together, we can continue doing the good work for Wyandotte County and support those in need.

NOW, THEREFORE, I, Tyrone Garner, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, do hereby proclaim the week of May 12th-18th, 2025, as:

“National Salvation Army Week”

in Wyandotte County/Kansas City, Kansas, and commend them for the constant support for all Wyandotte County/Kansas City, Kansas residents through social services, volunteerism, and spiritual guidance. In witness whereof, I have hereunto set my hand and the seal of the Unified Government of Wyandotte County/Kansas City, Kansas.

TYRONE GARNER, MAYOR/CEO



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: May 29, 2025

Re: Change of Zone Petition COZ2025-004

GENERAL INFORMATION

Applicant Information:

Mike McCown
Applicant
MLBC-2 LLC
20924 Floyd Street
Bucyrus, Kansas 66013

Subject Property:

13100 and 13130 State Avenue
Kansas City, Kansas 66109

Requested Action and Purpose:

Approval of a Change of Zone from
CP-2 Planned General Business
District to CP-3 Planned Commercial
District to build 99,800 square foot
climate controlled and contractor flex
use storage buildings.

Commission Districts:

At-Large Commissioner, District #2:
Tom Burroughs
District #7 Commissioner:
Chuck Stites

Existing Zoning District(s):

CP-2 Planned General Business
District

Proposed Zoning District(s):

CP-3 Planned Commercial District



	Adjacent Zoning	Adjacent Uses
North	RP-5 Planned Apartment District	Townhomes
South	None (City of Bonner Springs)	Wooded, undeveloped land
East	CP-2 Planned General Business District	Casey's Gas Station
West	RP-2 Planned Two Family District	Delaware Ridge wooded common space and duplexes

Total Tract Size: 5.39 Acres

Comprehensive Plan Area: Prairie Delaware Piper Area Plan

Comprehensive Plan Designation: The Prairie Delaware Piper Area Plan designates the subject property Planned Commercial, which allows for commercial retail, limited commercial services, and convenience retail.

Major Street Plan: The goDotte County-Wide Mobility Strategy designates State Avenue as a Major Arterial and North 130th Street a Minor Collector.

Parking Requirement: Section 27-467(e) Uses in this district require paved off-street parking at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the building. 399 parking spaces are required. Four (4) spaces are provided. A variance from the Board of Zoning Appeals is required for a reduction of 395 parking spaces.

Landscaping Requirement: Section 27-467(g) Trees are required to be provided at not less than one (1) per 7,000 square feet of site area. Six (6) foot high architectural screening is to be provided along all side and rear property lines common to or across an alley from residentially zoned property.

Section 27-577(a)(5) Landscaping shall exceed the typical code requirements by at least 75 percent.

59 trees are required to be planted, however this does not include trees required for screening and buffering, along the street right-of-way, or parking lot islands.

Advertisement:	<u>The Wyandotte Echo</u> – March 20, 2025 <u>Letters to Property Owners</u> – March 21, 2025 and April 4, 2025
Public Hearing(s):	May 12, 2025 and May 29, 2025
Public Support:	None to date.
Public Opposition:	None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Mike McCown with AP KCK, LLC, is requesting a Change of Zone from CP-2 Planned General Business District to CP-3 Planned Commercial District to build a multi-building, 99,800 square foot climate controlled and contractor flex use storage facility at 13100 and 13130 State Avenue.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765, Article VII Sections 27-245 – 27-339, Article VI Section 27-210 through 212 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no noise or disturbance complaints on the subject property.

Building, Zoning, or Code Enforcement Complaints:

1. There are no notices of violation on the subject property.

Outstanding or Related Permit and Cases:

1. BOZA2025-012 – Variance for a reduction in parking – to be heard by the Board of Zoning Appeals on May 12, 2025.
2. 2009 – 93000-00654 – Building Permit – Casey’s Gas Station.

Previous Planning Actions:

1. Approval of a Preliminary Plan Review (PR-2007-33) for a 35,318 square foot shopping center in 2007.
2. Approval of a Final Plan Review (PR-2008-13) and Final Plat (Delaware Ridge Commercial) for 35,318 square foot shopping center in 2008.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Prairie-Piper Statistical Neighborhood and Block Group 0448032. The neighborhood consists of an established mixed residential subdivision to the north and west, Delaware Ridge neighborhood, which is comprised of single-family homes, duplexes and townhomes. There is a self-storage facility on the east side of North 130th Street, across from Casey's gas station/convenience store. Across State Avenue to the south is a heavily forested parcel, which is within the City of Bonner Springs.

2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them.

The zoning and uses are set out above. The subject property is surrounded by the RP-5 Planned Apartment and RP-2 Planned Two Family Districts to the north and west, respectively. The proposed use, which is commercial in nature, is not compatible with nearby uses as there is a self-storage facility east on North 130th Street and the existing zoning is CP-2 Planned General Business District, which was originally entitled for a shopping center to serve the existing residential neighborhood.

3. The suitability of the property for the uses to which it has been restricted. Will the removal of restrictions detrimentally affect nearby property?

The proposed use is suitable for the subject property as the site is already graded flat and downhill from the townhomes that abut the north property line.

The removal of restrictions will detrimentally affect nearby property as rezoning to CP-3 Planned Commercial District allows the highest intense commercial uses in the zoning code, self-storage uses are characterized by 24/7 traffic, high rates of overturn, and ongoing maintenance needs.

4. The length of time the property has remained vacant as zoned and/or the length of time the property has been actively marketed.

The property is vacant. The property has been vacant since at least 1991 in reviewing aerial photography.

5. The extent to which the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality or marketability of nearby property.

The proposed use is not reasonably necessary for the convenience and welfare of the public because self-storage, specifically contractor storage is a niche

need. The proposed use will affect the use, quality, or marketability of nearby property of adjoining properties, as the existing zoning had an approved Final Development Plan for a neighborhood retail shopping center that would serve the larger established residential neighborhood. Additionally, rezoning to CP-3 Planned Commercial District would allow higher high intensity uses by-right, thereby creating concentration of such uses, which may create its own nuisance.

6. *The extent to which the proposed use would increase the traffic or parking demand in ways that would adversely affect road capacity, safety, or create parking problems.*

The proposed use has the potential to increase vehicular traffic, but should not exceed the capacity of State Avenue, a Major Arterial to accommodate it if managed properly.

The proposed use will increase parking demand as only four (4) spaces are provided for the entire development. Based on the district requirement, 399 parking spaces are required. A variance for a deficit of 395 parking spaces is required from the Board of Zoning Appeals.

7. *The degree of conformance of the proposed use to the Master Plan.*

The Prairie Delaware Piper Area Plan designates the subject property as Planned Commercial, which allows for commercial retail, limited commercial services, and convenience retail. The proposed use conforms to the Prairie Delaware Piper Area Plan because general commercial uses are permitted in the Planned Commercial land use designation.

8. *The extent to which the proposed use could cause environmental harm or enhance the environment.*

The proposed use is not expected to cause environmental harm as all personal effects, commercial materials, equipment and/or vehicles will be stored inside the various buildings, however, hazardous storage as defined as “H” occupancy in the International Building Code could cause environmental harm, specifically if there are chemical spills that infiltrate the sanitary or storm sewer systems.

Such storage denoted as an “H” occupancy will require a Special Use Permit due to hazardous storage.

9. *The extent to which utilities and public services are available and adequate to serve the proposed use.*

a. *Electric and Water Service*

BPU provides electric and water service.

b. Sanitary Sewer Service

The UG provides sanitary sewer service, which flows south along the west property line and east along the south property line.

c. Storm Water Control

The UG provides storm water control to the property.

d. Police

Police service is provided by West Patrol, District #228.

e. Fire

Fire service is provided by Station #8, which is three (3) miles away from the subject property.

f. Transit

There is no public transit provided to or near the subject property.

g. Schools

Public Education is provided by Delaware Ridge Elementary School, Robert E. Clark Middle School, and Bonner Springs High School, under Bonner Springs/Edwardsville USD 204.

h. Streets

See item #6 above.

10. The economic impact of the proposed use on the community.

The proposed use will have a beneficial economic impact by turning a vacant, undeveloped parcel into a tax generating use.

11. The capability of the proposed use to meet applicable ordinance requirements.

With revisions to the building elevations – exterior building materials, massing and articulation, landscaping, screening and buffering to comply with the Commercial Design Guidelines, the proposed use is capable of meeting these ordinance requirements.

The proposed use is not capable of meeting ordinance requirements because Section 27-467(e) states uses in this district require paved off-street parking at a ratio of not less than four (4) spaces per 1,000 square feet of floor area in the

building. Either the project scope and/or size needs to be reduced to comply with the parking code or a variance for reduction in parking is required from the Board of Zoning Appeals.

12. *The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The relative gain to public health, safety and welfare is minimal. There is no tangible gain to the public health, safety and welfare as the proposed use serves only those patrons that need to use the self-storage facility, whether it be for their personal or business needs. If this application is denied, the owners will still have property that is able to be developed, however, not in the form they originally intended.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Zoom on March 27, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Parking
Buffering, Landscaping and Screening
Commercial Design Guidelines
Concentration of Similar Uses
Noise
Traffic

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Change of Zone application **COZ2025-004** subject to:

1. **This City Planning Commission case is being heard in conjunction with BOZA2025-012. Any approval by the City Planning Commission or Board of Commissioners of this case, and the conditions of approval contained herein, are contingent, and shall only go into effect, upon the approval of BOZA2025-012 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;**
2. **The following requirements of the Commercial Development Guidelines Overlay District *have not* been met, and from which Applicant is requesting a deviation for approval:**
 - a. **Per Section 27-575(e)(4) All building facades shall be at least 50 percent masonry. Cementitious siding may be used to meet 50 percent of the total masonry requirement.**
3. **Build an 8-foot sidewalk along the north side of State Avenue in compliance with the goDotte Countywide Strategic Mobility Plan and connect to the**

- sidewalk the northwest corner of 130th Street and State Avenue intersection;
4. Section 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;
 5. Section 27-576(j) If a center is to be built in phases, each phase shall include an appropriate share of the proposed streets and circulation system, landscaping and outdoor spaces, screening, and other site and architectural amenities of the entire project. The extent of these improvements shall be determined for each phase of a specific project at the time of project development approval, and may not be based solely upon a proportional or equal share of the entire site. Requirements for a phased project may include off-site improvements to accommodate the necessary public infrastructure to adequately screen the site;
 6. Section 27-576(c)(2) In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three (3) of the following techniques:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or,
 - e. Variation in rooflines.
 7. Section 27-576(d)(5) A single, large dominant building mass shall be avoided. Changes in mass should be related to entrances, the integral structure, and/or the organization of spaces and activities;
 8. Section 27-576(e)(1) Building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality prestressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.
 - a. Building design should avoid large expanses of highly reflective surfaces and mirror glass exterior walls;
 - b. Highly tinted glass or glass tinted in unnatural colors should be avoided;
 9. Section 27-576(e)(2) Exterior building materials shall not include the following:
 - a. Split shakes, rough sawn, or board and batten wood;
 - b. Vinyl siding;
 - c. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
 - d. Field painted or prefinished corrugated metal siding;
 - e. Standard single-tee or double-tee concrete systems; or
 - f. EIFS at the ground level or comprising more than 15 percent of any façade;
 10. Section 27-576(g)(2) Three-dimensional rooftops are encouraged. Variation in roofline is suggested to reduce the scale of large buildings;

11. Downspouts shall be internalized;
12. Section 27-575(e)(4) Parking must be screened from adjacent streets by walls, shrubs, trees, or design elements;
13. Per Section 27-577(a)(5) Landscaping shall exceed the typical code requirements by at least 75 percent. The site for the proposed development is 5.39 acres, 59 trees are required based on Commercial Design Guidelines and exclusive of the screening requirements for the lots zoned CP-3 Planned Commercial District adjacent to residentially zoned properties, street trees and trees planted within parking lot islands;
14. All parking lot islands must have trees installed in them;
15. Section 27-577(b)(1) New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. This requirement may be reduced to 12 feet where there is no paving, other than a sidewalk, between a building and the right-of-way. The distance is to be measured from the public right-of-way or curb line of a private easement;
16. Section 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity.
17. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:
 - a. One tree with a minimum caliper of two (2) inches (ornamental), evergreen trees must be at least six (6) feet when planted provided for every 30 feet of street easement or frontage;
 - b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees;
18. Section 27-577(d)(1) At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers;
19. All landscaping shall be with an in-ground irrigation system;
20. Landscaping is required to screen all parking areas and service entries. This includes perimeter parking and trash enclosure
 - a. All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times;
21. Only decorative lighting can be used on the exterior of the building. No wall pack lights, or flood lights are allowed;
22. All utility connections, this includes green electrical boxes and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;

23. All privacy fencing along the north and west shall have masonry columns every 32 feet running;
24. All new rooftop mechanical equipment (i.e., RTUs, HVAC, vent stacks, etc.) shall be screened from public view by the parapet of the building. Architectural screens such as opaque, textured, or perforated panels do not meet the standards of the Commercial Design Guidelines. Raise the rear parapet and hide the scuppers. Overflow drains (lamb's tongues) shall discharge a maximum of 9 inches above grade;
25. Mini split units need to be screened from public view if mounted on the building;
26. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
27. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers);
28. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;
29. All utility connections, this includes green electrical boxes, and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;
30. Regarding BPU transformer screening, the following applies:
 - a. Gate doors are required for all types of screening that are placed in front of the transformers.
 - b. Fence pickets shall be installed two (2) feet off the ground and have adequate clearance to open gate door 180° and have 10 feet of clearance from pad when gate doors open.
 - c. Posts for gate doors must be installed a minimum distance of 10 feet apart in the front.
 - d. For slats fences, customers shall install a minimum of four (4) inch slats and have four (4) inches of space between each slat.
 - e. Customers must take into account the maturity size of the evergreen tree when planting saplings so that the trees can grow outside of the required clearance for evergreen trees, customer shall plant each tree so that there is two (2) feet or more of space from edge to edge between each tree at maturity (e.g., blue arrow juniper grows up to two (2) feet wide, so there shall be four (4) feet of spacing between each tree taking into account the growth of saplings).
 - f. Pad must have a minimum clearance of six (6) feet on each, three (3) feet on the back and five (5) feet on the front allowing for 10 feet on

the front when gate doors open;

31. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
32. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
33. All existing and future driveways must feature curb cuts that are constructed to UG standards;
34. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
35. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
36. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
37. For the Final Development Plan: A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting;
38. The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements,

Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to issuance of a Final CO; and,

- 39. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.**

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **COZ2025-004** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

May 12, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Applicant Response Letter
Neighborhood Meeting Documents
Site Plan
Grading Plan
Utility Plan
Landscape Plan
Site Line Drawings
Floor Plans
Building Elevations
Building Rendering

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Change of Zone	May 12, 2025 Approval	May 29, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **COZ2025-004** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **COZ2025-004**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

May 12, 2025, City Planning Commission Minutes:

Hearing starts at 1:26:38:

CHANGE OF ZONE APPLICATION COZ2025-004 - MIKE MCCOWN

Synopsis: Change of Zone from CP-2 Planned General Business to CP-3 Planned Commercial District for a contractor warehouse and storage facility at 13100 & 13130 State Avenue (in conjunction with BOZA2025-012). Detailed Outline of Requested Action: The applicant, Mike McCown with AP KCK, LLC, is requesting a Change of Zone from CP-2 Planned General Business District to CP-3 Planned Commercial District to build a multi-building, 99,800 square foot climate controlled and contractor flex use storage facility at 13100 and 13130 State Avenue.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated May 12, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

Recording Secretary Morris asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

Present in Support:

- Dan Finn, on behalf of the Applicant, Civil Engineer at Phelps Engineering, 1270 North Winchester, Olathe, Kansas 66061
- Mike McCown, Scott Jones, Judd Clausen, Phelps Engineering
- Stan Hernley, Hernley Architecture

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:31:58: Mr. Lucas stated that Staff recommends approval this application.

Motion starts at 1:32:26:

On motion by Mr. Ward, seconded by Mr. Beth, the Planning Commission voted as follows to **recommend APPROVAL of COZ2025-004:**

Carson	Chairman
Straws	Not Present
Ward	Aye
Armstrong	Aye
Beth	Aye
Easterwood	Aye
Ernst	Aye
Jones	Not Present
Miller	Not Present
Mohler	Aye
Schwartz	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

1. This City Planning Commission case is being heard in conjunction with **BOZA2025-012**. Any approval by the City Planning Commission or Board of Commissioners of this case, and the conditions of approval contained

- herein, are contingent, and shall only go into effect, upon the approval of BOZA2025-012 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;
2. The following requirements of the Commercial Development Guidelines Overlay District *have not* been met, and from which Applicant is requesting a deviation for approval:
 - a. Per Section 27-575(e)(4) All building facades shall be at least 50 percent masonry. Cementitious siding may be used to meet 50 percent of the total masonry requirement.
 3. Build an 8-foot sidewalk along the north side of State Avenue in compliance with the goDotte Countywide Strategic Mobility Plan and connect to the sidewalk the northwest corner of 130th Street and State Avenue intersection;
 4. Section 27-317 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided;
 5. Section 27-576(j) If a center is to be built in phases, each phase shall include an appropriate share of the proposed streets and circulation system, landscaping and outdoor spaces, screening, and other site and architectural amenities of the entire project. The extent of these improvements shall be determined for each phase of a specific project at the time of project development approval, and may not be based solely upon a proportional or equal share of the entire site. Requirements for a phased project may include off-site improvements to accommodate the necessary public infrastructure to adequately screen the site;
 6. Section 27-576(c)(2) In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three (3) of the following techniques:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or,
 - e. Variation in rooflines.
 7. Section 27-576(d)(5) A single, large dominant building mass shall be avoided. Changes in mass should be related to entrances, the integral structure, and/or the organization of spaces and activities;
 8. Section 27-576(e)(1) Building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality prestressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.
 - a. Building design should avoid large expanses of highly reflective surfaces and mirror glass exterior walls;
 - b. Highly tinted glass or glass tinted in unnatural colors should be avoided;
 9. Section 27-576(e)(2) Exterior building materials shall not include the

following:

- a. Split shakes, rough sawn, or board and batten wood;
 - b. Vinyl siding;
 - c. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
 - d. Field painted or prefinished corrugated metal siding;
 - e. Standard single-tee or double-tee concrete systems; or
 - f. EIFS at the ground level or comprising more than 15 percent of any façade;
10. Section 27-576(g)(2) Three-dimensional rooftops are encouraged. Variation in roofline is suggested to reduce the scale of large buildings;
11. Downspouts shall be internalized;
12. Section 27-575(e)(4) Parking must be screened from adjacent streets by walls, shrubs, trees, or design elements;
13. Per Section 27-577(a)(5) Landscaping shall exceed the typical code requirements by at least 75 percent. The site for the proposed development is 5.39 acres, 59 trees are required based on Commercial Design Guidelines and exclusive of the screening requirements for the lots zoned CP-3 Planned Commercial District adjacent to residentially zoned properties, street trees and trees planted within parking lot islands;
14. All parking lot islands must have trees installed in them;
15. Section 27-577(b)(1) New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. This requirement may be reduced to 12 feet where there is no paving, other than a sidewalk, between a building and the right-of-way. The distance is to be measured from the public right-of-way or curb line of a private easement;
16. Section 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity.
17. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:
- a. One tree with a minimum caliper of two (2) inches (ornamental), evergreen trees must be at least six (6) feet when planted provided for every 30 feet of street easement or frontage;
 - b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees;
18. Section 27-577(d)(1) At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers;
19. All landscaping shall be with an in-ground irrigation system;
20. Landscaping is required to screen all parking areas and service entries. This includes perimeter parking and trash enclosure
- c. All trash receptacles shall be enclosed with a screening wall or

fence constructed of the same materials as the primary structure. The screen must be a minimum of six (6) feet in height on all sides and designed with the gate facing away from streets or adjacent land uses. All screening materials must be well maintained at all times;

21. Only decorative lighting can be used on the exterior of the building. No wall pack lights, or flood lights are allowed;
22. All utility connections, this includes green electrical boxes and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;
23. All privacy fencing along the north and west shall have masonry columns every 32 feet running;
24. All new rooftop mechanical equipment (i.e., RTUs, HVAC, vent stacks, etc.) shall be screened from public view by the parapet of the building. Architectural screens such as opaque, textured, or perforated panels do not meet the standards of the Commercial Design Guidelines. Raise the rear parapet and hide the scuppers. Overflow drains (lamb's tongues) shall discharge a maximum of 9 inches above grade;
25. Mini split units need to be screened from public view if mounted on the building;
26. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
27. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Evergreens shall be at least six (6) feet in height when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers);
28. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line;
29. All utility connections, this includes green electrical boxes, and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building;
30. Regarding BPU transformer screening, the following applies:
 - a. Gate doors are required for all types of screening that are placed in front of the transformers.
 - b. Fence pickets shall be installed two (2) feet off the ground and have adequate clearance to open gate door 180° and have 10 feet of clearance from pad when gate doors open.
 - c. Posts for gate doors must be installed a minimum distance of 10 feet apart in the front.

- d. For slats fences, customers shall install a minimum of four (4) inch slats and have four (4) inches of space between each slat.
 - e. Customers must take into account the maturity size of the evergreen tree when planting saplings so that the trees can grow outside of the required clearance for evergreen trees, customer shall plant each tree so that there is two (2) feet or more of space from edge to edge between each tree at maturity (e.g., blue arrow juniper grows up to two (2) feet wide, so there shall be four (4) feet of spacing between each tree taking into account the growth of saplings).
 - f. Pad must have a minimum clearance of six (6) feet on each, three (3) feet on the back and five (5) feet on the front allowing for 10 feet on the front when gate doors open;
31. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
32. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
33. All existing and future driveways must feature curb cuts that are constructed to UG standards;
34. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by info@wycokck.org to confirm if they need a right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly;
35. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
36. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
37. For the Final Development Plan: A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance

of a Development Review Committee (DRC) permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting;

38. The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, and Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is the collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements, deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to issuance of a Final CO; and,
39. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP



LAND USE MAP





Date: April 10, 2025

To: City of Kansas City, Kansas

From: Daniel Finn, P.E., Phelps Engineering, Inc.

Re: Responses to City Comments
PEI #240846

STAFF COMMENTS AND SUGGESTIONS

General Planning:

1. Only four (4) parking spaces are provided. A variance for 395 parking spaces must be applied for and be approved by the Board of Zoning Appeals for the proposed site design as submitted, otherwise provide the requisite parking or redesign.
Applicant Response: Acknowledged. A parking variance for this site has been submitted.
2. Provide site line cross sections that illustrate what is visible from the north, south, east and west property lines.
Applicant Response: Acknowledged. Cross sections have been added through the site in each direction.
3. What are the proposed hours of operation?
Applicant Response: It would be anticipated that the contractor storage units and climate controlled self-storage would allow for access 24/7 for users.
4. Build an 8-foot sidewalk along the north side of State Avenue in compliance with the goDotte Countywide Strategic Mobility Plan and connect to the sidewalk the northwest corner of 130th Street and State Avenue intersection.
Applicant Response: Acknowledged. An 8-foot sidewalk along the north side of State Avenue has been added.
5. Section 27-3147 Electrical power, telephone service, and cable television (if applicable) shall be provided by underground wiring for all new wiring provided.
Applicant Response: Acknowledged.

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6. Section 27-576(j) If a center is to be built in phases, each phase shall include an appropriate share of the proposed streets and circulation system, landscaping and outdoor spaces, screening, and other site and architectural amenities of the entire project. The extent of these improvements shall be determined for each phase of a specific project at the time of project development approval, and may not be based solely upon a proportional or equal share of the entire site. Requirements for a phased project may include off-site improvements to accommodate the necessary public infrastructure to adequately screen the site.

Applicant Response: Acknowledged.

Building Architecture

1. Section 27-576(c)(2) In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three (3) of the following techniques:
- a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window Bays;
 - d. Separate entrances and entry treatment; or,
 - e. Variation in rooflines.

Applicant Response: Techniques a, c, d, and e for building A are used to break up the appearance of the façades. On the south and east façade of building A, panels of 30'-40' wide stucco are separated by 10' of insulated metal panel and repeated. The main entrance and office is located on of the northeast corner of the building. This is differentiated by incorporating brick as the primary building material. Based on material, the parapets are at different heights. The stucco panel has a 4'-0" parapet and insulated metal panel has a 2'-6" parapet. On the second and third floor, 7'x7' windows are located in the stucco panel section of the wall and 5'x18' windows are located in the insulated metal panel sections. South façade has been revised to meet 25% glazing. (Can be seen on sheet A2.0).

2. Section 27-576(d)(5) A single, large dominant building mass shall be avoided. Changes in mass should be related to entrances, the integral structure, and/or the organization of spaces and activities.

Applicant Response: Building A is located in the middle of the site and is 3 stories tall. This building is 30 feet tall to the low eave with 2'-6" and 4'-0" parapets. Surrounding building A on the north, east, and west sides are buildings B, C, and D. These buildings are 17'-0" to the low eaves. Building B is located to the east of building A. This building has a similar footprint to building A. Building C is located to the north of building A. This building is on the perimeter of the site and is near the residential community. This building helps block the view of internal usage of this site.

3. Section 27-576(e)(1) Building materials must be durable, economically maintained, and of a quality that will retain its appearance over time, including but not limited to: natural or synthetic stone, brick, stucco, integrally-colored, textured, or glazed concrete masonry units, high quality prestressed concrete systems, cementitious siding (hardy board), or glass. The director may approve other high-quality materials.
 - a. Building design should avoid large expanses of highly reflective surfaces and mirror glass exterior walls.
 - b. Highly tinted glass or glass tinted in unnatural colors should be avoided.

Applicant Response: Materials used on this project are stucco, insulated metal panel, brick, ribbed metal panel, aluminum framed windows and storefront with insulated low-e glazing (non-reflective)..

4. Section 27-576(e)(2) Exterior building materials shall not include the following:
 - a. Split shakes, rough sawn, board and batten wood;
 - b. Vinyl siding;
 - c. Smooth-faced grey concrete block, painted or stained concrete block, tilt-up concrete panels;
 - d. Field painted or prefinished corrugated metal siding;
 - e. Standard single-tree or double-tree concrete systems; or
 - f. EIFS at the ground level or comprising more than 15 percent of any façade.

Applicant Response: Materials used on this project are stucco, insulated metal panel, brick, and ribbed metal panel..

5. Section 27-576(e)(2) Three-dimensional rooftops are encouraged. Variation in roofline is suggested to reduce the scale of large buildings.

Applicant Response: Building A has a single sloped roof with a parapet roofline. The parapet height varies to break up the different use of material. Building B has a gable roof where the low eave is on the east and west side of the building. Buildings C and D have a single sloped roof where the low eave is on the internal side of the site..

6. Downspouts shall be internalized.

Applicant Response: Building A has a parapet where the roof drain is internal. Building B has a .5:12 gable pitched roof where the roof gutters are located on the low eaves of the roof. On the east and west sides of the building, the east side is the internal side of the site where building A, C, and D are located, the west faces the Casey's gas station. Buildings C and D have .5:12 single sloped roofs and the low eave is where the gutters and downspouts are located, face internally to the site..

Landscaping and Screening:

1. Section 27-575(e)(4) Parking must be screened from adjacent streets by walls, shrubs, trees, or design elements.

Applicant Response: See revised landscape plan which includes additional shrubs for screening.

2. Per Section 27-577(a)(5) Landscaping shall exceed the typical code requirements by at least 75 percent. The site for the proposed development is 5.39 acres. 59 trees are required based on Commercial Design Guidelines and exclusive of the screening requirements for the lot zoned CP-3 Planned Commercial District adjacent to residentially zoned properties, street trees and trees planted within parking lot islands.

Applicant Response: See revised landscape plan. 59 trees are included, not counting street or parking lot trees.

3. All parking lot islands must have trees installed in them.

Applicant Response: See revised landscape plan which complies.

4. Section 27-577(b)(1) New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. This requirement may be reduced to 12 feet where there is no paving, other than a sidewalk, between a building and the right-of-way. The distance is to be measured from the public right-of-way or curb line of a private easement.

Applicant Response: See revised landscape plan which complies.

5. Section 27-577(b)(2) Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity.

Applicant Response: See revised landscape plan which complies.

6. Section 27-577(b)(3) In general, formal, stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows:

- a. One tree with a minimum caliper of two (2) inches (ornamental), evergreen trees must be at least six (6) feet when planted provided for every 30 feet of street easement or frontage.
- b. Street trees should be planted no closer than 55 feet and no more than 65 feet apart. Groupings of ornamental trees and shrubs should be placed in between the street trees.

Applicant Response: Credit is being taken for the large trees growing along State Avenue that will remain. The existing trees effectively screen the proposed land use and exceed the standards listed above.

7. Section 27-577(d)(1) Landscape berms and/or continuous rows of shrubs are required to screen parking At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers

Applicant Response: Shrubs have been added along 75% plus frontage of buildings along State Avenue. Credit is being taken along the west and north property lines for the existing vegetation along these areas. Trees have been added along the east PL

to buffer view from the gas station.

8. All landscaping shall be with an in-ground irrigation system.

Applicant Response: Acknowledged.

9. Landscaping is required to screen all parking areas and service entries. This includes perimeter parking and trash enclosure.

- a. All trash receptacles shall be enclosed with a screening wall or fence constructed of the same materials as the primary structure. The screen must be a minimum of six (6) feet in height on all sides and designed with the gate facing away from the streets or adjacent land uses. All screening materials must be well maintained at all times.

Applicant Response: There is no exterior trash enclosure.

10. Only decorative lighting can be used on the exterior of the building. No wall pack lights, or flood lights are allowed.

Applicant Response: Acknowledged. Lighting will meet City code.

11. All utility connections, this includes green electrical boxes and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building.

Applicant Response: Acknowledged.

12. All privacy fencing along the north and west shall have masonry columns every 32 feet running.

Applicant Response: See revised landscape plan. The only proposed fencing along the north and west property lines are located west of Building C and east of Building C. This fencing has been updated to include masonry columns.

13. All rooftop mechanical equipment (i.e., RTUs, HVAC, vent stacks, etc.) shall be screened from public view by the parapet of the building.

Applicant Response: Acknowledged.

Architectural screens such as opaque, textured, or perforated panels do not meet the standards of the Commercial Design Guidelines.

Applicant Response: Acknowledged.

Raise the rear parapet and hide the scuppers.

Applicant Response: The north elevation of Building A has been revised to include a parapet. Building A will have roof drains.

Overflow drains (lamb's tongues) shall discharge a maximum of 9 inches above grade.

Applicant Response: Acknowledged.

14. Mini split units need to be screened from public view if mounted on the building.

Applicant Response: Acknowledged.

Standard Conditions:

1. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a

sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process.

Applicant Response: Acknowledged.

2. All deciduous and shade trees shall be at least two (2) inch caliper when planted. Shrubs shall be at least five (5) gallons when planted. Throughout the development, there shall be a variety of deciduous and evergreen trees in addition to native grasses and plants (wildflowers).

Applicant Response: Acknowledged.

3. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street. Lighting cannot exceed one (1) footcandle at the property line.

Applicant Response: Acknowledged.

4. All utility connections, this includes green electrical boxes, and free-standing electrical meters must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building.

Applicant Response: Acknowledged.

5. Regarding BPU transformer screening, the following applies:
 - a. Gate doors are required for all types of screening that are placed in front of the transformers
 - b. Fence pickets shall be installed two (2) feet off the ground and have adequate clearance to open gate door 180° and have 10 feet off clearance from pad when gate doors open.
 - c. Posts for gate doors must be installed a minimum distance of 10 feet apart in the front.
 - d. For slats fences, customers shall install a minimum of four (4) inch slats and have four (4) inches of space between each slat.
 - e. Customers must take into account the maturity size of the evergreen tree when planting saplings so that the trees can grow outside of the required clearance for evergreen trees, customer shall plant each tree so that there is two (2) feet or more space from edge to edge between each tree at maturity (e.g., blue arrow juniper grows up to two (2) feet wide, so there shall be four (4) feet of spacing between each tree taking into account the growth of saplings).
 - f. Pad must have a minimum clearance of six (6) feet on each, three (3) feet on the back and five (5) feet on the front allowing for 10 feet on the front when gate doors open.

Applicant Response: Acknowledged.

6. If approved, the applicant must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.

Applicant Response: Acknowledged.

7. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
Applicant Response: Acknowledged.
8. All existing and future driveways must feature curb cuts that are constructed to UG standards.
Applicant Response: Acknowledged.
9. A Right-of-Way Permit is required. The applicant is required to contact the Public Works Department at (913) 573-5311 or by infor@wycokck.org to confirm if they need right-of-way permit, and if so, must take it upon themselves to initiate the permit process accordingly.
Applicant Response: Acknowledged.
10. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable.
Applicant Response: Acknowledged.
11. Improvements that include land disturbance activity on greater than one (1) acre of surface area of land or include the construction or alteration of a structure 1,000 square feet or larger shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620.
Applicant Response: Acknowledged.
12. A Pre-Construction meeting is required for any improvements to public infrastructure upon the approval and issuance of a Development Review Committee (DRC) permit. Any improvements to, construction or alteration of: sanitary systems, stormwater systems, public or private streets, sidewalks or other public infrastructure will require a pre-construction meeting with the Department of Public Works. The applicant is required to contact the County Engineer at (913) 573-5400 or by info@wycokck.org prior to construction to arrange this meeting.
Applicant Response: Acknowledged.

13. The Department of Planning + Urban Design shall not give approval for any final Certificate of Occupancy (CO) before the completion of all required work. The applicant, permit holder, and/or property owner shall complete all items required, including, but not limited to: Approved Plans, Codes, Ordinances, Zoning District Regulations, Planned District Requirements, Master Plan Requirements, all Design Guideline Requirements, Overlay District Requirements, Requirements approved by the City Planning Commission and/or the UG Board of Commissioners. It is collective responsibility of the applicant, permit holder, and property owner to ensure that any and all permits, land entitlements deviations, or variances are obtained in advance of beginning of any work. As necessary, a landscape bond may be allowed, however, all other requirements must be completed prior to the issuance of a Final CO.

Applicant Response: Acknowledged.

14. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (Checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Applicant Response: Acknowledged.

Planning Engineering:

A) Items that require plan revision or additional documentation before engineering can recommend approval:

- 1) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.

Applicant Response: Acknowledged. See responses below to Engineering Comments.

B) Items that are conditions of approval:

- 2) None

C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:

- 3) None

Applicant Response: Acknowledged.



Date: March 28, 2025

Meeting Date: March 27th, 6:00 PM

Location of Meeting: Virtual via Zoom

Project: COZ2025-004 and PR2025-007

Neighborhood Attendees: Monica Strathman 13004 Nebraska Ct, KC, KS 66109

Development Team: Daniel Finn – Phelps Engineering
Kaylee Nottestad – Hernly Associates, Inc.
Scott Jones – AP KCK, LLC

-
1. Monica Strathman was the only attendee of the Neighborhood Meeting.
 2. Around 6:00 PM, Daniel Finn welcomed the attendee. The proposed project was explained as well as the City's approval process and current anticipated schedule for public hearings. It was discussed that due to the required variance, the project would be continued 1 planning cycle, and another neighborhood meeting would occur to discuss the variance.
 3. Daniel Finn walked through the site plan, access points, parking, landscaping, and building elevations.
 4. Monica asked if the storage units and contractor garages would be included. It was explained that they were fully enclosed.
 5. Monica asked why this use specifically. It was explained that this property has sat vacant for a long time despite residential users in the area that could trigger other commercial uses. The contractor storage use is becoming more and more necessary to allow workers a place to store their truck that is not located within a residential development. The goal is to get more work trucks off of public streets and into safe secure contractor garages for both them and the public.
 6. Monica asked about the visuals from the neighborhood and the public street. It was explained that the site sits much lower in elevation than the existing townhomes. It was explained that all trees within the R/W along State Avenue would remain with this project as well as the trees on top of the R/W along the north property line. Additionally, more trees and shrubs along State Avenue are proposed with the project.

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7. Monica asked about potential negative impacts from the project. It was explained that this site would have a very minimal impact compared to other commercial developments. It was explained that contractor storage and self-storage are very low traffic generators. There would be no significant noise especially when compared to thru restaurants, auto mechanics, etc... which are also allowed within commercial zoning districts. It was explained that a detention basin has already been constructed to account for this development so there are no detrimental downstream stormwater impacts. It was explained that lighting would be minimal (building mounted only) which would be less than a typical parking lot.
8. Monica asked if there would be a detrimental hit to property value. The design team explained that, in their opinion, this development would not have a negative impact to property values. The minimal traffic, noise and light pollution that would occur from the development was touched on again.
9. The meeting concluded at around 6:45 pm

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Johnson) SS:

Comes now Daniel Finn, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # COZ2025-004 and PR2025-007
2. That I conducted a neighborhood meeting on March 27, 2025.
3. The notice to nearby property owners was sent on March 13, 2025.
4. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

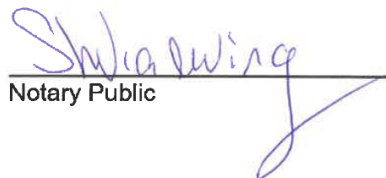
Further affiant saith not.

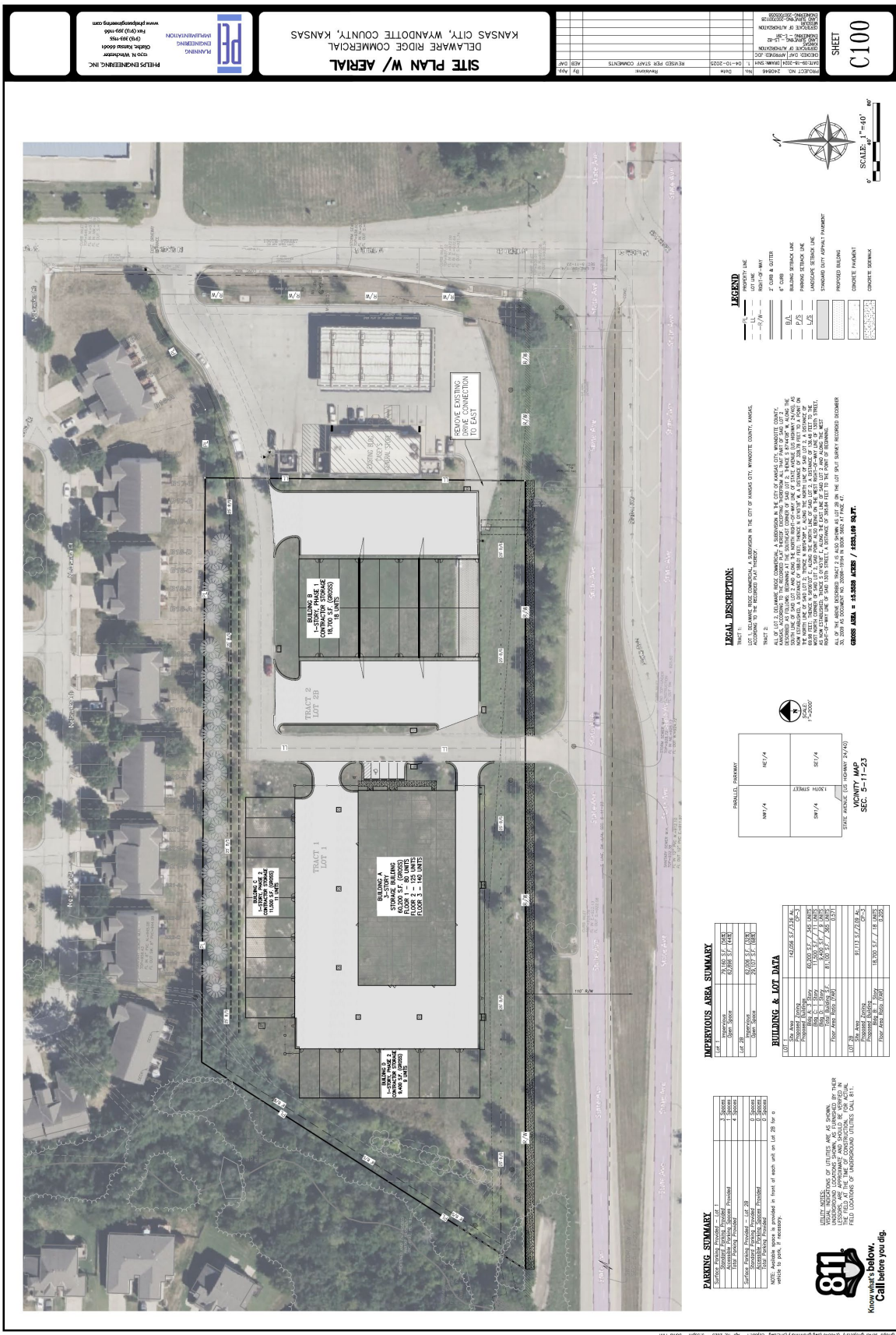

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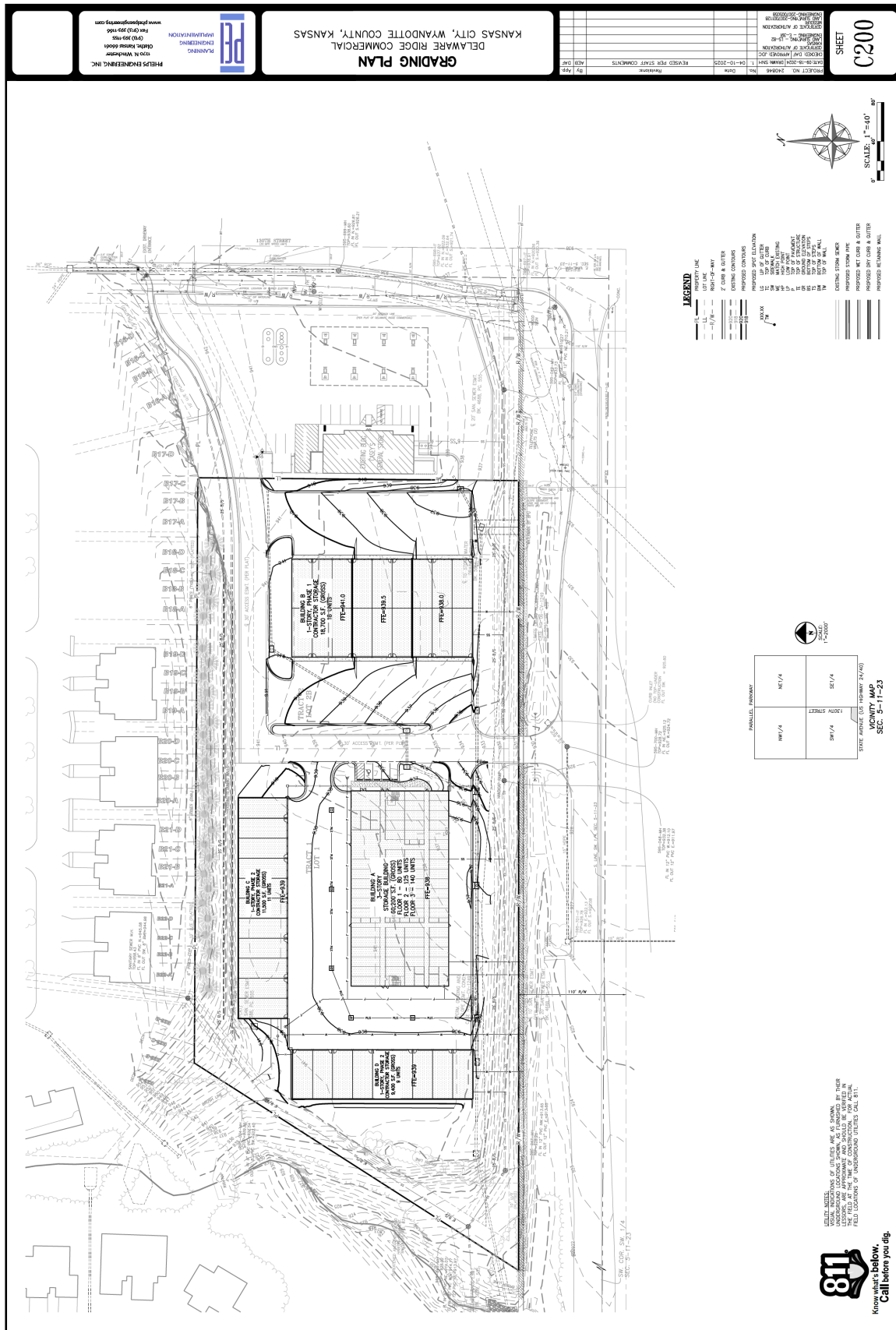
SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 11th day of April, 2025.

My commission expires _____ of _____, 20____.

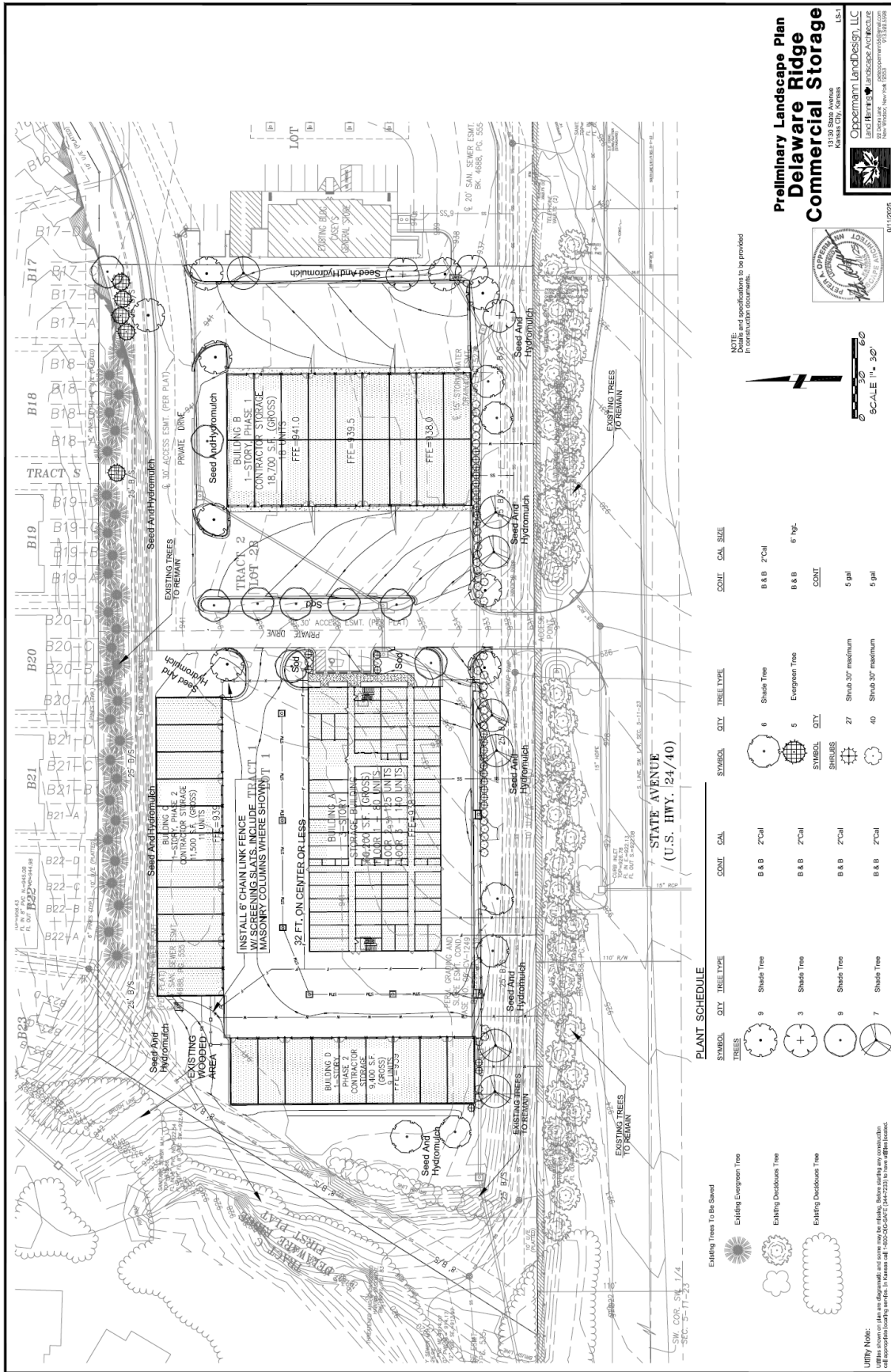


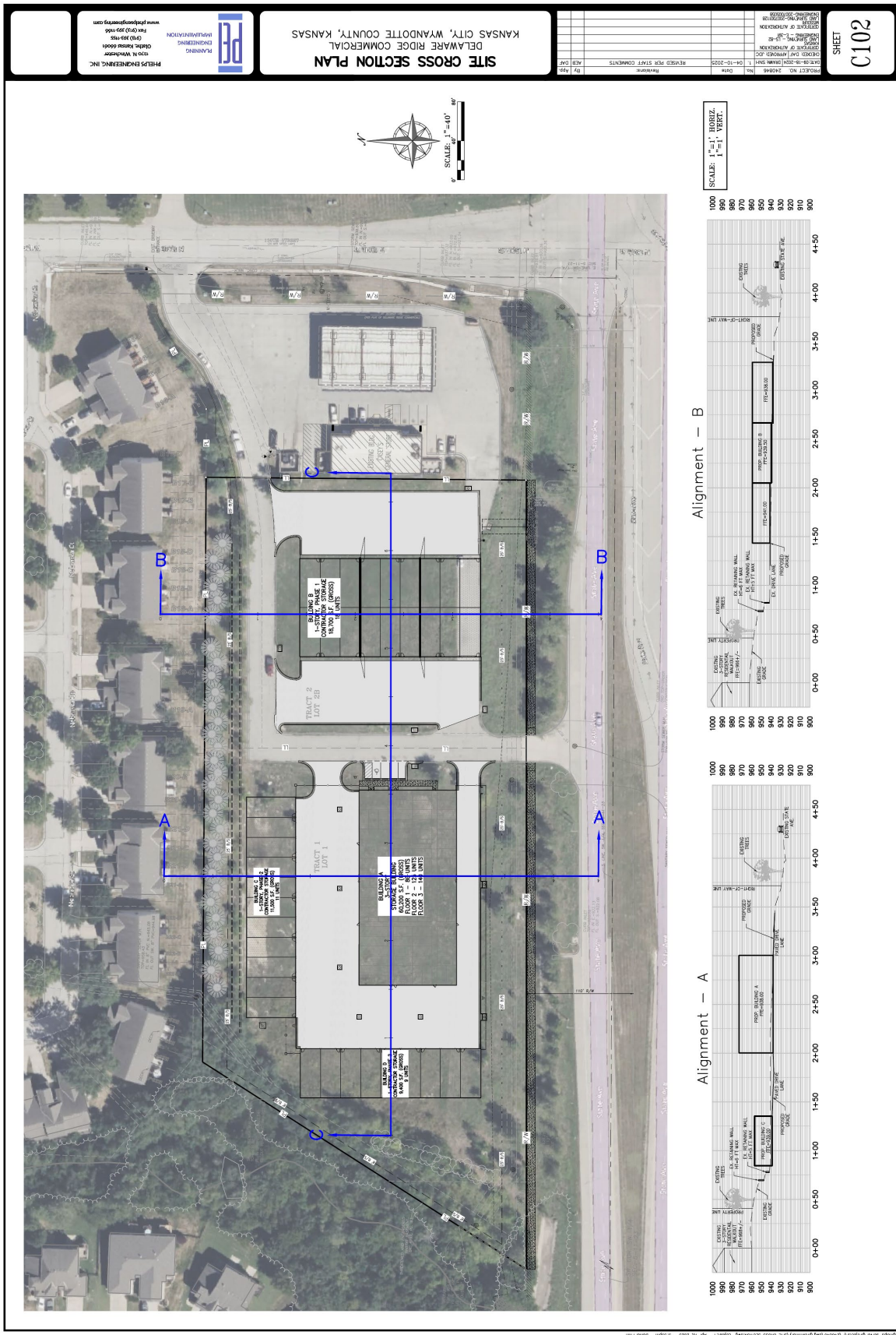

Notary Public



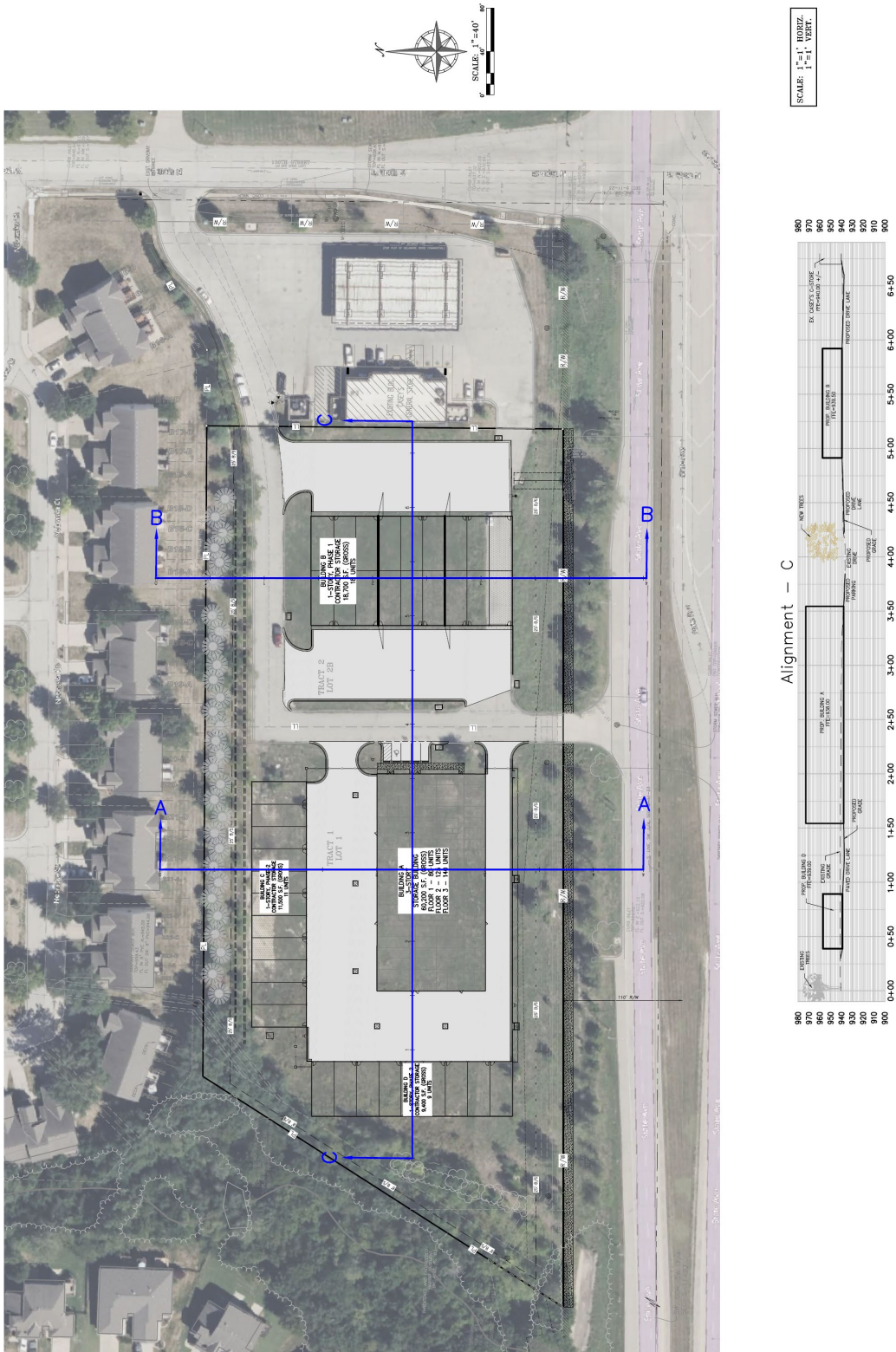




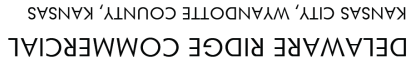


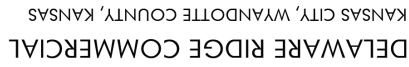


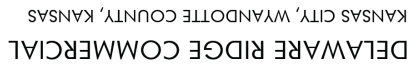
PHILIPS ENGINEERING, INC.
250 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax: (913) 393-1156
www.philipsengineering.com

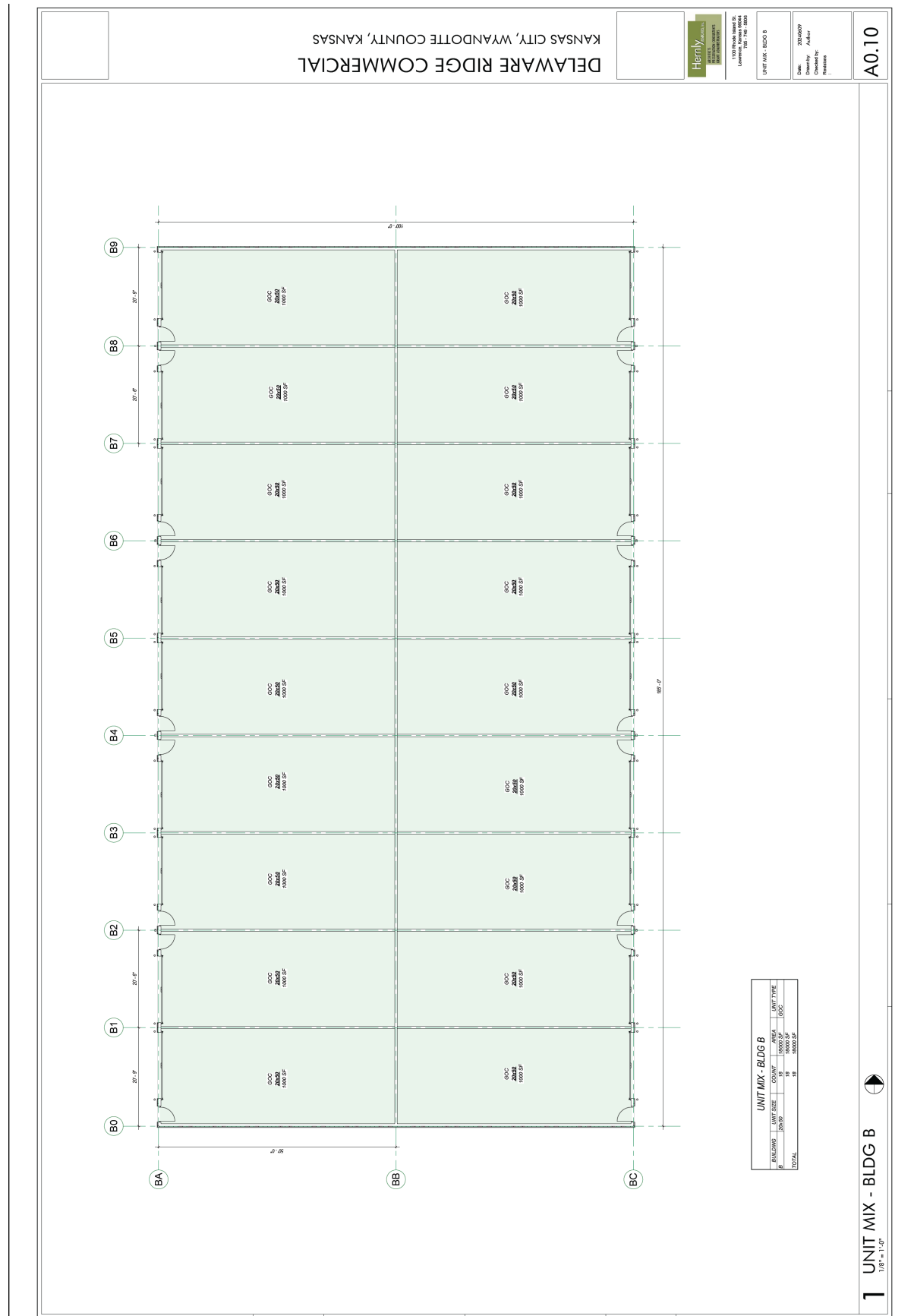


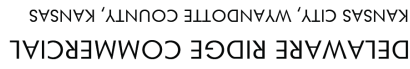


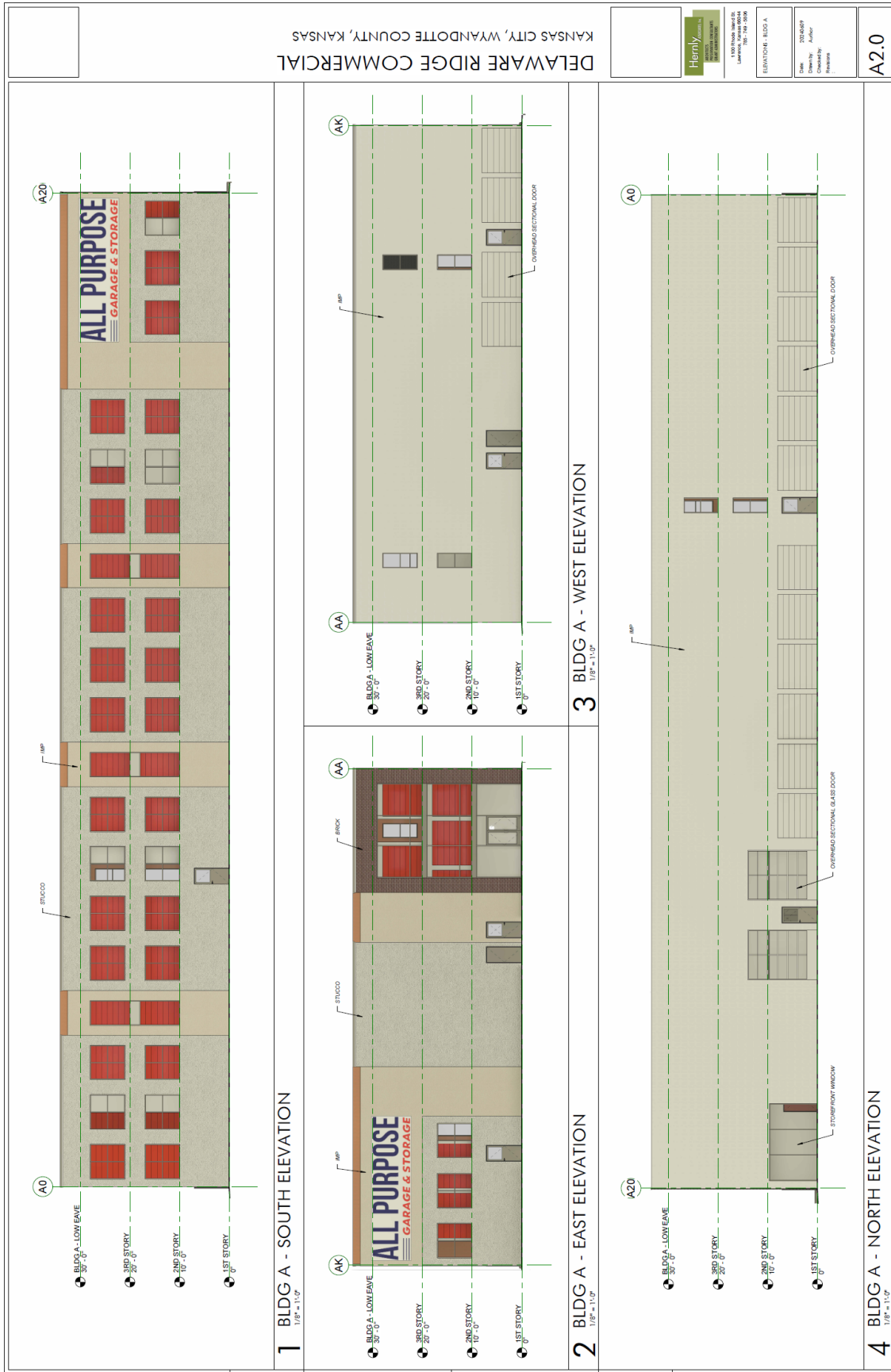


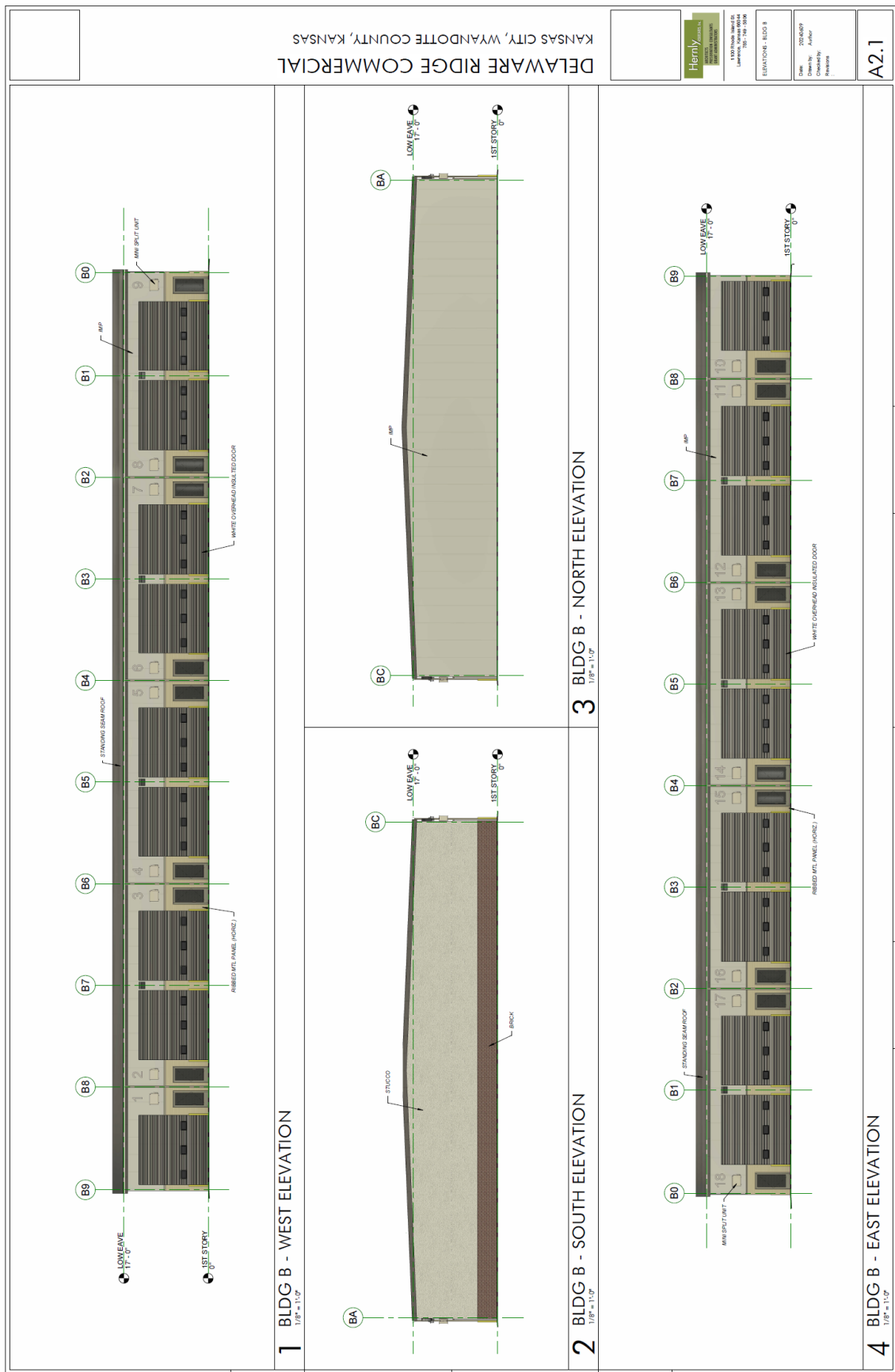


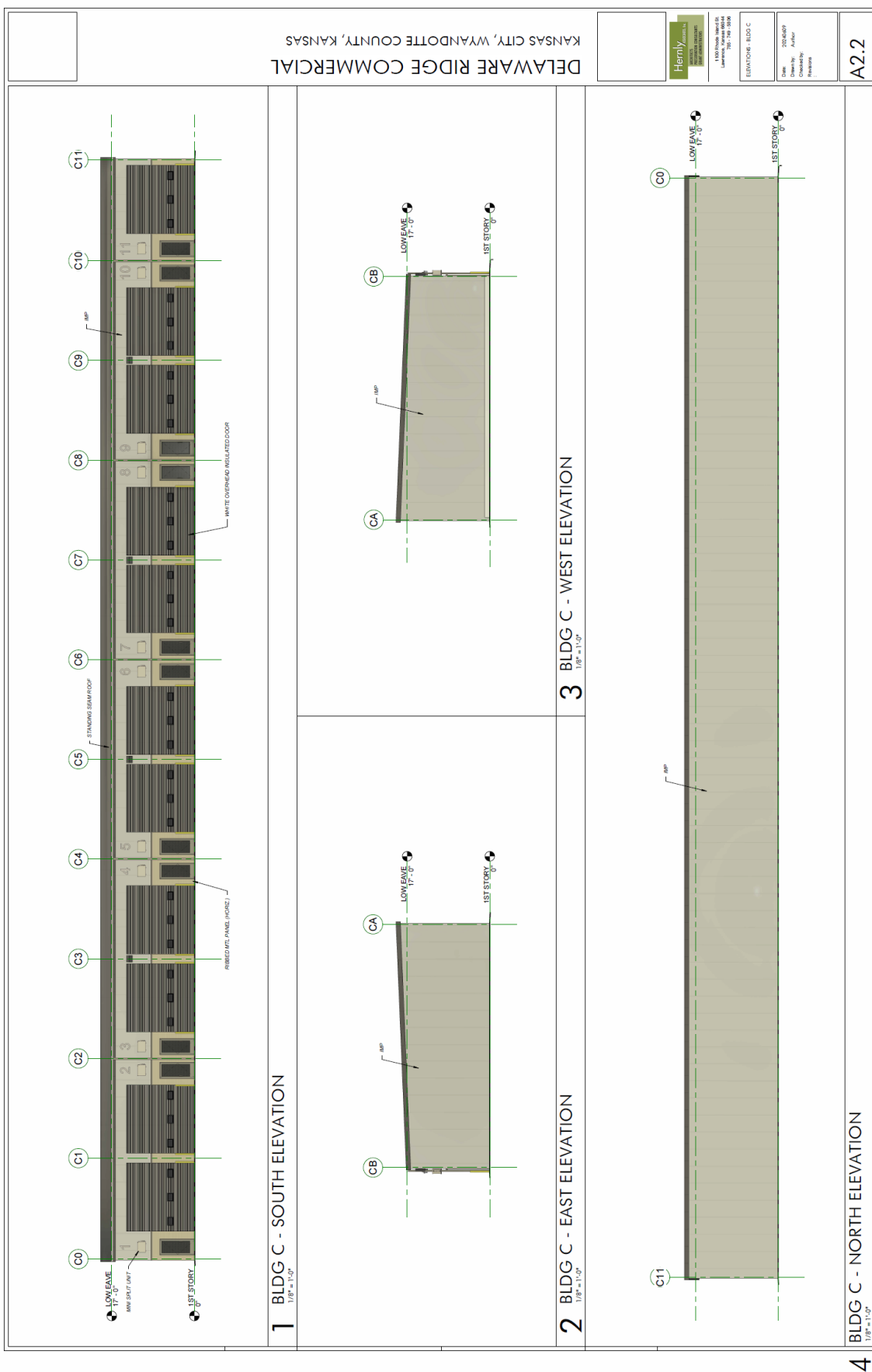


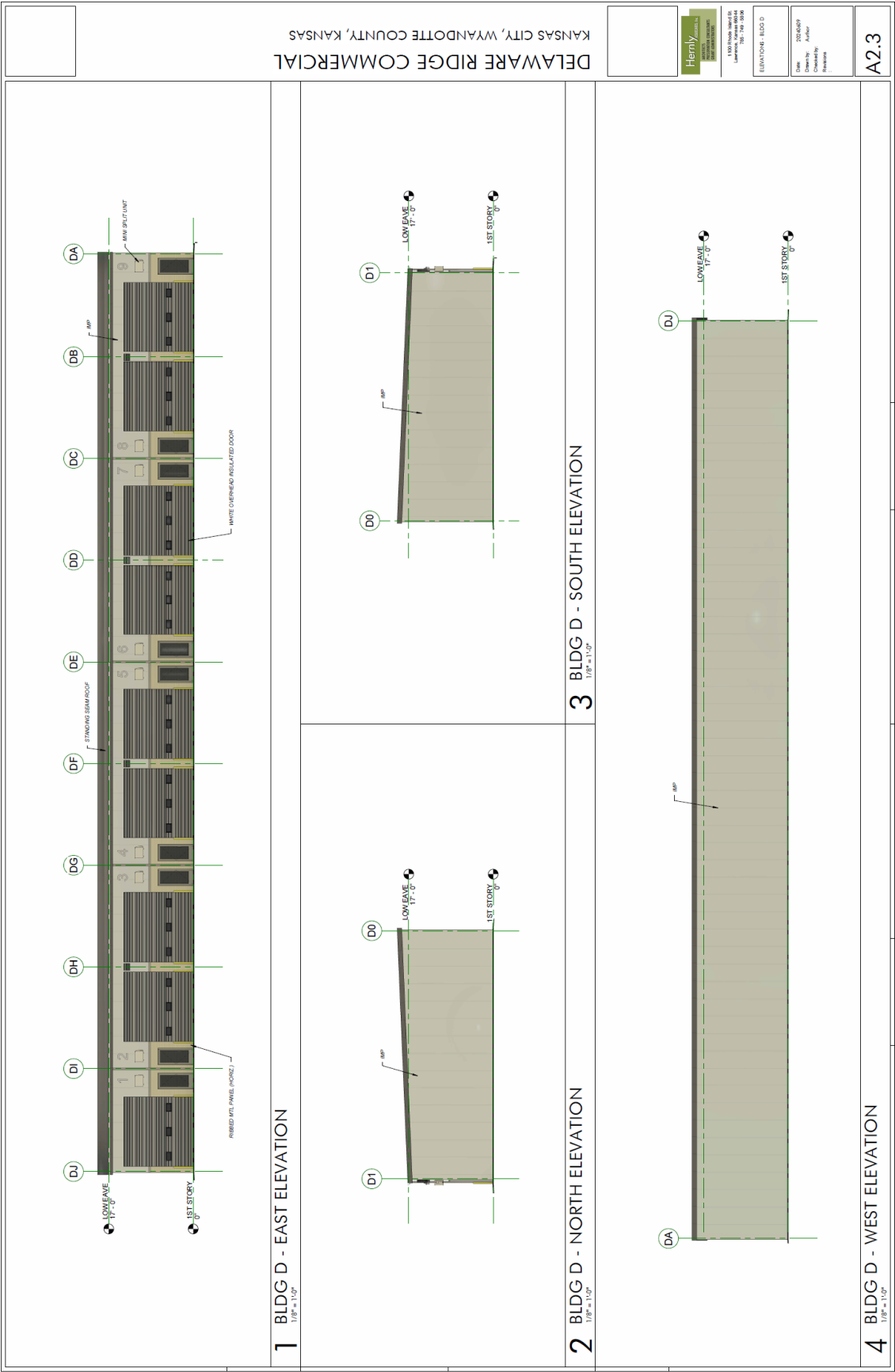


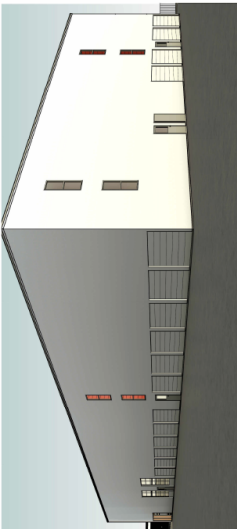
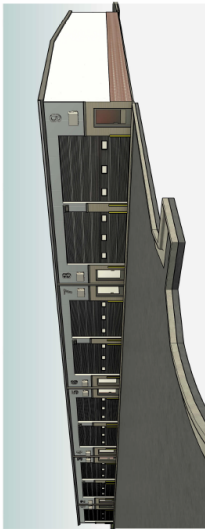
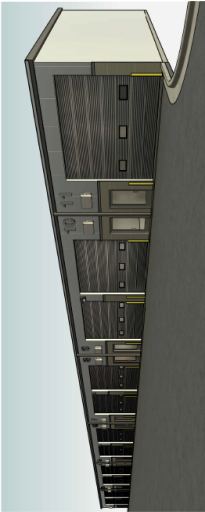










			1 BLDG A - SOUTH EAST PERSPECTIVE 2 BLDG A - NORTH WEST PERSPECTIVE 3 BLDG B - SOUTH WEST PERSPECTIVE
			4 BLDG C - SOUTH EAST PERSPECTIVE 5 BLDG D - NORTH EAST PERSPECTIVE
DELaware RIDGE COMMERCIAL KANSAS CITY, WYANDOTTE COUNTY, KANSAS			HERNLY ARCHITECTS, PLLC 1100 PINEHURST BLVD LAKEVIEW, MO 64086 781.724.0040 PERSPECTIVES DATE: 5/29/2025 DESIGNED BY: A. HERNLY CHECKED BY: A. HERNLY REVISIONS: A7.0



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: May 29, 2025

Re: **Special Use Permit Petition SP2025-006**

GENERAL INFORMATION

Applicant Information:

Tiffany Clark
Owner
Rosedale Roadhouse, LLC
22618 W 46th Terrace
Shawnee, KS 66226

Subject Property:

1127 Southwest Blvd
Kansas City, KS 66103

Requested Action and Purpose:

Approval of a Special Use Permit to
Operate a Non-Owner-Occupied
Short-Term Rental

Commission Districts:

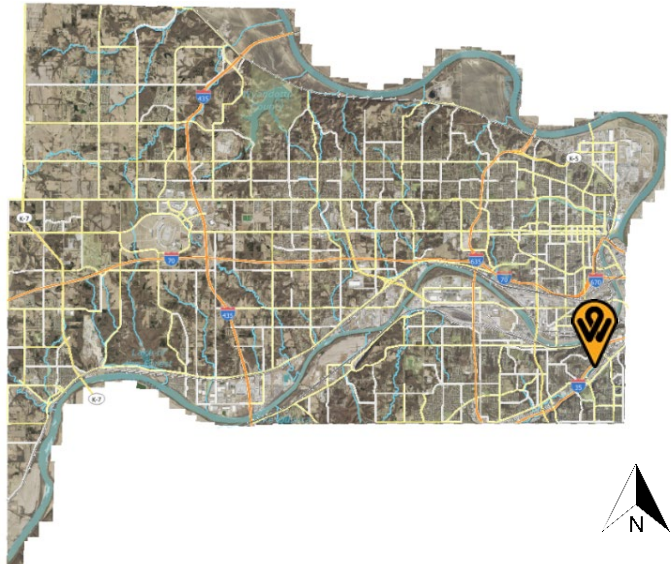
At-Large District #2 Commissioner:
Tom Burroughs
District #3 Commissioner:
Christian Ramirez

Existing Zoning District(s):

M-2 General Industrial District

Plan Area:

Rosedale Area Master Plan



	Adjacent Zoning	Adjacent Uses
North	M-2 General Industrial District	Industrial Material Wholesale with Laydown Yard
South	M-2 General Industrial District	Electrical Wholesale Supply Business
East	M-2 General Industrial District	Diner-Style Restaurant
West	M-2 General Industrial District	Vacant Retail Business

Total Tract Size: 0.11 Acre

Comprehensive Plan Designation: The Rosedale Master Plan designates this area as Creative and Industrial Mixed Use. Creative and Industrial Mixed Use is intended to promote a mix of low and medium intensity manufacturing uses alongside creative and artistic industries with potential for multifamily housing or live/work units.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates Southwest Boulevard as a Class C Thoroughfare

Parking Requirement: Section 27-469(e) states that uses in this district require paved off-street parking at a ratio necessary to serve the employees, visitors, customers and others who may be on the premises. As this is a residential use, the standard would default to the R-1 Single-Family Residential District standard set forth under Section 27-454(e), which states that two (2) off- street parking spaces shall be provided one of which shall be a garage or carport. The property provides three (3) parking spaces in the rear however no covered parking is provided. A covered parking space shall be provided in the rear of the property as part of conditions of approval of this application.

Landscaping Requirement: Per Section 27-700(a) one (1) shade tree per dwelling unit is required in the front or corner side yard, and one (1) tree per 7,000 square feet of site area for uses other than residences. The property has 10,544 square feet, requiring two (2) trees. The subject property has two (2) trees in the front yard, meeting this requirement.

Advertisement:	<u>The Wyandotte Echo</u> – February 13, 2025 <u>Letters to Property Owners</u> – February 14, 2025; March 13, 2025; and April 18, 2025
Public Hearings:	March 10, 2025, May 12, 2025, and May 29, 2025
Public Support:	None to date.
Public Opposition:	None to date

PROPOSAL

Detailed Outline of Requested Action: The applicant, Tiffany Clark dba Rosedale Roadhouse LLC, is requesting a Special Use Permit to operate a short-term rental at 1127 Southwest Boulevard. This is not the owner's primary residence. This property had formerly been utilized as a short-term rental under previous ownership and the applicant would like short-term rental activity.

City Ordinance Requirements: 27-592 through 27-606, 27-214, and 27-623 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no current noise or disturbance complaints on the subject property under current ownership. Prior calls include:
 - a. 2020: Traffic Stop
 - b. 2020: Call for Information
 - c. 2018: Suspicious Crowd/Activity
 - d. 2017: Domestic Disturbance
 - e. 2017: Eviction Court Order
 - f. 2017: Other
 - g. 2017: Domestic – non-disturbance
 - h. 2016: Domestic – non-disturbance
 - i. 2016: Traffic Complaint

Building, Zoning, or Code Enforcement Complaints:

1. There has been one (1) enforcement case within the past 10 years:
 - a. 2016: 16200-03335 – Environmental Investigation into the grease trap on-site and parking discrepancies (closed)

Outstanding or Related Permit and Cases:

1. There have been no building permits obtained within the past 10 years.

Previous Planning Actions:

1. There are several previous planning entitlements:
 - a. 2019: SP-2019-18: Special Use Permit to operate as a short-term rental (approved) (prior ownership)
 - b. 2021: SP2021-009: Special Use Permit to operate as a short-term rental (approved) (prior ownership)
 - c. 2022: SP2022-122: Special Use Permit to operate as a short-term rental (approved) (prior ownership)

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located in the Rosedale Area near the Southwest Boulevard and Mission Road overpass. The neighborhood consists of primarily industrial and commercial uses. Other local businesses include Strasser Hardware, Dagwoods Café, and the Holy Name of Jesus Parish, as well as some urban residences.

2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial special use permits should not be granted adjacent to residential districts.

The zoning and uses are set out above. The subject property is surrounded by a mix of Industrial and Commercial Districts. Use of the property as a rental, either short or long-term, while commercial in nature, is consistent with other nearby properties in close proximity who may also include rentals and commercial activity. While use as a short-term rental is commercial in nature, the use is occurring in a purpose-built residence, which should not present issues with nearby property. The proposed use is compatible if properly managed.

3. The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions including those for hours of operation (where applicable), detrimentally affect nearby property?

Removal of the restrictions that require a Special Use Permit has the potential to create issues such as parking, excessive noise, illumination, vibration, overcrowding of land and undue concentrations of population. The property could be suitable for use as a short-term rental if the aforementioned issues are properly managed.

4. The length of time the property has remained vacant as zoned.

The property is not vacant and has been occupied as a short-term rental since 2019. The property's previous uses include an auto dealership, consignment shop, and veterinary clinic.

5. *The degree of conformance of the proposed use to the Comprehensive Plan.*

Special Use Permits are not addressed in the Rosedale Area Master Plan. The Rosedale Master Plan designates this area as Creative and Industrial Mixed Use. Creative and Industrial Mixed Use is intended to promote a mix of low and medium intensity manufacturing uses alongside creative and artistic industries with potential for multifamily housing or live/work units. The proposed use conforms to the Rosedale Area Master Plan as it is a single-family dwelling in nature although utilized for a commercial purpose.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use has the potential to increase vehicular traffic, but should not exceed the capacity of Southwest Boulevard, a Class C Thoroughfare, to accommodate it if managed properly while it functions as a short-term rental. Guests of short-term rentals tend to travel more throughout the area as they are typically visitors or tourists.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use provides a convenience to the public in the form of temporary lodging, however, issues such as making excessive noise, vibration, illumination, overcrowding of land, and undue concentrations of population could impact nearby properties negatively. If managed properly, however, the use of the property is not expected to substantially nor permanently injure the appropriate use, visual quality, or marketability of adjoining property.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

Noise, vibration and illumination are all potential issues that are related to short-term rentals if it is not managed properly. There have not been any complaints to date with the current applicant related to noise, vibration, or dust. Dust is not typically an issue related to the use of a residential property as a short-term rental and ostensibly not considered to be a problem for nearby properties.

9. *Whether the proposed use will pollute the air, land or water.*

The proposed use will not pollute the air, land or water as it is an existing, permitted residence.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing residence in an existing built-out neighborhood.

11. *The relative gain to the public health, safety and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The relative gain or loss to public health, safety and welfare is minimal as it only provides the convenience of lodging with some economic benefit. If denied, the landowner could not use the property as a short-term rental, but may still use the property as a long-term rental with appropriate permits and licenses, their primary residence, or sell the property.

12. *The applicant's ability to maintain the use in an "as proposed" condition.*

The applicant will be required to maintain their short-term rental according to the submitted management plan and conditions of approval, including limits to number of guests and number of vehicles on the property, and other applicable standards and requirements set by the Code of Ordinances.

13. *Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.*

The proposed use is not expected to create issues of overcrowding as it operates within an existing structure on the site. The maximum number of guests at one time is seven (7). The maximum number of vehicles off-street is three (3). There shall be no on-street parking for renters or guests of any short-term rental. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at Dagwood's Cafe on February 24, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Noise, Illumination, and Vibration
Home Inspection Report
Overcrowding and Undue Concentrations of Population
Parking
UG Driveway Requirements
Building Permits
Septic System

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit application **SP2025-006**, for **six (6) months**, subject to:

1. **A DRC Building Permit for a Change of Occupancy shall be obtained prior to leasing the property to address the illegal occupancy conversion;**
2. **A covered parking space must be provided or the applicant must return within six (6) months from date of approval to apply for a Variance from the R-1 parking requirements or apply for a Change of Zone to R-1(B);**
3. **The concrete in the front yard that is not part of the sidewalk shall be removed and return to landscaping, including one (1) tree to satisfy the landscaping requirements of the R-1 Zoning District;**
4. **The following items must be remedied prior to occupancy as part of the DRC Building Permit:**
 - a) **Open junction boxes, splices, electrical outlets, and other electrical work noted in the attic must be repaired (inspection item 3.1 and 3.10)**
 - b) **Power must be provided to the front bedroom. Rewiring these outlets may require an electrical permit (inspection item 6.2)**
 - c) **Outlets need to be fully operational, including GFCI outlets (inspection item 7.3)**
 - d) **Basement electrical work needs repaired to meet code standards (inspection item 7.4)**
 - e) **The panel shall be re-wired to remedy inspection items (inspection items 9.5 and 9.6)**
 - f) **The electrical ground conductor and panel bond needs to be included in the electrical permit (inspection items 9.7)**
 - g) **The furnace flue shall be repaired to meet combustible and other code requirements (inspection item 10.1, 10.2)**
 - h) **The electrical service mast shall be repaired to meet code requirements (Inspection Item 9.0)**
 - i) **Gutters and downspouts need to be installed per code requirement**
 - j) **Fascia, Soffit, siding, hose bibs, and exterior finishes need to be repaired to avoid pest infestation and water intrusion;**
5. **Maximum number of guests shall be seven (7);**
6. **All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on the street, only off-street private parking allowed;**
7. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
8. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**

9. Applicant is to maintain liability insurance.
10. The property must remain in proper maintenance and free of hazards, pests, or infestations.
11. The granting of this Special Use Permit does not transfer with a change of ownership of the property.
12. Must provide a manual/welcome packet that lists all rules, including “No Parties, etc.” This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website).
13. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process.
14. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
15. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
16. All existing and future driveways must feature curb cuts that are constructed to UG standards.
17. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable.
18. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
19. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any

business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit.

20. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
21. The Special Use Permit shall be valid for six (6) months from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and
22. ~~Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper. Staff note: a waiver for this fee is now in effect for this area.~~
23. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2025-006** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

May 12, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Host Compliance Map
Staff Site Visit Photos Dated January 29, 2025
Applicant Provided Site Plan
Applicant Provided Photos
Home Inspection Report Highlights
Neighborhood Meeting Information
Floor Plan

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	March 10, 2025 Held Over May 12, 2025 Approval	May 29, 2025

STAFF CONTACT: **Kallie McLaughlin, Planner, Floodplain Administrator**
 kdmclaughlin@wycokck.org
 (913) 573-5762

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2025-006** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2025-006**, as it is not in compliance with the City Ordinances and as it will not promote the public

health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

May 12, 2025, City Planning Commission Minutes:

Hearing starts at 2:05:30:

SPECIAL USE PERMIT SP2025-006 - TIFFANY CLARK WITH ROSEDALE ROADHOUSE LLC

Synopsis: Special Use Permit to operate a short-term rental at 1127 Southwest Boulevard. *Detailed Outline of Requested Action:* The applicant, Tiffany Clark dba Rosedale Roadhouse LLC, is requesting a Special Use Permit to operate a short-term rental at 1127 Southwest Boulevard. This is not the owner's primary residence. This property had formerly been utilized as a short-term rental under previous ownership and the applicant would like short-term rental activity.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated May 12, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

Recording Secretary Morris asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

Present in Support:

- Tiffany Clark, Applicant, 22618 West 46th Terrace, Shawnee, Kansas 66226

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:10:07: Mr. Lucas stated that staff recommends approval of this application.

Motion starts at 2:10:30:

On motion by Mr. Ward, seconded by Ms. Schwartz, the Planning Commission voted as follows to **recommend APPROVAL of SP2025-006 for six (6) months:**

Carson	Chairman
Straws	Not Present
Ward	Aye
Armstrong	Aye

Beth	Aye
Easterwood	Aye
Ernst	Aye
Jones	Not Present
Miller	Not Present
Mohler	Aye
Schwartz	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

- 1. A DRC Building Permit for a Change of Occupancy shall be obtained prior to leasing the property to address the illegal occupancy conversion;**
- 2. A covered parking space must be provided or the applicant must return within six (6) months from date of approval to apply for a Variance from the R-1 parking requirements or apply for a Change of Zone to R-1(B);**
- 3. The concrete in the front yard that is not part of the sidewalk shall be removed and return to landscaping, including one (1) tree to satisfy the landscaping requirements of the R-1 Zoning District;**
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 - i) Gutters and downspouts need to be installed per code requirement**
 - j) Fascia, Soffit, siding, hose bibs, and exterior finishes need to be repaired to avoid pest infestation and water intrusion;**
- 5. Maximum number of guests shall be seven (7);**
- 6. All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on the street, only off-street private parking allowed;**
- 7. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
- 8. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact**

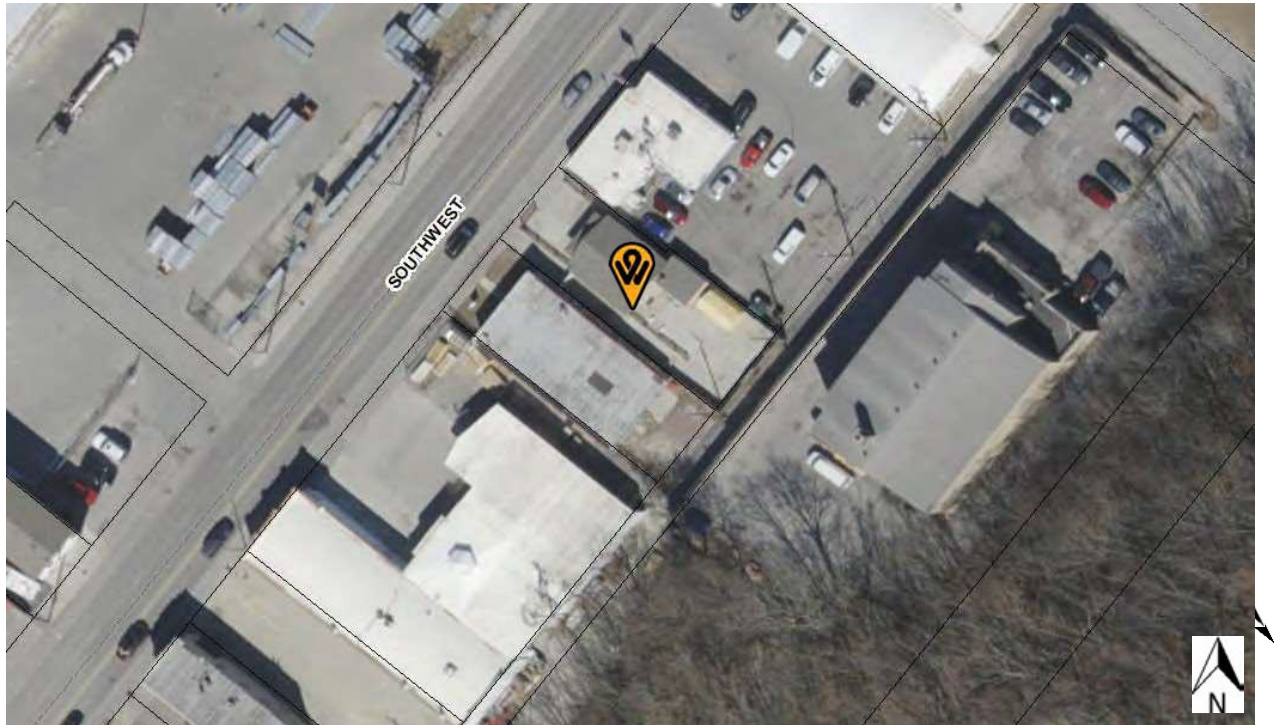
- information within the entrance of the area that is rented;
9. Applicant is to maintain liability insurance.
 10. The property must remain in proper maintenance and free of hazards, pests, or infestations.
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 13. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process.
 14. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
 15. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
 16. All existing and future driveways must feature curb cuts that are constructed to UG standards.
 17. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable.
 18. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 19. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468

through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit.

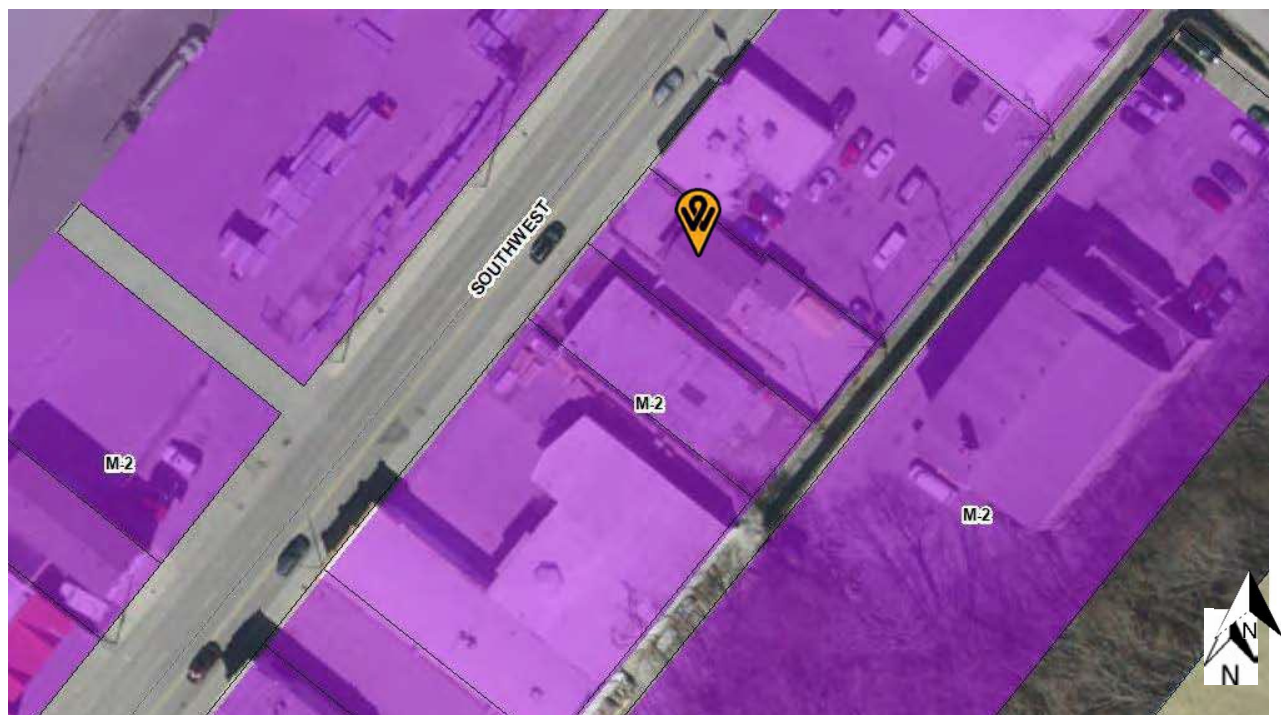
20. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
21. The Special Use Permit shall be valid for six (6) months from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and
22. ~~Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper. Staff note: a waiver for this fee is now in effect for this area.~~
23. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

ATTACHMENTS

AERIAL IMAGERY



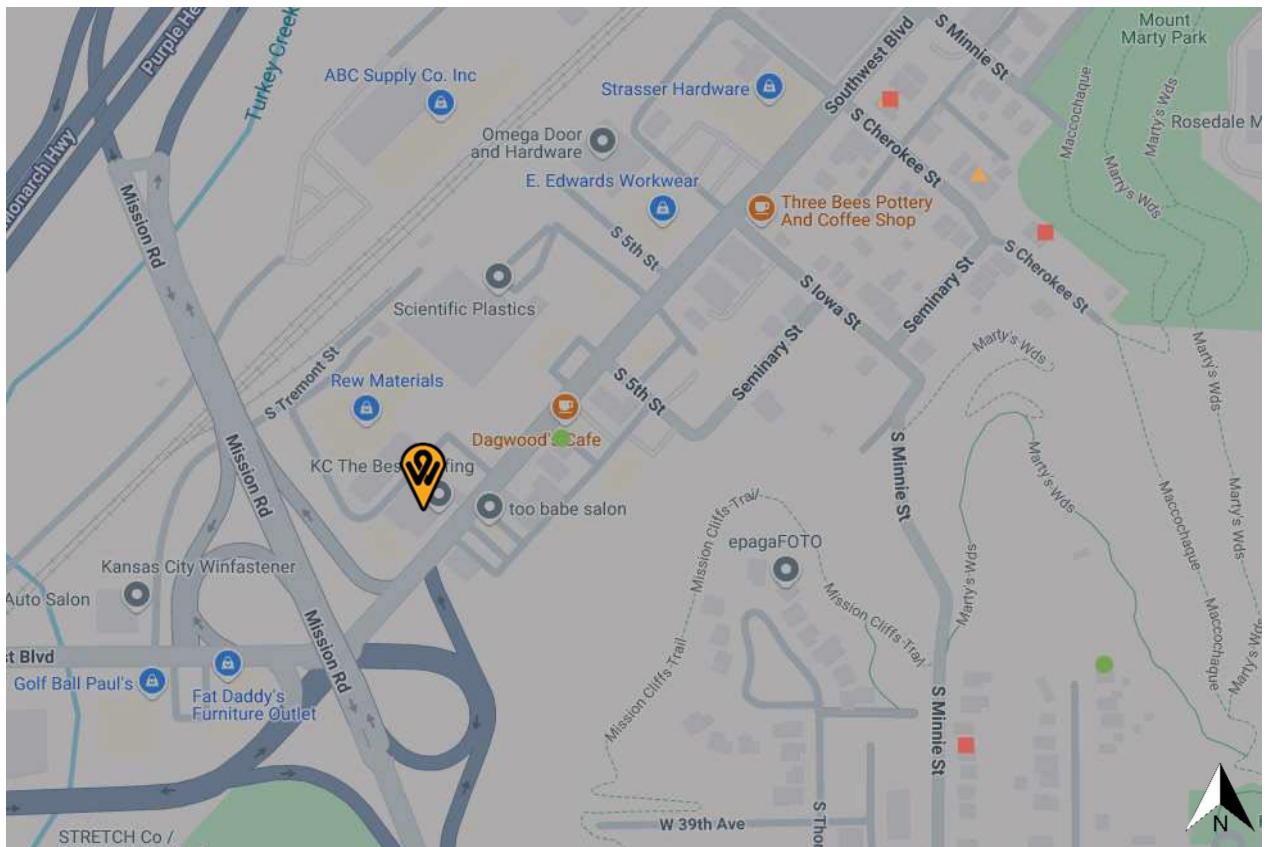
ZONING MAP



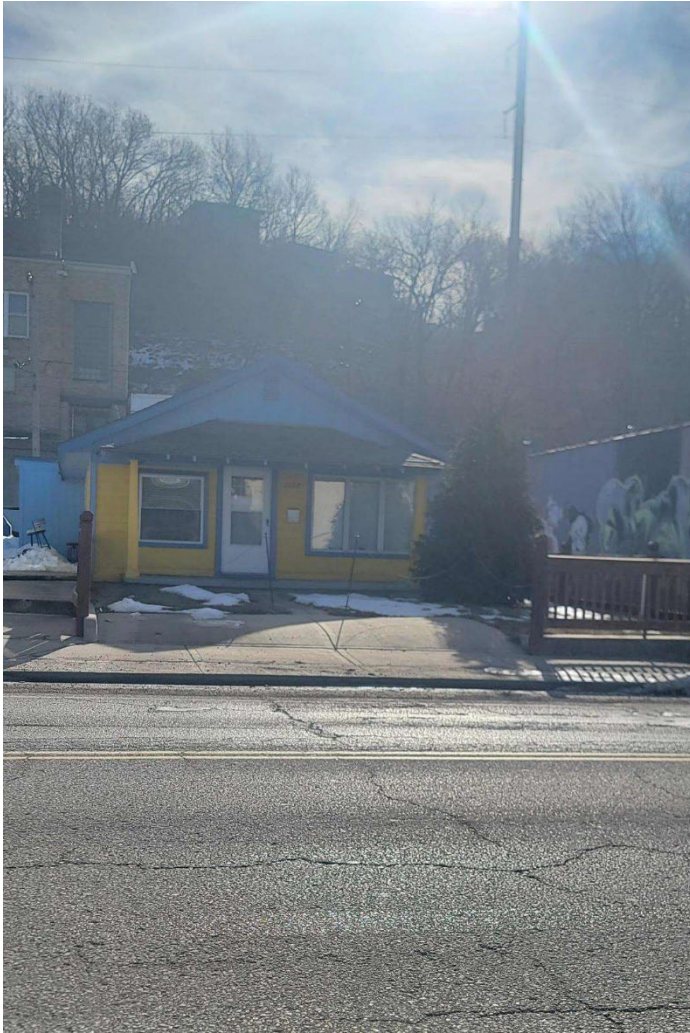
LAND USE MAP



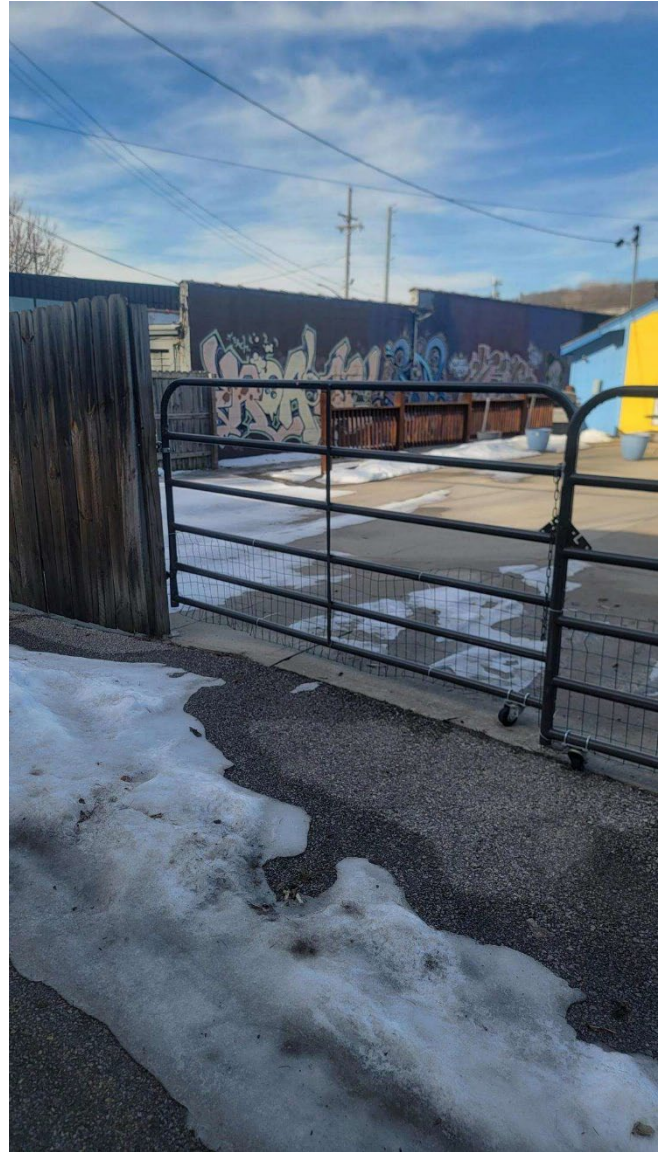
SHORT-TERM RENTAL MAP



STAFF SITE VISIT PHOTOS DATED JANUARY 29, 2025



STAFF SITE VISIT PHOTOS DATED JANUARY 29, 2025



APPLICANT PROVIDED INSURANCE

POLICY DECLARATIONS

American Modern Property and Casualty Insurance Company

Dwelling Special

New Business



Premium Summary

Dwelling #1: \$3,393.00
1127 SOUTHWEST BLVD
KANSAS CITY KS 66103-1909
Policy Coverages \$0.00
Additional Costs \$0.00

Total Policy Premium \$3,393.00

Note: a minimum earned premium of \$100.00 applies to this policy.

Policy Discounts

Claims Free Discount
Paperless Discount

Dwelling Discounts

The following discounts apply to one or more dwellings on this policy.

1127 SOUTHWEST BLVD, KANSAS CITY KS
66103-1909

Deadbolts, Smoke Alarm and Fire Extinguisher

Policy Summary

Policy Number:

[REDACTED]

Policy Period:

01/13/2025 to 01/13/2026 12:01 A.M. Standard Time

Named Insured(s):

DAVID CLARK
22618 W 46TH TER
SHAWNEE KS 66226-2448

Contracted Agency:

BURNS & WILCOX LTD - #304601
7101 COLLEGE BOULEVARD
STE 800
OVERLAND PARK KS 66210

Your Agent:

COMMUNITYAMERICA INSURANCE AGENCY LLC -
#805524
9777 RIDGE DR
LENEXA KS 66219

Dwelling #1: 1127 SOUTHWEST BLVD, KANSAS CITY KS 66103-1909

Occupancy:	Residence Type:	Construction Type:	Year Built:	Protection Class Code:	Territory:
Rental	1 Family Residence	Frame	1910	2	2

Additional Interests

Description of Interest:
Lienholder

Name:
COMMUNITYAMERICA
CREDIT UNION
ISAOA/ATIMA

Address:
ATTN: COMMERCIAL SERVICES, 9777 RIDGE DR,
LENEXA KS 66219-9746

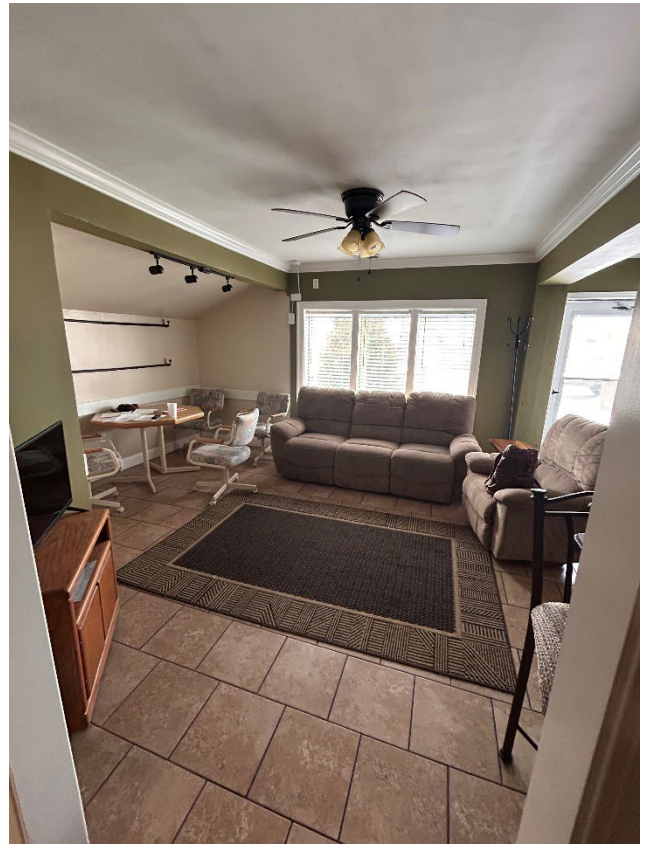
Loan/Contract Number:

Coverage Detail

Coverage	Limit / Description	Premium
Dwelling		\$3085.00
Limit	446,599	
Loss Settlement	Modified Functional Replacement Cost	
Roof Loss Settlement Option	Actual Cash Value Roof 16 Years Or Older	
All Other Peril Deductible	1,000	
Wind and Hail Deductible	2,500	
Other Structures	44,660	Included
Loss Settlement	Modified Functional Replacement Cost	
Roof Loss Settlement Option	Actual Cash Value Roof 16 Years Or Older	
Personal Property	10,000	\$66.00
Loss Settlement	Actual Cash Value	
Additional Living Expense/Fair Rental Value	44,660	Included

DW-CW-D-0001 (01-15) Page 01 of 03

APPLICANT PROVIDED PHOTOS



APPLICANT PROVIDED PHOTOS



HOME INSPECTION REPORT HIGHLIGHTS

3. Roof System / Chimneys and Attic

Visible Electric Wiring in Attic

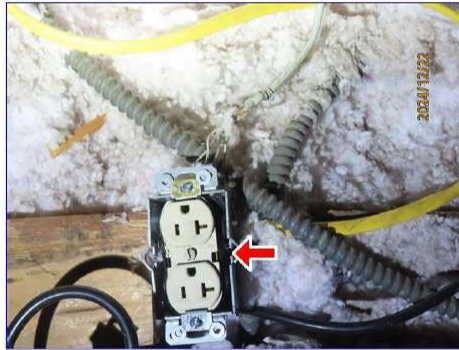
Improvements, Repair or Replacement Recommended

- 1 Open junction boxes are noted. Recommend all wire splices be contained in an approved electrical junction box(s) with cover(s) present.

The attic has missing outlet / switch plate cover(s) is noted . Recommend properly installing to prevent contact with electrical connections.



Item 1 - Item 1(Picture)



Item 1 - Item 2(Picture)

6. Bedrooms

Outlets, Switches and Fixtures

Improvements, Repair or Replacement Recommended

- 2 At the time of inspection the noted outlet(s) at the front bedroom did not have power. Recommend the proper repairs be made.

7. Interior Rooms (Including Basement if applicable)

Outlets, Switches and Fixtures

Improvements, Repair or Replacement Recommended

- 3 (1) The GFCI outlet did not have power when tested. Recommend proper replacement of the outlet with another GFCI outlet to see if this fixes the problem. If the problem is then not fixed it is recommended a licensed electrician further evaluate and estimate repairs needed.



Item 3 - Item 1(Picture)

- 4 (2) Some portion of the exposed wiring at the basement is in need of proper repairs. Exposed electrical wire and connections and or wires improperly terminated are not allowed. This condition is an indicator that this wiring was not installed by a professional electrician. Recommend the proper repairs be made.

HOME INSPECTION REPORT HIGHLIGHTS

Premier Inspection Services

Clark



Item 4 - Item 1(Picture)



Item 4 - Item 2(Picture)

9. Electrical System

Electrical Panel Interior

Improvements, Repair or Replacement Recommended

- 5 (1) Double tapped panel breaker(s) noted. This means there are 2 circuits installed on 1 breaker and these type of breaker(s) are not designed for this type of installation. These circuits need to be moved to their own circuit breaker and cannot share a breaker due to the possible overheating caused by an improper connection at the breaker. Recommend the proper repairs be made by a qualified licensed electrician.



Item 5 - Item 1(Picture)

- 6 (2) Oversized breaker(s) are noted in the panel. The affected breaker(s) were tagged with blue tape. The breaker(s) in the main power panel are inappropriately matched with wire gauges that are too light for the breaker/fuse allowed draw. An overdraw condition could cause melting, insulation overheating, or fire. Recommend the properly sized breaker(s) be installed. A qualified licensed electrician is needed to further evaluate the panel and make the proper repairs.

HOME INSPECTION REPORT HIGHLIGHTS

Premier Inspection Services

Clark



Item 6 - Item 1(Picture)

Electrical Ground Conductor & Panel Bond

Improvements, Repair or Replacement Recommended

- 7 The ground wire attached to the water pipe is on the house side of the meter. There is no jumper bond wire installed on the city side of the meter. A jumper ground / bond wire is needed for proper grounding of the electrical system. Recommend a licensed electrician further evaluate and make the proper repairs.



Item 7 - Item 1(Picture)

HOME INSPECTION REPORT HIGHLIGHTS

Chimneys, Flues and Ventilation

Improvements, Repair or Replacement Recommended

- 2 The furnace flue vent does not meet requirements for minimum clearance needed from combustible materials including drywall. Recommend the proper clearances be made for safety reasons. Recommend a qualified licensed plumber contractor make the needed repairs.

1127 Southwest Blvd

Page 10 of 45

Premier Inspection Services

Clark



Item 2 - Item 1(Picture)

HOME INSPECTION REPORT HIGHLIGHTS

13.4 The support post is improperly supported / installed on top of a post jack. Proper installation and support is needed for long term installation.



13.4 Item 1(Picture)

NEIGHBORHOOD MEETING INFORMATION

Date: February 10th, 2025

Name: Rosedale Roadhouse

Address: 1127 Southwest Blvd, Kansas City, KS 66103

SUBJECT: Neighborhood Meeting

I have filed an application with the Planning + Urban Design Department

#SP2025-006-1127. The purpose of this: special use permit

is for the continued use of the property as an Airbnb

at the following address: 1127 Southwest Blvd, Kansas City, KS 66103

I am having a neighborhood meeting on February 24th, 2025, at

6:30p.m. at the following address: 1117 Southwest Blvd, Kansas City, KS 66103, Dagwoods Cafe.

The purpose of this meeting is to explain the proposal and to answer any questions/concerns you may have.

I look forward to seeing you at the neighborhood meeting. If you are unable to attend, please contact me at the phone number and email listed below.

Sincerely,

Tiffany Clark

Rosedale Roadhouse

785-424-3920

tmfavreclark@gmail.com

NEIGHBORHOOD MEETING INFORMATION

Neighborhood Meeting (Rosedale Roadhouse)

Date: 02/24/2025 Time: 18:30-19:00

Location: Dagwoods 1117 Southwest Blvd, Kansas City, KS 66103

Attendees: TJI Midwest (David Clark), The Showroom Floor (Jim Donovan)

Summary of Discussion:

- Jim asked about my marketing strategy in which I told him that I plan to use the Airbnb site, Vrbo, and a traveling professional site that will market to traveling nurses and physicians.
- Jim asked about security measures, and we talked about the outdoor security cameras that we be placed, also utilizing the current alarm system.
- Jim discussed ways he has been successful as an Airbnb short term owner and operator. 1. Cleanliness, time management, and timely response time.
- David reported that he has never had a negative experience with any short-term tenants at 1127 Southwest Blvd.
- David commented "I think having a short-term rental next door will help keep the property looking clean and appealing with the continued maintenance of the property which is important to me being a local business owner."
- Jim, David, and Tiffany discussed the importance of positive relationships between business owners and the benefits.

Meeting ended.

I received no calls or emails from any other contacts provided.

NEIGHBORHOOD MEETING INFORMATION

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Johnson) SS:

Comes now Tiffany Clark, of lawful age, sound mind and upon his/her oath states as follows:

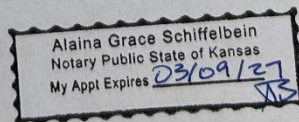
1. That I am the petitioner for Petition # SP2025-006-1127.
2. That I conducted a neighborhood meeting on February 24, 2025.
3. The notice to nearby property owners was sent on February 10th, 2025.
4. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

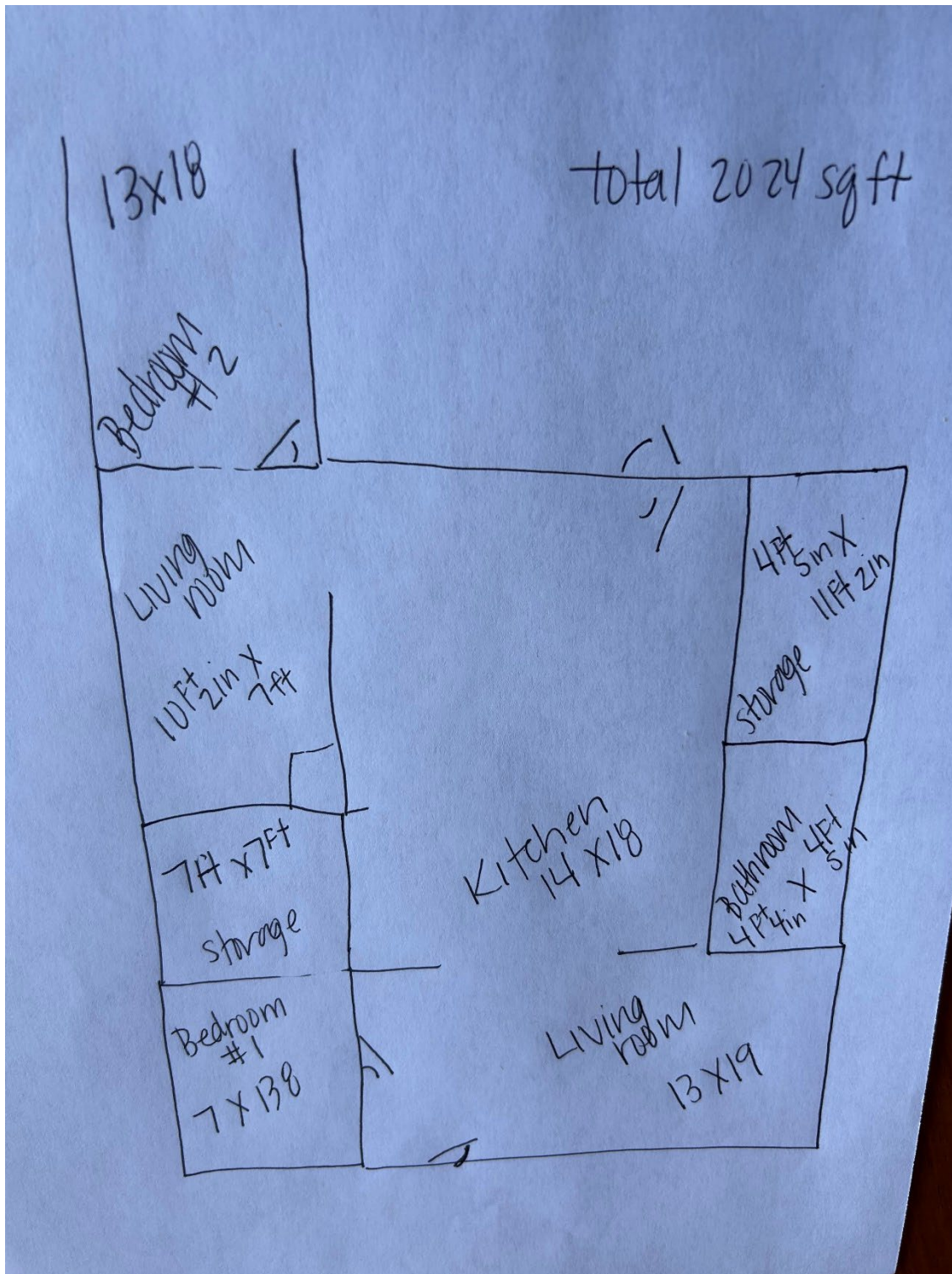
Tiffany Clark
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 26th day of February, 2025.
My commission expires 03rd 9th of March, 2027.

Alaina Grace Schifflbein
Notary Public



FLOOR PLAN





Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: May 29, 2025

Re: **Special Use Permit Petition SP2025-014**

GENERAL INFORMATION

Applicant Information:

David Swanson
Owner's Representative
Swanson Holdings
10543 West 168th Terrace
Overland Park, Kansas 66221

Subject Property:

2629 South 49th Street
Kansas City, Kansas 66106

Requested Action and Purpose:

Approval of a Special Use Permit for
a Short-Term Rental.

Commission Districts:

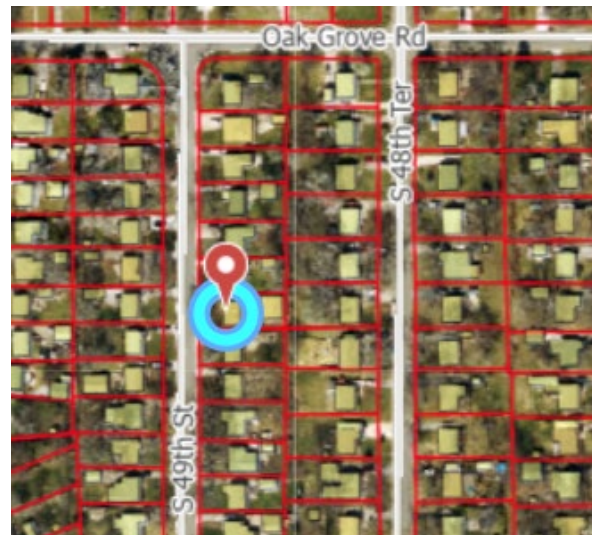
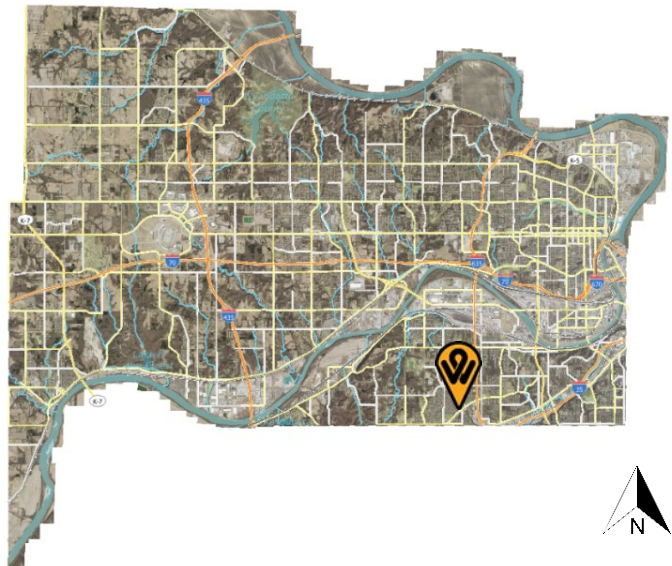
At-Large Commissioner, District #2:
Tom Burroughs
District #6 Commissioner:
Philip Lopez

Existing Zoning District(s):

R-1(B) Single Family District

Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	R-1 Single Family District	Single-Family Residence
South	R-1 Single Family District	Single-Family Residence
East	R-1 Single Family District	Single-Family Residence
West	R-1 Single Family District	Single-Family Residence

Total Tract Size: 0.13 Acre

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Low-Density Residential, which allows for single-family detached residential development on standard lot sizes. Development in these areas should provide adequate open space to maintain the neighborhood character. These areas should be designed to support multi-modal connectivity with sidewalks and street trees.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates South 49th Street as Local Street

Parking Requirement: Section 27-454(e) specifies that dwelling units in this district provided for two (2) off-street parking spaces, one (1) of which must be in a garage or carport. The subject property provides three (3) uncovered parking spaces and two (2) covered garage spaces, meeting this requirement.

Landscaping Requirement: Section 27-700(a) requires one (1) shade tree per dwelling unit required in the front or corner side yard. The subject property has three (3) mature trees in the front and side yard, meeting this requirement.

Advertisement: The Wyandotte Echo – March 20, 2025
Letters to Property Owners – March 21, 2025 and April 8, 2025

Public Hearing: May 12, 2025 and May 29, 2025

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, David Swanson with Swanson Holdings, is requesting a Special Use Permit to operate a short-term rental at 2629 South 49th Street. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 2600 block of South 49th Street. The owner has been operating the property without a permit since December 2024.

City Ordinance Requirements: 27-592 through 27-606, 27-214, and 27-623 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no notices of violations on the property.

Building, Zoning, or Code Enforcement Complaints:

1. 2017: 2017-00082364 – Disturbance (non-domestic) (prior owner)
2. 2016: 2016-00053630 – Domestic Disturbance (prior owner)

Outstanding or Related Permit and Cases:

1. There are no outstanding permits at this property.

Previous Planning Actions:

1. There are no previous or related planning entitlements on the subject property.

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The subject property is located within the Turner Statistical Neighborhood in the subdivision of Highland Crest. The neighborhood consists of modest, single-family homes built around 1955. The Highland Crest subdivision is situated between Gibbs Road and Shawnee Drive, corridors that contain primarily residential uses with some commercial, institutional, and religious entities.

2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial special use permits should not be granted adjacent to residential districts.*

The zoning and uses are set out above. The subject property is surrounded by primarily single-family residences. Use of the property as a rental, either short or long-term, while commercial in nature, is consistent with other nearby properties in close proximity. While use as a short-term rental is commercial in nature, the

use is occurring in a purpose-built residence, which should not present issues with nearby property. The proposed use is compatible if properly managed.

3. *The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions including those for hours of operation (where applicable), detrimentally affect nearby property?*

Removal of the restrictions that require a Special Use Permit has the potential to create issues such as parking, excessive noise, illumination, vibration, overcrowding of land and undue concentrations of population. The property could be suitable for use as a short-term rental if the aforementioned issues are properly managed.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant. The property was owner-occupied and recently sold to the current property owner. The current property owner did some renovation work and has been leasing the property as a short-term rental without a Special Use Permit since December 2024.

5. *The degree of conformance of the proposed use to the Comprehensive Plan.*

Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. The PlanKCK Comprehensive Plan designates the subject property as Low-Density Residential, which allows for single-family detached residential development on standard lot sizes. The proposed use conforms to the PlanKCK Comprehensive Plan designation as it still retains its ability to be utilized as a single-family detached dwelling unit, even if rented as a short-term commercial use with a Special Use Permit.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use has the potential to increase vehicular traffic, but should not exceed the capacity of South 49th Street, a Local Street, to accommodate it if managed properly while it functions as a short-term rental. Guests of short-term rentals tend to travel more throughout the area, as they are typically visitors or tourists.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use provides a convenience to the public in the form of temporary lodging, however, issues such as making excessive noise, vibration, illumination, overcrowding of land, and undue concentrations of population could

impact nearby properties negatively. If managed properly, however, the use of the property is not expected to substantially nor permanently injure the appropriate use, visual quality, or marketability of adjoining property.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for nearby property.*

Noise, vibration and illumination are all potential issues that are related to short-term rentals if not managed properly. There have not been any complaints to date with the current applicant. Dust is not typically an issue related to the use of a residential property in a suburban area as a short-term rental and ostensibly not considered to be a problem for nearby properties.

9. *Whether the proposed use will pollute the air, land or water.*

The proposed use will not pollute the air, land or water as it is an existing, permitted residence.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing, permitted residence in an existing built-out neighborhood.

11. *The relative gain to the public health, safety and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The relative gain or loss to public health, safety and welfare is minimal as it only provides the convenience of lodging with some economic benefit. If denied, the landowner could not use the property as a short-term rental, but may still use the property as a long-term rental with appropriate permits and licenses, their primary residence, or sell the property.

12. *The applicant's ability to maintain the use in an "as proposed" condition.*

The applicant will be required to maintain their short-term rental according to the submitted management plan and conditions of approval, including limits to number of guests and number of vehicles on the property, and other applicable ordinances set by the Code of Ordinances.

13. *Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.*

The proposed use is not expected to create issues of overcrowding as it operates within an existing structure on the site. The maximum number of guests at one time is 7. The maximum number of vehicles off-street is three (3). There shall be no on-street parking for renters or guests of any short-term

rental. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Zoom on March 31, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Noise, Illumination, and Vibration
Home Inspection Report
Overcrowding and Undue Concentrations of Population
Parking
Landscaping

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit application **SP2025-014**, for one (1) year, subject to:

1. The following items must be repaired or remedied prior to renewal:
 - a. The fallen retaining wall needs to be removed or repaired;
 - b. Replace window screens that are damaged and/or have holes;
 - c. If the red coffee canister is being utilized as an electrical fixture such as a can light or junction box, it needs to be replaced to code requirements;
 - d. Replace bathroom exhaust ductwork;
 - e. Repair holes and openings in garage walls and ceiling;
 - f. The electrical mast and exterior wiring conduit needs repaired or replaced (permit required);
 - g. Replace the 60-amp breaker with a large gauge distribution wire;
 - h. Improperly wired outlets listed in 8.7.2 need repaired;
 - i. Install electrical receptacle cover;
 - j. Upgrade outlets to GFCI compliance near points of water or moisture intrusion, entry, or exposure (windows, kitchen, bathroom);
 - k. Repair or replace garage ceiling fans;
 - l. Repair exterior GFCIs with open grounding;
 - m. Remove the furnace access panel and replace with a closet door for proper ventilation and access;
 - n. Gas wall heater in garage shall be removed if inoperable;
 - o. Gas cap needs added to gas line in garage where former dryer/heater connection formerly was;
 - p. Repair leaking water pipe in the sink;
 - q. Water heater was installed in 2023 without a building permit on file. A building permit shall be obtained for this installation;

- r. Repair the leaking hose bib on the exterior;
 - s. Unclog the faucet aerator in hall bathroom;
 - t. Repair all doors to seal tightly without room for pest intrusion and to be able to open easily by users;
 - u. Provide and/or repair smoke detectors in every bedroom, common area, utility area, and basement. Provide carbon monoxide detectors in the kitchen, living area, near chimney, and near gas appliances;
2. All pets of guests must adhere to the local animal ordinances found in Chapter 7, including rabies vaccinations and leash laws;
 3. Maximum number of guests shall be 7;
 4. All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;
 5. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
 6. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
 7. Applicant is to maintain liability insurance;
 8. The property must remain in proper maintenance and free of hazards, pests, or infestations;
 9. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
 10. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);
 11. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
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 14. Exterior lighting must be 90-degree downward facing cut-off fixtures so as not to project onto adjacent properties or public right-of-way;

15. All existing and future driveways must feature curb cuts that are constructed to UG standards;
16. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
17. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
18. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
19. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
20. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
21. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and
22. Substantive action towards the completion of all conditions of approval

herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2025-014** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

Aerial Imagery
Zoning Map
Land Use Map
Host Compliance Map
Homeowner's Insurance
Floorplan
Airbnb Listing
Inspection Report Highlights
Applicant Provided Photos
Applicant Comment Responses

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025 Approval	May 29, 2025

STAFF CONTACT: Kallie McLaughlin, Planner, Floodplain Administrator
kdmclaughlin@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2025-014** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2025-014**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

May 12, 2025, City Planning Commission Minutes:

Hearing starts at 2:11:20:

SPECIAL USE PERMIT SP2025-014 - DAVE SWANSON WITH SWANSON HOLDINGS

Synopsis: Special Use Permit for a short-term rental at 2629 South 49th Street.

Detailed Outline of Requested Action: The applicant, David Swanson with Swanson Holdings, is requesting a Special Use Permit to operate a short-term rental at 2629 South 49th Street. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 2600 block of South 49th Street. The owner has been operating the property without a permit since December 2024.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated May 12, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

Recording Secretary Morris asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

Present in Support:

- Dave Swanson, Applicant, 10543 West 168th Terrace, Overland Park, Kansas 66221

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:13:51: Mr. Lucas stated that Staff recommends approval of this application.

Motion starts at 2:14:18:

On motion by Mr. Ward, seconded by Ms. Schwartz, the Planning Commission voted as follows to **recommend APPROVAL of SP2025-014 for one (1) year:**

Carson	Chairman
Straws	Not Present
Ward	Aye
Armstrong	Aye
Beth	Aye
Easterwood	Aye
Ernst	Aye
Jones	Not Present
Miller	Not Present
Mohler	Aye
Schwartz	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

1. The following items must be repaired or remedied prior to renewal:
 - a. The fallen retaining wall needs to be removed or repaired;
 - b. Replace window screens that are damaged and/or have holes;
 - c. If the red coffee canister is being utilized as an electrical fixture such as a can light or junction box, it needs to be replaced to code requirements;
 - d. Replace bathroom exhaust ductwork;
 - e. Repair holes and openings in garage walls and ceiling;
 - f. The electrical mast and exterior wiring conduit needs repaired or replaced (permit required);
 - g. Replace the 60-amp breaker with a large gauge distribution wire;
 - h. Improperly wired outlets listed in 8.7.2 need repaired;
 - i. Install electrical receptacle cover;
 - j. Upgrade outlets to GFCI compliance near points of water or moisture intrusion, entry, or exposure (windows, kitchen, bathroom);
 - k. Repair or replace garage ceiling fans;
 - l. Repair exterior GFCIs with open grounding;

- m. Remove the furnace access panel and replace with a closet door for proper ventilation and access;
 - n. Gas wall heater in garage shall be removed if inoperable;
 - o. Gas cap needs added to gas line in garage where former dryer/heater connection formerly was;
 - p. Repair leaking water pipe in the sink;
 - q. Water heater was installed in 2023 without a building permit on file. A building permit shall be obtained for this installation;
 - r. Repair the leaking hose bib on the exterior;
 - s. Unclog the faucet aerator in hall bathroom;
 - t. Repair all doors to seal tightly without room for pest intrusion and to be able to open easily by users;
 - u. Provide and/or repair smoke detectors in every bedroom, common area, utility area, and basement. Provide carbon monoxide detectors in the kitchen, living area, near chimney, and near gas appliances;
2. All pets of guests must adhere to the local animal ordinances found in Chapter 7, including rabies vaccinations and leash laws;
 3. Maximum number of guests shall be 7;
 4. All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;
 5. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
 6. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
 7. Applicant is to maintain liability insurance;
 8. The property must remain in proper maintenance and free of hazards, pests, or infestations;
 9. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
 10. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);
 11. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
 12. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
 13. A building permit is required for the construction of a permanent structure

greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;

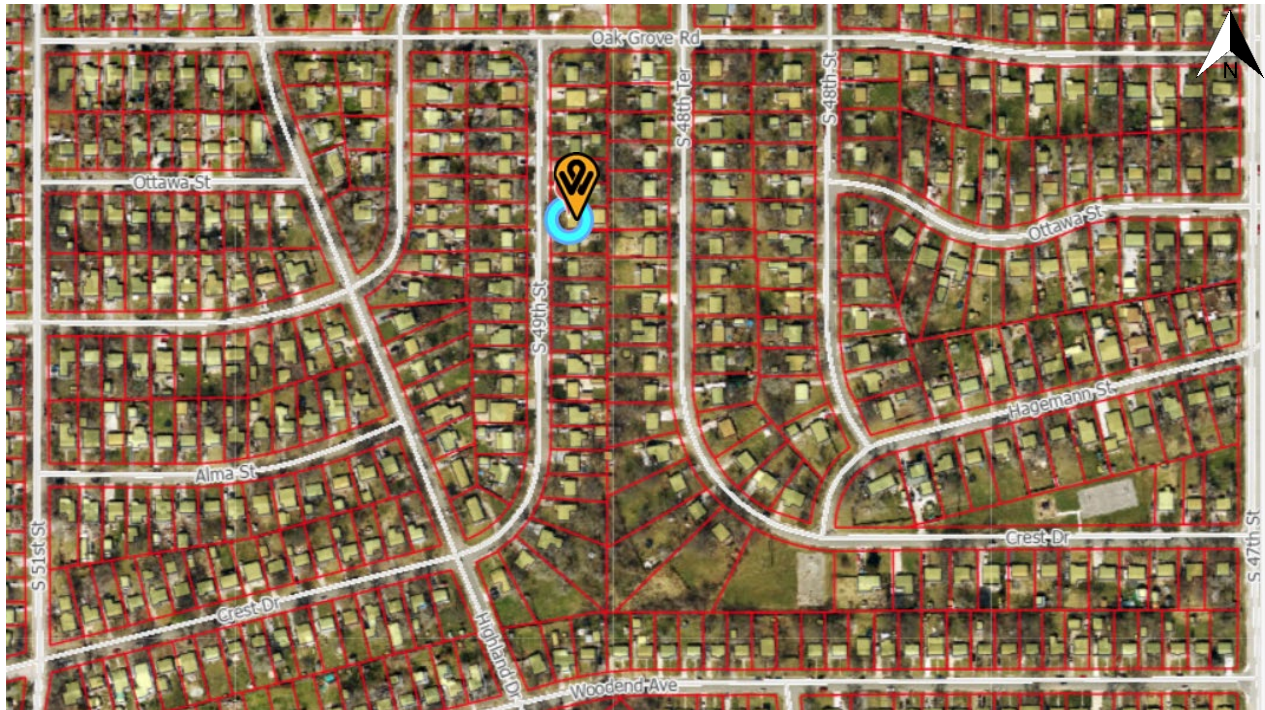
14. Exterior lighting must be 90-degree downward facing cut-off fixtures so as not to project onto adjacent properties or public right-of-way;
15. All existing and future driveways must feature curb cuts that are constructed to UG standards;
16. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
17. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
18. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
19. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
20. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a

new Special Use Permit is approved;

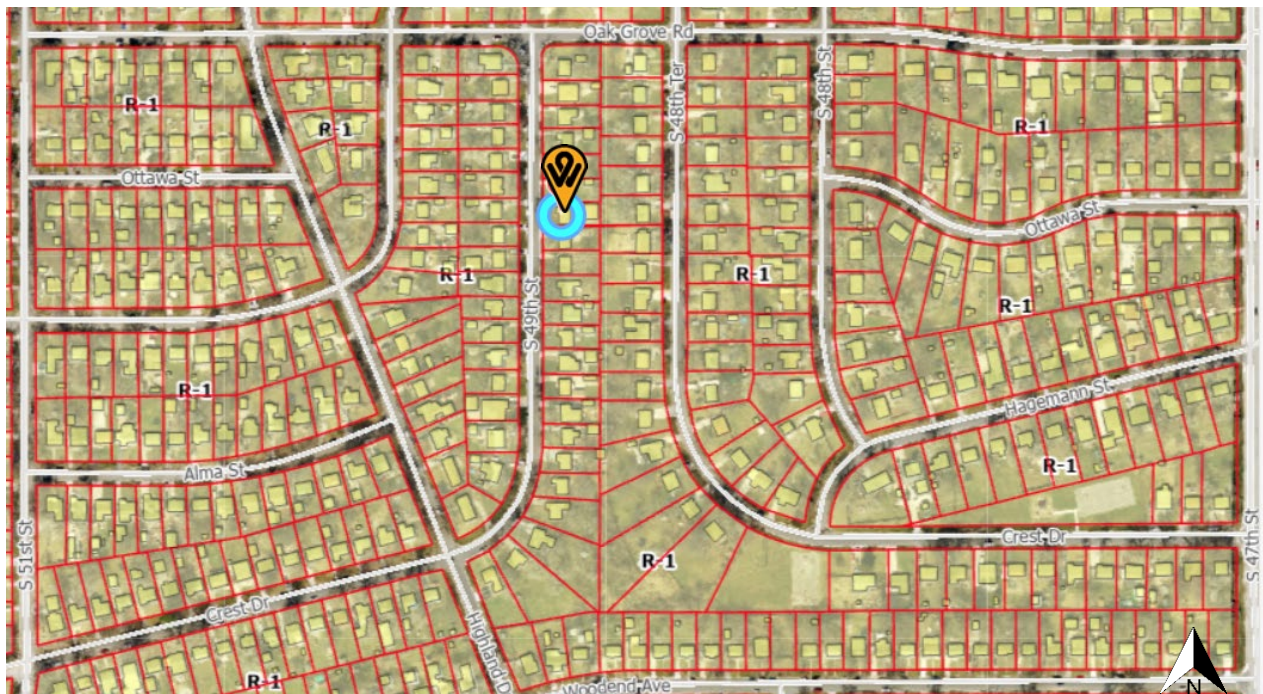
- 21. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and**
- 22. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.**

ATTACHMENTS

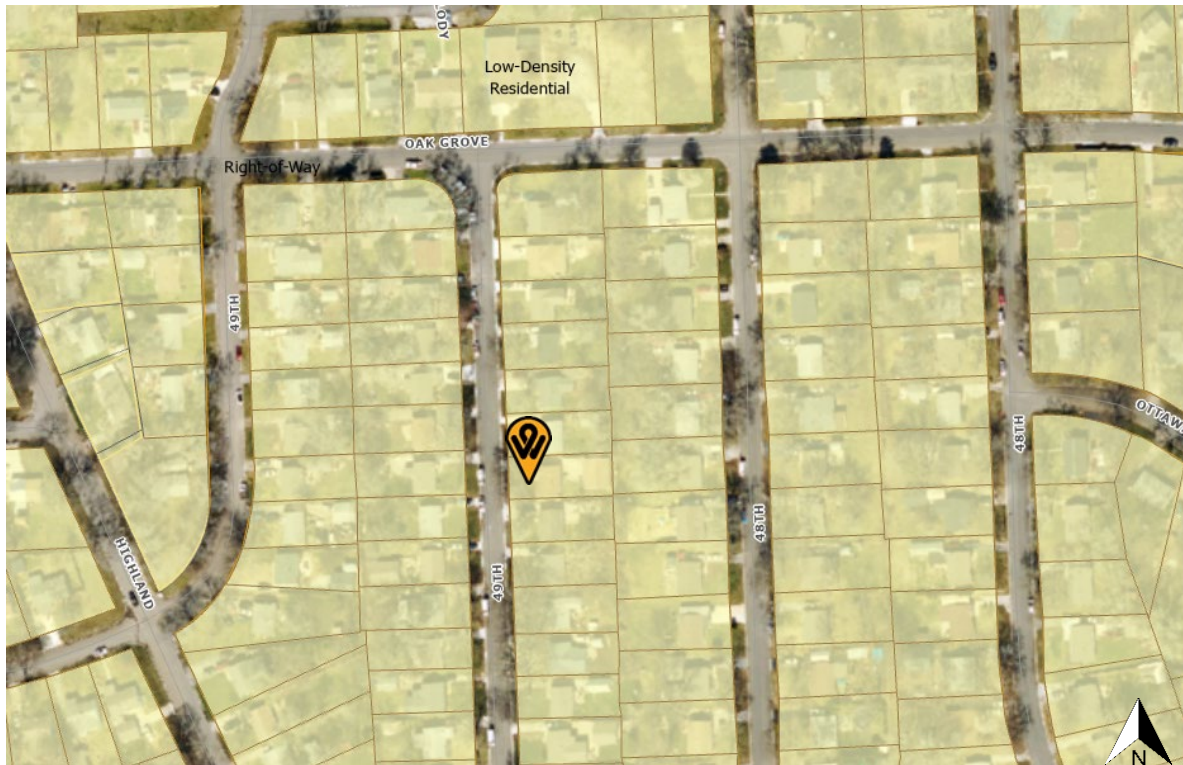
AERIAL IMAGERY



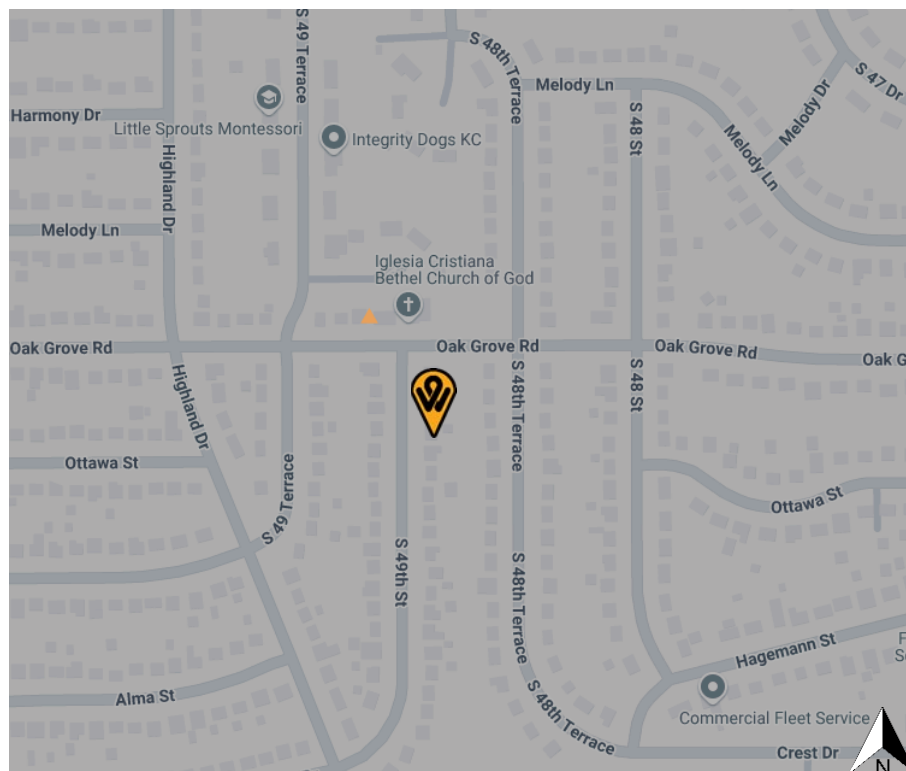
ZONING MAP



LAND USE MAP



SHORT-TERM RENTAL MAP



APPLICANT COMMENT RESPONSES

SP2025-014.draft Responses

Factors to be Considered:

- 3, 7. The property will be professionally managed. The manager, David Swanson, has managed short-term rentals since 2017 and medium-/long-term rentals since 2002.
4. Prior to switching management, the property was listed as a short-term rental option before the owner became aware of local regulations.

Neighborhood Meeting Information:

- Notification of the neighborhood meeting was sent on 3/28/2025
- One person attended the meeting
- No additional comments or questions were received
- A signed and notarized affidavit was submitted on 3/28/2025

Staff Comments and Suggestions:

- 1) Planning and Urban Design Comments
 - a. Landscaping:
 - i. **The fallen retaining wall needs to be removed or repaired.** The repair has been assigned and will be completed by April 30.
 - b. Electrical:
 - i. **If the red coffee canister is being used as an electrical fixture (e.g., can light or junction box), it must be replaced per code.** Response: It is not being used as an electrical fixture.
 - ii. **The electrical mast and exterior conduit need to be repaired or replaced (permit required); the 60-amp breaker should be replaced with an appropriately gauged distribution wire.** Response: Currently receiving bids; will address.
 - iii. **Improperly wired outlets identified in section 8.7.2 must be repaired.** Response: Currently receiving bids; will address.
 - iv. **Install an electrical receptacle cover.** Response: Repair assigned; will be completed by April 30.
 - v. **Upgrade outlets to GFCI compliance near points of potential water intrusion (e.g., windows, kitchen, bathroom).** Response: Repair assigned; will be completed by April 30.
 - vi. **Repair exterior GFCIs with open grounding.** Response: Repair assigned; will be completed by April 30.
 - c. HVAC:
 - i. **Replace bathroom exhaust ductwork.** Response: Repair assigned; will be completed by April 30.
 - d. General Contractor (GC):

APPLICANT COMMENT RESPONSES

- i. **Replace damaged or torn window screens.** Response: Screens have been taken in for repair; ready for pickup on 4/9.
- ii. **Repair holes/openings in garage walls and ceiling.** Response: Completed.
- iii. **Replace furnace access panel with a closet door to allow proper ventilation/access.** Response: Repair assigned; will be completed by April 30.
- iv. **Repair all doors to close securely, prevent pest intrusion, and function properly.** Response: Completed.
- v. **Install or repair smoke detectors in all bedrooms, common areas, utility areas, and the basement. Install carbon monoxide detectors in the kitchen, living area, near chimneys, and near gas appliances.** Response: Repair assigned; will be completed by April 30.
- vi. **Repair or remove garage ceiling fan.** Response: Fan will be removed.
- e. **Plumbing:**
 - i. **Remove gas wall heater in garage if inoperable.** Response: The heater is operable.
 - ii. **Install gas cap on line in garage where dryer/heater was previously located.** Response: Completed.
Repair leaking water pipe in sink. Response: Completed.
 - iii. **Water heater was installed in 2023 without a permit. A permit must be obtained.** Response: Receiving bids; will address. Several plumbers have declined to pull a permit for work completed by others.
 - iv. **Repair leaking exterior hose bib.** Response: Completed.
 - v. **Unclog faucet aerator in hall bathroom.** Response: Completed.
- 2) **History of Rental Use**

Before management was transferred, the home was listed as a short-term rental, prior to the owner's awareness of relevant regulations. The listing was updated to require stays of 30+ days (medium-term rental). The property is not currently available for any type of booking.
- 3) **Management Details**

The property will be managed by Swanson Holdings, with 8 years of short-term and 23 years of medium-/long-term rental experience. David Swanson is listed as a co-host on booking platforms and manages all communication, listings, and reservations. Maintenance is handled by professional cleaners, landscapers, and contractors. Contact info provided to neighbors:

Swanson Holdings
David Swanson
7111 W. 151st St, Overland Park, KS 66223
(913) 461-3283

APPLICANT COMMENT RESPONSES

dave@swansonholdings.net

4) **Neighbor Communication**

Neighbors have Mr. Swanson's contact information. He will use the most appropriate communication method (mail, email, phone, in-person) depending on the situation.

5) **Proximity**

The manager lives within 30 minutes of the property and can also rely on local vendors for support when unavailable.

6) **Market Occupancy**

According to PriceLabs.co, 2024 market occupancy was 68%. This property is expected to operate at or below that level.

7) **Maintenance & Property Standards:** The property will be maintained in a safe and sanitary condition through:

- a) Regular professional cleanings (after each guest stay)
- b) Periodic inspections to address emerging issues
- c) Regular manager visits
- d) Prompt responses to guest communication

8) **Taxes**

Occupancy taxes are collected and remitted by the booking platform (Airbnb).

9) **House Rules**

A guest manual will be provided, including rules such as "no parties." This rule is reinforced by Airbnb's automated monitoring system.

10) **Pets**

Pets are permitted.

11) **Host Compliance Contact**

"Host Compliance" contact information will be provided as required.

Standard Conditions: Understood and acknowledged.

HOMEOWNER'S INSURANCE



EVIDENCE OF PROPERTY INSURANCE

DATE (MM/DD/YYYY)
02/04/2025

THIS EVIDENCE OF PROPERTY INSURANCE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE ADDITIONAL INTEREST NAMED BELOW. THE EVIDENCE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS EVIDENCE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE ADDITIONAL INTEREST.

AGENCY Proper Insurance Services, LLC 50 Citizens Way, Suite 410 Frederick, MD 21701		PHONE (A/C, No, Ext): 888-631-6680	COMPANY Lloyd's of London	
FAX (A/C,) 888-331-9299	E-MAIL ADDRESS: mortgageinfo@proper.insure			
CODE:		SUB CODE:		
AGENCY CUSTOMER ID #:				
INSURED Mickell Lethco and Scott Lethco 675 Tampico Walnut Creek, CA 94598			LOAN NUMBER 741169080	POLICY NUMBER PIV20250123103337
EFFECTIVE DATE 02/03/2025		EXPIRATION DATE 02/03/2026	☐ CONTINUED UNTIL TERMINATED IF CHECKED	
THIS REPLACES PRIOR EVIDENCE DATED:				

PROPERTY INFORMATION

LOCATION/DESCRIPTION
2629 S 49th St, Kansas City, KS 66106

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS EVIDENCE OF PROPERTY INSURANCE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

COVERAGE INFORMATION

COVERAGE / PERILS / FORMS	AMOUNT OF INSURANCE	DEDUCTIBLE
Dwelling	\$175,000	\$1,000

REMARKS (Including Special Conditions)

PREMIUM AMOUNT DUE: \$2,873.70
PAYABLE TO PROPER INSURANCE SERVICES
FEIN: 47-1586857, Virginia Insurance Lic. #136878

Special Cause of Loss, Replacement Cost Valuation

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

ADDITIONAL INTEREST

NAME AND ADDRESS CrossCountry Mortgage, LLC., ISAOA PO Box 7729 Springfield, OH 45501-7729	☒	MORTGAGEE	ADDITIONAL INSURED
	☐	LOSS PAYEE	
	LOAN #		
AUTHORIZED REPRESENTATIVE 			

HOMEOWNER'S INSURANCE

COMMERCIAL LIABILITY COVERAGE PART

General Aggregate Limit	\$2,000,000
Each Occurrence Limit	\$1,000,000
Personal and Advertising Injury Limit	\$1,000,000 Any One Person or Organization
Damage to Premises Rented to You	\$100,000 Any One Premises
Medical Expense Limit	\$0 Any One Person
Personal Liability	\$ Not Covered

Named Insured for Personal Liability (if any):

Additional Insured(s):

COMMERCIAL PROPERTY COVERAGE PART

Covered Cause of Loss: Special Form, CP1030

Replacement Cost for Building and Business Personal Property

Deductibles: Standard Deductible: \$1,000
 Equipment Breakdown Deductible: \$1,000
 Wind Deductible: \$1,000

Optional Coverages:

Ordinance or Law - Undamaged Portion of Building: Building(s) Limit
Ordinance or Law - Increased Cost of Construction: \$50,000 Limit
Bed Bug & Flea Extermination Plus Business Revenue - No Deductible: \$20,000 Limit
Squatters & Eviction Expenses Plus Business Revenue - No Deductible: \$30,000 Limit
Equipment Breakdown (Mechanical, Electrical, Pressure) Enhancement Endorsement: Included

Business Income and Extra Expense: Actual Loss Sustained Subject to a Maximum Limit of Insurance per Location
Stated Below

<u>Location #</u>	<u>Limit Of Insurance</u>
1	\$72,000

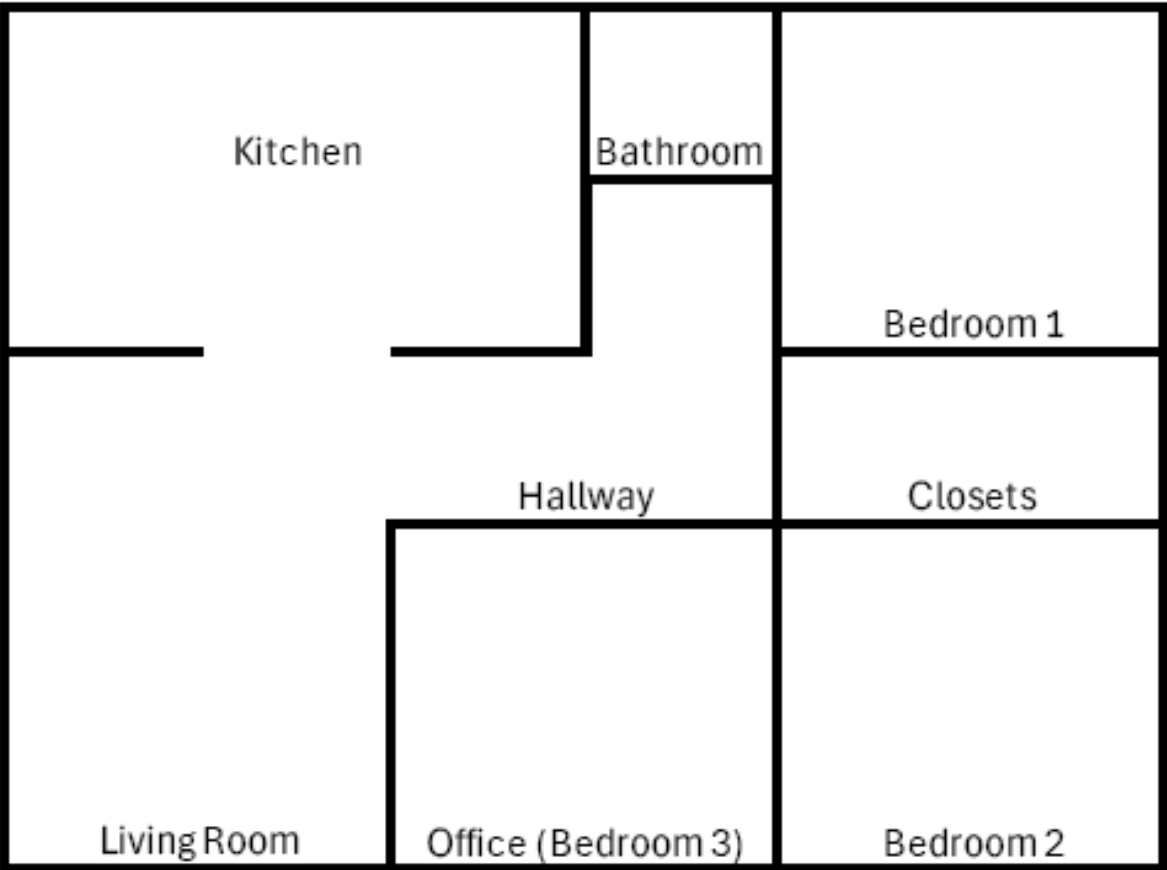
Real Property Limits:

<u>Location #</u>	<u>Building #</u>	<u>Description</u>	<u>Building Limit</u>	<u>Business Personal Property Limit</u>
1	1	Dwelling	\$175,000	\$20,000

Mortgageholder (s):

<u>Location #</u>	<u>Building #</u>	<u>Mortgage Holder's Name and Mailing Address</u>
1	1	CrossCountry Mortgage, LLC, PO Box 7729, Springfield, OH 45501-7729

FLOOR PLAN



AIR B&B LISTING

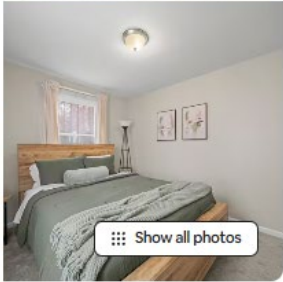


AnywhereAny weekAdd guests

Airbnb your home

Kansas City Quiet Cottage

 Share Save



Show all photos

Entire home in Kansas City, Kansas

4 guests · 2 bedrooms · 2 beds · 1 bath

 Guest favorite

One of the most loved homes on Airbnb, according to guests

5.0
★★★★★

7
Reviews

 Hosted by Mickell
3 months hosting

 Self check-in
Check yourself in with the smartlock.

 Unbeatable location
100% of guests in the past year gave this location a 5-star rating.

Add dates for prices

CHECK-IN Add date	CHECKOUT Add date
GUESTS 1 guest	

Check availability

 Report this listing

AIR B&B LISTING



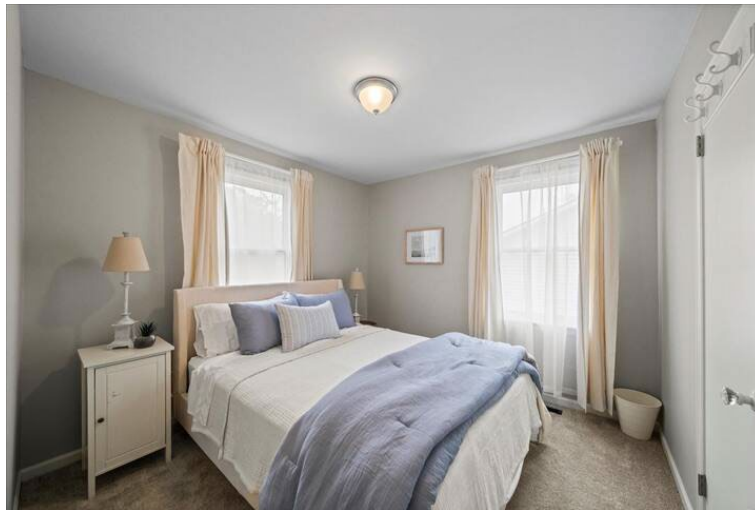
AIR B&B LISTING



AIR B&B LISTING



AIR B&B LISTING



INSPECTION REPORT HIGHLIGHTS

2.3 Retaining Wall(s)

2.3.1 Retaining wall is leaning and should be repaired or replaced to regain its function. (Exterior Right)



3.5 Windows

3.5.1 Window screen is damaged. Repair/replace if desired for proper function. (**Exterior Back**)

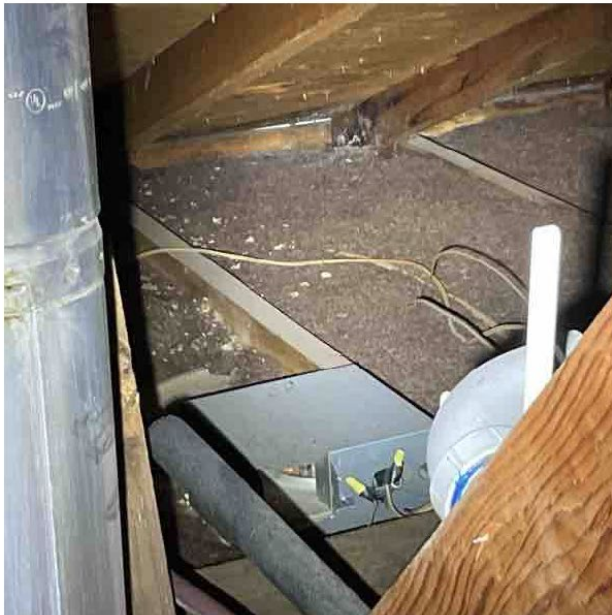


INSPECTION REPORT HIGHLIGHTS



5.4 Exhaust Duct

5.4.1 The exhaust ductwork from bathroom fan is missing. Recommend installing an exhaust duct and extending to a roof vent to eliminate moisture in the attic. **(Attic)**



INSPECTION REPORT HIGHLIGHTS

6.7 Wall

- ☉ Drywall / Plaster

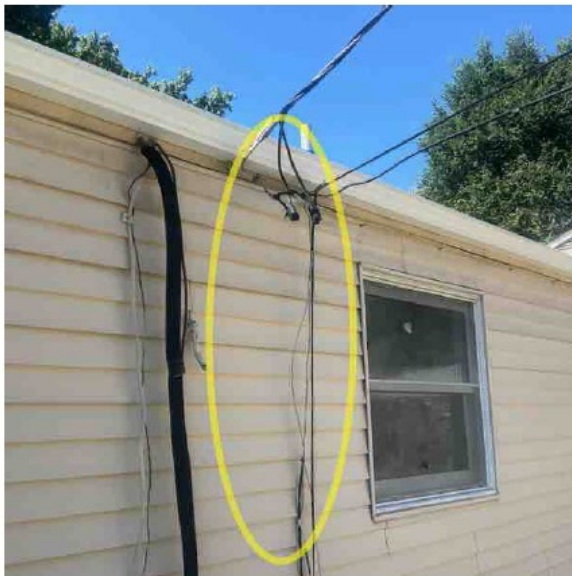
6.7.1 There is a large opening in the wall surface present. Recommend sealing gap to prevent pest and animal entry. (Garage)



8.1 Service Entrance

- ☉ Electrical service to home is by overhead cables.
- ☉ Service entry conductors are copper.

8.1.1 The service entrance cable is sagging and too close to the ground. Recommend an electrician assess and repair/update as required for electrical safety. (Exterior Back)



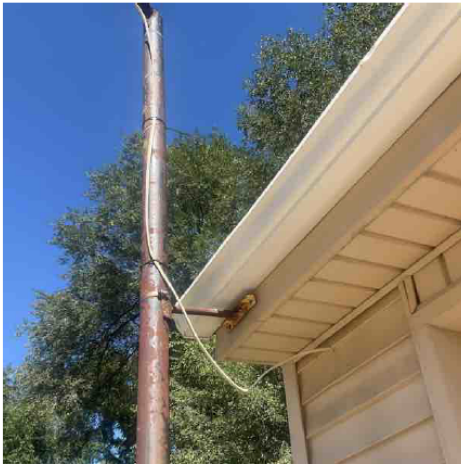
INSPECTION REPORT HIGHLIGHTS

8.4.2 There is a 60 amp breaker with a 10 gauge distribution wire feeding a receptacle. The 60 amp breaker requires a larger wire. An electrician must evaluate and correct for proper function and electrical safety. (Garage)



8.6 Branch Circuit Wiring

8.6.1 All unprotected exterior wiring should be placed in proper conduit to prevent possible wire damage and associated electrical safety concerns. (Garage)



8.7 Receptacles

8.7.1 Per our Standards of Practice, a representative number of receptacles were tested.

8.7.2 The receptacle(s) are miswired (open ground). A qualified electrician should correct as required for electrical safety.

- Front Left Bedroom
- Front Right Bedroom
- Back Right Bedroom
- Living Room
- Dining Room (Throughout)

INSPECTION REPORT HIGHLIGHTS

8.8 Lighting / Ceiling Fan(s)

8.8.1 The ceiling fan(s) are inoperative. A qualified electrician should correct as required to regain proper function. (Garage)



8.10 GFCI Devices

8.10.1 The GFCI(s) are missing and have an open ground. A qualified electrician should further assess and correct as required for electrical safety. (Exterior Front)



8.10.2 The GFCI(s) are missing. A qualified electrician should further assess and correct as required for electrical safety. (Hall Bathroom)



INSPECTION REPORT HIGHLIGHTS

8.12 Carbon Monoxide Alarms

8.12.1 Carbon monoxide alarm(s) were missing / absent. Install carbon monoxide alarms where required for life safety.

9.6 Forced Air Furnace(s)

⊙ High Efficiency

9.6.1 An enclosure is built over the furnace. There should be access to the furnace for maintenance and emergencies. Recommend installing a closet door for proper access.



9.10 Natural Gas Piping

⊙ Black pipe

9.10.1 There is not a cap present on gas line fitting. Recommend capping for safety if the shut off valve were to fail. (Garage)

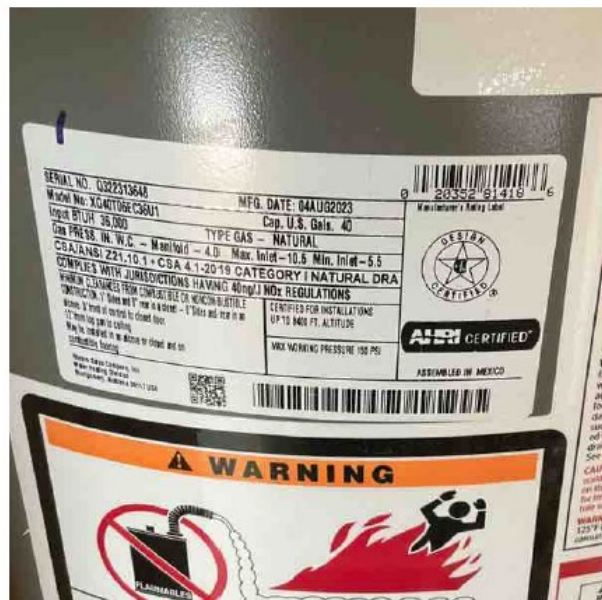


INSPECTION REPORT HIGHLIGHTS

10.2.3 The distribution piping is leaking. A qualified plumber should repair as required to prevent water damage. (Kitchen)



10.4.1 Rheem water heater manufactured 2023.
Average operational cycle for this type of water heater is approximately 15 years. (Hallway)



APPLICANT PROVIDED PHOTOS





Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: May 29, 2025

Re: Special Use Permit Petition SP2025-017

GENERAL INFORMATION

Applicant Information:

Eli Schwinn
Representative
George Butler Associates
9801 Renner Boulevard
Lenexa, Kansas 66219

Subject Property:

8400, 8410, & 8440 Gibbs Road
Kansas City, Kansas 66111

Requested Action and Purpose:

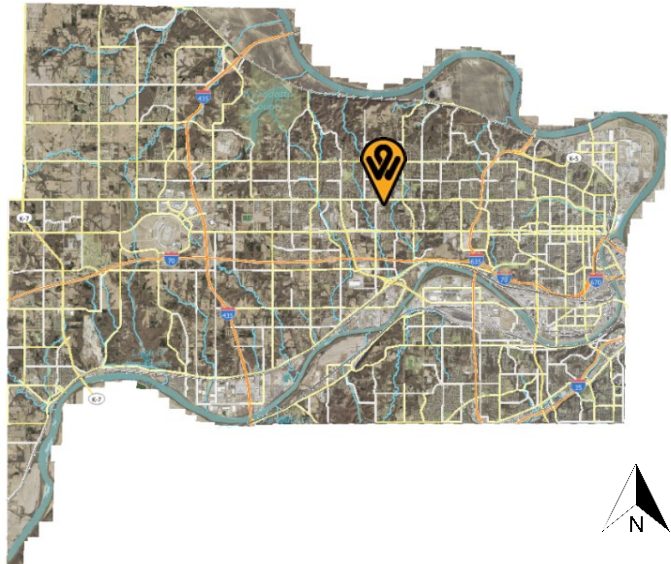
Approval of a Renewal of a Special Use Permit (SP2022-048) for the outdoor storage of operable and inoperable vehicles and equipment which will be sold wholesale or auction.

Commission Districts:

At-Large Commissioner, District #2:
Tom Burroughs
District #6 Commissioner:
Philip Lopez

Existing Zoning District(s):

MP-3 Planned Heavy Industrial
District



Plan Area:**PlanKCK Comprehensive Plan**

	Adjacent Zoning	Adjacent Uses
North	A-G Agriculture, R-1 Single Family, and MP-3 Planned Heavy Industrial Districts	Single-family residences greater than one (1) acre, agricultural farmsteads, open space, metal fabricator, construction equipment supplier, Kaw Drive, and Union Pacific Railway
South	MP-3 Heavy Industrial District	Vehicle Salvage Yard
East	R-1 Single Family District	Concrete & Asphalt Excavation
West	MP-3 Planned Heavy Industrial District	Lumber Warehousing and Distribution, Heavy Truck Repair, Paper Mill

Total Tract Size:

74.3 Acres

Comprehensive Plan Designation:

The PlanKCK Comprehensive Plan designates the subject property as Industrial, which allows for small, medium and large-scale industrial processing, manufacturing and outdoor storage. These uses are often the most intensive uses characteristic of heavy truck traffic, excessive noise, and potentially noxious impacts. As such, industrial uses should be in or abutting existing industrial districts but not encroach on existing residential or commercial areas that may act to buffer such residential uses.

Major Street Plan:

The goDotte County-Wide Mobility Strategy designates this section of Gibbs Road as a local street.

Parking Requirement:

Section 27-470(f) states that uses in this district require paved off-street parking at a ratio necessary of one (1) space for each 500 square feet of building area be provided. For buildings larger than 20,000 square feet, only one space for each 1,000 square feet needs to be provided for increments between 20,000 and 50,000 square feet. For buildings larger than 50,000 square feet, the parking required for increments over 50,000 square feet will be determined by the director of planning. The subject property has multiple buildings for a total of 11,153 square feet, requiring 23 parking spaces. The subject

property has several thousand parking spaces, exceeding this requirement.

Landscaping Requirement:

As determined by previous Petition Reviews, 40 trees are required and were shown on the plan, although it is unclear if all trees are fully established, maintained, and are in otherwise healthy condition, particularly on the north edge of the property.

Advertisement:

The Wyandotte Echo – April 17, 2025
Letters to Property Owners – April 18, 2025

Public Hearing(s):

May 12, 2025 and May 29, 2025

Public Support:

None to date.

Public Opposition:

None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Eli Schwinn with George Butler Associates, is requesting the renewal of a Special Use Permit SP2022-048 (which expired October 3, 2024) to operate a wholesale and auction company of operable and inoperable vehicles and equipment. Items for sale include automobiles, watercraft, boats, recreational vehicles, construction equipment, trailers, and items of similar size and use.

City Ordinance Requirements: 27-592 through 27-606 and 27-214 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no noise or disturbance complaints on the subject property.

Building, Zoning, or Code Enforcement Complaints:

1. 2025: ZONE2025-001 – Operating an automotive business with expired Special Use Permit (open, pending permit approval).
2. 2011: 11395-00112 – Stop Work Order for Excavating and Dumping without Permit (prior owner - closed).

Outstanding or Related Permit and Cases:

1. 2025: PLM25-0198 – Plumbing Repairs (issued, open).
2. 2023: COM23-0023 – Camera Installation (issued, open).
 - a. Notes indicate that a separate electrical permit was to be issued and was never obtained by the contractor.

3. 2021: ELE21-1044 – Electrical install for new HVAC per COM20-0011 (completed).
4. **2021: SPK21-0029 – Sprinkler System relocation (open).**
5. 2021: PLM21-0572 – Plumbing per COM20-0011.
6. 2021: DRC21-0005 – Modular office for Mississippi Lime Company (now part of the Copart Site) – Completed.
7. 2021: ELE21-1494 – Electrical per DRC21-0005 (completed).
8. 2021: PLM22-0187 – Plumbing per DRC21-0005 (completed).
9. **2020: 20355-00009 – Site Improvements for Parking – Open.**
 - a. TCO expired.
 - b. CO cannot be obtained without landscape completion.
 - c. See staff comments for remaining landscape items.
10. 2019: 19335-00003 – Grading and Fill for LG Everist Site (now 8600 Gibbs).
11. 2015: 15300-00887 – Grading and Fill for LG Everist Site (now 8600 Gibbs).
12. 2013: 13300-00696 – Grading and Fill for LG Everist Site (now 8600 Gibbs).
13. 2007: 07300-00605 – New Maintenance Building for LG Everist (completed).
14. 2007: 07380-01203 – Electrical per DRC 07300-00605.
15. 2007: 07365-00042 – Fire Sprinkler per DRC 07300-00605.

Previous Planning Actions:

1. 2022: SP2022-048 – Special Use Permit to Continue automotive and equipment salvage and sales operation.
2. 2021: PR2021-006 – Final Development Plan – Revise Conditions of Approval to allow for Transport Trucks – approved.
3. 2020: Preliminary and Final Plat for Copart II (in conjunction with PR-2020-29).
4. 2020: PR-2020-29 – Preliminary and Final Plan for Copart II Expansion.
5. 2020: SP-2020-24 – Special Use Permit for Copart II.
6. 2020: COZ3218 – Change of Zone for R-1 to MP-3 for Copart II Expansion.
7. 2015: SP-2015-68 – Special Use Permit for Dirt Fill.
8. 2013: SP-2013-55 – Special Use Permit for Earthen Fill.
9. 2013: U-2013-14 – Vacation of a Drainage Easement.
10. 2007: PR-2007-6 – Final Development Plan for new maintenance for LG Everist – approved.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Muncy-Stony Point statistical neighborhood. The neighborhood consists of primarily industrial uses with residential uses to the north that are separated by Kaw Drive and the Union Pacific Railway. Roadways are concrete with minimal stormwater improvements and very little street lighting exists. This property is at the dead end of Gibbs Road, adjacent to Kaw Valley Concrete and Asphalt Recycling.

2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial Special Use Permits should not be granted adjacent to residential districts.*

The zoning and uses are set out above. The subject property is surrounded by industrial uses on the south side of Kaw Drive and is considered compatible. To the north of Kaw Drive is a mix residential, agricultural and industrial uses. The proposed use, which is industrial in nature, is compatible with nearby uses if properly managed with buffers and screening.

3. *The suitability of the property for the uses to which it has been restricted. Will the removal of restrictions, including those for hours of operation (where applicable), detrimentally affect nearby property?*

The proposed use is suitable for the subject property as it is primarily a passive industrial use with limited commercial activity. Semi-trucks frequently visit the property to transport vehicles, but there is very limited customer traffic and a limited number of employees. More active industrial or commercial uses on the site may be hindered by the limited street accessibility and lack of sanitary service. The removal of restrictions will not detrimentally affect nearby property if properly managed, including screening and buffering for activities inconsistent with the rural uses to the north.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant. The property has been consistently in use since 2014.

5. *The degree of conformance of the proposed use to the Comprehensive Plan.*

Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. The PlanKCK Comprehensive Plan designates the subject property as Industrial, which allows for small, medium and large-scale industrial processing, manufacturing and outdoor storage. These uses are often the most intensive uses characteristic of heavy truck traffic, excessive noise, and potentially noxious impacts. As such, industrial uses should be in or abutting existing industrial districts, but not encroach on existing residential or commercial areas that may act to buffer such residential uses. The proposed use generally conforms to the master plan, as the immediately adjacent properties are also industrial in nature. Industrial uses are not compatible with the residential and agricultural uses to the north, although these uses are buffered by Kaw Drive and the Union Pacific Railroad.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use has the potential to increase vehicular traffic, but not to the volume to where it would exceed the ability of Gibbs Road, a local street, to accommodate it if managed properly. *This stretch of Gibbs Road was designed to access farmland and is more narrow than what is generally expected for industrial and heavy traffic. This tract of Gibbs Road dead-ends, which may prove difficult for property owners to exit the property in case of emergency.* However, as this use has no commercial traffic and a limited number of employees, the vehicles accessing the property are primarily semitruck delivery vehicles. Without a formal traffic study it is unclear that the traffic exceeds the local street's limited capacity, however it appears that the street network has reached capacity at this location given the limited circulation and accessibility.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use is might be reasonably necessary for the convenience and welfare of the public as it does provide a place for inoperable or salvage items to be located within an industrial neighborhood, and providing for items that may be at a discount however it is largely for private use. If not stored properly at a permitted industrial site, there is some propensity for residents to retain salvage items at their personal residence, which is uncharacteristic of most neighborhoods. The proposed use will not affect the use, quality, or marketability of nearby property if properly buffered, screened, and managed, as adjacent properties utilize similar industrial activities and uses.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

Noise and vibration are not typically associated with the wholesale and auction of equipment, as the items are static and not operating on-site. There is some propensity for noise from truck traffic, however it is not inconsistent with the adjacent uses utilizing similar activity to the south of Kaw Drive. Proper buffering and screening can minimize these concerns for the rural and agricultural uses across Kaw Drive to the north.

9. *Whether the proposed use will pollute the air, land or water.*

The proposed use will not pollute the air, land or water as it is an existing, permitted industrial development.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

The proposed use will not damage or destroy an irreplaceable natural resource in the sense that it is existing development, although the improvements have not been adequately completed to equate for the loss in ground cover. The applicant

has inconsistently maintained landscaping and soil quality has eroded. Extended periods of time without proper landscaping contributes to premature erosion or loss of topsoil, an irreplaceable natural resource

11. *The relative gain to the public health, safety and welfare as compared to the hardship imposed on the individual landowner or landowners.*

There is no tangible gain to the public health, safety and welfare as this is a private development. If denied, the property owner may not use the property for the proposed use however, they can still develop the property in other ways consistent with by-right uses of the district or sell the property.

12. *The applicant's ability to maintain the use in an "as proposed" condition.*

The applicant has inconsistently maintained the proposed use as originally proposed and according to previous conditions of approval. Building permits have not been completed in a timely mannerism and the permit itself has been renewed with frequent lapses. Although numerous extensions, landscape bonds, and renewals have been granted in the past, the original conditions are still not completely met.

13. *Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.*

The proposed use is not expected to result in the overcrowding or land or undue concentrations of population because if managed appropriately as the items for sale or auction cover a significant amount of land in an organized fashion. There are a limited number customers and employees, with frequent trips to the property only made by drivers to and from the property. If the applicant abides by the conditions of approval, undue concentrations of population or overcrowding should not be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Microsoft Teams on April 23, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Landscaping
Special Flood Hazard Area
Noise, Dust, and Vibration
Incomplete Building Permit
Traffic
Parking
Safety

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit application **SP2025-017**, for one (1) year, subject to:

1. The applicant shall close out and address building permits and call the Building Inspection Department to do so. Should the building permits not be completed within six (6) months of the approval of this application by the Board of Commissioners, it shall be considered invalid. The permits noted in the *Outstanding or Related Permit and Cases* section, items 1, 2a, 4, and 9, shall be specifically addressed;
2. As the building permits have yet to be completed and landscaping yet to be fully established/verified, staff recommends an approval for one (1) year to provide a checkpoint for permit verification and completion of or adherence to the conditions of approval;
3. FEMA documentation is still being reviewed by a third-party consultant for completeness. Additional documentation may be required or requested from the applicant;
4. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
5. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
6. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
7. All existing and future driveways must feature curb cuts that are constructed to UG standards;
8. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
9. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The

property may also be subject to enforcement actions and administrative citations;

10. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
11. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
12. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
13. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
14. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2025-017** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

May 12, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Applicant Comment Response and Photos
Neighborhood Meeting Information

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025 Approval	May 29, 2025

STAFF CONTACT: **Kallie McLaughlin, Planner, Floodplain Administrator**
 kdmclaughlin@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2025-017** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2025-017**, as it is not in compliance with the City Ordinances and as it will not promote the public

health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

May 12, 2025, City Planning Commission Minutes:

Hearing starts at 2:15:39:

SPECIAL USE PERMIT SP2025-017 - ELI SCHWINN

Synopsis: Renewal of a Special Use Permit (SP2022-048, expired October 3, 2024) for storage of motor vehicles and other recreational vehicles and equipment for auction sales for Copart at 8400, 8410, & 8440 Gibbs Road. Detailed Outline of Requested Action: The applicant, Eli Schwinn with George Butler Associates, is requesting the renewal of a Special Use Permit SP2022-048 (which expired October 3, 2024) to operate a wholesale and auction company of operable and inoperable vehicles and equipment. Items for sale include automobiles, watercraft, boats, recreational vehicles, construction equipment, trailers, and items of similar size and use.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated May 12, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

Recording Secretary Morris asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

Present in Support:

- Eli Schwinn, Applicant, 9801 Renner Boulevard, Lenexa, Kansas 66219

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:18:08: Mr. Lucas stated that Staff recommends approval of this application.

Motion starts at 2:18:48:

On motion by Mr. Ward, seconded by Mr. Beth, the Planning Commission voted as follows to **recommend APPROVAL of SP2025-017 for one (1) year:**

Carson	Chairman
Straws	Not Present
Ward	Aye
Armstrong	Aye

Beth	Aye
Easterwood	Aye
Ernst	Aye
Jones	Not Present
Miller	Not Present
Mohler	Aye
Schwartz	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

1. The applicant shall close out and address building permits and call the Building Inspection Department to do so. Should the building permits not be completed within six (6) months of the approval of this application by the Board of Commissioners, it shall be considered invalid. The permits noted in the *Outstanding or Related Permit and Cases* section, items 1, 2a, 4, and 9, shall be specifically addressed;
2. As the building permits have yet to be completed and landscaping yet to be fully established/verified, staff recommends an approval for one (1) year to provide a checkpoint for permit verification and completion of or adherence to the conditions of approval;
3. FEMA documentation is still being reviewed by a third-party consultant for completeness. Additional documentation may be required or requested from the applicant;
4. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
5. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
6. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
7. All existing and future driveways must feature curb cuts that are constructed to UG standards;
8. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
9. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges

that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

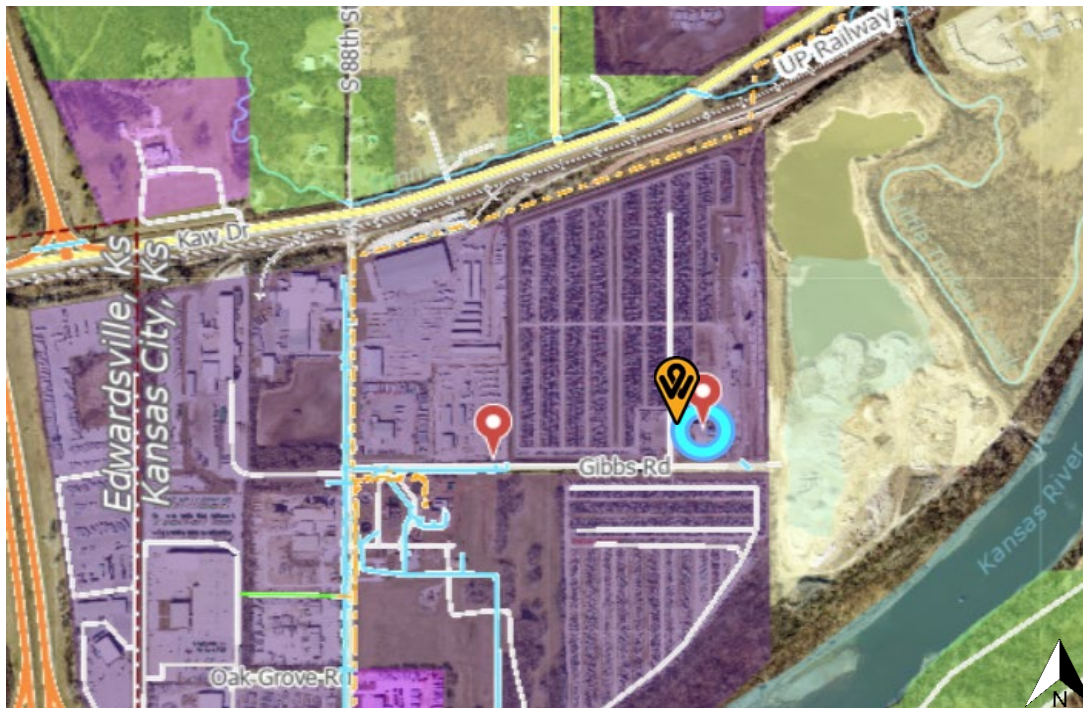
10. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
11. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
12. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
13. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
14. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP



LAND USE MAP



ADDITIONAL ATTACHMENTS



9801 Renner Boulevard,
Suite 300
Lenexa, KS 66219

April 30, 2025

Unified Government of Wyandotte County & Kansas City, Kansas
Planning & Urban Design
701 N 7th Street
Kansas City, Kansas 66101

RE: Copart SUP Renewal – 8440 Gibbs Road (SP2025-017)
Draft Staff Report Comments Response

We have received your comments contained in the draft staff report dated May 12, 2025 for the above referenced project. Our responses follow each comment.

Planning and Urban Design Comments:

1. The applicant has been inconsistent in renewing the Special Use Permit, letting it lapse for months at a time on numerous occasions.
Applicant Response: *The applicant acknowledges that this is the second time the SUP for this use has been allowed to lapse.*
2. The applicant has yet to complete the building permits as previously required. Why has the applicant continuously not provided the required landscaping?
Applicant Response: *Landscaping is in place, see attached photos.*
3. The following items must be completed to satisfy the requirements of the prior Development Plan Review as a result of Special Use Permit SP-2022- 048 approval:
 - a. The north 11 trees must be maintained
 - i. These do not appear to have yet been planted.
 - b. Installed London Planetree and Bald Cypress species street trees along Gibbs Road must be maintained and trees that do not survive must be replaced.
 - i. These will be verified for health and overall condition during site inspection for the north 11 trees
 - c. Landscape areas must be completely installed and meet or exceed minimum sizes. Seeded and Sod areas must provide 100% coverage, have taken root and become well established and verdant. Sod areas must also have all seams closed.
 - i. This will be verified during the site visit for the north 11 trees.

Applicant Response: *All trees have been previously planted according to construction documents approved 2/17/2021. Photos are attached to this letter.*
4. Files appear to be incomplete related to Floodplain documents. Some LOMA and CLOMR files have been received, but when in pending status or awaiting further approval. Please resubmit all further floodplain documentation for further evaluation to ensure the property is up-to-date on all files. Failure to do so may result in a delay in the issuance of a CO or Notices of Violation under the Floodplain Overland District ordinances.
Applicant Response: *FEMA documentation has been provided to city staff by separate correspondence.*

ADDITIONAL ATTACHMENTS



Page 2 of 7

We believe we have addressed all comments on this project. If you have any additional questions or concerns, please feel free to contact us.

Sincerely,

GEORGE BUTLER ASSOCIATES, INC.

Eli Schwinn



Facing east from driveway



Trees east of driveway



Facing west of driveway



Facing east from driveway



Facing west from driveway

ADDITIONAL ATTACHMENTS



9801 Renner Boulevard
Lenexa, KS 66219

COPART NEIGHBORHOOD MEETING MINUTES

Application Number: SP2025-017

Date and Location: April 23, 2025 via Microsoft Teams

Meeting called to order at: 6:00 PM

Attendees:
Eli Schwinn

No invited parties attended.
No contact was received prior to meeting.

Meeting adjourned at: 6:30 PM

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Wyandotte) SS:

Comes now Eli Schwinn, of lawful age, sound mind and upon his/her oath states as follows:

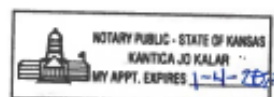
1. That I am the petitioner for Petition # SP2025-017.
2. That I conducted a neighborhood meeting on April 23, 2025.
3. The notice to nearby property owners was sent on April 8, 2025.
4. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

Eli Schwinn
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 24th day of April, 2025.
My commission expires 4th of Jan, 2027.

Kantica Jo Kalar
Notary Public





Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: May 29, 2025

Re: **Special Use Permit Petition SP2025-018**

GENERAL INFORMATION

Applicant Information:

Ryan Denk
McAnany, Van Cleave & Phillips, P.A.
10 East Cambridge Circle Drive,
Suite 300
Kansas City, Kansas 66103

Subject Property:

1500 South 73rd Drive and 7751
South 73rd Street
Kansas City, Kansas 66106

Requested Action and Purpose:

Approval of Special Use Permit
(Renewal) to continue material and
clean rubble and excavation and
stockpiling.

Commission Districts:

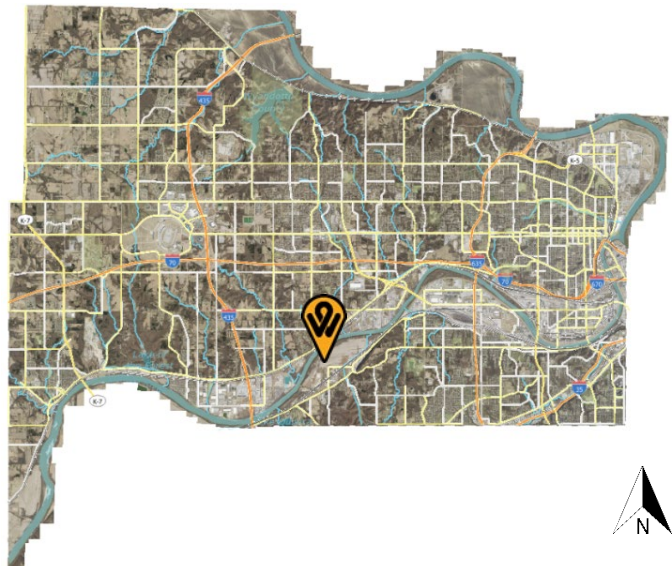
Commissioner At-Large, District #2:
Tom Burroughs
District #6 Commissioner:
Philip Lopez

Existing Zoning District(s):

R-1 Single Family District

Comprehensive Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	R-1 Single Family District	Undeveloped, wooded parcel
South	R-1 Single Family District	Water District No. 1 of Johnson County
East	R-1 Single Family District	Water District No. 1 of Johnson County
West	None	Kansas River

Total Tract Size: 40.39 Acres

Comprehensive Plan Area: PlanKCK Comprehensive Plan

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Floodway.

The Floodway is not defined in the PlanKCK Comprehensive Plan with permitted uses, however it is illustrated as a layer to denote the FEMA Regulatory Floodway.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates South 78th Street as a Local Street.

Parking Requirement: Section 27-452(e) Two (2) off street parking spaces shall be provided on the premises for each single-family dwelling. There are no residences on the property. There are parking spaces for employees to parking on the premises.

Landscaping Requirement: Section 27-700(a) One (1) shade tree per dwelling unit is required in the front or corner side yard, and one (1) tree per 7,000 square feet of site area for uses other than residences. 249 trees are required. There are numerous trees located in the southwest and northeast corners of the development that exceed the minimum requirement.

Advertisement: The Wyandotte Echo – April 17, 2025
Letters to Property Owners – April 18, 2025

Public Hearings: May 12, 2025 and May 29, 2025

Public Support: None to date.

Public Opposition: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Ryan Denk with McAnany, Van Cleave & Phillips P.A., on behalf of the property owner, Morris Land Development, LLC wants to continue (previously SP-2019-54) to operate a clean rubble fill site along the Kansas River on 40.39 acres. The proposed rubble being brought to the site will be concrete, dirt and bricks from construction sites.

City Ordinance Requirements: 27-592 through 27-606 and 27-214 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no noise or disturbance complaints on the subject property.

Building, Zoning, or Code Enforcement Complaints:

1. There are no notices of violation on the subject property.

Outstanding or Related Permit and Cases:

1. There are no outstanding or related permit and cases on the subject property.

Previous Planning Actions:

1. SP-2019-54 – A Special Use Permit to operate a clean rubble fill site for five (5) years. Permit expired on May 30, 2024.
2. SP-2014-28 – A Special Use Permit to operate a clean rubble fill site for five (5) years.
3. SP- 2011-32 – A Special Use Permit to operate a clean rubble fill site for two (2) years.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Morris Statistical Group and Block Group #0438021. The neighborhood consists of industrial businesses, sand excavation and undeveloped land due to its proximity to the Kansas River. The

property abuts the Kansas River to the northwest and west, so development in this area is sparse.

- 2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial Special Use Permits should not be granted adjacent to residential districts.***

The zoning and uses are set out above. The subject property is surrounded by single-family residential zoning although there is an ongoing improvements occurring on the Water District No. 1 of Johnson County properties. The proposed use, to use clean construction rubble and materials is not compatible if the applicant does not follow the ordinances and regulations due to the sensitive nature of the Kansas River, FEMA floodway, and Zone A.

- 3. *The suitability of the property for the uses to which it has been restricted. Will the removal of restrictions, including those for hours of operation (where applicable), detrimentally affect nearby property?***

Due to the fact these properties along the Kansas River are in the regulatory floodway and floodplain, the properties are not suitable for the uses to which they have been restricted, specifically a single-family home or for agricultural purposes. Removal of the restrictions that require a Special Use Permit for such activities, allowing clean rubble of construction material will not detrimentally affect nearby property because the area around these properties are owned by Water District No. 1 of Johnson County.

- 4. *The length of time the property has remained vacant as zoned.***

The property is not vacant. There has been an active fill site since 2011.

- 5. *The degree of conformance of the proposed use to the Comprehensive Plan.***

Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. Floodway is not defined with permitted uses. Special Use Permit is required for a clean rubble construction fill site.

- 6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.***

The proposed use will temporarily increase vehicular traffic during the hours that work is being conducted, but should not exceed the capacity of the Local Street, South 78th Street to accommodate it.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

Since this area is along the Kansas River and is largely undeveloped, the proposed use is not reasonably necessary for the convenience and welfare of the public. It will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property if properly designed, constructed, maintained and eventually restored.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

Noise, dust and vibration are expected to occur in durations or intensities as to not create issues with nearby properties because there are no residences in the immediate vicinity. However, this may be minimized, if rumble strips to knock down dirt and debris to prevent tracking of debris on the public right-of-way, trucks are watered down, grading area is also watered down to minimize dust, hours of operation are strictly adhered to in order to reduce noise and vibration.

9. *Whether the proposed use will pollute the air, land or water.*

The proposed use will not pollute the air, land or water provided the proper erosion control measures are followed for stockpile of materials and during the hours of operation, and those stockpiles are watered down to minimize dust affecting the overall air quality and the ground is restored, seeded.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

The proposed use could damage or destroy an irreplaceable natural resource, specifically the large tree stands in the southwest and northeast corners of the development during the duration of this Special Use Permit and if the disturbed area is not restored properly.

11. *The relative gain to the public health, safety and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The relative gain or loss to the public health, safety, and welfare is likely to be minimal as the proposal is to add construction material to the pond adjacent to the Kansas River. If denied, the property owner and operator could not add the fill material and would need to restore the ground and abandon the site.

12. *The applicant's ability to maintain the use in an "as proposed" condition.*

The applicant will be required to maintain the use according to the revised plans and descriptions of the proposed use. The applicant will also be required to meet all conditions of approval.

13. *Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.*

The proposed use is not expected to result in the overcrowding of land or undue concentrations of population because the site grading is on a 40-acre site.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Microsoft Team on April 25, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Completion Timeline
Tracking on to Public Right-of-Way
Floodplain
Dust Mitigation
Truck Traffic
Noise and Illumination
Hours of Operation

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit application **SP2025-018**, for **five (5) years**, subject to:

1. **As a note, in 2011, the Applicant submitted a No-Rise Certificate as required for the fill site in the floodway and floodplain;**
2. **According to the Applicant in response to the initial staff report comments that were issued in April 2011, the proposed truck traffic information is as follows:**
 - a. **Traffic frequency – It is variable, but probably on average four (4) to six (6) per day;**
 - b. **Hours of operation – 7:00 AM to 6:00 PM;**
 - c. **Loaded truck weights – It is variable, but no more than the legal limits for the State of Kansas at 80,000 lbs.;**
3. **Keep the ingress at public right-of-way clear of any tracking or debris with rumble strips, hosing down trucks entering and leaving the property;**
4. **Subject to approval, the occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or**

businesslicense@wycokck.org;

- 5. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;**
- 6. All existing and future driveways must feature curb cuts that are constructed to UG standards;**
- 7. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;**
- 8. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
- 9. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
- 10. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
- 11. Subject to approval, the Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and**

approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

12. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
13. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2025-018** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

May 12, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Floodplain Map
No-Rise Certificate Letter
Engineering Letter
Applicant Response Letter
Neighborhood Meeting Documents
Topographic Survey
Aerial Photographs from 2024, 2019, 2014, 2010, 2006 and 2003

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025 Approval	May 29, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2025-018** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2025-018**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

May 12, 2025, City Planning Commission Minutes:

Hearing starts at 2:19:56:

SPECIAL USE PERMIT SP2025-018 – RYAN DENK WITH MCANANY, VAN CLEAVE, & PHILLIPS P.A.

Synopsis: Renewal of a Special Use Permit (SP-2019-54, expired May 30, 2024) for material and clean rubble excavation and stockpiling at 7751 South 73rd Street.

Detailed Outline of Requested Action: The applicant, Ryan Denk with McAnany, Van Cleave & Phillips P.A., on behalf of the property owner, Morris Land Development, LLC wants to continue (previously SP-2019-54) to operate a clean rubble fill site along the Kansas River on 40.39 acres. The proposed rubble being brought to the site will be concrete, dirt and bricks from construction sites.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated May 12, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;

6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

Recording Secretary Morris asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

Present in Support:

- Katie Dumovich, on behalf of the Applicant, 12711 West 102nd Street, Lenexa, Kansas 66215

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:22:29: Mr. Lucas stated Staff recommends approval of this application.

Motion starts at 2:22:57:

On motion by Mr. Ward, seconded by Ms. Schwartz, the Planning Commission voted as follows to **recommend APPROVAL of SP2025-018 for five (5) years:**

Carson	Chairman
Straws	Not Present
Ward	Aye
Armstrong	Aye
Beth	Aye
Easterwood	Aye
Ernst	Aye
Jones	Not Present
Miller	Not Present
Mohler	Aye
Schwartz	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

1. As a note, in 2011, the Applicant submitted a No-Rise Certificate as required for the fill site in the floodway and floodplain;
2. According to the Applicant in response to the initial staff report comments that were issued in April 2011, the proposed truck traffic information is as follows:
 - a. Traffic frequency – It is variable, but probably on average four (4) to six (6) per day;
 - b. Hours of operation – 7:00 AM to 6:00 PM;
 - c. Loaded truck weights – It is variable, but no more than the legal limits for the State of Kansas at 80,000 lbs.;
3. Keep the ingress at public right-of-way clear of any tracking or debris with rumble strips, hosing down trucks entering and leaving the property;

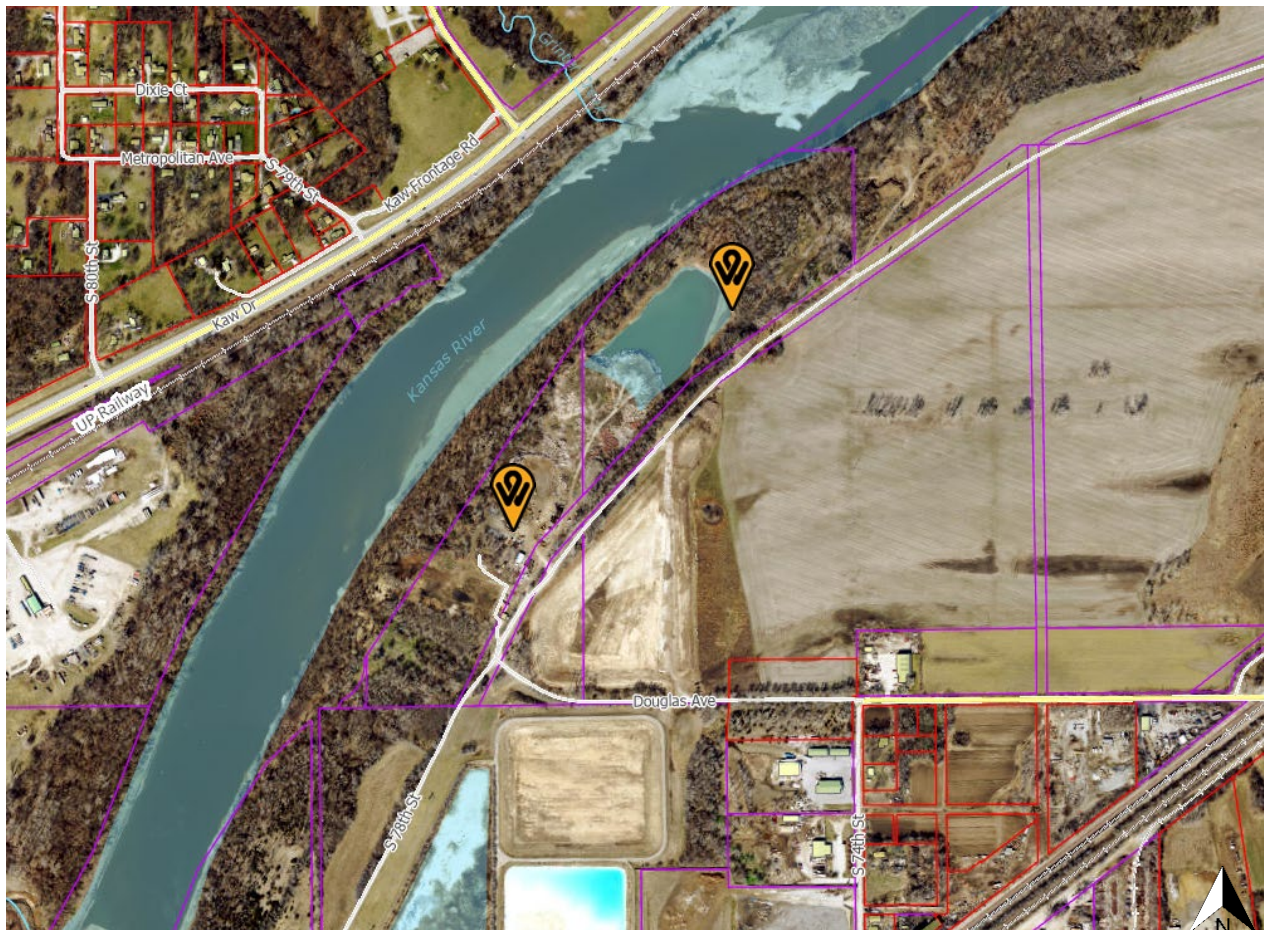
4. Subject to approval, the occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
5. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
6. All existing and future driveways must feature curb cuts that are constructed to UG standards;
7. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
8. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
9. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
10. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
11. Subject to approval, the Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should

contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

12. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
13. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

ATTACHMENTS

AERIAL IMAGERY



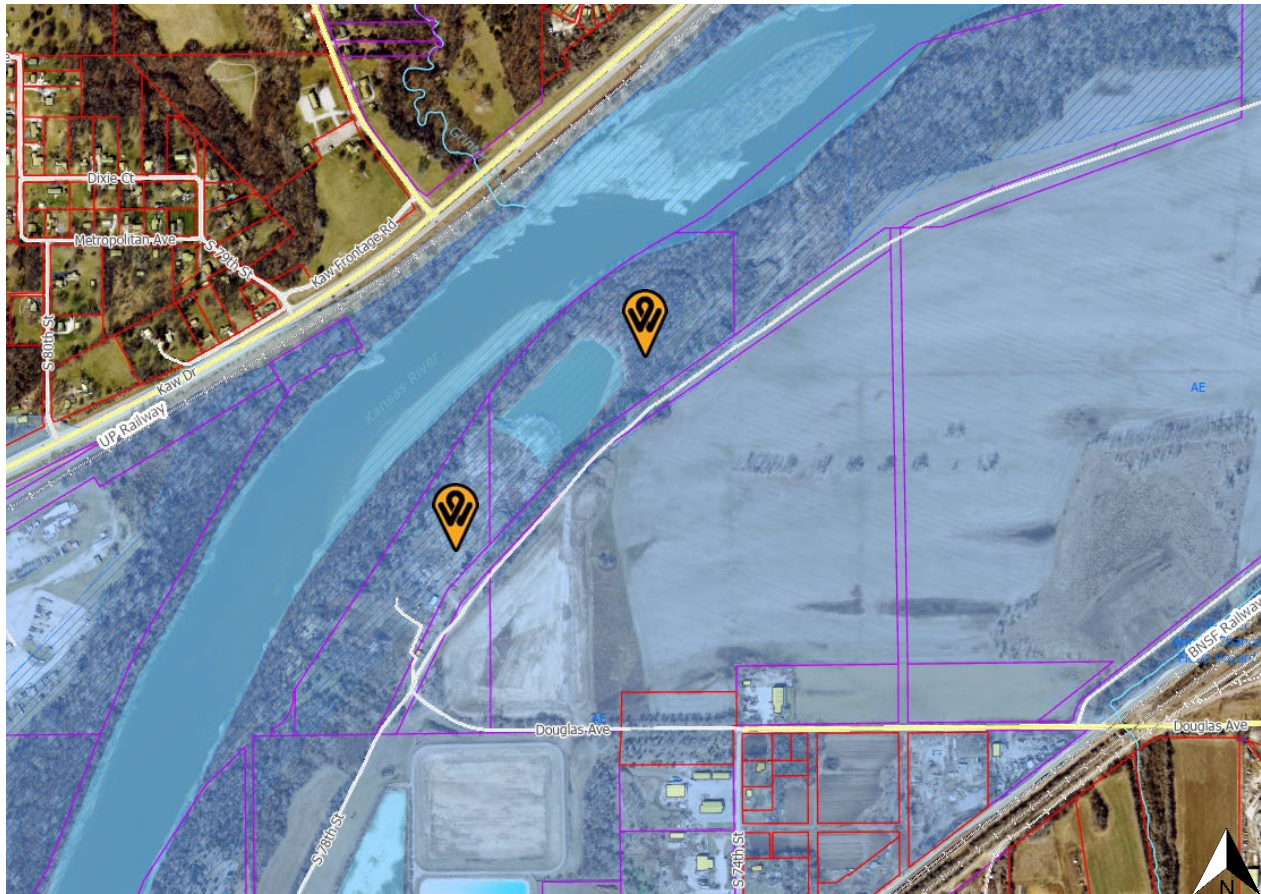
ZONING MAP



LAND USE MAP



ADDITIONAL ATTACHMENTS





8800 Linden Drive · Prairie Village, KS · 66207 · (913) 302-1030 Phone · (913) 962-2245 Fax · info@WaterResourcesSolns.com

November 28, 2011

Mr. Brett Napier, P.E.
Napier Engineering, LLC
207 S. 5th Street
Leavenworth, Kansas 66048

RECEIVED
NOV 28 2011
ASU LAND USE

Subject: Morris Fill Site "No-Rise"

Dear Brett:

Attached is the "No-Rise" for the Morris Fill Site near the Kansas River in Wyandotte County. AS explained on the "no-Rise" form, the fill will be completed below the elevation of the existing floodplain in an area that would be modeled as ineffective flow. As a result, fill in this area will not affect the base flood elevation of the river.

If you have any questions, please contact me at 913-302-1030.

Sincerely,
Water Resources Solutions, LLC

Donald W. Baker, P.E., D. WRE, CPESC
Principal and Owner

DWB
Enclosure(s)



11-28-2011

FEDERAL EMERGENCY MANAGEMENT AGENCY
ENGINEERING "NO-RISE" CERTIFICATE

Floodplain Development
Permit No. _____

SECTION A - PROPERTY OWNER INFORMATION

COMMUNITY Kansas City, Kansas	COUNTY Wyandotte	STATE Kansas
APPLICANT Midland Wrecking	DATE 11/28/2011	
APPLICANT'S ADDRESS P.O. Box 14906, Lenexa, Kansas 66215	PHONE 913-432-0314	

SECTION B - ENGINEER INFORMATION

ENGINEER Water Resources Solutions, LLC	DATE 11/28/2011
ENGINEER'S ADDRESS 8800 Linden Drive, Prairie Village, Kansas 66207	PHONE 913-302-1030

SECTION C - SITE DATA

1. Location:

NE ¼	NW¼	SECTION 28	TOWNSHIP 11 S	RANGE 24 E	STREET ADDRESS N/A
------	-----	---------------	------------------	---------------	-----------------------

2. Panel(s) No. of NFIP Map(s) affected:

3. Type of development:

☒ Filling ☐ Grading ☐ Excavation ☐ Min. Improvements ☐ Routine Maintenance
☐ Substantial Improvement ☐ New Construction ☐ Other (Describe):

4. Description of Development:

Fill existing pond in the floodway.

5. Name of Flooding Source Affected: Kansas River

SECTION D - COMMENTS

The project includes the filling of an existing pond located in the floodway of the Kansas River as shown on the attached plans. Since, the fill elevation will be below the grade of the existing floodplain, it will occur in the area that would be modeled as ineffective flow. As a result, fill in this area will not affect the modeled base flood elevation of the river.

This is to certify that I am a duly qualified engineer licensed to practice in the State of Kansas. It is to further certify that the attached technical data supports the fact that the proposed development described above will not create any increase to the 1% storm frequency water surface flood elevations on said flooding source above at the cross-sections in the flood insurance study for the above community dated September 2, 2011, and will not create any increase to the 1% storm frequency water surface flood elevations at the unpublished cross-sections in the vicinity of the proposed development.

Donald W. Baker 11-28-2011
Signature Date

Principal/Owner 14258
Title License No.



11-28-2011

UPSTATE PLANNING
NOV 28 2011
ANDOVER, MA

1. The Subject Property has been identified as being within a floodplain. The Applicant shall review the Floodplain Management Ordinance and obtain the necessary local, State, and Federal floodplain permits before the construction or alteration of any structure the floodplain prior to obtaining a building permit.

You cannot fill or remove earthen material from the floodway or Zone AE without acquiring the necessary permits and modifications to the floodplain map.

We can make application for a permit under the City ordinance, however, the applicant is not proposing any fill activities as contemplated within the ordinance including fill activities which would raise the elevation of the site above base flood elevation. Attached is a topographic map showing elevations. The void was caused by a prior land owner's removal of sand from the Kansas River basin. The proposed fill activity simply proposes to replace the removed sand and bring the void level to existing grade.

2. Dust has the potential to be a problem. The site (ground) shall be watered daily to minimize dust and tracking debris in or out right-of-way, and all truck wheels shall be wetted prior to leaving the site, exiting onto South 78th Street and Douglas Avenue.
Agreed.
3. What is the intended length or duration needed to complete the project?
The length is anticipated to exist beyond the proposed 5 year term. Despite the many years of operation of this fill site, it is only 50% filled.
4. How much fill (earthen material and clean, construction rubble) been brought to the site to date?
3,900 cubic yards of material annually. Since the issuance of the original SUP to this operator, estimate of 52,260 cubic yards of fill.
5. How will the site be remediated following the term of this Special Use Permit?
No further remediation is required by the State. This site is a "clean rubble" site within the definition of K.S.A. 64-3402(w) and is thus outside of the permitting process of the State.
6. What are the proposed hours of operation?
Same as referenced below on prior approval.
7. How many daily truck trips are anticipated on-site?
Average of 5 truck loads per day, Monday through Friday.
8. Preserve the existing tree stands northeast and southwest corners of the proposed grading site.
Agreed.

Previous Conditions of Approval – SP2019-54:

1. As a note, in 2011, the Applicant submitted a No-Rise Certificate as required for the fill site in the floodway and floodplain.
2. Please describe the current state of the clean rubble fill site since the May 2019 approval.
Fill has continued to be placed. Please refer to comparative aerial photos which depict the progress.

3. According to the Applicant in response to the initial staff report comments that were issued in April 2011, the proposed truck traffic information is as follows:
 - a. Traffic frequency – It is variable, but probably on average four (4) to six (6) per day.
 - b. Hours of operation – 7:00 AM to 6:00 PM.
 - c. Loaded truck weights – It is variable, but no more than the legal limits for the State of Kansas at 80,000 lbs.

Same proposed traffic.

Standard Conditions:

1. Keep the ingress at public right-of-way clear of any tracking or debris with rumble strips, hosing down trucks entering and leaving the property.
Agreed.
2. Subject to approval, the occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org.
Understood and agreed.
3. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573- 8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
No permanent structures.
4. All existing and future driveways must feature curb cuts that are constructed to UG standards.
No change in the drives on the site.
5. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable.
See prior comments to engineering comments.
6. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations.
Understood and agreed.
7. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal

document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit.

Understood and agreed.

8. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located.

No CC&R are applicable to this property.

9. Subject to approval, the Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

Understood and agreed.

10. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of

Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Understood and agreed.

11. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Understood and agreed.

Planning Engineering Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval:
 - 1) Detailed engineering comments are made by separate technical review of the plans and submitted directly to the applicant. Provide revised plans and responses in accordance with the engineering comments.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

MINUTES OF NEIGHBORHOOD MEETING

Special Use Petition #SP2025-018

Meeting Held: April 24, 2025, by videoconference

Meeting called to order at 5:30 p.m.

Attendees:

- Ed Kates, Applicant
- Renee Fox, Representative for Applicant
- Ryan Denk, Counsel for Applicant

The meeting was properly noticed and scheduled for April 24, 2025 at 5:30 p.m. via Teams. No neighbors attended the meeting. As no one else appeared, the neighborhood meeting was adjourned at approximately 5:50 p.m.

Minutes prepared by:

/s/ Ryan B. Denk
Ryan B. Denk

9P77987.DOC

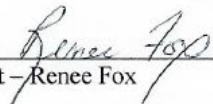
AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE)

Comes now Renee Fox, of lawful age, sound mind and upon her oath states as follows:

1. That I am the Representative for Ed Kates, petitioner for Special Use Permit #SP-2025-018 – dirt fill at 1500 South 73rd Street and 7751 South 73rd Street.
2. That I conducted a neighborhood meeting on April 24, 2025.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

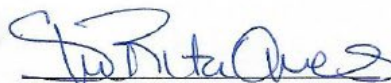


Affiant – Renee Fox

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 29th day of April, 2025.

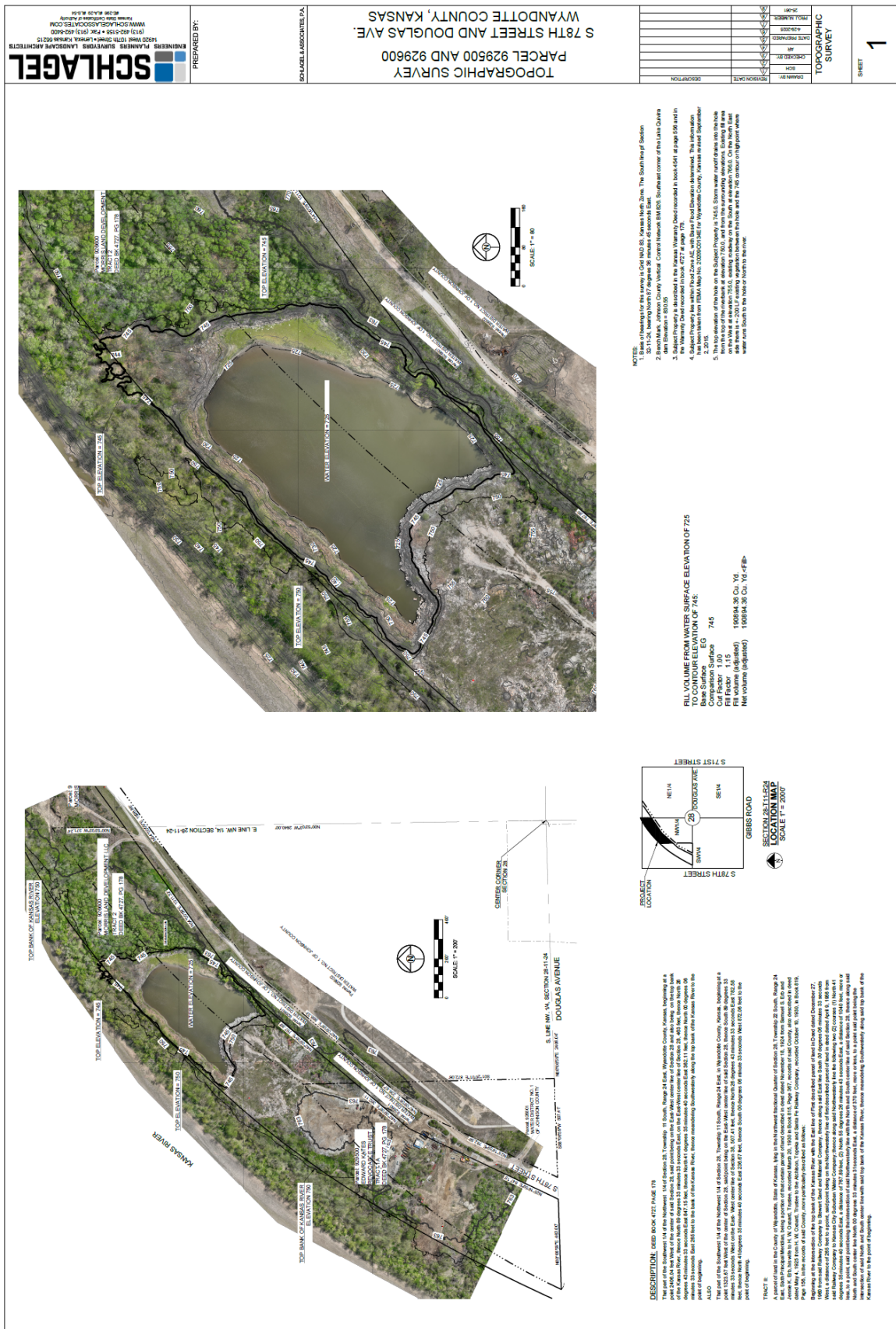
My commission expires 1 of Feb, 2025 27 80

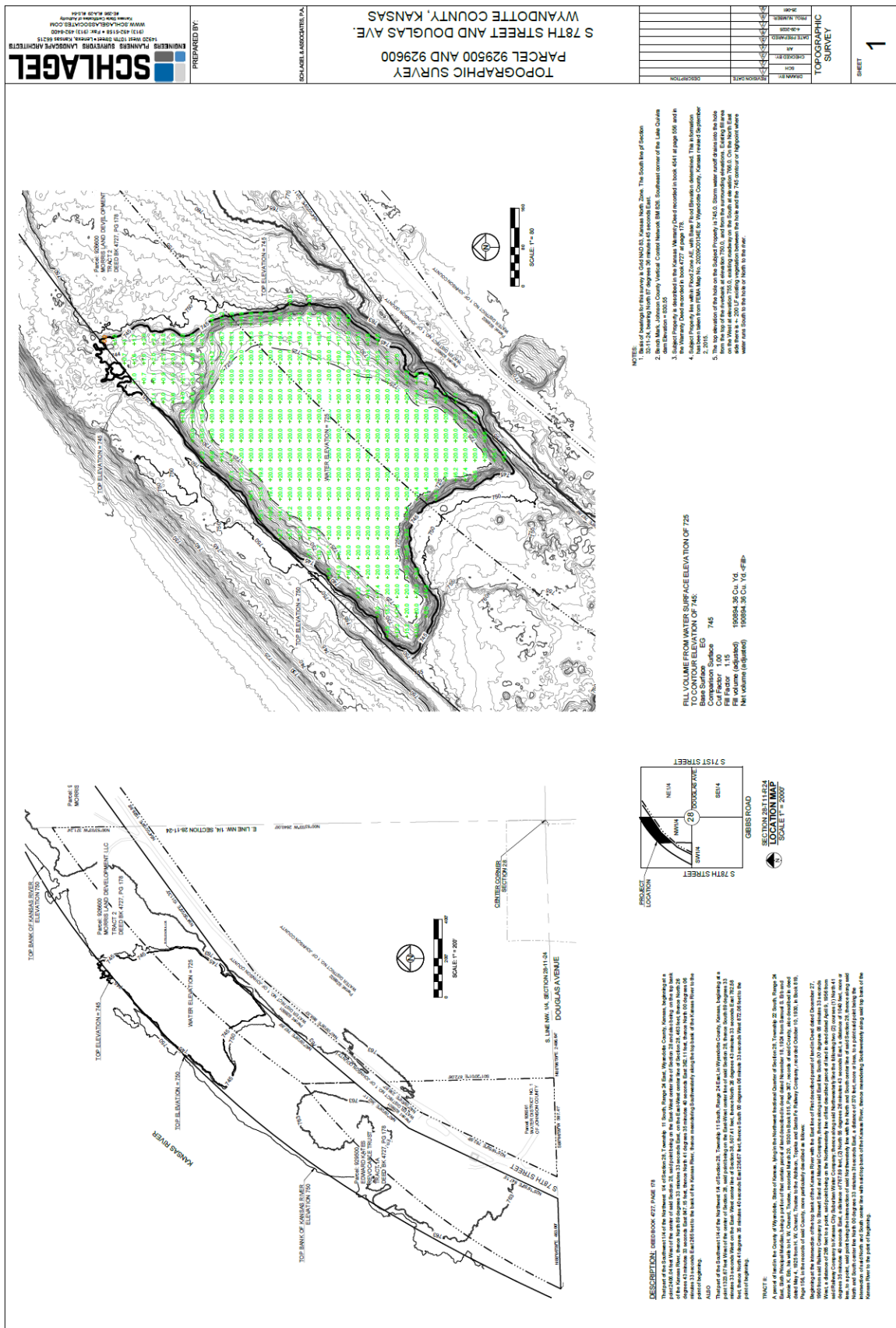




Notary Public

9P77853.DOC





February 2024



02/05/2024

March 2019



December 2014



12/25/2014

March 2010



© All EagleView Technology Corporation

03/19/2010

December 2006



© All EagleView Technology Corporation



12/13/2006

March 2003



03/21/2003

	Adjacent Zoning	Adjacent Uses
North	C-1 Limited Business and RP-5 Planned Apartment Districts	Single-Family Residences and Single-Level Apartments
South	R-1(B) Single Family District	Single-Family Residences
East	C-1 Limited Business District	Vacant Church
West	C-1 Limited Business District	Single-Family Residences

Total Tract Size: 0.09 Acre

Comprehensive Plan Designation: The Rosedale Area Plan designates the subject property as General Urban, which allows for rowhouses, townhomes, and single-family houses. Three story apartment buildings, retail, and office uses are allowed only on neighborhood and mixed use corridors. Three story apartment buildings are also allowed in the University Town special district.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates 43rd Street as a minor collector.

Parking Requirement: Per Section 27-454(e) two (2) off-street parking spaces are required, one of which shall be in a garage or carport. The subject property has one (1) off-street parking space at the front of the property and no covered parking, however the home was constructed in 1930, predating this requirement, and is considered legal non-conforming

Landscaping Requirement: Per Section 27-700 (a), one (1) shade tree per dwelling unit is required in the front or corner side yard. The subject property has one (1) tree in the front yard, thus meeting this requirement.

Advertisement: The Wyandotte Echo – April 17, 2025
Letters to Property Owners – April 18, 2025

Public Hearing(s): May 12, 2025 and May 29, 2025

Public Support: None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Tyler Shirk with BearBnB, is requesting a Special Use Permit to operate a short-term rental at 2105 West 43rd Street. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 2100 Block of West 43rd Avenue.

City Ordinance Requirements: 27-592 through 27-606, 27-214, and 27-623 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no noise or disturbance complaints on the subject property.

Building, Zoning, or Code Enforcement Complaints:

1. 2025: STR25-0305 – *Missing Handrails on the front porch (open, repairs in process)*
2. 2023: STR23-0252 – *Improperly Boarded Structure (closed)*
3. 2021: STR21-0636 – *Multiple Exterior Issues (closed)*
 - a. Between 2021-2024, approximately 15 citations were issued to the prior owner for failure to complete repairs.

Outstanding or Related Permit and Cases:

1. MEC22-0463 – *Mechanical Permit – Install new furnaces (completed)*
2. PLM22-0608 – *Plumbing Permit – New Plumbing in whole house, new water heater (completed)*
3. ELE22-0470 – *Electrical Permit – whole house rewire, panels (completed)*
4. RES22-0258 – *Whole House Residential Remodel (completed)*

Previous Planning Actions:

1. There are no previous planning entitlements on the subject property

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Rosedale statistical neighborhood. The neighborhood consists of a mix of residential and commercial uses, with Rainbow Boulevard two (2) blocks to the west and State Line Road two (2) blocks to the east. Nearby businesses include an auto repair shop, indoor recycling, hair salons, and restaurants. This street transitions into Westport Road once it crosses into Missouri.

2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial special use permits should not be granted adjacent to residential districts.*

The zoning and uses are set out above. The subject property is surrounded by the a mix of residential and commercial uses. Use of the property as a rental, either short or long-term, while commercial in nature, is consistent with other nearby properties in close proximity. While use as a short-term rental is commercial in nature, the use is occurring in a purpose-built residence, which should not present issues with nearby property. The proposed use is compatible if properly managed.

3. *The suitability of the property for the uses to which it has been restricted. Will the remove of restrictions including those for hours of operation (where applicable), detrimentally affect nearby property?*

Removal of the restrictions that require a Special Use Permit has the potential to create issues such as parking, excessive noise, illumination, vibration, overcrowding of land and undue concentrations of population. The property could be suitable for use as a short-term rental if the aforementioned issues are properly managed.

4. *The length of time the property has remained vacant as zoned.*

The property appears to have been vacant between 2017 and 2023 during which time multiple citations for the property's condition and prolonged unregistered vacancy occurred. Prior to the 2017 vacancy, it was registered as a rental. The prior property owner began renovations, but they were left incomplete. The current property owner has since completed the renovations in preparation for its lease.

5. *The degree of conformance of the proposed use to the Comprehensive Plan.*

Special Use Permits are not addressed in the Rosedale Area Plan. The proposed use conforms to the General Urban land use designation, as it is a single-family residence on a mixed-use corridor.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use has the potential to increase vehicular traffic but should not/ and will exceed the capacity of West 43rd Avenue, a minor collector, to accommodate it if managed properly while it functions as a short-term rental. Guests of short-term rentals tend to travel more throughout the area, as they are typically visitors or tourists.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use provides a convenience to the public in the form of temporary lodging, however, issues such as making excessive noise, vibration, illumination, overcrowding of land, and undue concentrations of population could impact nearby properties negatively. If managed properly, however, the use of the property is not expected to substantially nor permanently injure the appropriate use, visual quality, or marketability of adjoining property.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

Noise, vibration and illumination are all potential issues that are related to short-term rentals if they are not managed properly. There have not been any complaints to date with the current applicant. Dust is not typically an issue related to the use of a residential property as a short-term rental and ostensibly not considered to be a problem for nearby properties.

9. *Whether the proposed use will pollute the air, land or water.*

The proposed use will not pollute the air, land or water as it is an existing, permitted residence.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

The proposed use will not damage or destroy an irreplaceable natural resource as it is an existing, permitted residence in an existing built-out neighborhood.

11. *The relative gain to the public health, safety and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The relative gain or loss to public health, safety and welfare is minimal as it only provides the convenience of lodging with some economic benefit. If denied, the landowner could not use the property as a short-term rental, but may still use the property as a long-term rental with appropriate permits and licenses, their primary residence, or sell the property.

12. *The applicant's ability to maintain the use in an "as proposed" condition.*

The applicant will be required to maintain their short-term rental according to the submitted management plan and conditions of approval, including, limits to number of guests and number of vehicles on the property, and other applicable ordinances set by the Code of Ordinances.

13. *Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.*

The proposed use is not expected to create issues of overcrowding as it operates within an existing structure on the site. The maximum number of guests at one time is (7) seven. The maximum number of vehicles off-street is (1) one. There shall be no on-street parking for renters or guests of any short-term rental. If the applicant abides by the outlined conditions, specifically those that prohibit parties or larger groups, undue concentrations of population should not be an issue.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via Zoom on April 29th, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Noise, Illumination, and Vibration (Add "Dust" if unimproved driveway)
Home Inspection Report
Overcrowding and Undue Concentrations of Population
Parking
Building Permits

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit application **SP2025-019**, for one (1) year, subject to:

1. **The applicant must repair the handrail per Property Maintenance Compliance Inspection Violation;**
2. **The property owner must maintain quarterly pest control including termite management;**
3. **The active leak in plumbing below the shower must be repaired;**
4. **The rear deck columns shall be verified by a structural engineer for safety;**
5. **Exterior GFCI Outlets must be repaired;**
6. **The bathroom shower valve shall be adjusted to allow for full hot water service;**
7. **The dryer duct piping shall be replaced with hard piping in place of the "slinky" duct;**
8. **Maximum number of guests shall be 7;**
9. **All parking must be off-street, maximum number of vehicles is one (1). No STR renters or guests may park on-street.**
10. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
11. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact**

- information within the entrance of the area that is rented;
12. Applicant is to maintain liability insurance;
 13. The property must remain in proper maintenance and free of hazards, pests, or infestations;
 14. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
 15. Must provide a manual/welcome packet that lists all rules, including “No Parties, etc.” This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);
 16. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
 17. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
 18. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
 19. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 20. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable.
 21. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 22. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any

- business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
23. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
 24. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
 25. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 26. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2025-019** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

May 12, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Home Inspection Report
Floor Plan
Photos provided by Applicant

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025 Approval	May 29, 2025

STAFF CONTACT: **Kallie McLaughlin, Planner, Floodplain Administrator**
 kdmclaughlin@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2025-019** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2025-019**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

May 12, 2025, City Planning Commission Minutes:

Hearing starts at 2:23:53:

SPECIAL USE PERMIT SP2025-019 – TYLER SHIRK WITH BEAR B&B

Synopsis: Special Use Permit for a non-owner-occupied short-term rental at 2105 West 43rd Avenue. Detailed Outline of Requested Action: The applicant, Tyler Shirk with BearBnB, is requesting a Special Use Permit to operate a short-term rental at 2105 West 43rd Street. This is not the owner's primary residence. This would be the first and only permitted short-term rental on the 2100 Block of West 43rd Avenue.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated May 12, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

Recording Secretary Morris asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

Present in Support:

- Tyler Shirk, 7140 Park St, Shawnee, Kansas 66216

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:25:58: Mr. Lucas stated that Staff recommends approval of this application.

Motion starts at 2:26:25:

On motion by Mr. Ward, seconded by Ms. Schwartz, the Planning Commission voted as follows to **recommend APPROVAL of SP2025-019 for one (1) year:**

Carson	Chairman
Straws	Not Present
Ward	Aye
Armstrong	Aye
Beth	Aye
Easterwood	Aye
Ernst	Aye
Jones	Not Present
Miller	Not Present
Mohler	Aye

Schwartz

Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

- 1. The applicant must repair the handrail per Property Maintenance Compliance Inspection Violation;**
- 2. The property owner must maintain quarterly pest control including termite management;**
- 3. The active leak in plumbing below the shower must be repaired;**
- 4. The rear deck columns shall be verified by a structural engineer for safety;**
- 5. Exterior GFCI Outlets must be repaired;**
- 6. The bathroom shower valve shall be adjusted to allow for full hot water service;**
- 7. The dryer duct piping shall be replaced with hard piping in place of the “slinky” duct;**
- 8. Maximum number of guests shall be 7;**
- 9. All parking must be off-street, maximum number of vehicles is one (1). No STR renters or guests may park on-street.**
- 10. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
- 11. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager’s contact information within the entrance of the area that is rented;**
- 12. Applicant is to maintain liability insurance;**
- 13. The property must remain in proper maintenance and free of hazards, pests, or infestations;**
- 14. The granting of this Special Use Permit does not transfer with a change of ownership of the property;**
- 15. Must provide a manual/welcome packet that lists all rules, including “No Parties, etc.” This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);**
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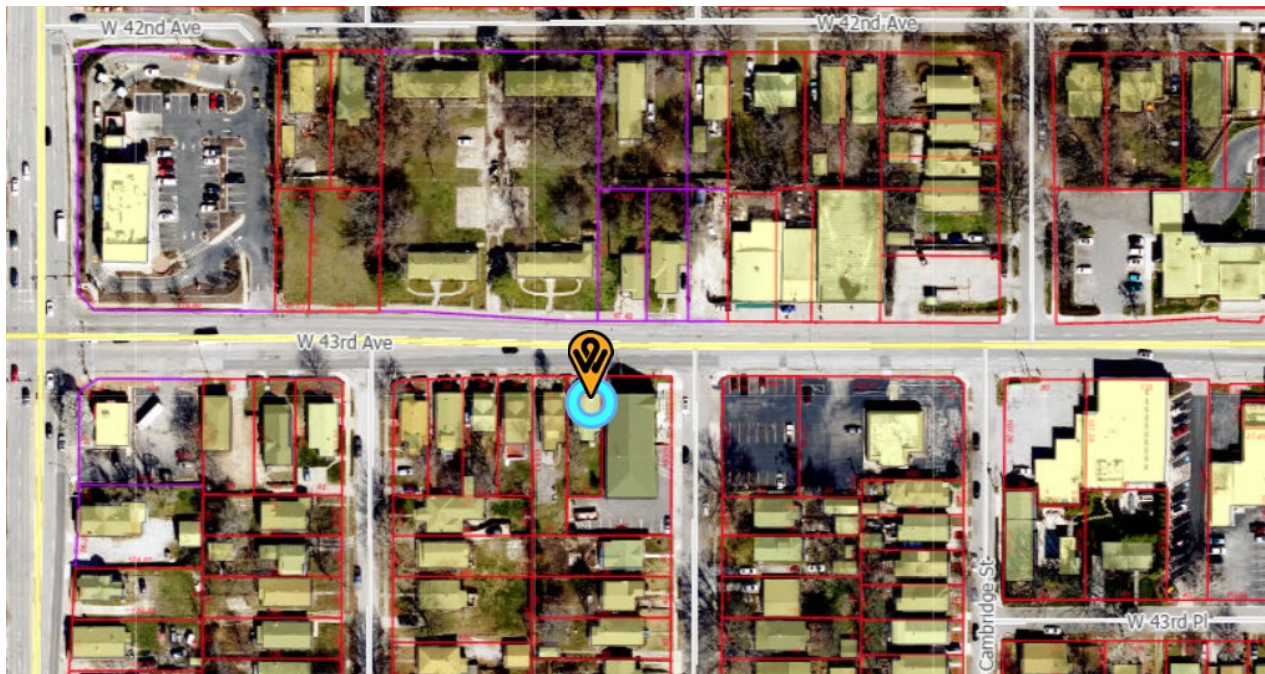
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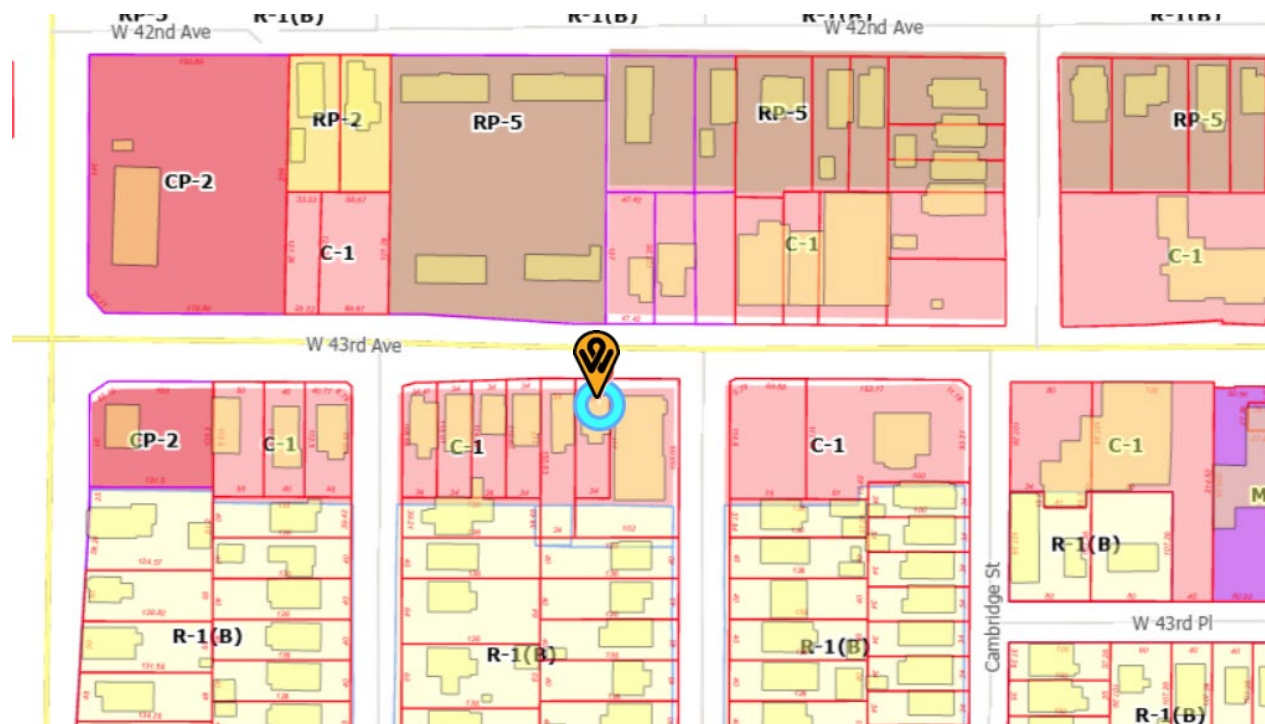
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ATTACHMENTS

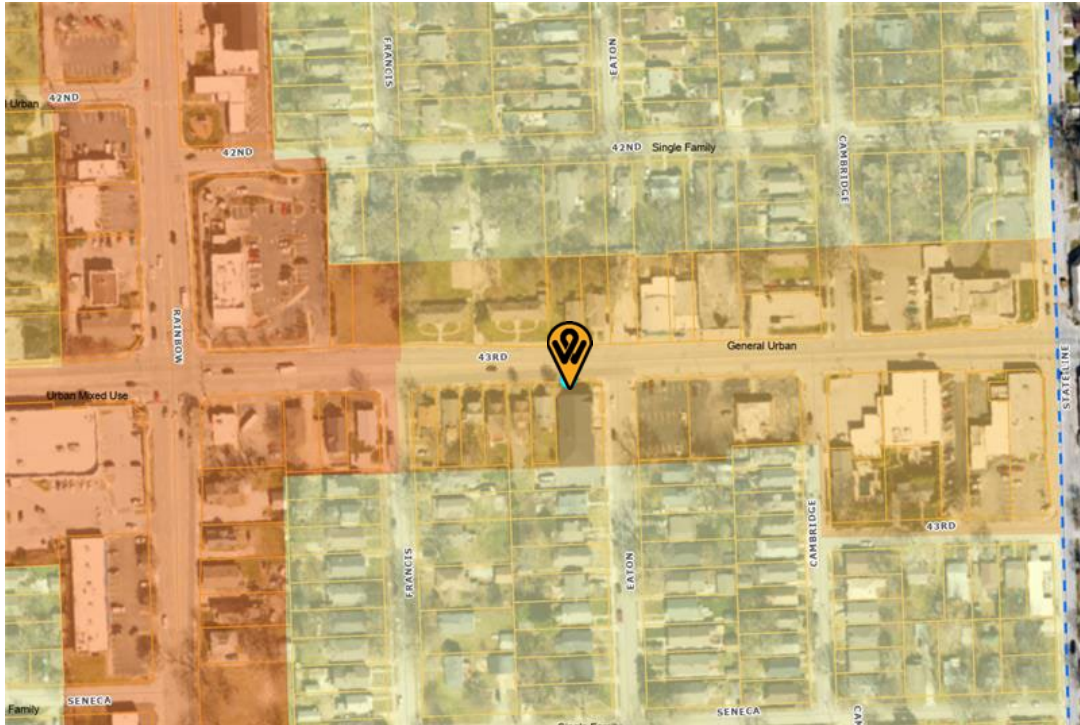
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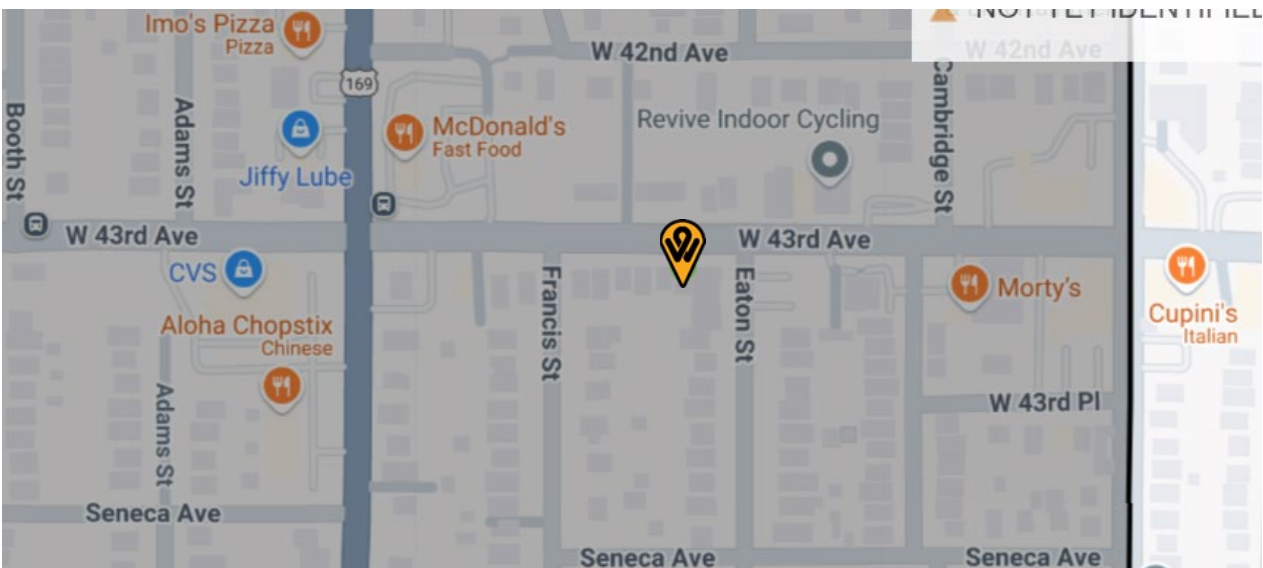
ZONING MAP



LAND USE MAP



SHORT-TERM RENTAL MAP



ADDITIONAL ATTACHMENTS

7.1.1 General Plumbing

 Significant

PLUMBING GENERAL: ACTIVE LEAK

Observation: During our inspection, we observed an active leak in the plumbing system.

Risk: An active leak can lead to water damage, increased utility bills, and potential structural or mold issues if not addressed promptly.

Limitations: We were unable to determine whether the leak originated from supply piping or waste piping during our inspection.

Action: We strongly recommend further evaluation by a qualified plumber to pinpoint the source of the leak and recommend appropriate solutions.

[Click Here For More Information](#)

Recommendation

Contact a qualified plumbing contractor.



Leaking below shower



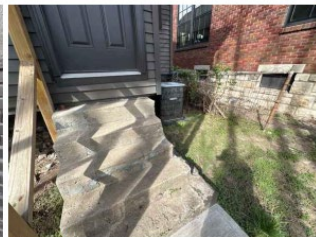
Basement below shower

Recommendation

Contact a qualified deck contractor.



Front Side



Back Side



2nd Floor Back

ADDITIONAL ATTACHMENTS

8.3.3 Outdoor Structure

Moderate/Significant

OUTDOOR STRUCTURE: UNDERSIZED COLUMNS

Observation: At the time of inspection, the columns supporting the outdoor structure appeared to be undersized.

Risk: Undersized columns may not adequately support the load of the structure, increasing the risk of structural failure or collapse.

Limitations: Our inspection was limited to visible and accessible components of the outdoor structure.

Action: We recommend consulting a structural engineer or qualified contractor to evaluate the columns and determine appropriate sizing and load capacity.

Recommendation

Contact a qualified deck contractor.



8.3.4 Outdoor Structure

Moderate/Significant

OUTDOOR STRUCTURE: IMPROPER BEAM CONSTRUCTION

Observation: During the inspection, we noted that the construction of the deck beam appeared to be improper.

Risk: Improper beam construction can compromise the structural integrity of the deck. This may lead to a risk of sagging, instability, or in severe cases, complete collapse, posing safety hazards to occupants.

Limitations: Our assessment was based on visual examination, without in-depth structural analysis or assessment against all local building codes.

Action: We recommend that a licensed structural engineer or qualified deck contractor be engaged to assess the beam construction and undertake necessary modifications or repairs. Ensuring the safety and stability of the deck is paramount.

[Click Here For More Information](#)

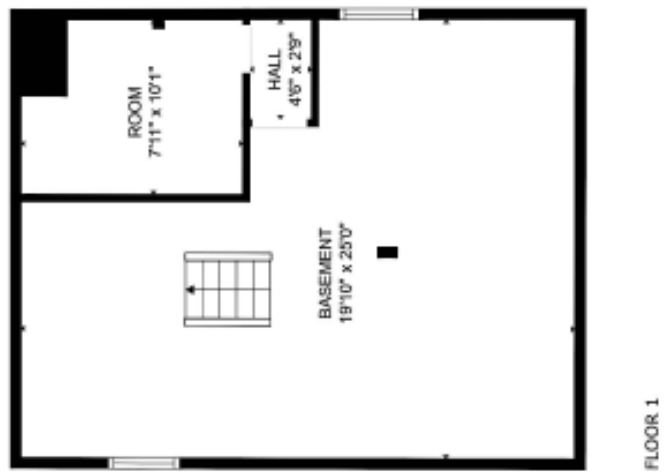
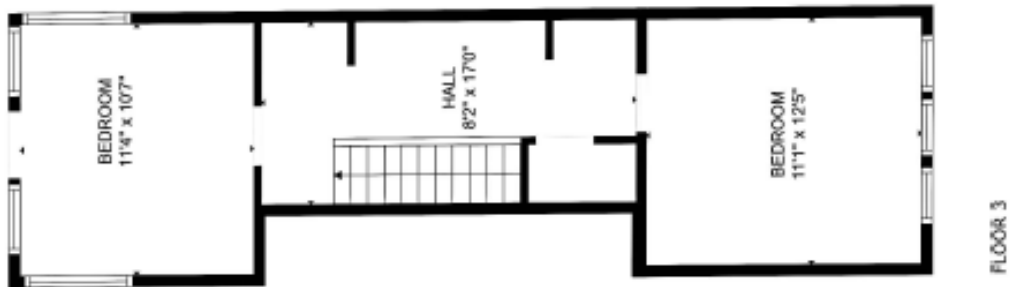
Recommendation

Contact a qualified deck contractor.



Diagram

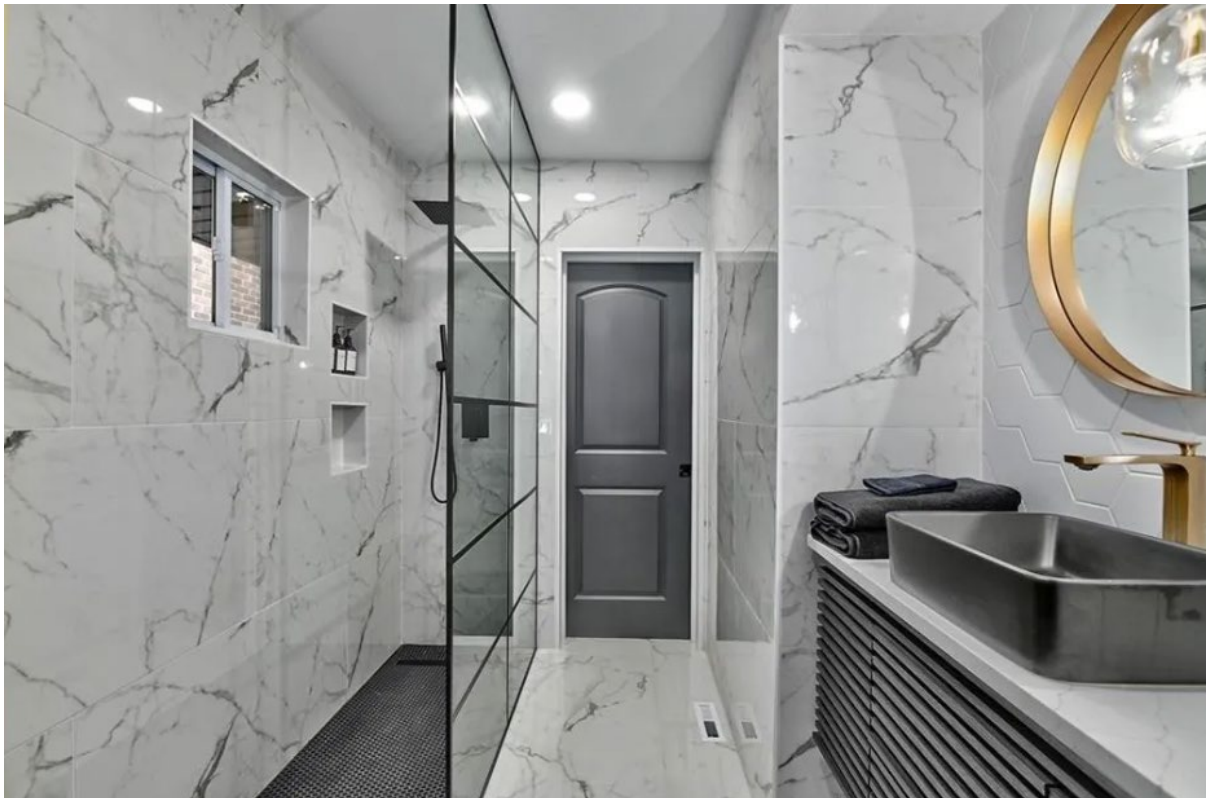
ADDITIONAL ATTACHMENTS



ADDITIONAL ATTACHMENTS



ADDITIONAL ATTACHMENTS



ADDITIONAL ATTACHMENTS





Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: May 29, 2025

Re: **Special Use Permit Petition SP2025-020**

GENERAL INFORMATION

Applicant Information:

Kathryn Dumovich
McAnany, Van Cleave & Phillips, P.A.
10 East Cambridge Circle Drive,
Suite 300
Kansas City, Kansas 66103

Subject Property:

7949 Splitlog Avenue
Kansas City, Kansas 66112

Requested Action and Purpose:

Approval of Special Use Permit
(Renewal) to continue to allow tractor
trailer truck parking at the American
Motel.

Commission Districts:

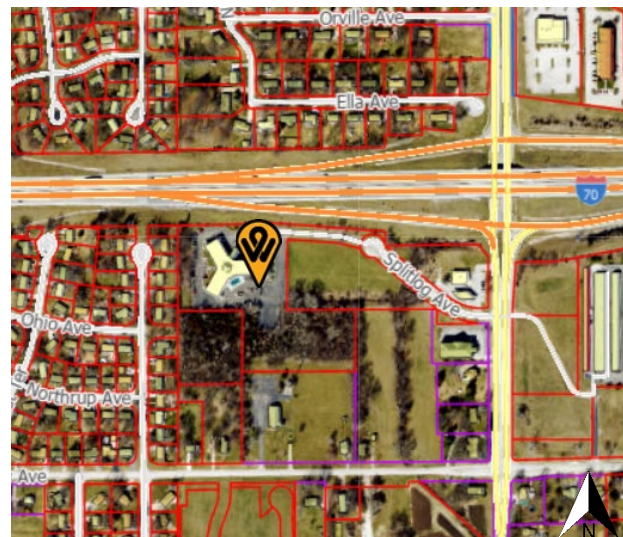
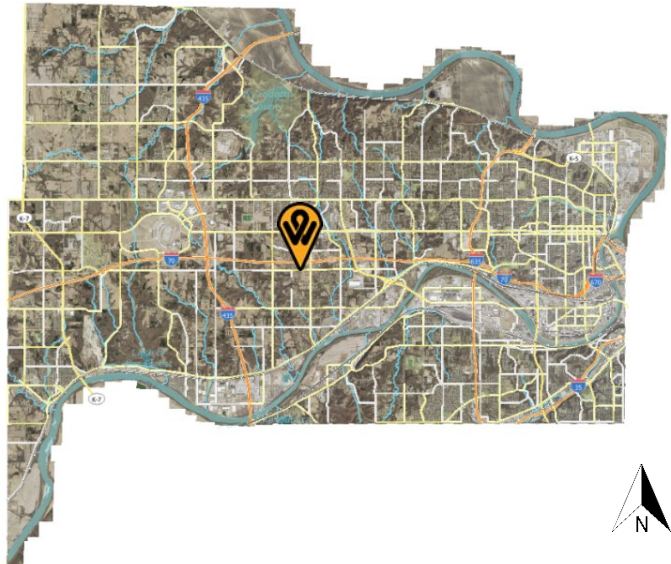
Commissioner At-Large, District #1:
Melissa Bynum
District #8 Commissioner:
Andrew Davis

Existing Zoning District(s):

CP-1 Planned Limited Business and
R-1 Single Family Districts

Comprehensive Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	None	KDOT Right-of-Way (Interstate 70)
South	R-1 Single Family District	Single-family residence
East	R-1 Single Family District	Single-family residence
West	R-1 Single Family District	Single-family residences

Total Tract Size: 6.71 Acres

Comprehensive Plan Area: PlanKCK Comprehensive Plan

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Community Commercial, which allows Uses may include medium-sized box stores with small-scale accessory commercial uses and small-scale commercial centers.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates North 78th Street as a Major Arterial and Splitlog Avenue as a Local Street.

Parking Requirement: Section 27-452(e) Two (2) off street parking spaces shall be provided on the premises for each single-family dwelling. There are no residences on the property. There are parking spaces for employees to parking on the premises.

Landscaping Requirement: Sec. 27-668(a)(8) One (1) space for each guest room plus one (1) space for each two (2) employees on the largest shift, plus adequate parking for banquet rooms, meeting rooms, restaurants and lounge areas. The property owner created a parking pad for these trailers separate from the parking requirement for the motel guests and employees. The use does not require additional parking.

Advertisement: The Wyandotte Echo – April 17, 2025
Letters to Property Owners – April 18, 2025

Public Hearing: May 12, 2025 and May 29, 2025

Public Support:

None to date.

Public Opposition:

None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Kathryn Dumovich with McVanany, Van Cleave & Phillips, P.A., on behalf of the American Motel applied for the renewal of a Special Use Permit (expires on June 1, 2025) to continue to park tractor trailer trucks at the American Motel at 7949 Splitlog Avenue. The continuation of the use includes parking for 7 tractor trucks and trailers in the southeast corner of the parking lot.

City Ordinance Requirements: 27-592 through 27-606 and 27-214 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. Prior to 2023: There have been over 100 police calls for service on the subject property since the previous approval in 2020, with issues ranging from battery, assault, property theft, property damage, rape, and drug offenses.
2. Prior to 2023: Of the over 200 calls to the property, 60 of them involved complaints regarding vehicles, including stolen and recovered autos, abandoned vehicles checks, suspicious vehicle checks, and vehicle tows. KCKPD was not able to confirm whether any of these cases involved the semi-truck parking.

Building, Zoning, or Code Enforcement Complaints:

1. There are no notices of violation on the subject property since 2020.

Outstanding or Related Permit and Cases:

1. There are no outstanding or related permit and cases on the subject property.

Previous Planning Actions:

1. SP2023-007 – to continue to allow tractor trailer truck parking at the American Motel for two (2) years. Permit expires on June 1, 2025.
2. SP-2020-96 – to continue to allow tractor trailer truck parking at the American Motel for two (2) years. Expired on April 30, 2023.
3. SP-2018-45 – to allow tractor trailer truck parking at the American Motel for two (2) years.

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The subject property is located within the Muncie-Stony Point Statistical Group and Block Group #0440012. The neighborhood consists of single-family residences to the east, south and west, with Interstate 70 and 78th Street exit ramp abutting the north property line.

2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial Special Use Permits should not be granted adjacent to residential districts.*

The zoning and uses of properties nearby are set out above. The parking of tractor trailers and the intensity of the commercial use is not compatible with the single-family residences to the west. Screening has been installed along the west property line, blocking the view of the trucks and trailers from the residences.

3. *The suitability of the property for the uses to which it has been restricted. Will the removal of restrictions, including those for hours of operation (where applicable), detrimentally affect nearby property?*

The property is suitable to be used for tractor trailer parking, as it is a large parking lot with space for maneuvering and appropriate screening. The removal of restrictions will not detrimentally affect nearby property as long as the property and use are managed properly.

4. *The length of time the property has remained vacant as zoned.*

The property is not vacant. The motel is an existing business operating since 1986.

5. *The degree of conformance of the proposed use to the Comprehensive Plan.*

Special Use Permits are not addressed in the Comprehensive Plan. The PlanKCK Comprehensive Plan designates the subject property as Community Commercial, which allows Uses may include medium-sized box stores with small-scale accessory commercial uses and small-scale commercial centers. The proposed use conforms to the community commercial designation with a Special Use Permit.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use is a continuation of the existing on-site use, and thus will not result in the increase in traffic along Splitlog Avenue, a Local Street, or increase the demand for on-site parking on the subject property. The majority of the trucks arrive in the late evening hours on Splitlog Avenue, which only serves the motel at this location.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use could be seen as a convenience to the public as it allows tractor truck operators a place to lodge during their trip. Since the screening has been installed, the proposed use will not permanently injure the appropriate use, visual quality, or marketability of adjoining property.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

The movement of tractor trailer trucks late at night could create problems associated with noise and illumination for nearby single-family residences.

9. *Whether the proposed use will pollute the air, land or water.*

The proposed use is a continuation of use and will not pollute the air, land, or water, as it is located on an existing, built-out commercial site, along a major interstate (Interstate 70).

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

The proposed use is a continuation of use and will not damage or destroy an irreplaceable natural resource, as it is located on an existing, built-out commercial site.

11. *The relative gain to the public health, safety and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The relative gain to the public health, safety and welfare is negligible for the proposed use, however, it would be a hardship on the individual landowner to prevent tractor trailer trucks from continuing to be parked on the site.

12. *The applicant's ability to maintain the use in an "as proposed" condition.*

The applicant will be required to maintain the use according to the descriptions of the proposed use. The applicant will also be required to meet all conditions of

approval.

13. *Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.*

If the owner continues to allow 7 tractor trailer trucks to be parked on site, the proposed use will not result in overcrowding of land on the property. There is enough parking on site for guests as not to cause undue concentrations of population.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting via videoconference on April 23, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Previous Conditions of Approval

Security

Parking

Noise

Illumination

Screening

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit application **SP2025-020**, for two (2) years, subject to:

1. Tractor trailer trucks are to be parked only in the 7 designated parking spaces in the southeast corner of the parking lot;
2. All parking lot lighting shall have 90-degree cutoff fixtures on them, as not to exceed one (1) footcandle at the property line;
3. Subject to approval, the occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
4. No outside storage on site;
5. No inoperable vehicles kept on site;
6. All waste on the site must be cleaned and waste must be managed properly on site;
7. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning

and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;

8. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
9. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
10. All existing and future driveways must feature curb cuts that are constructed to UG standards;
11. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
12. Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;
13. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
14. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion

thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;

15. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
16. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
17. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
18. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2025-020** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

May 12, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Applicant Response Letter
Neighborhood Meeting Documents
Site Plan
Site Photographs

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025 Approval	May 29, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2025-020** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2025-020**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

May 12, 2025, City Planning Commission Minutes:

I will now read the items on the **Consent Agenda**:

CONSIDERATION OF THE APRIL 14, 2025, PLANNING COMMISSION MINUTES.

SPECIAL USE PERMIT SP2025-020 - KATHERYN DUMOVICH

Synopsis: Renewal of a Special Use Permit (SP2023-007, expires June 1, 2025) for heavy truck parking at American Motel at 7949 Splitlog Avenue. Detailed Outline of Requested Action: The applicant, Kathryn Dumovich with McVanany, Van Cleave & Phillips, P.A., on behalf of the American Motel applied for the renewal of a Special Use Permit (expires on June 1, 2025) to continue to park tractor trailer trucks at the American Motel at 7949 Splitlog Avenue. The continuation of the use includes parking for 7 tractor trucks and trailers in the southeast corner of the parking lot.

The items I have just read are on the Consent Agenda. At this time, does any member of the Commission wish to disclose any contact on any of the items? No one responded in the affirmative.

Please include the following items as part of the record for all of the Items on the Consent Agenda:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated May 12, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo for the Special Use Permits; and,
7. The Notices to property owners;

The Commission will vote to approve in one vote these items unless someone requests that an item be removed from the Consent Agenda."

Chairman Carson asked if anyone wanted to remove an item from the Consent Agenda.

On motion by Mr. Ward, seconded by Mr. Beth, the Planning Commission voted as follows to **recommend APPROVAL** of the remaining Items on the Consent Agenda:

Carson	Chairman
Straws	Not Present
Ward	Aye
Armstrong	Aye
Beth	Aye
Easterwood	Aye
Ernst	Aye
Jones	Not Present
Miller	Not Present
Mohler	Aye
Schwartz	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

SP2025-020:

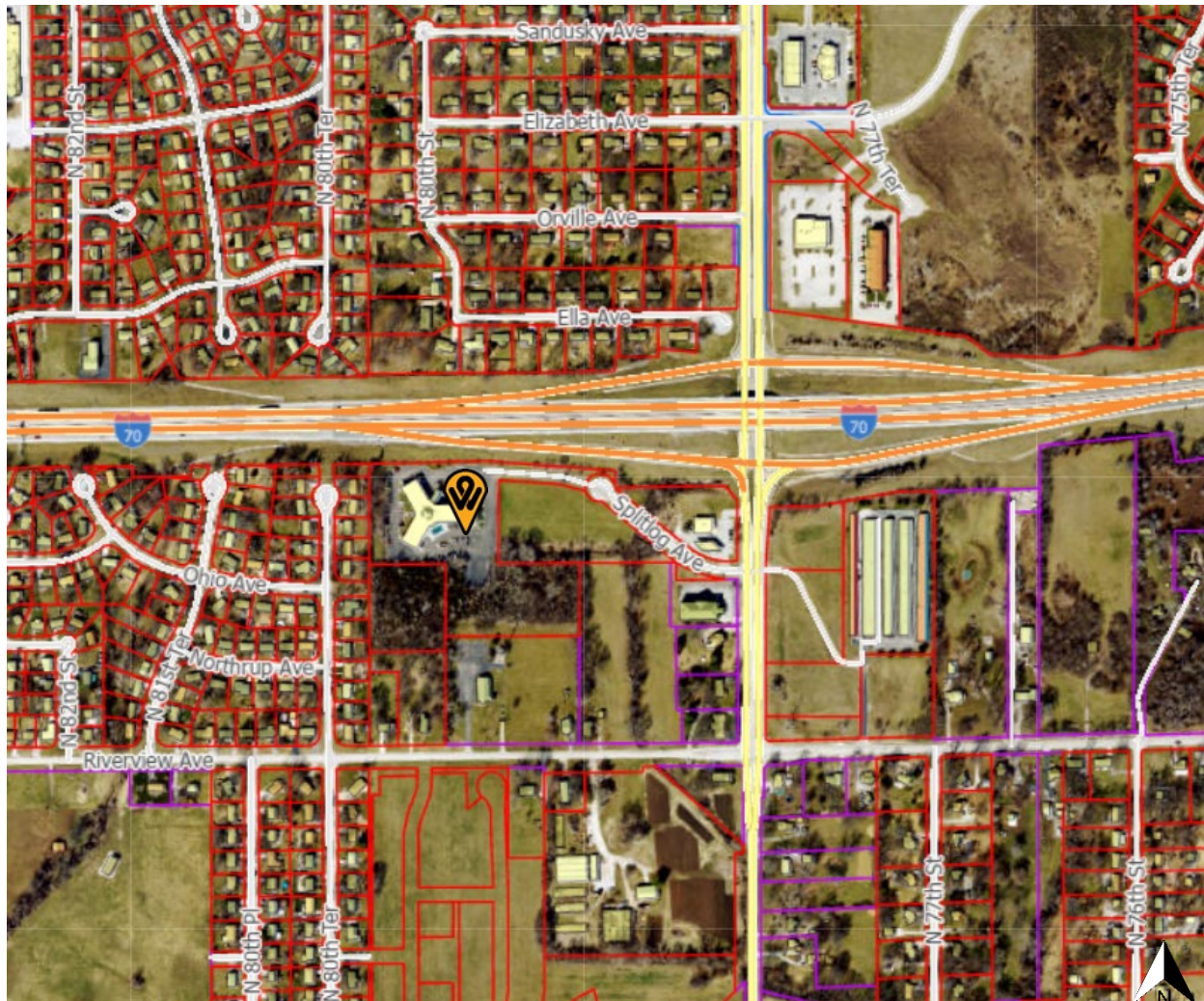
1. Tractor trailer trucks are to be parked only in the 7 designated parking spaces in the southeast corner of the parking lot;
2. All parking lot lighting shall have 90-degree cutoff fixtures on them, as not to exceed one (1) footcandle at the property line;
3. Subject to approval, the occupying business must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
4. No outside storage on site;
5. No inoperable vehicles kept on site;
6. All waste on the site must be cleaned and waste must be managed properly on site;
7. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
8. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;
9. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
10. All existing and future driveways must feature curb cuts that are constructed to UG standards;
11. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
12. Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;

- 13. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;**
- 14. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
- 15. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
- 16. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;**
- 17. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a**

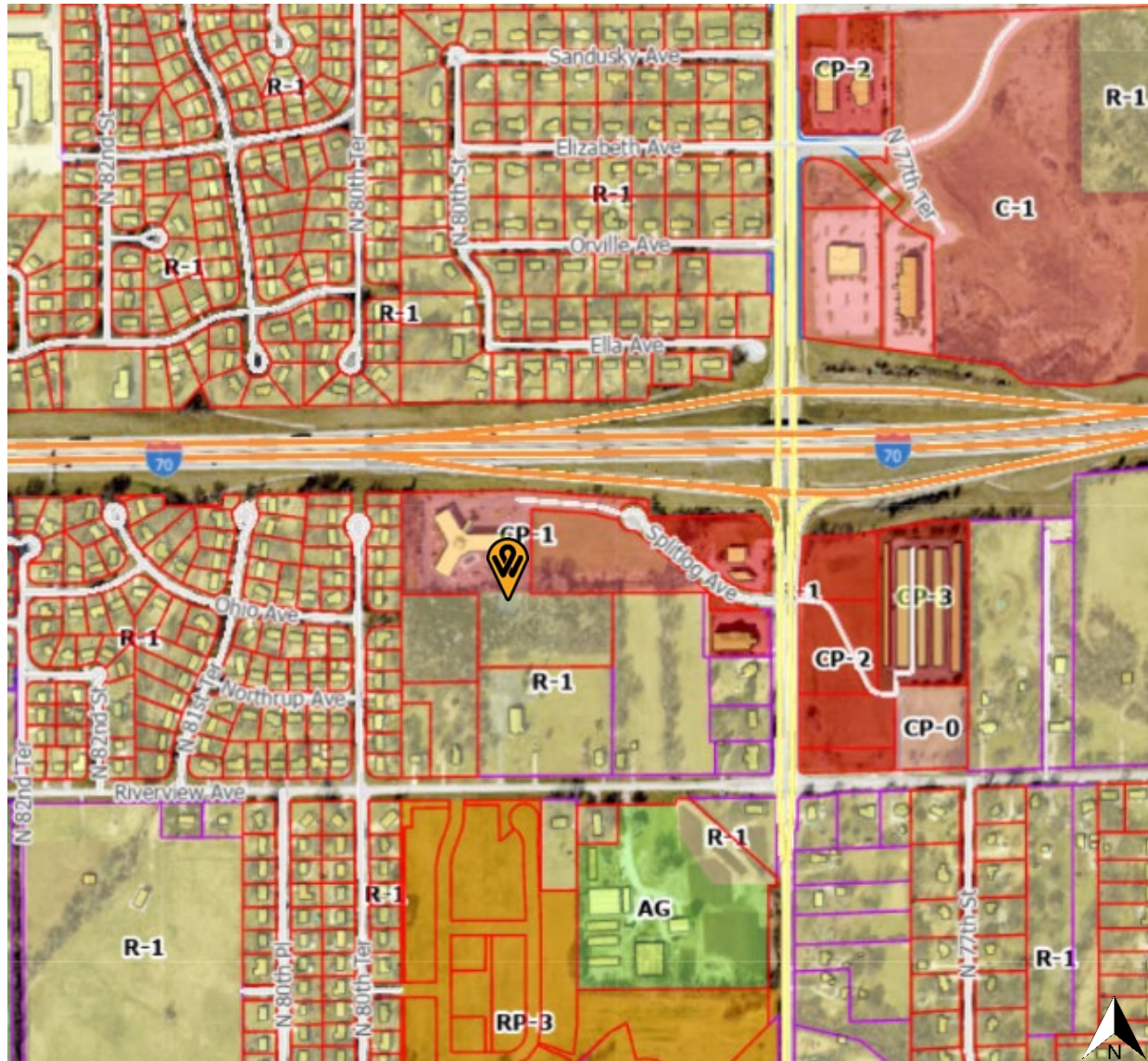
- new Special Use Permit is approved; and,
18. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP



ADDITIONAL ATTACHMENTS



mvplaw.com

McAnany, Van Cleave & Phillips, P.A.
10 East Cambridge Circle Dr.
Suite 300
Kansas City, KS 66103
913.371.3838 Phone
913.371.4722 Fax

April 24, 2025

Sent via email to EDR@wycokck.org
Byron Toy
Dept. of Urban Planning and Land Use
Unified Government Wy Co/KCK
701 N. 7th Street, Suite 423
Kansas City, KS 66101

Re: American Inn Motel – Truck/Trailer Parking – SP-2020-96
MVP File No.: 3547.00000

Dear Byron:

Below please find answers to the questions posed in the Draft Staff Report:

1. This Special Use Permit is a continuation of a Temporary Use of Land for Commercial or Industrial Purposes. Planning Staff is honoring existing Special Use Permits for the Temporary Uses of Land prior to April 2020.

Response: No response required.

2. How have you complied with the conditions of approval for SP2023-007?

Response: Yes.

If you have any questions or need anything further, please feel free to contact me.

Regards,

/s/ Kathryn M. Dumovich

Kathryn M. Dumovich
Direct: (913) 573-3326
kdumovich@mvplaw.com

cc: Rose Morris
Ron White
Don White
Pamela Hayward

9P55428.DOCX

MINUTES FOR NEIGHBORHOOD MEETING

Application #SP-2023-007

Meeting Held: April 23, 2025, by videoconference

Meeting called to order at 5:30 p.m.

Attendees:

- Don White
- Pamela Hayward
- Kathryn M. Dumovich

No neighbors attended the meeting, so no presentation was given and no questions were asked. Mr. White, Ms. Hayward and Ms. Dumovich remained in the video call for 30 minutes, until 6:00 p.m. to ensure that no neighbors were running late.

Meeting adjourned at 6:00 p.m.

Minutes taken by: Kathryn M. Dumovich

9P55448.DOCX

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE)

Comes now Don White, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition #SP-2025-020.
2. That I conducted a neighborhood meeting on April 23, 2025.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

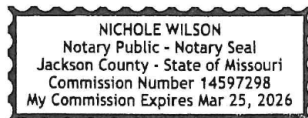
Further affiant saith not.

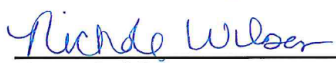


Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 25th day of April, 2025.

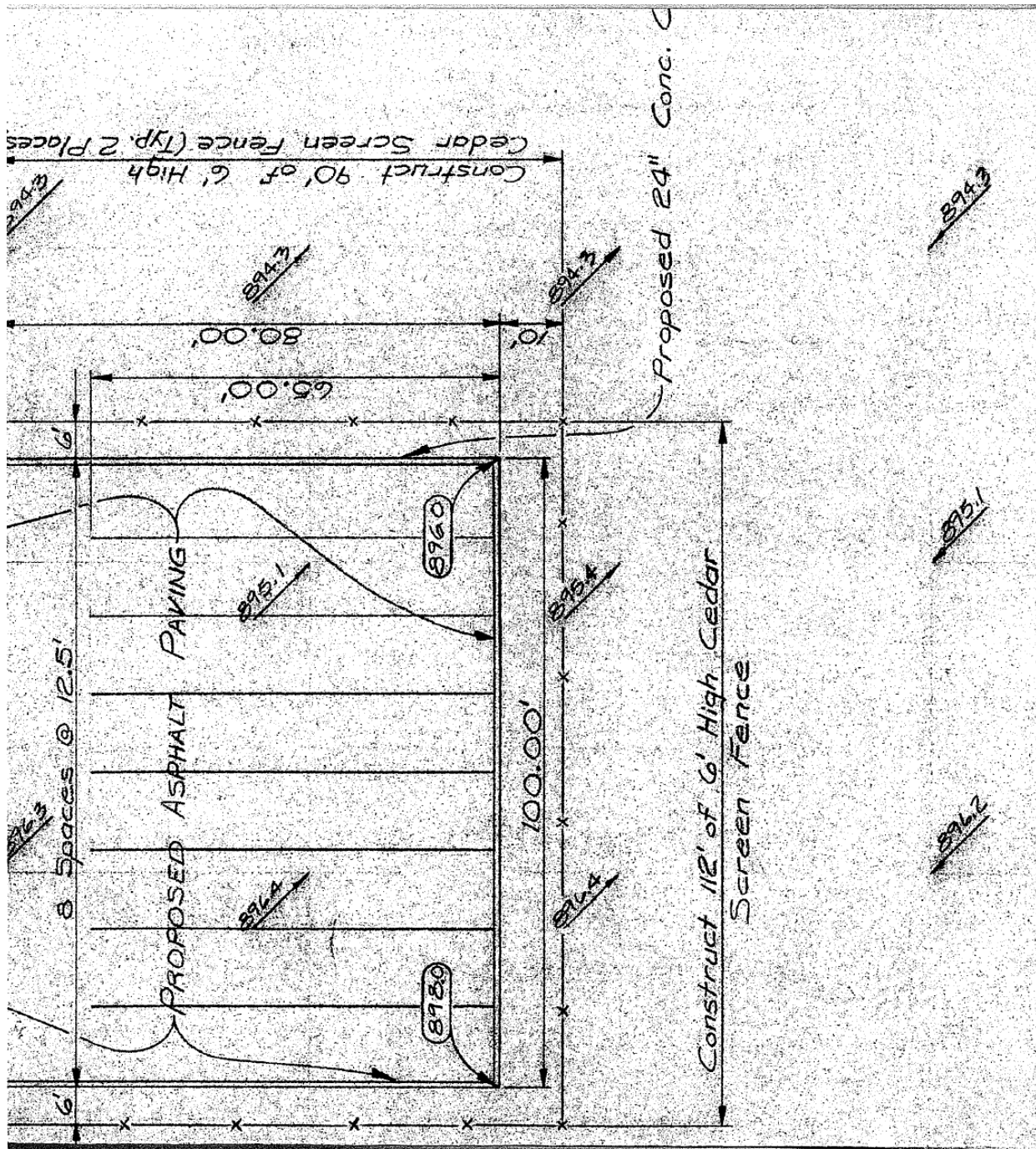
My commission expires 25th of March, 2026.





Notary Public

9P55459.DOC







Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: May 29, 2025

Re: Special Use Permit Petition SP2025-022

GENERAL INFORMATION

Applicant Information:

Hasan Abdulateef
HM Semi Truck Repair
451 South 14th Street
Kansas City, Kansas 66105

Subject Property:

451 South 14th Street
Kansas City, Kansas 66105

Requested Action and Purpose:

Approval of a Special Use Permit
semi-truck light repair.

Commission Districts:

Commissioner At-Large, District #2:
Tom Burroughs
District #2 Commissioner:
William (Bill) Burns

Existing Zoning District(s):

M-3 Heavy Industrial District

Plan Area:

Armourdale Area Plan



	Adjacent Zoning	Adjacent Uses
North	M-3 Heavy Industrial District	Industrial business
South	M-3 Heavy Industrial District	Industrial business
East	M-3 Heavy Industrial District	Industrial business
West	M-3 Heavy Industrial District	Industrial business

Total Tract Size: 2.06 Acre

Comprehensive Plan Designation: The Armourdale Area Plan designates the subject property as Industrial, which allows for small, medium and large-scale industrial processing, manufacturing and outdoor storage.

A specific strategy in the Armourdale Area Plan is to reduce the impact of low-density commercial and industrial parcels along Commercial Corridors. This can be accomplished by enforcing guidelines for new commercial and industrial development projects that include active commercial building frontages and minimal setbacks along major corridors, especially those corridors forming the boundary between the Neighborhood Core and the Industrial Ring.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates South 14th Street as a Major Arterial.

Parking Requirement: Section 27-470(f) states “uses in this district shall provide no less than one (1) space for each 500 square feet of building area be provided. Section 27-467(e) requires all uses to provide off-street parking at a ratio of four (4) spaces per 1,000 square feet of building area.

The building is 2,400 square feet, which requires 10 parking spaces. The applicant has not provided a site plan

Landscaping Requirement: Section 27-700(b)(4) states trees may be required depending on the particular location and surroundings of the project up to a maximum of one (1) tree per 15,000 square feet of site area.

The Commercial Design Guidelines states “Landscaping shall exceed the typical code requirements by at least 75 percent”.

22 trees are required on site, with additional landscaping required. The applicant does not show on the site plan any landscaping on the property.

Advertisement:

The Wyandotte Echo – April 17, 2025
Letters to Property Owners – April 18, 2025

Public Hearings:

May 12, 2025 and May 29, 2025

Public Support:

None to date.

Public Opposition:

None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Hasan Abdulateef, HM Semi Truck Repair, is requesting a Special Use Permit to operate a light semi-truck repair/mechanic shop. This former applicant and operator, United Truck Repair is closed and Special Use Permit, SP2021-069 expired in 2023.

City Ordinance Requirements: 27-592 through 27-606 and 27-214 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no active noise or disturbance complaints on the property.

Building, Zoning, or Code Enforcement Complaints:

1. 2004 – Property Maintenance citation for high grass and trash on the property.

Outstanding or Related Permit and Cases:

1. There are no outstanding or related permits and cases on the property.

Previous Planning Actions:

1. SP2021-069 – Approval of a Special Use Permit for light repair on semi-trucks for two (2) years on September 27, 2022.

2. SP-2019-82 – Approval of a Special Use Permit for light repair on semi-trucks for two (2) years on September 26, 2019.

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The subject property is located within the Armourdale Statistical Neighborhood, Census Block Group #0426003 and the Armourdale Renewal Association Group. The character of the neighborhood is comprised of industrial uses and commercial businesses and residential uses. North 14th Street is a Local Street in the Armourdale area that is accessed primarily from the south by Kansas Avenue, a Minor Arterial. It is a horizontal mixed-use, sub-urban neighborhood with residential, commercial, and industrial uses.

2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial Special Use Permits should not be granted adjacent to residential districts.*

The zoning and uses of properties nearby are set out above. The proposed use is considered to be compatible with the nearby uses if the development includes all the required property upgrades and is managed properly.

3. *The suitability of the property for the uses to which it has been restricted. Will the removal of restrictions, including those for hours of operation (where applicable), detrimentally affect nearby property?*

The property is suitable for automotive uses given the existing adjacent industrial uses and nearby access to a Minor Arterial. This is the initial request of a truck repair business on an industrial zoned property. By ordinance, a Special Use Permit is required.

4. *The length of time the property has remained vacant as zoned.*

The property was vacant between 2017 and 2019. The property was previously used as an automotive salvage business from 1988 to 2017. In 2019, a business for semi-truck repair began under mandatory Special Use Permit for two (2) years. The property is an existing lot in a built-out industrial area.

5. *The degree of conformance of the proposed use to the Comprehensive Plan.*

Special Use Permits are not addressed in the Master Plan. New establishment, expansion, or relocation of Automotive uses require a Special Use Permit prior to operation pursuant to Ordinance O-42-15 as specified in 27-593(b)(19-20). The Armourdale Master Plan designates the land at 451 South 14th Street for Heavy Industrial and directs the area to support adjacent existing residential neighborhoods. It also emphasizes the improvement of local streets to handle

industrial traffic.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

Operating in the same manner as the previous use will likely result in the increase of vehicular traffic. The additional vehicular traffic created by the existing use is not expected to result in the increase of traffic to the point where it would impact the capacity of the Local Street and accessible Minor Arterial thoroughfare. There is also the question about the continued impact from larger vehicles, tow trucks, and trash trucks needing to access the property for vehicle pick up or delivery and trash servicing. The site specializes in large trucks but provides only one main entrance off of South 14th Street that is accessible to traffic via an uncontrolled and unmarked street from Kansas Avenue to the south or through a residential neighborhood using Scott Avenue.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use is not reasonably necessary for the convenience nor welfare of the public because the large truck maintenance and storage on the existing property will lead to higher use density and difficulty in screening the use from public view. The proposed use will likely substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property if not managed properly.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

Noise, vibration, dust, and illumination are normally associated with the proposed uses, and it will likely be an issue to surrounding uses given the poor condition of the improved surfaces on the property and the lack of dust control measures in place. Continuation of the use will likely create problems for nearby properties if not properly managed, dust mitigated, and screened.

9. *Whether the proposed use will pollute the air, land or water.*

The proposed use may pollute the air, land or water if not managed properly. The proposed use is often associated with the potential for chemical leaks, hazardous waste, and runoff. The larger vehicle size increases the volume of potential chemicals on site. The property is in a low elevation area with poor stormwater drainage that will need to be considered. Unless improved surfaces are upgraded to current standards and thereafter managed properly and cleaned in a timely manner, groundwater contamination will be a problem since

there are multiple places that can allow seepage directly into the ground.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

The proposed use should not result in the damage or destruction of an irreplaceable natural resource as it is locating in an existing, built-out mixed-use industrial and residential area.

11. *The relative gain to the public health, safety and welfare as compared to the hardship imposed on the individual landowner or landowners.*

If this Special Use Permit is denied, the applicant will have to relocate the semi-truck and trailer repair and storage business to another location under a mandatory Special Use Permit. The relative gain to the public health, safety, and welfare as compared to hardship imposed on the landowners is minimal.

12. *The applicant's ability to maintain the use in an "as proposed" condition.*

If approved, the applicant will be required to maintain the use according to the submitted plans and descriptions of the proposed use. The applicant will also be required to meet all conditions of approval. The applicant may provide a phasing plan to these improvements, if necessary.

13. *Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.*

Given the size of the property, the proposed use should not result in the overcrowding of land if it is properly managed and operates within the required conditions. The parking of trucks and trailers on site may become an issue if not managed properly. The proposed use will not cause undue concentrations of population as it is an industrial use.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 451 South 14th Street on April 28, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Commercial Design Guidelines
Landscaping and Screening
Parking and Storage Inventory and Management
Stormwater Management

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit application **SP2025-022**, for two (2) years, subject to:

1. 10 required parking spaces for customers, employees, and the public must be provided on the property. ADA Accessible parking space(s) are required to be provided on the property;
2. Stripe the parking lot for customers, employees, and vehicles;
3. This Special Use Permit applies to maintenance for large trucks. Maintenance, repair, or storage of regular passenger vehicles is not included in this permit and is not allowed on the property. Only passenger vehicles that belong to customers, employees, or the public patronizing this business may be parked on the property and must be parked in designated and striped parking stalls;
4. There may be two (2) trucks will be repaired at a time;
5. Hours of operation shall be Monday through Friday, 9:00 AM to 6:00 PM and Saturday, 9:00 AM to 4:00 PM;
6. Sec 27-593(b)(19-20)(a-f) requires that a five (5) foot wide sidewalk must be installed along the entire frontage of 14th Street from the south property line to the north property line. Install a five (5) foot wide pedestrian access walkway sidewalk that runs from the sidewalk along 14th Street, through the Architectural Screening Fence gate, and east to connect to the main office entrance of the building. Sidewalks shall meet all current design criteria and be ADA compliant. Applicant is responsible for acquiring all required construction and right-of-way permits;
7. Install wheel stops in the customer parking lot and truck parking lot so vehicles do not roll into the grass or damage the fence;
8. This Special Use Permit will apply only to 451 South 14th Street. There cannot be any shared work, inventory, storage, or property access with another business or another property under this Special Use Permit;
9. No storage of warehousing of salvage or wrecked automobile parts on the property. Storage of salvage requires M-3 Heavy Industrial District zoning and a separate Special Use Permit for salvage;
10. If the property is sold, the associated Special Use Permit cannot be transferred to the new property owner or operator;
11. Keep the existing, old growth tree;
12. A six (6) foot tall opaque fence shall be installed and continuously maintained along west property lines to screen the property. This fence shall include masonry columns every 32 feet.
13. The following landscaping shall be installed per the Commercial Design Guidelines:
 - a) At least 75 percent of the length of building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers.
14. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light

- may cast light or glare off the property or onto the public street;
15. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
 16. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
 17. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 18. Section 27-699(b)(5) states that all outside bins or trash container areas must be completely enclosed by an architectural screen to a height not less than the height of the bin or container. No trash enclosures may be located in required yards adjacent to street right-of-way. In commercially and industrially zoned areas where the trash container will not be visible from off the property due to other screening or topographic conditions and will not be visible from public parking or pedestrian areas on the site, such trash bin screening need not be provided. In industrially zoned areas where the trash container will not be visible from residential property and where such containers are kept directly alongside the building and in a well-kept manner, such screening need not be provided;
 19. Any automotive-related business in Wyandotte County that is required to obtain any Special Use Permit, shall be responsible to ensure that the business operations are at all times compliant with all applicable local ordinances and State Statutes and Regulations [27-463 through 27-470; 27-592 through 27-616] [KSA 65-3424, KAR 28-29-29 through 28-29-33]. Proof of proper disposal of waste tires with a Kansas State permit-holding waste tire collector or waste tire processor is required to be maintained at the management office and provided to any enforcement staff upon request;
 20. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
 21. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges

that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;

22. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
23. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
24. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
25. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
26. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2025-022** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

May 12, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Business Plan
Applicant Response Letter
Neighborhood Meeting Documents
Site Plan
Building Elevations
Site Photographs taken by Planning Staff on April 3, 2025

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025 Approval	May 29, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2025-022** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2025-022**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

May 12, 2025, City Planning Commission Minutes:

Hearing starts at 2:27:47:

SPECIAL USE PERMIT SP2025-022 - HASAN ABDULATEEF WITH HM SEMI TRUCK REPAIR

Synopsis: Special Use Permit for a semi and heavy truck repair and maintenance facility for United Truck Repair at 451 South 14th Street. Detailed Outline of Requested Action: The applicant, Hasan Abdulateef, HM Semi Truck Repair, is requesting a Special Use Permit to operate a light semi-truck repair/mechanic shop. This former applicant and operator, United Truck Repair is closed and Special Use Permit, SP2021-069 expired in 2023.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated May 12, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

Recording Secretary Morris asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

Present in Support:

- Hasan Abdulateef, Applicant, 451 South 14th Street, Kansas City, Kansas 66105

The Commission directed their questions to the applicant.

Present in Opposition:

- No one appeared

Staff Recommendation starts at 2:31:30: Mr. Lucas stated that Staff recommends approval of this application.

Motion starts at 2:31:45:

On motion by Mr. Ward, seconded by Ms. Schwartz, the Planning Commission voted as follows to **recommend APPROVAL of SP2025-022 for two (2) years:**

Carson	Chairman
Straws	Not Present
Ward	Aye
Armstrong	Aye
Beth	Aye
Easterwood	Aye
Ernst	Aye
Jones	Not Present
Miller	Not Present
Mohler	Aye
Schwartz	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

- 1. 10 required parking spaces for customers, employees, and the public must be provided on the property. ADA Accessible parking space(s) are required to be provided on the property;**
- 2. Stripe the parking lot for customers, employees, and vehicles;**
- 3. This Special Use Permit applies to maintenance for large trucks. Maintenance, repair, or storage of regular passenger vehicles is not included in this permit and is not allowed on the property. Only passenger vehicles that belong to customers, employees, or the public patronizing this business may be parked on the property and must be parked in designated and striped parking stalls;**
- 4. There may be two (2) trucks will be repaired at a time;**
- 5. Hours of operation shall be Monday through Friday, 9:00 AM to 6:00 PM and Saturday, 9:00 AM to 4:00 PM;**
- 6. Sec 27-593(b)(19-20)(a-f) requires that a five (5) foot wide sidewalk must be installed along the entire frontage of 14th Street from the south property line to the north property line. Install a five (5) foot wide pedestrian access walkway sidewalk that runs from the sidewalk along 14th Street, through the**

Architectural Screening Fence gate, and east to connect to the main office entrance of the building. Sidewalks shall meet all current design criteria and be ADA compliant. Applicant is responsible for acquiring all required construction and right-of-way permits;

7. Install wheel stops in the customer parking lot and truck parking lot so vehicles do not roll into the grass or damage the fence;
8. This Special Use Permit will apply only to 451 South 14th Street. There cannot be any shared work, inventory, storage, or property access with another business or another property under this Special Use Permit;
9. No storage of warehousing of salvage or wrecked automobile parts on the property. Storage of salvage requires M-3 Heavy Industrial District zoning and a separate Special Use Permit for salvage;
10. If the property is sold, the associated Special Use Permit cannot be transferred to the new property owner or operator;
11. Keep the existing, old growth tree;
12. A six (6) foot tall opaque fence shall be installed and continuously maintained along west property lines to screen the property. This fence shall include masonry columns every 32 feet.
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16. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
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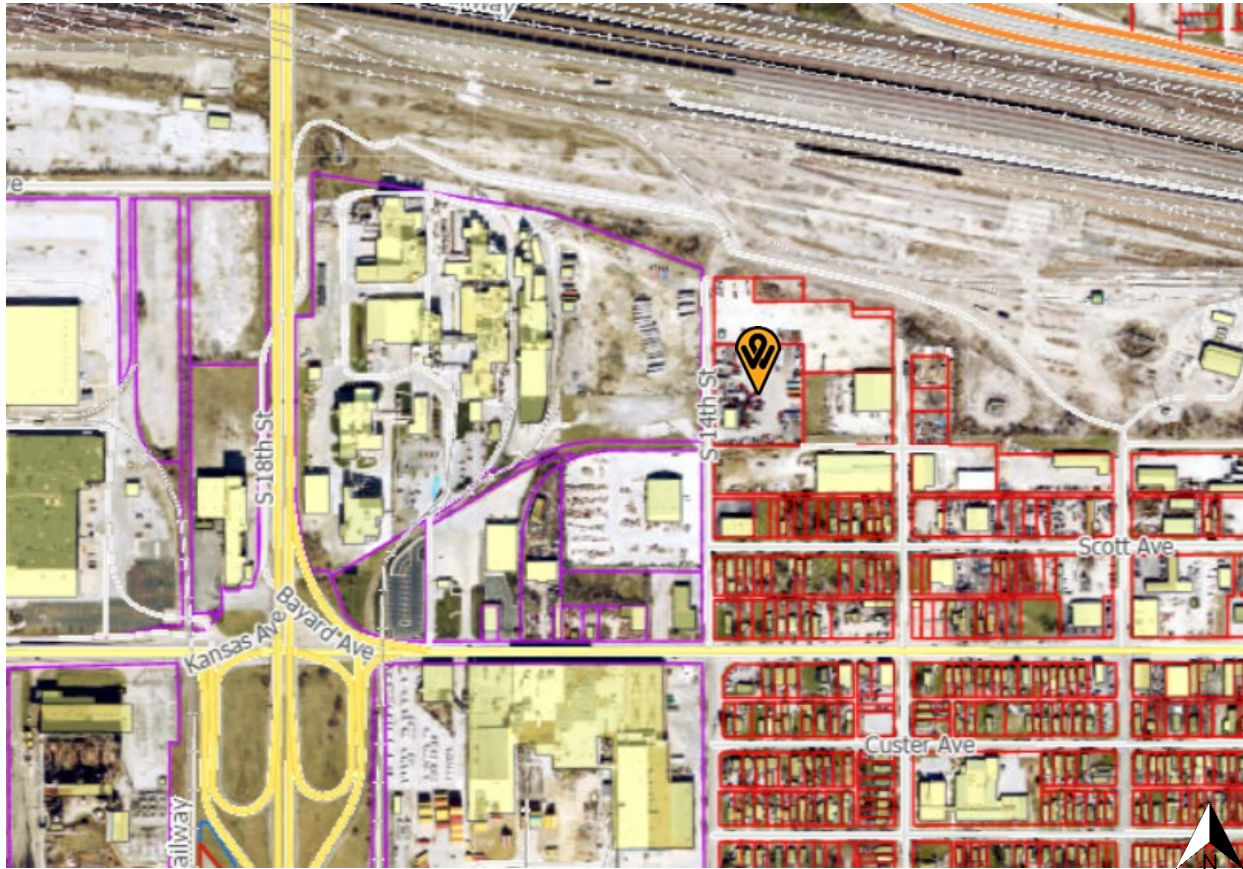
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20. Any business or land use in Wyandotte County that is required to provide off-street parking shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-466 through 27-470; 27-592 through 27-616; 27-667 through 27-676]. Inoperable vehicles shall be stored inside an enclosed building. Inoperable vehicles may not be stored outside unless they are completely screened from view in accordance with all applicable ordinances. Outside storage shall not include wrecked or salvage vehicles. Any vehicle parked or stored outside must be on an improved surface, located on the same land parcel as the business use, and be parked within a regulation dimension parking stall. Any outside storage may not reduce the availability of all required parking spaces as required by ordinance;
21. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
22. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
23. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive

operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;

24. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
25. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
26. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

ATTACHMENTS

AERIAL IMAGERY



ZONING MAP



LAND USE MAP



ATTACHMENTS

HM SEMI TRUCK REPAIR BUSINESS PLAN

HM Semi Truck Repair plans to continue operation of light repair for semi trucks as the prior occupying business had done without causing any harm or disturbance to the neighborhood and the surrounding areas.

HM SEMI TRUCK REPAIR LLC

1. Customer parking for non service vehicles will be located on the south side of the building near the entrance.
2. elcreonitc and programming repair of semi trucks. no major engine or transmission work will be conducted. only electronic and programmable repair will be conducted at the premise.
3. yes, of that repair will consist of computer fault or electrical repair.
4. yes, parking spaces will be provided
5. yes, parking lot is striped and outlined
6. yes, we will comply
7. 2 tucks will be repaired at a time.
8. monday - friday 9am-6pm, saturday 9am-4pm
9. yes, we will comply
10. yes, we will comply
11. yes we will comply
12. yes, we will comply
13. yes we will comply

HM SEMI TRUCK REPAIR LLC
451 S 14 ST
KANSAS CITY, KS 66105
9136331603
HMSEMITRUCKREPAIR@GMAIL.COM

Application case number: SP2025-022

MEETING TIME: Monday April 28, 2025 at 5:00 pm at 451 S 14th st Kansas city, ks 66105.

MEETING MINUTES: Stayed from 4:00PM to 6:pm. No one showed up.

Meeting adjourned at 6:00 pm

Thank you,
Hasan Abdulateef
HM Semi Truck Repair LLC

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Wyandott) SS:

Comes now Hasan Abdulateef, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP2025-022
2. That I conducted a neighborhood meeting on 04/28/2025.
3. The notice to nearby property owners was sent on 04/14/2025.
4. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

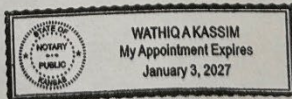
Further affiant saith not.

[Signature]
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 28 day of April, 2025.

My commission expires 01 of 03, 2027.

[Signature]
Notary Public

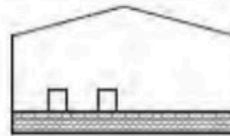
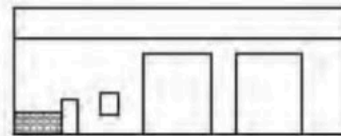
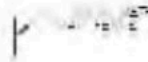
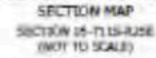


[Signature]

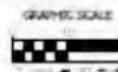
SITE PLAN
451 S 14th St
Kansas City, KS 66105
Parcel ID: 074202
Lot area: 2.07 Acres
Paper Size: 11"x17"



PART OF JAMESON'S ADDITION AND ARMOURDALE,
KANSAS CITY, WYANDOTTE COUNTY, KANSAS
(NOT A BOUNDARY SURVEY)



i. Building exterior is a combination of a 4 foot high brick facade, with the remainder being red metal cladding above.

Aug 31, 2022 - Article added by jacobsonj
INFORMATION: 02/20/2019, 5:00 PM - JTE-161 day











Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: May 29, 2025

Re: **Special Use Permit SP2025-033**

GENERAL INFORMATION

Applicant Information:

Oracio Perez
Property Owner
1826 South 16th Street
Kansas City, Kansas 66103

Subject Property:

3505 Sortor Drive
Kansas City, Kansas 66104

Requested Action and Purpose:

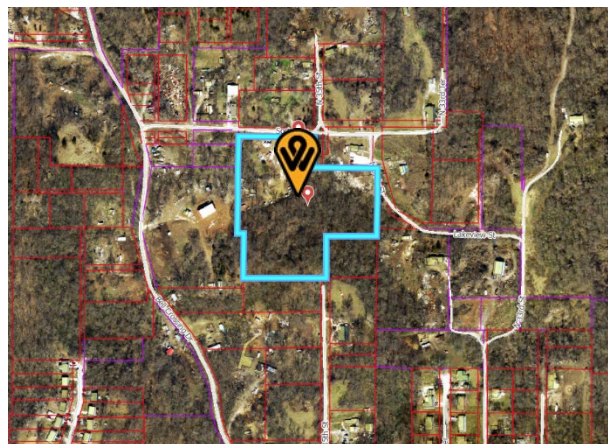
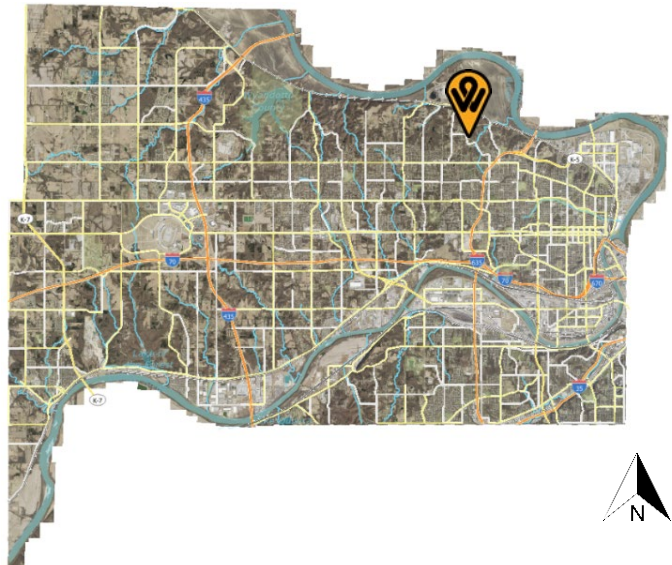
Approval of a Special Use Permit for chicken in excess of six (6) at an R-1 Single-Family Residential Property.

Commission Districts:

At-Large Commissioner, District #1:
Melissa Bynum
District #1 Commissioner:
Gayle Townsend

Existing Zoning District(s):

R-1(B) Single-Family District



	Adjacent Zoning	Adjacent Uses
North	R-1(B) Single Family District	Single Family Residence, Industrial Material Salvage and Laydown Yard
South	R-1(B) Single Family District	Open Space, Agricultural and Industrial Laydown Yard
East	R-1(B) Single Family District	Large Lot Single-Family Residence with Contractor Laydown Yard
West	R-1(B) Single Family Residential and A-G Agriculture Districts	Illegal Non-Conforming RV Park, Commercial and Industrial Laydown Lot, Agricultural Open Space,

Total Tract Size: 7.345 Acres

Comprehensive Plan Area: PlanKCK Comprehensive Plan

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the subject property as Agricultural, which allows for the production and cultivation of food stuffs, livestock and other agricultural activities such as apiary, forest products, hay production, etc.

Major Street Plan: The goDotte County-Wide Mobility Strategy designates Sortor Drive as a Local Street

Parking Requirement: Section 27-452(e) states “Two off-street parking spaces shall be provided on the premises for each single-family dwelling”. There is no single-family dwelling on the property, as it was demolished. The subject property has acres of unimproved parking on the site, comprised of dirt, gravel, asphalt, or other similar materials.

Landscaping Requirement: The current zone requires one (1) shade tree per dwelling unit required in the front or corner side yard per Section 27-700(a). The subject property has no dwelling unit to define yardage but retains a number of trees towards the rear of the property, meeting this requirement.

Advertisement:	<u>The Wyandotte Echo</u> – February 13, 2025 <u>Letters to Property Owners</u> – February 21, 2025; March 20, 2025; and April 18, 2025
Public Hearing(s):	April 14, 2025, May 12, 2025, and May 29, 2025
Public Support:	None to date.
Public Opposition:	Staff received one (1) phone call from a neighbor in opposition.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Oracio Perez, is requesting a Special Use Permit for the keeping of fowl in excess of six (6) on an R-1 Single-Family zoned property.

The applicant had previously applied for a Change of Zone from R-1 Single Family District to A-G Agriculture District to pursue agricultural activities. The applicant wishes to keep a garden and maintain a number of roosters and fowl. The applicant also wishes to construct a large barn for keeping horses and cattle. At staff recommendation, the Change of Zone was converted to a Special Use Permit for keeping 20 chicken or ducks and no roosters for the period of one (1) year.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765, Article VII Sections 27-245 – 27-339, Article VI Section 27-210 through 212 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no recent noise or disturbance complaints on the subject property”

Building, Zoning, or Code Enforcement Complaints:

1. 2022: PDEMO22-0034 – Private Demolition for Unfit Structure (closed)
2. 2022: UDEMO22-0010 – UG Demolition for Unfit Structure (closed)
3. 2022: FIRE22-0080: Fire Report – Vacant House, Vehicles (closed)
4. 2022: TOW22-0041: Fire Report – Towed Burned Vehicles (closed)
5. 2022: CMP22-1857: Unsafe structure (closed)

Outstanding or Related Permit and Cases:

1. There are no outstanding permits on the subject property.

Previous Planning Actions:

2. There are no previous planning entitlements on the subject property.

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Quindaro Bluffs Statistical Neighborhood and the Leavenworth Road Association Group. The neighborhood consists primarily of large lot single-family residences and agricultural lots. The neighborhood is rural in nature with various degrees of industrial activity pertaining to salvage, refuse, and material storage. Streets are gravel or asphalt and have minimal improvements.

2. The zoning and uses of properties nearby and the proposed use's expected compatibility with them.

The zoning and uses of nearby property are set out above. The property is surrounded by primarily Single Family District zoning, with limited A-G Agriculture Zoning in the vicinity. Most surrounding properties are used for industrial or agricultural purposes. Use of the subject property for agricultural purposes is expected to be compatible if managed properly.

3. The suitability of the property for the uses to which it has been restricted. Will the removal of restrictions detrimentally affect nearby property?

The proposed use is suitable for agricultural purposes in terms of acreage, however usable space for agricultural purposes on the property is limited. There are steep terrain changes that make large portions of the land unsuitable for grazing, exercising animals, or crop production. Portions of the property that are cleared and leveled have been denuded of natural vegetation and cover, leading to deep mud trenches with erosion and sediment, which was deeper than one (1) foot in some areas. The cleared land has been utilized for automobile salvage, recreational vehicle salvage, material salvage, and the potential for environmental hazards on the property requiring significant soil mitigation exists. The property was leased to other acquaintances of the applicant for the purpose of keeping large numbers of roosters. Staff estimates that approximately 200-300 roosters were on the property at the time of the staff site visit between the owner and the two (2) other lessees of the property. The limited land suitable for livestock keeping in combination with the environmental hazards dictate that this property is not suitable for agricultural purposes in the scale allowed by a change of zone petition.

The removal of restrictions may detrimentally affect nearby property as prolonged erosion control issues will become exasperated by additional land clearing. The ability to keep large quantities of fowl livestock in areas in which

grazing fields are not established has the propensity to create stockyard-like atmosphere, which may be considered a nuisance to adjacent residents.

4. *The length of time the property has remained vacant as zoned and/or the length of time the property has been actively marketed.*

The property is not vacant. It has been utilized by various property owners, although they have largely been off-site owners. The private residence on the property was demolished in 2022, although the residence was vacant prior to 2005. The accessory shed still remained on the property and is currently utilized as a chicken coop. Additional chicken coops were constructed on the property without permit within the last year.

5. *The degree of conformance of the proposed use to the Master Plan.*

The PlanKCK Comprehensive Plan designates the subject property as Agricultural, which allows for the production and cultivation of food stuffs, livestock and other agricultural activities such as apiary, forest products, hay production. The proposed use complies with the plan if managed properly and operates in conformance with a Conservation Plan and in accordance with local ordinances, including animal control.

6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.*

The proposed use is not expected to increase traffic as it is for the private use of the property owner, however, any increase in traffic would exceed the capacity of Sortor Drive, which is a rural, dirt road with no infrastructure, designated as a local street.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

The proposed use is not reasonably necessary for the convenience and welfare of the public as it is for the owner's private use. The proposed use has the propensity to negatively affect adjacent property owners as the property is not physically suitable for agricultural activity.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

For the approval of 20 chickens and no roosters, the likelihood of disturbing neighbors with noise is minimal. The addition of more animals or livestock could result in dust issues, as there is little to no grass at the property and top soil has largely eroded, leaving hydrophobic elevation soil underneath. Additional fowl

or other livestock being introduced at the property beyond the proposal has the opinion to increase dust associated with this hydrophobic soil and other loose surface materials, such as the asphalt millings or gravel. Vibration is not generally associated with livestock at the proposed scale.

9. *Whether the proposed use will pollute the air, land or water.*

The keeping of large quantities of fowl, horses, cows, or other livestock has the propensity to cause environmental harm, through contaminated run-off and sediment control. Additionally, preparing the site to correctly keep these animals may result in harm, as horses, cows, and other livestock require large open space areas, which the property currently does not adequately provide. To provide this space would require removal of a significant amount existing tree stand and landscaping, which would cause environmental harm in the form of increased erosion and run-off and decreased stormwater management. The current cleared space does not provide adequate ground cover to maintain substantial agricultural uses such as grazing, exercising, or compost control.

Staff recommended the revision of the proposal to 20 chicken or fowl with no roosters, which should not pollute the air, land, or water, even if managed inappropriately.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

The proposed use of 20 fowl is not foreseen to damage or destroy an irreplaceable natural resource as sufficient land exists for this number, however additional fowl or large livestock beyond this number has the potential to exasperate the erosion and soil issues already existing on-site.

11. *The relative gain to the public health, safety and welfare as compared to the hardship imposed on the individual landowner or landowners*

The relative gain to the public health, safety, and welfare will be minimal as it is for the private enjoyment of the property owner. If denied, the applicant can still garden on the property and utilize the legal non-conforming accessory structure for garden tools and the six (6) chicken permitted without the requirement of a Special Use Permit.

12. *The applicant's ability to maintain the use in an "as proposed" condition.*

The applicant will be required to maintain the use according to the submitted plans and descriptions of the proposed use. The applicant will also be required to meet all conditions of approval. Staff believes that the applicant is understanding of the requirements and that the applicant will continue to work to improve the property in good faith effort towards meeting ordinance requirements and to becoming a suitable property for increased agriculture uses in the future.

13. *Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.*

The proposed use is not expected to result in the overcrowding of land or undue concentrations of population because there is some remaining area that could be utilized for a limited number of chicken or fowl where a former house stood and the foundation has grassed over the rubble. Beyond the proposed number by staff of 20 or the original proposed change of zone, it could be foreseen that the land could become overcrowded with the number of livestock in a limited area with no grazing or exercise space.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting on February 24, 2024. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Conservation Plan
Maintenance of Property
Notices of Violation
Number of Animals
Roosters
Leasing of Property
Property Access and Driveway
Unpermitted Structures
Waste Management Plan
Land Disturbance

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit application **SP2025-033**, for one (1) year, subject to:

- 1. The number of fowl on site is limited to twenty (20) with no roosters;**
- 2. The applicant must submit a Conservation Plan. Work with the Wyandotte County Conservation District or Planning Department Staff to develop a conservation plan for the property. The conservation district can be contacted at wyco.conservation@gmail.com or (913) 334-6329. This application will not be published until an approved Conservation Plan is submitted;**
- 3. All animals on the property must be registered with Animal Services;**
- 4. All inoperable vehicles, recreational vehicles, salvage vehicles, food trucks, etc. must be removed from the property;**

5. The right-of-way approach must be improved to UG standards;
6. The right-of-way must be restored to native grasses;
7. All produce and animal keeping, processing, culling, harvesting, sales, or similar activity, either direct to consumer or otherwise sold or provided to a third-party off-site must follow Kansas Department of Agriculture guidelines and regulations;
8. Gravel, asphalt, or other unimproved parking surface must be removed except by areas approved by staff;
9. The property is not to be leased to third parties and shall be for private use of the owner;
10. The property must no longer be informally accessed by the adjacent property owner to reach their barn without incorporating this access agreement into the staff-approved Conservation Plan, as it incorporates significant unimproved surface for access;
11. All trash and other debris must be removed from the subject property;
12. All other existing code violations must be corrected. This petition will not be published until the violations are shown to be corrected;
13. All cars and other vehicles must be parked on a paved, improved surface;
14. The exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the primary structure. Standard concrete masonry units are also not allowed unless the walls of the building are painted the exact color of the primary structure;
15. Lighting shall be installed to have a 90-degree cutoff;
16. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
17. All existing and future driveways must feature curb cuts that are constructed to UG standards;
18. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
19. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
20. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;

21. Any property owner or business owner that is required to obtain a Special Use Permit for an entitlement to keep fowl or livestock animals as described in Section 27-593, or any other animal related activity as described in Section 27-593, is required to comply at all times with all the requirements of Chapter 7 and Chapter 27 of the Ordinance. This shall include all ordinance sections that relate to: the care, feeding, and keeping of animals; the proper housing, shelter, and restraint of animals from roaming at large; access to proper veterinary care; the operation and maintenance of land, property, and any building or structure related to animal keeping. The permit holder and the property owner are responsible to register any animal keeping activity with Kansas City, Kansas Animal Services, and to maintain annually that registration, and to arrange and participate in annual property and animal inspections with Kansas City, Kansas Animal Services;
22. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;
23. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located; and,
24. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2025-033** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

May 12, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map
Staff Site Visit Photos Dated January 31, 2025
Neighborhood Meeting Affidavit
Pictures Supplied by Applicant in May 12, 2025 Meeting

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Change of Zone	April 14, 2025 (Held Over) May 12, 2025 Changed to Special Use Permit	May 29, 2025
Special Use Permit	May 12, 2025 Approved	May 29, 2025

STAFF CONTACT: **Kallie McLaughlin, Planner, Floodplain Administrator**
 kdmclaughlin@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2025-033** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2025-033**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

May 12, 2025, City Planning Commission Minutes:

Hearing starts at 1:16:56:

CHANGE OF ZONE APPLICATION COZ2025-002 – ORACIO PEREZ

Synopsis: Change of Zone from R-1(B) Single Family District to A-G Agriculture District to keep animals and farm the property at 3505 Sortor Drive. Detailed Outline of Requested Action: The applicant, Oracio Perez, is requesting a Change of Zone from R-1 Single Family District to A-G Agriculture District to pursue agricultural activities. The applicant wishes to keep a garden and maintain a number of roosters and fowl. The applicant also wishes to construct a large barn for keeping horses and cattle.

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated May 12, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

Recording Secretary Morris asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

Present in Support:

- Oracio Perez, Applicant, 3505 Sortor Drive, Kansas City, Kansas 66104

The Commission directed their questions to the applicant.

Present in Opposition:

➤ No one appeared

Staff Recommendation starts at 1:21:07: Mr. Lucas stated that Staff recommends that the Change of Zone be denied and converted into a Special Use Permit for keeping up to twenty chickens for a period of one (1) year.

The Commission directed their questions to Staff.

Motion starts at 1:24:51:

On motion by Mr. Ward, seconded by Ms. Easterwood, the Planning Commission voted as follows to **DENY COZ2025-002 and RECOMMEND APPROVAL of the application as a Special Use Permit for one (1) year:**

Carson	Chairman
Straws	Not Present
Ward	Aye
Armstrong	Aye
Beth	Aye
Easterwood	Aye
Ernst	Aye
Jones	Not Present
Miller	Not Present
Mohler	Aye
Schwartz	Aye

Motion to recommend APPROVAL Passed: 7 to 0

Subject to:

1. In lieu of a Change of Zone, staff recommends a Special Use Permit for one (1) year for twenty (20) chickens and no roosters be granted to the applicant while the property is improved and environmental damage mitigated. This aligns with Factor to be Considered #8, as these conditions of approval include steps to mitigate environmental damage, thus providing some degree of enhancement;
2. The applicant must submit a Conservation Plan. Work with the Wyandotte County Conservation District or Planning Department Staff to develop a conservation plan for the property. The conservation district can be contacted at wyco.conservation@gmail.com or (913) 334-6329. This application will not be published until an approved Conservation Plan is submitted;
3. All animals on the property must be registered with Animal Services;
4. All inoperable vehicles, recreational vehicles, salvage vehicles, food trucks, etc. must be removed from the property;
5. The right-of-way approach must be improved to UG standards;

6. A Variance must be applied for to maintain the accessory structure left standing after the residential demolition as there is no longer a primary structure;
7. All produce and animal keeping, processing, culling, harvesting, sales, or similar activity, either direct to consumer or otherwise sold or provided to a third-party off-site must follow Kansas Department of Agriculture guidelines and regulations;
8. The right-of-way must be restored to native grasses;
9. Gravel, asphalt, or other unimproved parking surface must be removed except by areas approved by staff;
10. The property is not to be leased to third parties and shall be for private use of the owner;
11. The property must no longer be informally accessed by the adjacent property owner to reach their barn without incorporating this access agreement into the staff-approved Conservation Plan, as it incorporates significant unimproved surface for access;
12. This Special Use Permit is limited to twenty (20) chickens and zero (0) roosters;
13. All trash and other debris must be removed from the subject property;
14. All other existing code violations must be corrected. This petition will not be published until the violations are shown to be corrected;
15. All cars and other vehicles must be parked on a paved, improved surface;
16. The exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the primary structure. Standard concrete masonry units are also not allowed unless the walls of the building are painted the exact color of the primary structure;
17. Lighting shall be installed to have a 90-degree cutoff;
18. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the unified government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
19. All existing and future driveways must feature curb cuts that are constructed to UG standards;
20. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
21. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;

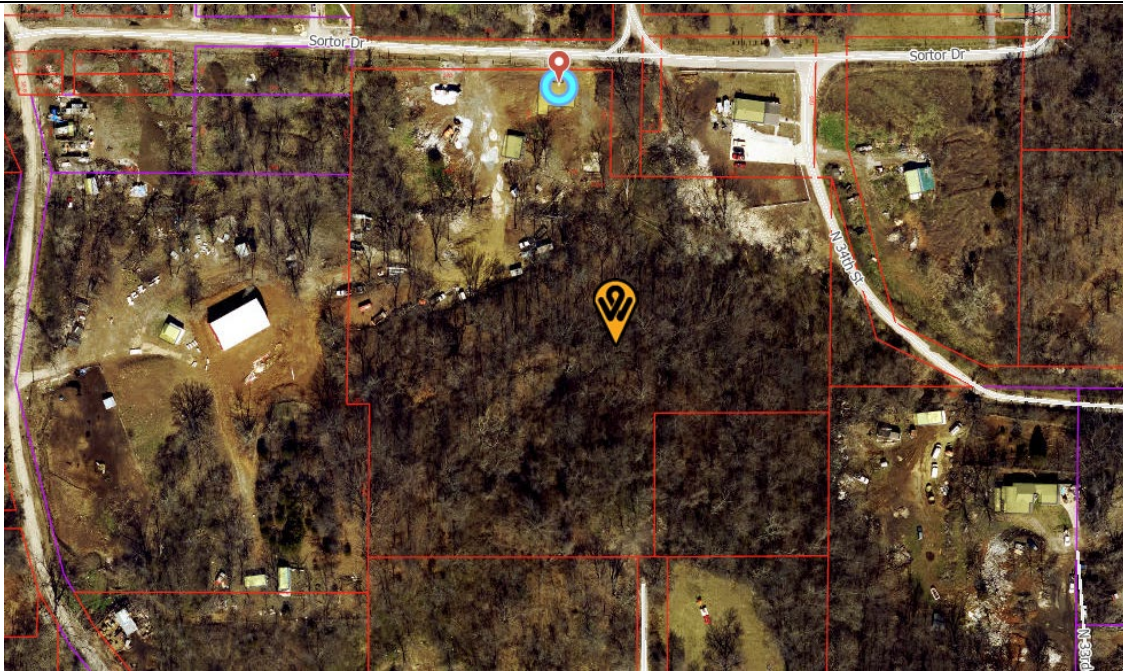
- 22. If approved, the Applicant may need additional licenses or permits for safe and proper operation. The approval of this application does not mitigate the need for additional licenses as this application is for Zoning approval only;**
- 23. Any property owner or business owner that is required to obtain a Special Use Permit for an entitlement to keep fowl or livestock animals as described in Section 27-593, or any other animal related activity as described in Section 27-593, is required to comply at all times with all the requirements of Chapter 7 and Chapter 27 of the Ordinance. This shall include all ordinance sections that relate to: the care, feeding, and keeping of animals; the proper housing, shelter, and restraint of animals from roaming at large; access to proper veterinary care; the operation and maintenance of land, property, and any building or structure related to animal keeping. The permit holder and the property owner are responsible to register any animal keeping activity with Kansas City, Kansas Animal Services, and to maintain annually that registration, and to arrange and participate in annual property and animal inspections with Kansas City, Kansas Animal Services;**
- 24. Site improvements that include land disturbance activity on greater than one (1) acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 through 8-618). Land disturbance fees shall be processed by UG Public Works during the Land Disturbance/Site Development application. The Land Disturbance permit and all applicable Public Works permits can be obtained from the Public Works Department, 701 North 7th Street, Kansas City, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections Division, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620;**
- 25. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed by right or by Special Use Permit under the new zoning district, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;**
- 26. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;**
- 27. Subject to approval, the Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should**

contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;

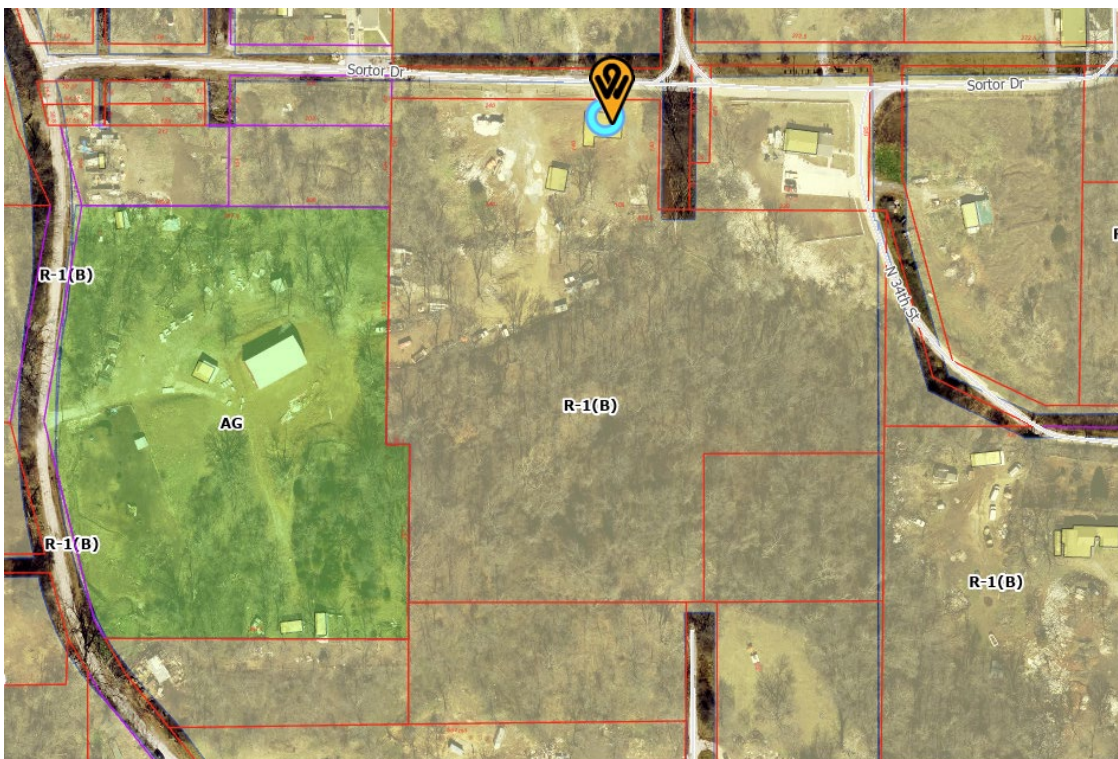
28. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
29. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

ATTACHMENTS

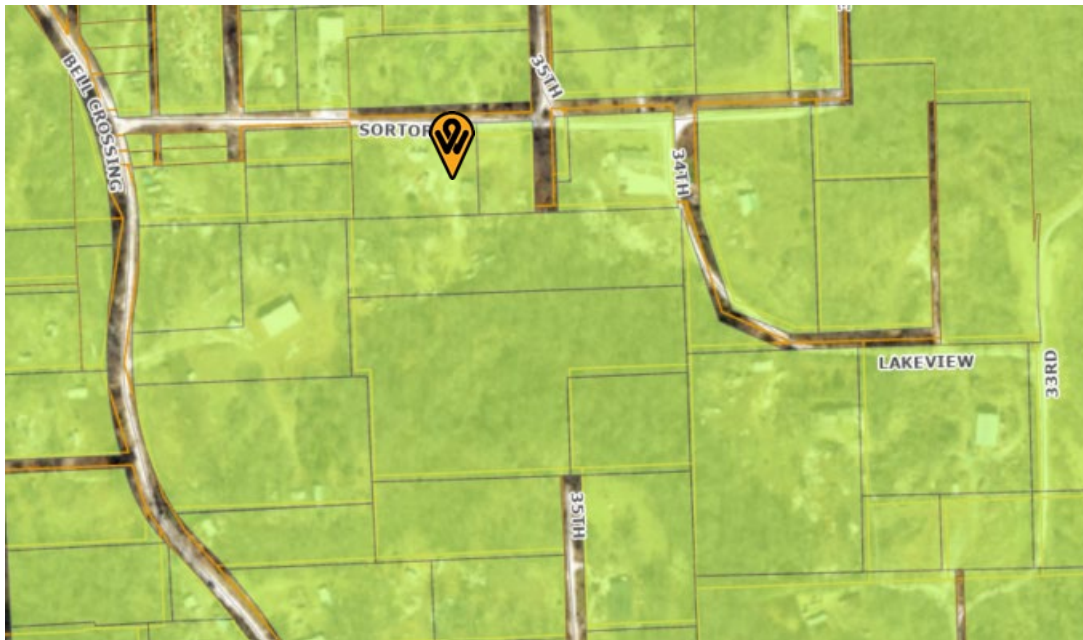
AERIAL IMAGERY



ZONING MAP

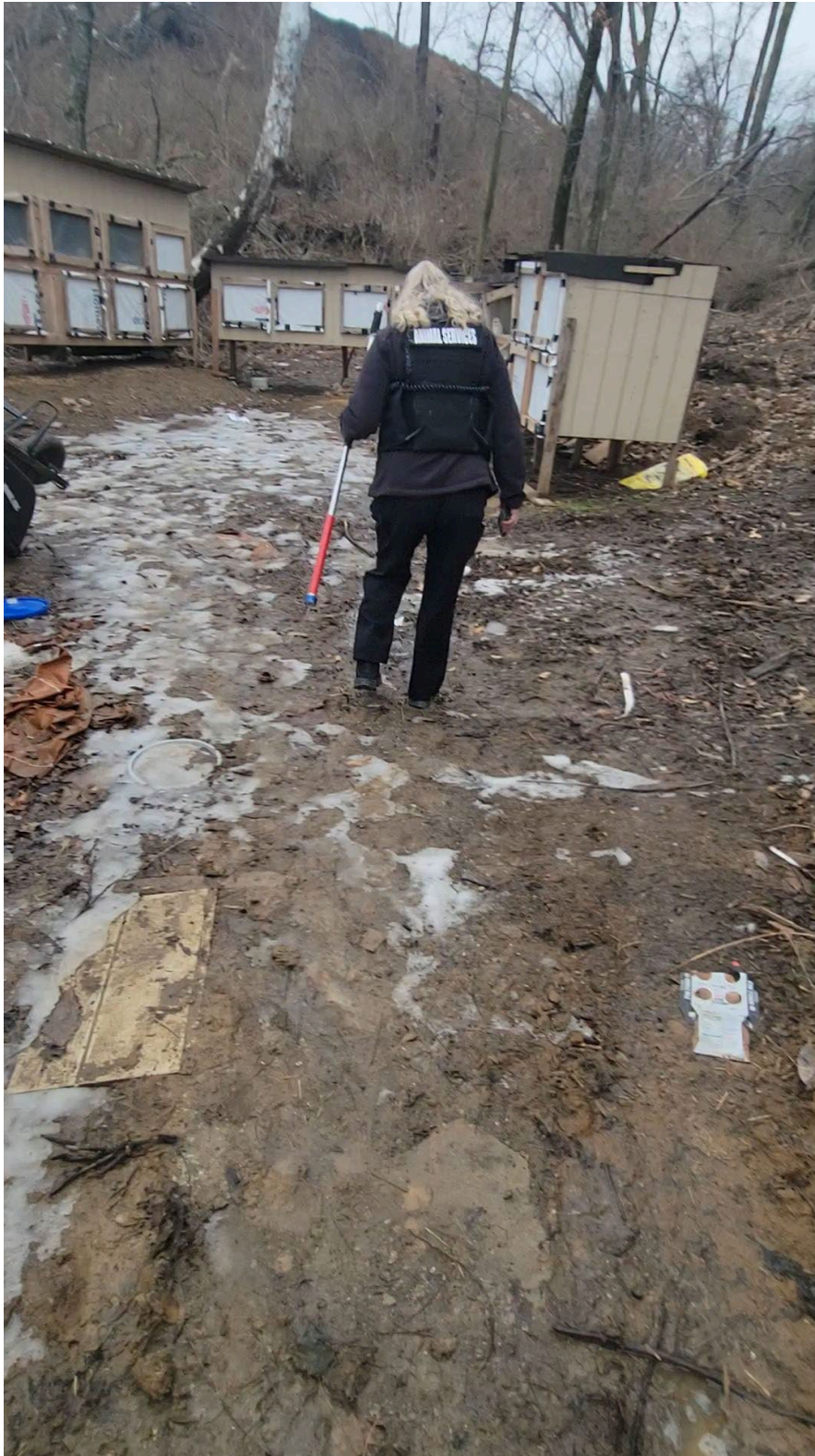


LAND USE MAP













NEIGHBORHOOD MEETING AFFIDAVIT

CVZ 2025-002

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Wandate)

Comes now Oracio Perez, of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # February 24, 2025 at 5 pm.
2. That I conducted a neighborhood meeting on _____.
3. The notice to nearby property owners was sent on _____.
4. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Planning + Urban Design Department.

Further affiant saith not.

Chris H. Perez
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 3rd day of March, 2025.

My commission expires 15th of September, 2028.

Notary Public













PICTURES SUPPLIED BY APPLICANT IN MAY 12, 2025 MEETING

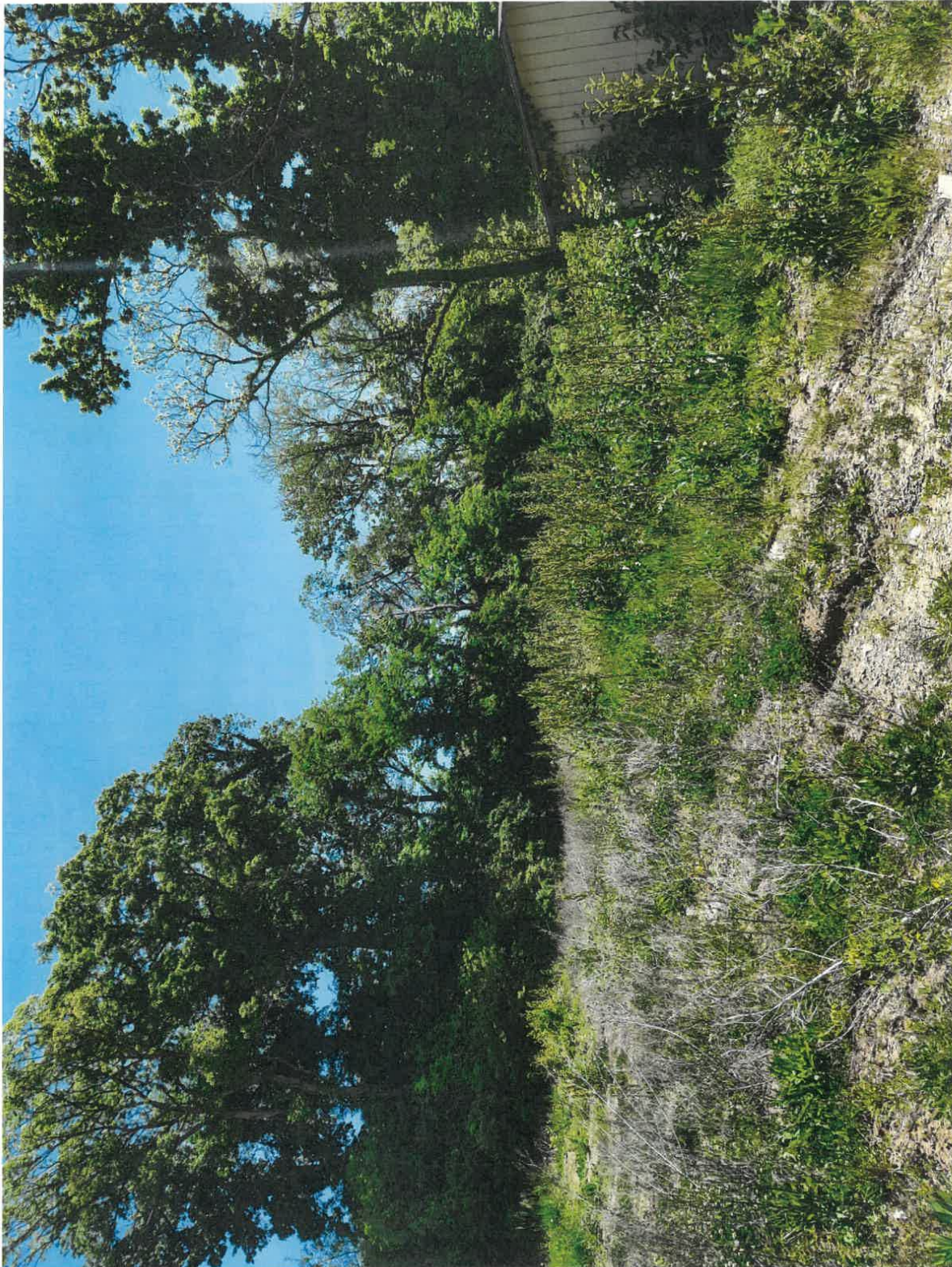




















(First published _____)

COZ2024-033

ORDINANCE NO. _____

AN ORDINANCE rezoning property hereinafter described located at approximately 2951 South 34th Street, in Kansas City, Kansas, by changing the same from its present zoning of A-G Agriculture District to R-1 Single Family District.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF
THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY,
KANSAS, AS FOLLOWS:

Section 1. It is hereby found and determined that a petition was filed on November 15, 2024, by the owners of property to have the zoning of said property changed from its present zoning of A-G Agriculture District to R-1 Single Family District.

It is likewise found and determined that the Planning Commission published notice, mailed notices, held public hearing(s), prepared recommendations and followed the procedures provided by law.

Section 2. In compliance with recommendations of the Planning Commission, it is hereby ordained that the zoning of the following described property:

A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 11 SOUTH, RANGE 25 EAST, IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS, PREPARED BY ROGER B. DILL PS 1408 ON AUGUST 3, 2024, AS FOLLOWS; COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 32; THENCE SOUTH 02°08'23" EAST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 990.00 FEET; THENCE LEAVING SAID THE WEST LINE OF SAID SOUTHWEST QUARTER, NORTH 88°19'37" EAST, A DISTANCE 35.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF SOUTH 34TH STREET, AS NOW EXISTS, POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 02°08'23" EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 102.64 FEET; THENCE NORTH 88°19'37" EAST, A DISTANCE OF 115.00 FEET; THENCE SOUTH 02°08'23" EAST, A DISTANCE OF 158.46 FEET; THENCE SOUTH 88°19'37" WEST, A

DISTANCE OF 115.00 FEET, TO A POINT ON THE EAST LINE OF SAID RIGHT OF WAY; THENCE NORTH 02°08'23" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 158.46 FEET, TO THE POINT OF BEGINNING. CONTAINING 18222.53 SQFT OR 0.418 ACRES MORE OR LESS, located at approximately 2951 South 34th Street, Kansas City, Kansas,

be changed from its present zoning of A-G Agriculture District to R-1 Single Family District, as defined by the Zoning Ordinances of Kansas City, Kansas.

Section 3. The Planning and Urban Design Department of Kansas City, Kansas, is hereby ordered and directed to cause such designation to be made on the official District Map of said City in its custody and to show the property herein described to be now zoned for R-1 Single Family District. Said District Map, previously incorporated by reference by Section 27-408 of the Code of Ordinances of Kansas City, Kansas, is hereby reincorporated as part of the Zoning Ordinance as amended.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication in the Wyandotte Echo.

PASSED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS _____
DAY OF _____, 2025.

UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS

BY: _____
TYRONE GARNER
MAYOR/CHIEF EXECUTIVE OFFICER

ATTEST:

UNIFIED GOVERNMENT CLERK

APPROVED AS TO FORM:

CHIEF COUNSEL

(Published _____)

SP2024-057

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-057, commonly known as 7120 Gibbs Road, Kansas City, Kansas, legally described as:

Section 28, Township 11, Range 24, beginning 203 feet East and 20 feet North of the Southwest Corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; thence North 562.43 feet; thence North 54 feet; thence East 570.5 feet; thence South 889.13 feet; thence West 464 feet to the point of beginning, containing 7.73 acres, more or less, located at approximately 7120 Gibbs Road, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a volleyball training facility.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **The hours of operation shall be from 8:00 AM to 10:00 PM;**
2. **The doors to the gym shall be closed after 8:00 PM;**
3. **All parking shall occur on Unified Government approved improved surfaces only;**
4. **Per John Droppelmann, Fire Marshal/Deputy Chief, all fire apparatus access lanes are required to be a minimum 20-feet wide. In a structure that**

- is not sprinkled, the Fire Department must be able to be within 150-feet of all point on the exterior of the structure from the nearest fire lane. The fire lane should be painted on both sides with a four (4) inch red stripe and white lettering “No Parking – Fire Lane” and posted with signage of the same. See attached exhibit;
5. The applicant shall comply with all applicable landscaping and screening requirements. The screening along the east property line shall extend the length of the parking lot;
 6. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
 7. All exterior lighting, whether mounted on a building or within a parking lot must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
 8. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 and businesslicense@wycokck.org;
 9. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
 10. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 11. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
 12. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 13. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and

- be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
14. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
 15. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. When the Applicant files for a renewal to this Special Use Permit, they must submit a proposal for a new ingress and egress access to the site via Holliday Drive. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operation must cease until such time as a new Special Use Permit is approved.
 16. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 17. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2025.

TYRONE GARNER
MAYOR/CEO

Attest:

Unified Government Clerk

APPROVED AS TO FORM:

CHIEF COUNSEL

(Published _____)

SP2024-111

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2024-111, commonly known as 809 Central Avenue, Kansas City, Kansas, legally described as:

RIVERVIEW B30-35, S15, T11, R25, ACRES 0.09, B35 W 1/2 L5, located at approximately 809 Central Avenue, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. The beds in the basement bedroom shall be removed and the space restored to a game room. Should the building permit be renewed and complete the renovation to a third bedroom, the applicant can return to modify this condition for the new occupancy request;
2. The number of guests permitted shall be five (5). Should the applicant complete the building permit and request additional guests, the applicant can return to modify this condition of approval for the new occupancy request. Should the applicant request more than seven (7) guests, a State of Kansas Lodging license is also required;

3. The applicant must plant one (1) shade tree in the front yard to be compliant with Section 27-700(a);
4. A right-of-way permit is required to be obtained for the work previously performed;
5. All parking shall be on-site and off-street;
6. The maximum number of cars permitted on-site is two (2). Should the Board of Zoning Appeals approve a Variance BOZA2024-039 for 100% rear yard paving, the maximum number of vehicles parked at the property shall be limited to four (4);
7. Insurance shall be continuously maintained on the property;
8. The county and state business licenses shall be maintained;
9. The property must remain in proper maintenance and free of hazards, pests, or infestations;
10. Should any driveway be removed, it shall be replaced with turf grasses and landscaping. Gravel and landscape rock without any additional plantings or grasses has the propensity to be utilized as unimproved parking and this space shall not be designed in a way in which the propensity to use it as unimproved parking exists;
11. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
12. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
13. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
14. All existing and future driveways must feature curb cuts that are constructed to UG standards;
15. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
16. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
17. Must provide a manual/welcome packet that lists all rules, including “No Parties, etc.” This manual must inform guests that the Unified Government

- enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);
18. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 19. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
 20. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
 21. The Special Use Permit shall be valid for six (6) months from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operation must cease until such time as a new Special Use Permit is approved.
 22. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 23. Substantive action towards the completion of all conditions of approval

herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2025.

TYRONE GARNER
MAYOR/CEO

Attest:

Unified Government Clerk

APPROVED AS TO FORM:

CHIEF COUNSEL

(Published _____)

SP2025-008

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2025-008, commonly known as 7241 Kaw Drive, Kansas City, Kansas, legally described as:

A tract of land in the Southeast Quarter of Section 21, Township 11, Range 24, Wyandotte County, Kansas being more particularly described as follows: Beginning at a point on the West line of the Southeast Quarter of said Section 21 and the Southerly Right-of-Way of Union Pacific Railroad as not established; thence North 52 Degrees 47 Minutes 00 Seconds East along the Southerly Right-of-Way of the aforementioned Railroad 1664.81 feet to a point that is South 52 Degrees 47 Minutes 00 Seconds West 315.00 feet from the Wyandotte-Delaware Reserve Line; thence South 01 Degrees 13 Minutes 00 Seconds East 260.0 feet; thence North 79 Degrees 38 Minutes 40 Seconds East 494.65 feet; thence South 12 Degrees 53 Minutes 43 Seconds East 300.93 feet to a point on the High Bank of the Kansas River as it now exists; thence Southwesterly along the meandering of said High Bank to its intersection with the West line of said Southeast Quarter; thence North 00 Degrees 57 Minutes 00 Seconds East along the West line of said Southeast Quarter 26.45 feet to the Point of Beginning, subject to any part thereof in streets, roads, or highways, and EXCEPT the following described tract: Commencing at a point on the West line of the Southeast $\frac{1}{4}$ of said Section 21 and Southerly Right-of-Way line of the Union Pacific Railroad; thence North 52 Degrees 47 Minutes East 1479.40 feet to the TRUE POINT OF BEGINNING; thence South 01 Degrees 13 Minutes East 175.15 feet; thence North 79 Degrees 38 Minutes 40 Seconds East 151.92 feet; thence North 01 Degrees 13 Minutes West 260 feet; thence South 52 Degrees 47 Minutes West 185.41 feet to the TRUE POINT OF BEGINNING, and also EXCEPT the following described tract: Commencing at a point on the West line of the Southeast $\frac{1}{4}$ of said Section 21 and the Southerly Right-of-Way of the

Union Pacific Railroad; thence North 52 Degrees 47 Minutes East 1,479.40 feet along the Southerly Right-of-Way of the Union Pacific Railroad; thence South 01 degrees 13 Minutes East 175.15 feet to the TRUE POINT OF BEGINNING of the tract of land hereinafter described; thence South 13 Degrees 53 Minutes 43 Second East to the High Bank of the Kansas River; thence Northeasterly along the said High Bank of the Kansas River 646 feet, more or less; thence North 13 Degrees 53 Minutes 43 Seconds West to a point that is 636.04 feet East and 116.22 feet North of the TRUE POINT OF BEGINNING; thence South 79 Degrees 38 Minutes 40 Seconds West 646.57 feet to the TRUE POINT OF BEGINNING, located at approximately 7241 Kaw Drive, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for continuation of stockpiling and movement of materials for a rock crushing and gravel operation.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Pertaining to development in this section, “development” means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, levees, levee systems, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials;**
2. **Per Section 27-552 (a)(5)(a-b) The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal, or plant life is prohibited. Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning;**
3. **The Subject Property, being within the SFHA, shall comply with the following requirements of the floodplain ordinance for all new construction, subdivision proposals, substantial-improvements, prefabricated structures, placement of manufactured homes, and other development:**
 - a. **Design or adequate anchorage to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;**
 - b. **Construction with materials resistant to flood damage;**
 - c. **Utilization of methods and practices that minimize flood damages;**
 - d. **All electrical, heating, ventilation, plumbing, air-conditioning**

- equipment, and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
4. New or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination from them during flooding;
 5. The applicant shall place “Texas Barriers” or “Jersey Barriers” to form a retaining wall to block the SFHA from encroachment, with boundary marking to be completed by a Kansas Licensed Survey or Engineer;
 6. Any dead, dying, or otherwise unhealthy landscaping shall be planted along the Kansas River edge to mitigate erosion;
 7. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
 8. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
 9. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
 10. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 11. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
 12. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 13. Any business in Wyandotte County that is required to obtain any Special

- Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
14. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
 15. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
 16. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and
 17. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2025.

TYRONE GARNER
MAYOR/CEO

Attest:

Unified Government Clerk

APPROVED AS TO FORM:

CHIEF COUNSEL

(Published _____)

SP2025-010

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2025-010, commonly known as 5331 Miami Avenue, Kansas City, Kansas, legally described as:

PANORAMA HEIGHTS, S24, T11, R24, ACRES 0.15, W 82.5FT L8, located at approximately 5331 Miami Avenue, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for the continuation of a Chiropractic Office.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. The gravel added next to the driveway shall be removed and replaced with landscaping that does not have the propensity to fall into the storm drain. No additional gravel, either for landscaping or for parking purposes, shall be placed in this area;
2. The driveway shall be repaired to UG Standards prior to next renewal;
3. Landscaping (including turf grass) shall be repaired to correct erosion control issues on the property and any dead or damaged plantings shall be replaced prior to renewal;
4. All building permits pertaining to the garage conversion shall be completed

- prior to renewal;
5. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
 6. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
 7. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
 8. All existing and future driveways must feature curb cuts that are constructed to UG standards;
 9. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
 10. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 11. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
 12. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all

- covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
13. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
 14. The approval will not go into effect until the ordinance is published in the newspaper; and
 15. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2025.

TYRONE GARNER
MAYOR/CEO

Attest:

Unified Government Clerk

APPROVED AS TO FORM:

CHIEF COUNSEL

(Published _____)

SP2025-012

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2025-012, commonly known as 3030 North 64th Street, Kansas City, Kansas, legally described as:

9240, S34, T10, R24, ACRES 0.61, BEG 693.37FT W & 235FT S OF NE COR NW1/4; S 85FT, W 309.52FT, N 85FT, E 309.44FT TO POB CONTG 0.6AC M/L, located at approximately 3030 North 64th Street, Kansas City, Kansas.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

- 1. The short-term residential rental shall be equipped with a minimum five-gallon heat rated metal container with a tight-fitting lid for ash disposal, which is clearly labeled. Instructions on storage or placement of ashes shall be stated in the rental agreement and on the notice posted within each unit. Do not place can on or near any furniture or other combustible material. Ashes must be wet down thoroughly with water. Ash can must be stored outside with a minimum of three (3) foot clearance from building, porch, trees, etc. A lid must remain on ash can when in use. A proper water**

source shall be immediately available to the solid fuel BBQ. If fire suspension is in effect in region, all fire codes from local jurisdiction shall be adhered to. Solid fuel barbeques or grills are prohibited on wood decks, landings, or porches;

2. The following items must be repaired prior to renewal:
 - a. The chimney shall be inspected and verified for safe use, including the flue, chimney cap, and damaged brick. Additional repairs may be required as a result of this inspection;
 - b. Dryer venting shall be hard ducting through the wall penetration. Flex duct shall only be used to connect the dryer appliance to the hard duct;
 - c. The electrical panel breaker shall be repaired (breakers, main braker, long-term extension cords, GFCI outlets, etc.);
 - d. The water heater is a 2019 model and no permit was found on file. A plumbing permit is required for water heater installation;
 - e. Water heater temperature shall be set to a minimum of 120 degrees;
3. Smoke and Carbon Monoxide detectors must be continuously maintained for functionality and proper working order;
4. Maximum number of guests shall be 7;
5. All parking must be off-street, maximum number of vehicles is three (3). No STR renters or guests may park on-street;
6. The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
7. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
8. Applicant is to maintain liability insurance;
9. The property must remain in proper maintenance and free of hazards, pests, or infestations;
10. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
11. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website).
12. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
13. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building

Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;

14. All existing and future driveways must feature curb cuts that are constructed to UG standards;
15. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
16. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
17. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
18. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
19. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
20. Subject to approval, a \$125.00 ordinance publication fee must be submitted

to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,

21. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS _____ DAY OF _____, 2025.

TYRONE GARNER
MAYOR/CEO

Attest:

Unified Government Clerk

APPROVED AS TO FORM:

CHIEF COUNSEL

(Published _____)

SP2025-015

ORDINANCE NO. _____

AN ORDINANCE authorizing a Special Use Permit pursuant to Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. Special Use Permit Granted. Pursuant to the regulations set forth in Chapter 27, Sec. 27-214 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property as set forth in SP2025-015, commonly known as 616 Elizabeth Avenue, Kansas City, Kansas, legally described as:

DREYERS SUB, S10, T11, R25, ACRES 0.060000, L8, located at approximately 616 Elizabeth Avenue.

Section 2. That the real property hereinabove described shall hereafter be granted a Special Use Permit for a Short-Term Rental.

Section 3. Conditions and Stipulations. The Special Use Permit granted in Section 1 and 2 hereinabove, in addition to full compliance with any general provisions contained in Chapter 27 of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions and restrictions, of which any violation of any hereafter enumerated will be an additional basis for revocation in addition to those factors specified in Section 27-214:

1. **Maximum number of guests shall be five (5);**
2. **All parking must be off-street, maximum number of vehicles is two (2). No STR renters or guests may park on-street;**
3. **The applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;**
4. **Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;**

5. Applicant is to maintain liability insurance;
6. The property must remain in proper maintenance and free of hazards, pests, or infestations;
7. The granting of this Special Use Permit does not transfer with a change of ownership of the property;
8. Must provide a manual/welcome packet that lists all rules, including “No Parties, etc.” This manual must inform guests that the Unified Government enforces this policy and must include the contact information for Host Compliance: 913-246-5133 (phone number), and www.hostcompliance.com/tips (website);
9. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design at (913) 573-5750 or signpermits@wycokck.org to begin this process;
10. If approved, occupying businesses must file and maintain a current business occupation tax application with the Business Licensing Division. Their office is located at the Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102. Their contact information is (913) 573-8780 or businesslicense@wycokck.org;
11. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
12. All existing and future driveways must feature curb cuts that are constructed to UG standards;
13. All lighting must be downward facing with 90-degree cut-off fixtures;
14. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
15. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
16. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and

- be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
17. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
 18. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
 19. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 20. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

Section 4. Take Effect. This ordinance shall take effect as of the date of its publication as provided by law.

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF _____, 2025.

TYRONE GARNER
MAYOR/CEO

Attest:

Unified Government Clerk

APPROVED AS TO FORM:

CHIEF COUNSEL



Department of Planning + Urban Design

Unified Government of Wyandotte County • Kansas City, Kansas

701 N 7th Street, Suite 423
Kansas City, Kansas 66101
www.wycokck.org/planning

Phone: (913) 573-5750
Fax: (913) 573-5796
Email: planninginfo@wycokck.org

To: Unified Government Board of Commissioners

From: Planning and Urban Design Staff

Date: May 29, 2025

Re: Special Use Permit Petition SP2024-088

GENERAL INFORMATION

Applicant Information:

Jesus Santoyo
2542 South 12th Terrace
Kansas City, KS 66103

Subject Property:

2542 South 12th Terrace
Kansas City, KS 66103

Requested Action and Purpose:

Approval of a Special Use Permit
keep pigeons on the property. (The
applicant has not provided the
quantity).

Commission Districts:

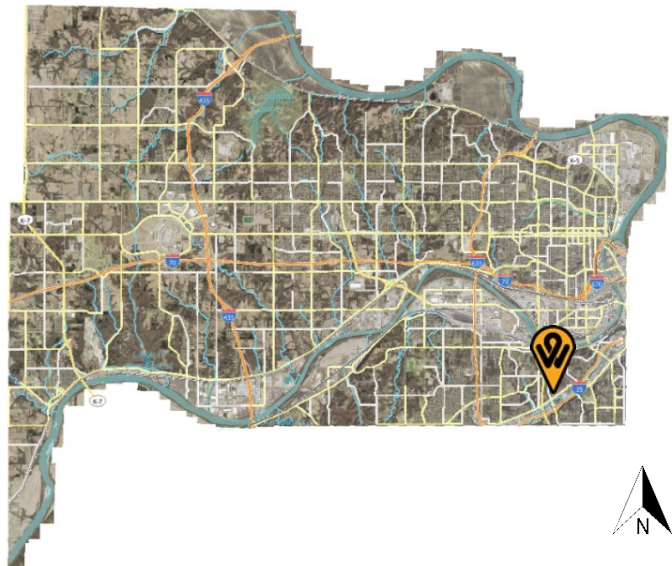
Commissioner At-Large, District #2:
Tom Burroughs
District #3 Commissioner:
Christian Ramirez

Existing Zoning District(s):

R-1(B) Single Family District

Comprehensive Plan Area:

PlanKCK Comprehensive Plan



	Adjacent Zoning	Adjacent Uses
North	R-1(B) Single Family District	Vacant land
South	R-1(B) Single Family and C-1 Limited Business Districts	Commercial building (restaurant)
East	R-1(B) Single Family District	Single-family home
West	R-1(B) Single Family District	Single-family home

Total Tract Size: 0.25 Acre

Comprehensive Plan Designation: The PlanKCK Comprehensive Plan designates the property as Low-Density Residential, which allows single-family, detached residential development on standard lot sizes intended to both support infill within and protect established single-family neighborhoods. Townhomes and side-by-side rowhouses at an intersection at the end of a block and/or with frontage on a commercial, mixed-use or neighborhood corridor is allowed.

Major Street Plan: The goDotte Countywide Strategic Mobility Plan designates South 12th Terrace and Oak Grove Road as Local Streets.

Parking Requirement: Section 27-455(d) Two (2) off-street parking spaces shall be provided on the premises for each single-family dwelling. Applicant is providing two (2) off-street parking spaces.

Landscaping Requirement: Section 27-700(a) states one (1) shade tree per dwelling unit is required in the front or corner side yard. One (1) tree is required. One (1) tree is provided.

Advertisement: The Wyandotte Echo – September 19, 2024
Letters to Property Owners – September 20, 2024, October 8, 2024, November 4, 2024, December 3, 2024, January 9, 2025, February 11, 2025 and April 16, 2025

Public Hearings: February 10, 2025, April 14, 2025, May 12, 2025, and May 29, 2025

Public Support: None to date.

Public Opposition:

None to date.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Jesus Santoyo, wants to keep pigeons in coops/lofts in the side and rear yard on the property at 2542 South 12th Terrace.

City Ordinance Requirements: 27-592 through 27-606 and 27-214 and all other applicable standards within Chapter 27.

RELATED ENFORCEMENT AND ACTION ITEMS

Noise or Disturbance Complaints:

1. There are no noise or disturbance complaints on the subject property.

Building, Zoning, or Code Enforcement Complaints:

1. In 2024, citation for pigeons and pigeon coops on the property. Case open.
2. In 2004, citation for fire damage. Case closed.

Outstanding or Related Permit and Cases:

1. BOZA2024-027 – Variance to keep three detached accessory structures (coops/lofts) to house pigeons (to be heard by the Board of Zoning Appeals on October 14, 2024).
2. In 2010, an electrical permit was issued by Building Inspection to repair/replace meter can.
3. In 2005, a residential building, electrical, mechanical, and plumbing permit was issued by Building Inspection for interior and exterior remodel.

Previous Planning Actions:

1. None

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The subject property is located within the Shawnee Heights Statistical Neighborhood and Block Group #0450003. This property is on the corner of South 12th Terrace and Oak Grove Road, where single-family homes and vacant parcels are the predominate feature to the north, west and east. About one-half (½) block to the south is Merriam Lane, which is a commercial corridor in

southwest Rosedale, before the roadway turns into Southwest Boulevard.

- 2. *The zoning and uses of properties nearby and the proposed use's expected compatibility with them. In general, commercial and industrial Special Use Permits should not be granted adjacent to residential districts.***

The zoning and uses are set out above. The subject property is surrounded by single-family homes and is in close proximity to Merriam Lane, a commercial corridor in Rosedale. There are single-family residences in close proximity to this property, which may create conflicts due to noise and odor if not properly addressed.

- 3. *The suitability of the property for the uses to which it has been restricted. Will the removal of restrictions, including those for hours of operation (where applicable), detrimentally affect nearby property?***

The proposed use is suitable for the subject property, however, if not managed properly, issues such as noise and illumination may impact nearby residences. Staff cannot determine if the removal of restrictions will not detrimentally affect nearby property because the total number of pigeons being kept on the property has not been provided.

- 4. *The length of time the property has remained vacant as zoned.***

The property is not vacant. The applicant is the property owner and resides in the single-family home.

- 5. *The degree of conformance of the proposed use to the Comprehensive Plan.***

Special Use Permits are not addressed in the PlanKCK Comprehensive Plan. The Low-Density Residential designation, which allows detached, single-family residential development on standard lot sizes intended to both support infill within and protect established single-family neighborhoods. Townhomes and side-by-side rowhouses at an intersection at the end of a block and/or with frontage on a commercial, mixed-use or neighborhood corridor is allowed.

- 6. *Whether the proposed use will result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.***

The proposed use will not increase vehicle traffic to the point where it exceeds the capacity of the street network South 12th Street, a Local Street, to accommodate it because the keep of pigeons is a private hobby of the property owner.

7. *Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality, or marketability of adjoining property.*

As long as the property is well maintained, there should not be an adverse effect on adjoining properties provided Staff gets a total number of pigeons kept on the property and a Conservation Plan from the Wyandotte County Conservation District. The proposed use must abide by the conditions of approval, and mitigate the issues, such as noise, smell, and waste, the use is not expected to impact the use, quality, and marketability of nearby property.

8. *Whether the noise, vibration, dust, or illumination that would normally be associated with such use is of such duration and intensity as to create problems for near-by property.*

Animals such as pigeons can create noise and waste that could be a problem for near-by properties if the applicant does not maintain the property in an appropriate manner or adhere to the conditions of approval.

9. *Whether the proposed use will pollute the air, land or water.*

If the animals are not well kept, waste has the potential to accumulate, leading to odor and increased polluted stormwater runoff into the Unified Government's stormwater drainage system.

10. *Whether the use would damage or destroy an irreplaceable natural resource.*

The proposed use will not damage or destroy an irreplaceable natural resource as the use is not altering the property in terms of removing mature trees or grading the property.

11. *The relative gain to the public health, safety and welfare as compared to the hardship imposed on the individual landowner or landowners.*

The relative gain to public health, safety and welfare is minimal. If denied, the property owner may not keep pigeons or their respective coops, but they can continue to use the property as a single-family residence. The applicant/owner could not reapply for the same use for one (1) year. The applicant can keep six (6) pigeons by right, without a Special Use Permit or Variance.

12. *The applicant's ability to maintain the use in an "as proposed" condition.*

The applicant will be required to maintain the use according to any comments generated by the Wyandotte County Conservation District, and all conditions of approval.

13. *Whether the proposed use would result in overcrowding of land or cause undue concentrations of population.*

The proposed use could potentially result in the overcrowding of land as Staff does not know the total number of pigeons being kept on the property.

NEIGHBORHOOD MEETING INFORMATION

The applicant held a neighborhood meeting in-person at 2542 South 12th Terrace, Kansas City, Kansas 66103 on April 30, 2025. Attached is the list of persons who attended the meeting, minutes, affidavit and/or submitted comments to the applicant.

KEY ISSUES

Number of pigeons
Accessory structures

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 1 to recommend **APPROVAL** of Special Use Permit application **SP2024-088**, **for two (2) years**, subject to:

1. **This City Planning Commission case is being heard in conjunction with BOZA2024-027. Any approval by the City Planning Commission or Board of Commissioners of this case, and the conditions of approval contained herein, are contingent, and shall only go into effect, upon the approval of BOZA2024-027 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;**
2. **Per Section 27-609(2), the exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the primary structure. Standard concrete masonry units are also not allowed unless the walls of the building are painted the exact color of the primary structure;**
3. **Contact Animal Control to see if there any additional measures needed to keep pigeons on the property;**
4. **Submit a plot plan with the building permit application for the coops and shed to the Building Inspection Division;**
5. **Relocate the pigeon coops wholly onto 2542 South 12th Terrace and off 2532 South 12th Terrace, which is owned by the Wyandotte County Landbank;**
6. **Section 7-175(c) Except where fowl or animals are kept for sale within a bona fide produce market, commission house or store for the purposes of trade and while so kept are confined in small coops, boxes or cages, or where such animals or fowl are kept for purposes of research in a laboratory, or less than five birds are kept in a home as pets, such as**

canaries, parakeets, parrots, finches, and doves, it shall be unlawful for any person to keep or maintain any chicken coop, dove cote, rabbit hutch or other yard establishment for the housing of fowl or small animals closer than 25 feet to the nearest portion of any building occupied by or in anywise used by human beings, other than the dwelling occupied by the owner or keeper of the animals or fowl, or closer than ten feet to the property line of the lot. Animals and fowl so kept or maintained shall be enclosed on all sides and shall not be allowed to run or fly at large, except for homing pigeons;

7. Any property owner or business owner that is required to obtain a Special Use Permit for an entitlement to keep fowl or livestock animals as described in Section 27-593, or any other animal related activity as described in Section 27-593, is required to comply at all times with all the requirements of Chapter 7 and Chapter 27 of the Ordinances. This shall include all ordinance sections that relate to: the care, feeding, and keeping of animals; the proper housing, shelter, and restraint of animals from roaming at large; access to proper veterinary care; the operation and maintenance of land, property, and any building or structure related to animal keeping. The permit holder and the property owner are responsible to register any animal keeping activity with Kansas City, Kansas Animal Services, and to maintain annually that registration, and to arrange and participate in annual property and animal inspections with Kansas City, Kansas Animal Services;
8. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
9. All existing and future driveways must feature curb cuts that are constructed to UG standards;
10. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
11. A Special Use Permit cannot be transferred to the new property owner or operator;
12. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
13. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463

- through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;
14. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
 15. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
 16. Subject to approval, the Special Use Permit shall be valid for (2) year(s) from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
 17. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
 18. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION AND CONDITIONS

Staff recommends that the Board of Commissioners make the findings contained within the staff report related to *Factors to be Considered*, and *Key Issues* and recommends **APPROVAL** of Petition **SP2024-088** subject to all comments and suggestions outlined in this staff report and the conditions of the City Planning Commission.

ATTACHMENTS

May 12, 2025 City Planning Commission Minutes
Aerial Imagery
Zoning Map
Land Use Map – PlanKCK Comprehensive Plan
Neighborhood Meeting Documents
Site Plan

PUBLIC HEARING SCHEDULE

Action(s)	City Planning Commission	Unified Government Board of Commissioners
Special Use Permit	May 12, 2025 Approval	May 29, 2025

STAFF CONTACT:

Byron Toy, AICP
btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **SP2024-088** as meeting all the requirements of the city code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

1. _____;
2. _____; And
3. _____.

OR

I move the Unified Government Board of Commissioners **DENY** Petition **SP2024-088**, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

May 12, 2025, City Planning Commission Minutes:

Hearing starts at 1:33:20:

SPECIAL USE PERMIT APPLICATION SP2024-088 - JESUS SANTOYO

Synopsis: Special Use Permit to keep pigeons at 2542 South 12th Terrace (in conjunction with BOZA2024-027). *Detailed Outline of Requested Action:* The applicant, Jesus Santoyo, wants to keep pigeons in coops/lofts in the side and rear yard on the property at 2542 South 12th Terrace.

The following items were included as part of the record for this case:

1. The City's currently adopted zoning and subdivision regulations;
2. The official zoning map for the area in question;
3. The City's currently adopted Master Plan for the area in question;
4. The staff report and attachments dated May 12, 2025;
5. The application and other documents, plans, pictures and maps submitted by the applicant in furtherance of the case and contained in the official file;
6. The Notice in the Wyandotte Echo; and,
7. The Notices to property owners;

Recording Secretary Morris asked if the Commission had any contact to disclose on this application. No one responded in the affirmative.

Present in Support:

- Jesus Santoyo, Applicant, 2542 South 12th Terrace, 66103

Present in Opposition:

- No one appeared

Staff Recommendation starts at 1:36:01: Mr. Lucas stated that the related application BOZA2025-027 was approved earlier this evening, so Staff recommends approval of this application as well.

Motion starts at 1:36:45:

On motion by Mr. Ward, seconded by Mr. Ernst, the Planning Commission voted as follows to **recommend APPROVAL of SP2024-088 for two (2) years:**

Carson	Chairman
Straws	Not Present
Ward	Aye
Armstrong	Aye
Beth	Aye
Easterwood	No
Ernst	Aye
Jones	Not Present
Miller	Not Present
Mohler	Aye
Schwartz	Aye

Motion to recommend APPROVAL Passed: 6 to 1

Subject to:

- 1. This City Planning Commission case is being heard in conjunction with BOZA2024-027. Any approval by the City Planning Commission or Board of Commissioners of this case, and the conditions of approval contained herein, are contingent, and shall only go into effect, upon the approval of BOZA2024-027 by the Unified Government Board of Zoning Appeals and upon any ordinance publications required by law;**
- 2. Per Section 27-609(2), the exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the primary structure. Standard concrete masonry units are also not allowed unless the walls of the building are painted the exact color of the primary structure;**
- 3. Contact Animal Control to see if there any additional measures needed to keep pigeons on the property;**
- 4. Submit a plot plan with the building permit application for the coops and shed to the Building Inspection Division;**
- 5. Relocate the pigeon coops wholly onto 2542 South 12th Terrace and off 2532 South 12th Terrace, which is owned by the Wyandotte County Landbank;**
- 6. Section 7-175(c) Except where fowl or animals are kept for sale within a bona**

fide produce market, commission house or store for the purposes of trade and while so kept are confined in small coops, boxes or cages, or where such animals or fowl are kept for purposes of research in a laboratory, or less than five birds are kept in a home as pets, such as canaries, parakeets, parrots, finches, and doves, it shall be unlawful for any person to keep or maintain any chicken coop, dove cote, rabbit hutch or other yard establishment for the housing of fowl or small animals closer than 25 feet to the nearest portion of any building occupied by or in anywise used by human beings, other than the dwelling occupied by the owner or keeper of the animals or fowl, or closer than ten feet to the property line of the lot. Animals and fowl so kept or maintained shall be enclosed on all sides and shall not be allowed to run or fly at large, except for homing pigeons;

7. Any property owner or business owner that is required to obtain a Special Use Permit for an entitlement to keep fowl or livestock animals as described in Section 27-593, or any other animal related activity as described in Section 27-593, is required to comply at all times with all the requirements of Chapter 7 and Chapter 27 of the Ordinances. This shall include all ordinance sections that relate to: the care, feeding, and keeping of animals; the proper housing, shelter, and restraint of animals from roaming at large; access to proper veterinary care; the operation and maintenance of land, property, and any building or structure related to animal keeping. The permit holder and the property owner are responsible to register any animal keeping activity with Kansas City, Kansas Animal Services, and to maintain annually that registration, and to arrange and participate in annual property and animal inspections with Kansas City, Kansas Animal Services;
8. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspection Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
9. All existing and future driveways must feature curb cuts that are constructed to UG standards;
10. Applicant shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets, and Retaining Walls, or other requirements as applicable;
11. A Special Use Permit cannot be transferred to the new property owner or operator;
12. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
13. Any business in Wyandotte County that is required to obtain any Special Use Permit shall be responsible to ensure that all vehicle parking or vehicle storage

must occur entirely on private property of the same land parcel and be at all times be compliant with all applicable local ordinances [27-463 through 27-470; 27-592 through 27-616; 27-667 through 27-676; 35-468 through 35-492]. No such business shall use the public right of way for any business operation. Any shared parking with another property is only allowed by a properly executed legal document that has been filed with the Unified Government and ratified by the City Planning Commission. Failure to comply at all times with parking regulations will result in municipal summons, administrative citation, or revocation of the Special Use Permit;

14. Approval of this case by the Board of Commissioners, and the conditions of approval contained herein, has been granted independent of any and all covenants, conditions, and restrictions (CC&R) of the plat or subdivision within which the subject property is located. It is the responsibility and duty of the applicant and/or landowner to ensure that the real or constructive operation of any use allowed under this Special Use Permit, or any portion thereof, does not violate the applicable and enforceable CC&R of the plat or subdivision within which the subject property is located;
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16. Subject to approval, the Special Use Permit shall be valid for (2) year(s) from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved;
17. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
18. Substantive action towards the completion of all conditions of approval herein must commence within six (6) months of approval unless otherwise determined by the Director of Planning or their designee. Regardless, all conditions of approval must be fulfilled within one (1) year of approval by the Unified Government Board of Commissioners. The failure to satisfy all conditions of approval after one (1) year will result in automatic termination of this Special Use Permit.

ATTACHMENTS

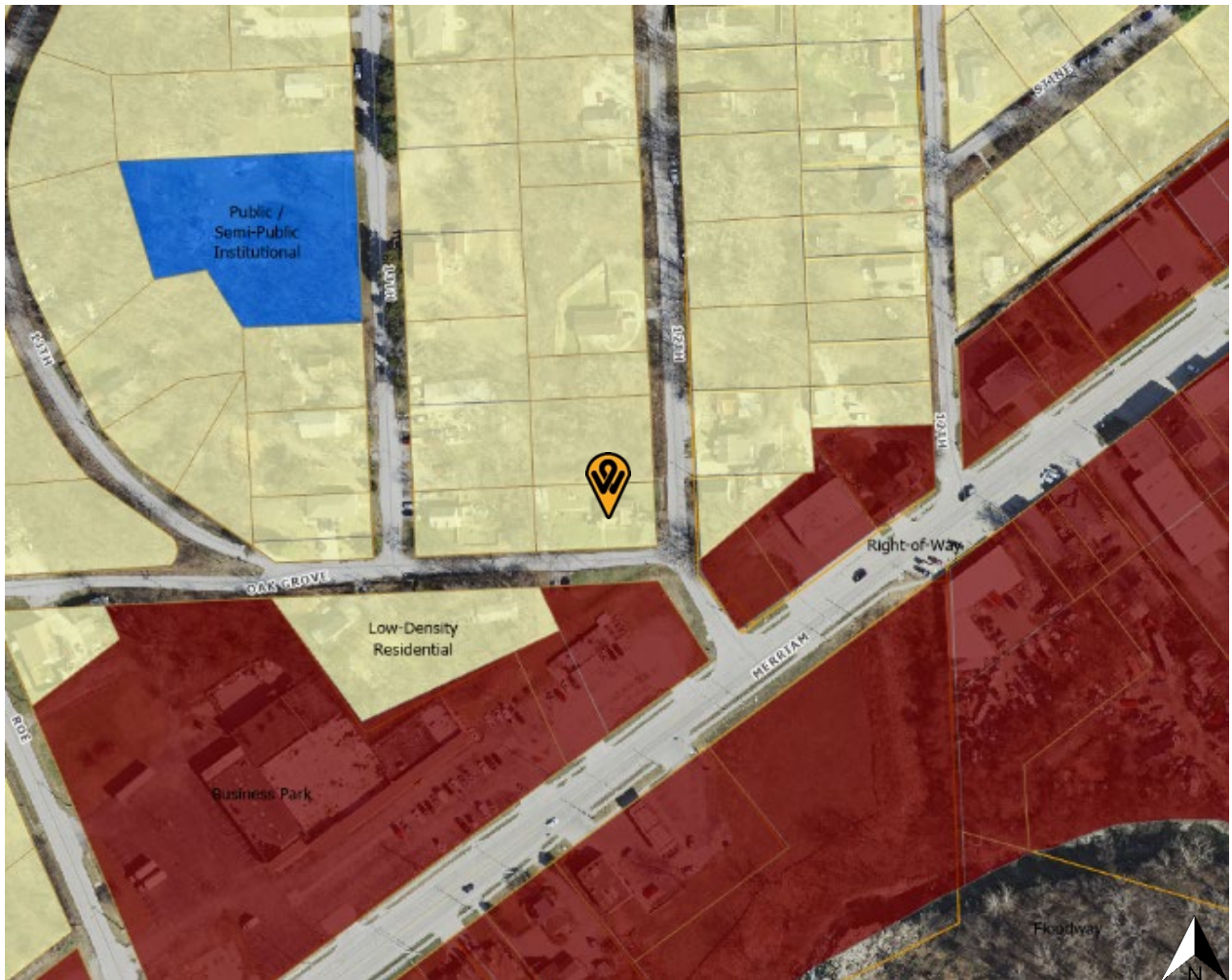
AERIAL MAP



ZONING MAP



LAND USE MAP



Neighborhood Meeting

I have filed an application with the Planning + Urban Design Department # BOZA2024-07

The purpose of this:

- bird permit, zoning
- special use permit
- preliminary plan review

It is for me to be able to my pigeons and pigeons at my own house.

at the following address:
2542 S 12th Terr
Kansas City, KS 64123
United States

I am having a neighborhood meeting on April 30 at 7:00 p.m. at the following address:
2542 S 12th Terr
Kansas City, KS 64123
United States

The purpose of this meeting is to explain the proposal and to answer any questions/concerns you may have for my pigeons and coops

I look forward to seeing you at the neighborhood meeting. If you are unable to attend, please contact me at the phone number listed below

Heather Sharon E.

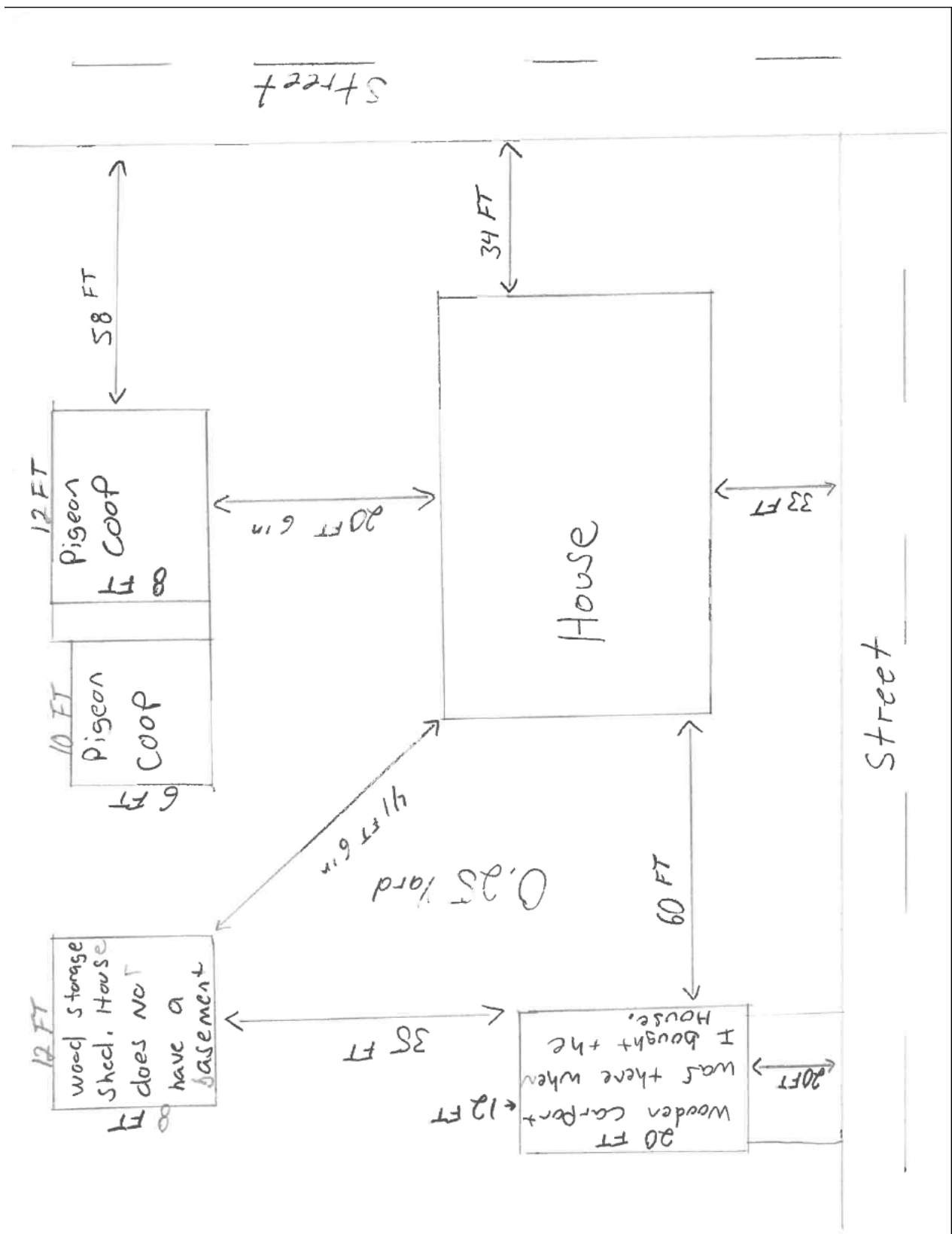
4 the phone number listed below
913 602 9486
Sincerely Jesus Santiago

The meeting i did with the neighbors
i did that yall asked for was
Wednesday 30th of April at 7pm
i sent the letters how yall asked
me to and unfortunately no one
went i was waiting over 30
minutes and no one came

Wednesday, April 30, 2025 7:00pm
Meeting BOZA2024027

Olivia Mrs. Shawn McBrown 2532
~~for time~~ 2545
Linda Bayle 1247 OAK GROVE
Luis Lopez 2544 Oak Grove

These are my neighbors
signatures that don't have
any problem with my pigeons





Report to Planning & Zoning / Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	Irene Caudillo, Chief of Staff icaudillo@wycokck.org x5010	Mayor's Office
AGENDA ITEM #9.1.		
RESOLUTION: TWO-YEAR EXTENSION OF COUNTY ADMINISTRATOR CONTRACT		
BACKGROUND		
Approval of a resolution authorizing a two-year extension of the employment agreement of David W. Johnston as County Administrator of the Unified Government of Wyandotte County/Kansas City, Kansas.		
RECOMMENDATION		
Approve		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		
Resolution on 2-year extension for CA		

Approved by Administrator to add to agenda.

RESOLUTION NO. R- _____-25

A RESOLUTION AUTHORIZING A TWO-YEAR EXTENSION OF THE EMPLOYMENT AGREEMENT OF DAVID W. JOHNSTON AS THE COUNTY ADMINISTRATOR OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

WHEREAS, on April 1, 1997, the voters of Wyandotte County approved the Consolidation Recommendations of the Wyandotte County/Kansas City, Kansas Consolidation Study Commission, (the "Charter") consolidating the Board of Commissioners of Wyandotte County, Kansas and the City Council of Kansas City, Kansas, into the Unified Government Board of Commissioners (the "Board of Commissioners");

WHEREAS, the Charter provides for the appointment of a County Administrator by the Mayor/CEO with the consent of the Board of Commissioners;

WHEREAS, Resolution No. R-1-97, codified in the Unified Government Code of Ordinances in Chapter 2, Article I, provides that the Mayor shall recruit, screen, and evaluate appropriate candidates for county administrator and conduct interviews of said candidates;

WHEREAS, Resolution No. R-1-97, codified in the Unified Government Code of Ordinances in Chapter 2, Article I, provides that the County Administrator shall be appointed on the basis of executive, managerial, and administrative qualifications, as demonstrated by a verified record of training and experience;

WHEREAS, Resolution No. R-1-97, codified in the Unified Government Code of Ordinances in Chapter 2, Article I, provides that the terms and conditions of employment of the County Administrator shall be reduced to writing;

WHEREAS, Resolution No. R-15-23, adopted on March 2, 2023, authorized the Mayor, with the consent of the Unified government Board of Commissioners, to appoint David W. Johnston as County Administrator of the Unified Government for a term beginning on March 27, 2023; and

WHEREAS, as a product of the annual evaluation process of the County Administrator, the review of the goals and objectives for the position, and the issuance of written evaluations, the Mayor may recommend, as part of his or her authority under the Charter and Code of Ordinances of the Unified Government and pursuant to his or her ongoing supervision of the County Administrator, an extension to the term of the County Administrator's employment agreement.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That the Mayor, with the consent of the Unified Government Board of Commissioners, having reviewed the performance of David W. Johnston, hereby recommends a two-year extension to his employment agreement as County Administrator

Section 2. That the Mayor/CEO, the County Administrator, and other officers, agents, and employees of the Unified Government are hereby further authorized and directed to take such further action as may be appropriate or desirable to accomplish the purpose of this Resolution.

Section 3. This Resolution shall take effect and be in full force immediately upon its adoption by the governing body of the Unified Government.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS ____ DAY OF _____
2025**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to Form:

Chief Counsel



Report to Planning & Zoning / Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	Chelsee Chism, Director cchism@wycokck.org X8046	Economic Development

AGENDA ITEM #9.2.

RESOLUTION: ADOPTING FOURTH AMENDMENT TO KAW RIVER BRIDGE COOPERATIVE AND DEVELOPMENT AGREEMENT

BACKGROUND

CURRENT AMENDMENT, 4th Amendment: This amendment extends the completion date of the project to 3/31/26 and reduces the CID reimbursement to be paid to the developer before reimbursement to the UG by \$136,500 (related to 50% of the costs of the stairs and ADA ramps).

HISTORY:

- On June 7, 2021, the UG and Developer entered into that certain Kaw River Bridge Cooperative and Development Agreement (the "Original Agreement", and as amended, the "Agreement") for the Project. The Original Agreement contemplates that certain Project costs will be funded in part by public incentives, including, among other things, the UG Contribution in the amount of \$2,000,000 (subject to modification as set forth in the Agreement). The UG and Developer agreed that the UG Contribution (plus Interest) would be reimbursed in full from Pay-Go CID Financing and Pay-Go TIF Financing, and Developer would only be able to access CID Proceeds to reimburse eligible Project costs after the UG Contribution (plus Interest) has been reimbursed in full.
- On July 1, 2021, the UG passed Ordinance No. O-92-21 to approve the Kaw Bridge Redevelopment Project Plan for Project Area 4 of the Riverfront Redevelopment District.
- On October 27, 2021, the UG and Developer entered into that certain First Amendment to Kaw River Bridge Cooperative and Development Agreement, to modify the conditions set forth in the Original Agreement to facilitate Developer's access to the Pre-Development Funding portion (\$75,000) of the UG Contribution;
- On December 15, 2022, the UG and Developer entered into that certain Second Amendment to Kaw River Bridge Cooperative and Development Agreement to extend the Drop Dead Date for satisfaction of Closing Conditions from December 31, 2022 to July 1, 2023, as well as to authorize the UG to increase the UG Contribution by an amount equal to half of certain Bridge Raise Costs incurred by the UG in connection with raising the Bridge as recommended by the Kaw Valley Drainage District;
- On January 13, 2023, the UG closed on the acquisition of the Bridge from the City of Kansas City, Missouri;
- On May 30, 2024, the UG and Developer entered into that certain Third Amendment to Kaw River Bridge Cooperative and Development Agreement to, among other things, prioritize reimbursement to Developer from Pay-Go CID Financing and Pay-Go TIF Financing, *before* the UG reimburses itself for the UG Contribution (plus Interest), for certain Bridge Strengthening Costs incurred by Developer;

- On June 27, 2024, the UG passed Ordinance No. O-65-24 to authorize the creation of the Kaw River Bridge Community Improvement District and levy a 2% CID Sales Tax, pursuant to the CID Act (K.S.A. 12-6a26 *et seq.*);

The Developer is diligently pursuing construction of the Project, but has requested an extension to the Completion Date set forth in the Agreement currently set, and in connection with this request, the Developer offered to reduce the amount of the Bridge-Strengthening Costs (costs plus interest to be reimbursed to Developer ahead of the UG Contribution by an amount equal to half of the costs of stairs and ADA accessible ramps to be constructed by the UG on the east side of the Bridge by \$136,500 (total cost of these improvements are \$273,000).

RECOMMENDATION

Approve

Adopt the Resolution approving the Fourth Amendment to the Kaw River Bridge Cooperative and Development Agreement.

BUDGET IMPACTS / FINANCIAL CONSIDERATIONS

The Developer offered to reduce the amount of the Bridge-Strengthening Costs (costs plus interest to be reimbursed to the Developer ahead of the UG Contribution by an amount equal to half of the costs of stairs and ADA accessible ramps to be constructed by the UG on the east side of the Bridge by \$136,500 (total cost \$273,000).

LEGAL CONSIDERATIONS

Reviewed by legal.

ATTACHMENTS

Resolution Approving Fourth Amendment to Kaw Bridge Development Agreement, Fourth Amendment to Kaw Bridge DA

Approved by Administrator to add to agenda.

RESOLUTION NO. R-____-25

**A RESOLUTION ADOPTING THE FOURTH AMENDMENT TO KAW RIVER BRIDGE
COOPERATIVE AND DEVELOPMENT AGREEMENT.**

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the "UG") and Flying Truss, LLC, a Missouri limited liability company ("Developer"), desire to rehabilitate the Rock Island Bridge located on both sides of the Kansas (Kaw) River by adding certain amenities including, but not limited to, public trails, commercial restaurants, retail, event spaces, and areas for non-profit corporations (collectively, the "Project");

WHEREAS, the Bridge and adjacent property on both sides of the Kansas (Kaw) River are currently included within Project Area 4 of the Riverfront Redevelopment District (the "TIF District") created by the UG, pursuant to the TIF Act (K.S.A. 12-1770 *et seq.*), by passage of Ordinance No. O-47-20 on August 13, 2020, and subsequently amended by passage of Ordinance No. O-60-21 on May 13, 2021;

WHEREAS, on June 7, 2021, the UG and Developer entered into that certain Kaw River Bridge Cooperative and Development Agreement (the "Original Agreement", and as amended, the "Agreement") for the Project;¹

WHEREAS, the Original Agreement contemplates that certain Project costs will be funded in part by public incentives, including, among other things, the UG Contribution in the amount of \$2,000,000 (subject to modification as set forth in the Agreement);

WHEREAS, the UG and Developer agreed that the UG Contribution (plus Interest) would be reimbursed in full from Pay-Go CID Financing and Pay-Go TIF Financing, and Developer would only be able to access CID Proceeds to reimburse eligible Project costs after the UG Contribution (plus Interest) has been reimbursed in full;

WHEREAS, on July 1, 2021, the UG passed Ordinance No. O-92-21 to approve the Kaw Bridge Redevelopment Project Plan for Project Area 4 of the Riverfront Redevelopment District;

WHEREAS, on October 27, 2021, the UG and Developer entered into that certain First Amendment to Kaw River Bridge Cooperative and Development Agreement, to modify the conditions set forth in the Original Agreement to facilitate Developer's access to the Pre-Development Funding portion (\$75,000) of the UG Contribution;

WHEREAS, on December 15, 2022, the UG and Developer entered into that certain Second Amendment to Kaw River Bridge Cooperative and Development Agreement to extend the Drop Dead Date for satisfaction of Closing Conditions from December 31, 2022 to July 1, 2023, as well as to authorize the UG to increase the UG Contribution by an amount equal to half of certain Bridge Raise Costs incurred by the UG in connection with raising the Bridge as recommended by the Kaw Valley Drainage District;

WHEREAS, on January 13, 2023, the UG closed on acquisition of the Bridge from the City of Kansas City, Missouri;

WHEREAS, on May 30, 2024, the UG and Developer entered into that certain Third Amendment to Kaw River Bridge Cooperative and Development Agreement to, among other things, prioritize

¹ All capitalized terms used but not otherwise defined in this Resolution shall have the meanings assigned in the Agreement.

reimbursement to Developer from Pay-Go CID Financing and Pay-Go TIF Financing, *before* the UG reimburses itself for the UG Contribution (plus Interest), for certain Bridge Strengthening Costs incurred by Developer;

WHEREAS, on June 27, 2024, the UG passed Ordinance No. O-65-24 to authorize creation of the Kaw River Bridge Community Improvement District and levy a 2% CID Sales Tax, pursuant to the CID Act (K.S.A. 12-6a26 *et seq.*);

WHEREAS, Developer is diligently pursuing construction of the Project, but has requested an extension to the Completion Date set forth in the Agreement, and in connection with this request, Developer offered to reduce the amount of the Bridge-Strengthening Costs (to be reimbursed to Developer ahead of the UG Contribution (plus Interest)) by an amount equal to half of the costs of stairs and ADA accessible ramps to be constructed by the UG on the east side of the Bridge (total cost \$273,000); and

WHEREAS, the Governing Body has determined that it is advisable to enter into the Fourth Amendment to Kaw River Bridge Cooperative and Development Agreement, attached hereto as **Exhibit A** (the "Fourth Amendment"), with Developer to extend the Completion Date to March 31, 2026 and to reduce the amount of Bridge-Strengthening Costs to be reimbursed to Developer ahead of the UG Contribution (plus Interest).

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. The Governing Body hereby approves the Fourth Amendment in substantially the form attached hereto.

Section 2. Each of the Mayor/CEO and the County Administrator is hereby authorized and directed to execute in the name of the UG and deliver the Fourth Amendment. The County Administrator and other officials and representatives of the UG, including special counsel, are hereby further authorized and directed to take such actions and to execute any other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 3. This Resolution shall be effective upon adoption by the Governing Body.

[Remainder of page intentionally left blank; signature page and exhibit follow.]

**ADOPTED BY THE UNIFIED GOVERNMENT BOARD OF COMMISSIONERS
ON _____, 2025.**

Tyrone Garner, Mayor/CEO

ATTEST:

Unified Government Clerk

(Seal)

EXHIBIT A

Fourth Amendment to Kaw River Bridge Cooperative and Development Agreement

[Attached on following pages.]

**FOURTH AMENDMENT TO KAW RIVER BRIDGE COOPERATIVE AND DEVELOPMENT
AGREEMENT**

THIS FOURTH AMENDMENT TO KAW RIVER BRIDGE COOPERATIVE AND DEVELOPMENT AGREEMENT (this "Amendment") is made and entered into as of _____, 2025 (the "Amendment Effective Date") by and between the UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS (the "UG") and FLYING TRUSS, LLC, a Kansas limited liability company ("Developer", and collectively with the UG, the "Parties").

RECITALS:

A. The Parties entered into that certain Kaw River Bridge Cooperative and Development Agreement dated as of June 7, 2021, as amended by that certain First Amendment to Kaw River Bridge Cooperative and Development Agreement dated as of October 27, 2021, Second Amendment to Kaw River Bridge Cooperative and Development Agreement dated as of December 15, 2022, and Third Amendment to Kaw River Bridge Cooperative and Development Agreement dated as of May 30, 2025 (collectively, as amended, the "Development Agreement"), whereby Developer proposed to rehabilitate the Rock Island Bridge by adding certain amenities including, but not limited to, public trails, commercial restaurants and retail, event spaces and areas for non-profit corporations, all as set forth in the Development Agreement. Capitalized terms used in this Amendment but not otherwise defined herein shall have the meanings assigned to them in the Development Agreement.

B. The UG agreed to: (i) connect the Trail laterally to the levee trails on both sides of the Kansas River; (ii) construct and install ADA accessible ramps for landward access to the Trail at both sides of the Kansas River; and (iii) construct trailhead parking on the West Property.

A. The Development Agreement contemplates that the Project Costs will be funded in part by public incentives, including: (1) the UG Contribution in the amount of \$2,000,000; and (2) IRB financing for the limited purpose of providing an exemption on sales taxes for construction materials, labor, equipment and furnishings.

B. The Parties agreed that the UG Contribution, plus Interest, would be reimbursed in full to the UG from: (1) Pay-Go CID Financing with the CID Proceeds collected from the CID Sales Tax to be imposed within a CID that encompasses all of the Project Site; and (2) Pay-Go TIF Financing with the TIF Proceeds collected from Incremental Sales Tax and Incremental Real Property Tax within Project Area 4 (encompassing the Project Site) of the TIF District.

C. The Parties initially agreed that Developer would have no access to the TIF Proceeds, but Developer may utilize any CID Proceeds that remain—*after* the UG has been fully reimbursed for the UG Contribution (plus Interest)—to reimburse CID Eligible Expenses. However, Developer incurred certain unanticipated Bridge-Strengthening Costs in the amount of \$485,820 and, in the Third Amendment, the Parties agreed to prioritize reimbursement to Developer for the Bridge-Strengthening Costs from Pay-Go CID Financing and Pay-Go TIF Financing, *before* the UG reimburses itself for the UG Contribution (plus Interest).

D. Developer is diligently pursuing construction of the Project, but has requested an extension to the Completion Date set forth in the Development Agreement. In connection with this request, Developer has also offered to reduce the amount of the Bridge-Strengthening Costs (to be reimbursed to Developer ahead of the UG Contribution (plus Interest)) by an amount equal to half of the costs of stairs and ADA accessible ramps to be constructed by the UG on the east side of the Bridge (total cost \$273,000).

E. The Parties recognize and agree that reducing the amount of Bridge-Strengthening Costs to be reimbursed to Developer ahead of the UG Contribution (plus Interest) will benefit the Project and facilitate earlier reimbursement to the UG of the UG Contribution (plus Interest), and the Parties desire to enter into this Amendment to extend the Completion Date for the Project and to reduce the amount of Bridge-Strengthening Costs, subject to the terms and conditions set forth herein.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. **Incorporation of Recitals.** The Recitals set forth above are hereby incorporated by reference as though more fully set forth herein.

2. **Amendment of Completion Date.** Section 6.11 of the Development Agreement shall be deleted in its entirety and replaced with the following:

"Completion Date. Developer further agrees that, subject only to Force Majeure, Developer shall Substantially Complete (as defined in Annex 1) and open the Phase 1 Improvements on or before March 31, 2026 (the "Completion Date").

3. **Reduction of Bridge-Strengthening Costs.** The amount of Bridge-Strengthening Costs set forth in Recital E of the Third Amendment (\$485,820) shall be replaced with the following: "\$349,320".

4. **Miscellaneous.** In connection with this Amendment, the Parties hereby agree as follows:

(a) Except as specifically modified by this Amendment, the Development Agreement shall be and remain in full force and effect in accordance with the terms thereof.

(b) It is the intent of the Parties that the provisions of the Development Agreement, as modified by this Amendment, shall be enforced to the fullest extent permitted by applicable law. To the extent that the terms set forth in the Development Agreement, as modified by this Amendment, or any word, phrase, clause or sentence is found to be illegal or unenforceable for any reason, such word, phrase, clause or sentence shall be modified, deleted or interpreted in such a manner as to afford the party for whose benefit it was intended the fullest benefit commensurate with making the Development Agreement, as modified by this Amendment, enforceable and the balance of the Development Agreement shall not be affected thereby, the balance being construed as severable and independent.

(c) The Parties declare and represent that no promises, inducements or agreements not herein expressed have been made; the Development Agreement, as modified by this Amendment, contains the entire agreement between the Parties; and the terms hereof are contractual and not mere recitals.

(d) This Amendment shall be binding upon and inure to the benefit of the Parties, and their successors and permitted assigns.

(e) This Amendment may be executed in counterparts.

(f) This Amendment shall be construed in accordance with the laws of the State of Kansas.

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the Amendment Effective Date.

DEVELOPER:

FLYING TRUSS, LLC, a Kansas limited liability company

By: _____
Michael Zeller, Manager

STATE OF _____)
) SS.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2025 by Michael Zeller, as Manager of Flying Truss, LLC, a Missouri limited liability company.

Printed Name: _____
Notary Public in and for said State
Commissioned in _____ County

My commission expires



County Administrator's Office

David W. Johnson, County Administrator

701 North 7th St., Suite 945
Kansas City, Kansas 66101-3064

Phone: (913) 573-5030
Fax: (913) 573-5540

NOTICE OF PENDING APPOINTMENT

DATE: May 22, 2025

BOARD POSITION: Advisory Commission on Human Relations and Disability Issues

INCUMBENT REPLACED: Ollie Carroll

ADDRESS: _____

TERM EXPIRATION DATE: _____

APPOINTING COMMISSIONER: Melissa Bynum

REQUEST FOR APPOINTMENT

NAME OF NEW APPOINTMENT: Angela Martinez

ADDRESS: _____

CELL NUMBER AND EMAIL ADDRESS: _____

TERM OF OFFICE: _____

SIGNATURE OF APPOINTING COMMISSION MEMBER

* NOTICE: IF THERE ARE NO CONCERNS RAISED IN THE INITIAL 7 BUSINESS DAYS REVIEW PROCESS DATE, THEN THE NOMINATION WILL BE AUTOMATICALLY PROCESSED AS AN ITEM FOR THE NEXT AGENDA REVIEW PROVIDED NO OTHER APPLICATIONS WERE SUBMITTED.

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

SPECIAL MEETING, THURSDAY, APRIL 10, 2025

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Meeting, Thursday, April 10, 2025, with ten members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Burns, Commissioner Second District; Ramirez, Commissioner Third District; Hill, Commissioner Fourth District; Kane, Commissioner Fifth District; Lopez, Commissioner Sixth District; Stites, Commissioner Seventh District; Davis, Commissioner Eighth District; and Garner, Mayor/CEO presiding. Townsend, Commissioner First District; was absent. The following officials were also in attendance: David Johnston, County Administrator; Angela Lawson, Interim Chief Counsel; Chelsea Chism, Economic Development Director; Shelley Kneuvean, Chief Financial Officer; and Monica L. Sparks, Unified Government Clerk.

Mayor Garner said before I call the meeting to order I want to announce that we have individuals attending remotely as well as on-site. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, please make sure you announce yourself by name and title every time you speak so the public that is participating knows who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General Office. Please be sure to speak directly into the microphone to ensure your comments are heard and an accurate record can be made of this meeting.

Mayor Garner called the meeting to order.

NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, is scheduled to be conducted in a hybrid format on Thursday, April 10, 2025, at 5:00 p.m. in the Commission Chambers of the Municipal Office Building regarding 1. Ordinance approving execution of Second Amended & Restated STAR Bond Project Plan for the American Royal Project. 2. Resolution setting and giving notice of creating a Community Improvement District for the American Royal Project. 3. Resolution approving Amended & Restated

Development Agreement for the American Royal Project. Roll call was taken and there were ten “Ayes,” Lopez, Stites, Davis, Bynum, Burroughs, Burns, Ramirez, Hill, Kane, Garner.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Garner said tonight we are scheduled to discuss various aspects of the American Royal Economic Development Project. I’ll turn the meeting over to David Johnston, our County Administrator. He will open up with some remarks.

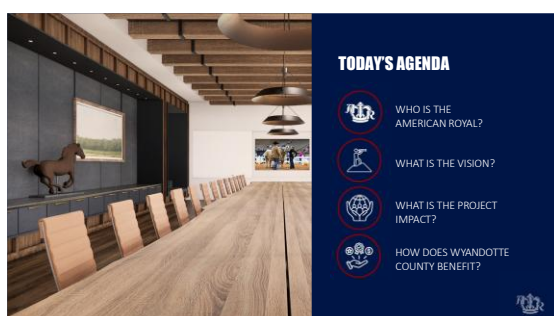
David Johnston, County Administrator, said we’ve been discussing with representatives of the American Royal team probably just over a year now and it’s getting to critical stages that it felt important to have members of their Board of Directors come and talk to us about their project and I’m going to turn my time over to our Economic Development Director, Chelsee Chism, and our Economic Development Legal Consultant, Todd LaSala.

Chelsee Chism, Economic Development Director, said tonight for our informational discussion we have several members here representing the American Royal. Walt George, Board of Directors Chairman; Gordon Lansford, Board of Directors First Vice Chairman; Lindsey Patterson Smith, Board of Directors Chair-Elect, and Jackie McClaskey. They will start us off with an introduction and talk to you about the history of the American Royal, evolution of the project, some of the financial impacts, and feasibility study information and then Todd LaSala will cover the development agreement deal points and we’re here to respond to any questions that the Commission may have as we move through the presentation this evening.

Walt George, Chairman of the Board of Directors for the American Royal, said I want to say thank you for this opportunity. We’re grateful to have an opportunity to present to you and we’re grateful for our partnership with Wyandotte County. We think that what we’re going to talk about tonight is a great opportunity for all of us. Chelsee introduced my colleagues that also will be

presenting tonight, but I'd also like to note and introduce Pat Macy, our Managing Director. We have several members of our Board of Directors with us this evening and friends of the American Royal and we appreciate them coming.

When I'm asked about the American Royal, what is the American Royal, I always respond first by saying that we are a mission-driven nonprofit focused on agriculture and food. We exist largely to the generosity of our volunteers. They give us their time and they give us their treasure and I hope that you'll see that tonight through much of what we talk about.



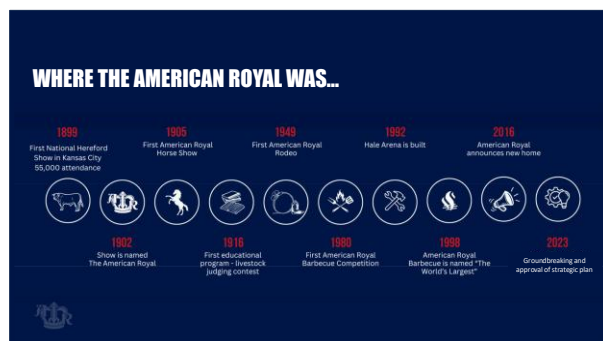
We're excited to share who we are as an organization, what our vision is, what our vision for the future is, the impact that the American Royal Project will have and how it will benefit Wyandotte County.



At no other time in history has the human race been so disconnected from their food source, what they need to eat, their nutrition, and this drives and informs our purpose. We believe that food and agriculture needs a champion and to meet that purpose we will create a home for food agriculture,

April 10, 2025

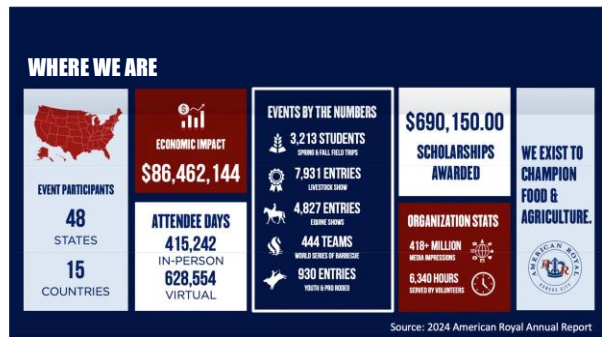
food education and food and agriculture events. We also want to be a place where people in the food and agriculture community can come be engaged. We're going to go into several examples of that in just a few minutes. We will recognize when we meet the purpose and mission when we truly become a place where food and agriculture are celebrated by generations to come. This is our purpose.



Many people think about the American Royal as the rodeo or the barbecue or the livestock show, but we are so much more and the demand for what we do is growing. This informs our need for a bigger campus. If you step back a minute and let's look at the American Royal in history, in our timeline, the American Royal was founded originally as the National Hereford Show and that was back in 1899. At the time they had 55,000 attendees and that was a crowd. We've transformed over many years and we continue to.

As you all know, the American Royal today is located in the West Bottoms. We're landlocked. We can't grow. If we are to meet our vision, we must move and we are convinced that Wyandotte County is a perfect place for us. We'll talk more about why that is in a minute and you'll see at the end of this chart that we broke ground in 2023 with a hope that we'll be in our new home in 2026. For us, this has been a 12-year project and as most of you know, we had an agreed to development agreement which was placed on hold when the worldwide pandemic broke out, but none of this—none of that would have been possible without Wyandotte County. None of this vision that I'm going to talk about tonight is possible without you. So, let's ground ourselves in where we are today.

April 10, 2025

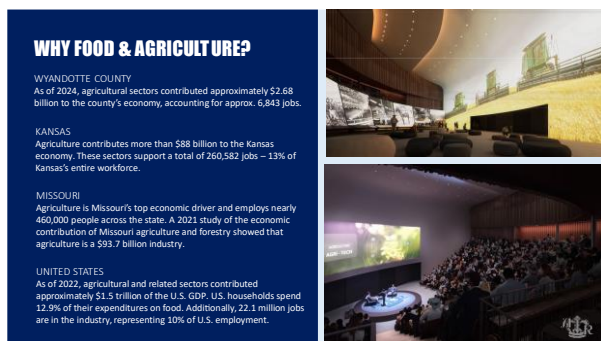


The American Royal is a global destination. Our events draw participants from 15 countries and 48 states. We have an economic impact on the Kansas City market greater than \$86M. We have over 400,000 in-person event days and we expect that number to grow by 5x when we get into our new facility. You see some of the events we hold and one of the most important things in achieving our vision is our distribution of scholarships. That's missional for us. This is an achievement and the statistics that I share are impactful, but the question from our leadership and our board is, is this enough. Can't we make a bigger impact locally, can't we make a bigger impact in the Midwest, in the US, and maybe globally. People and organizations come to us all the time to ask us to think bigger.



We engaged a graphic artist that helped us capture and visualize what the American Royal can be and I'll give you a minute to look at this, but it really is becoming that we will become the epicenter

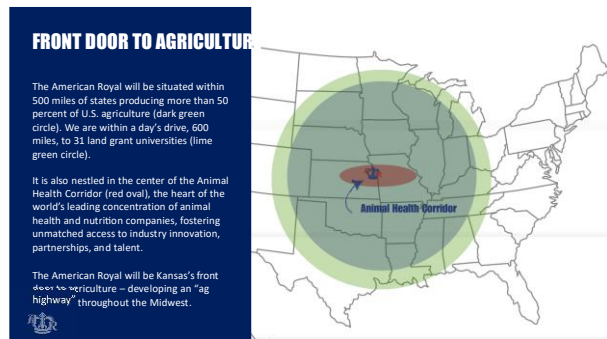
for agriculture and for food and you can see why when you look at this picture that we need to think bigger and we need to have bigger space. We need room to grow.



So the question is why food and agriculture. In 2024, the agricultural sectors in Wyandotte County contributed \$2.7B to the county's economy, accounting for approximately 6,800 jobs. Now, if we draw back out of that and let's look at the state of Kansas, agriculture is an \$88B industry that contributes to the Kansas economy. These sectors support over 260,000 jobs or 13% of the entire workforce in Kansas.

If we turn to Missouri, Missouri agriculture is the top economic driver for the state and it employs nearly 460,000 people. A 2021 study estimated the economic contribution of Missouri's agriculture and forestry showed that agriculture is a \$93.7B industry.

Then, if we want to think bigger, what's our impact in the United States. In 2022, agriculture and its related sectors contributed \$1.5 trillion to the GDP. US households spend more than 13% of their expenses on food and additionally there's 22M jobs estimated in the industry, representing 10% of the US employment. That's why we believe food and agriculture needs a champion.



Now, let's look a little bit differently. If you just look at us geographically, the American Royal located in Wyandotte County will be situated within 500 miles of states producing more than 50% of the US agricultural output. It's also within a day's drive, 600 miles to 31 different land grant universities. It's nestled in the center of the animal health corridor, that red circle, the heart of the world's leading concentration of animal health and nutrition companies, fostering unmatched access to industry, innovation partnership, and talent. The American Royal and Wyandotte County is the front door to agriculture. There is an agricultural highway that runs throughout the Midwest.



The American Royal is creating what has never existed, the Epicenter of Agriculture. The Royal will be a year-round events destination and this is very important for Wyandotte County, we are not seasonal. We are a place for industry leaders to discuss hot topics and we will create a talent pipeline for industry. We are a place for intentional and unintentional learning, the global hub and more.



I want to leave you with this as our path to get there. First, it is our mission that drives us. It's our campus and community partners, our programming, our commitment to education and building talent. And because we are a not-for-profit, we have an uncompromised voice to influence industry. Now, I'd like to turn this over to Lindsey to talk a little bit more about the future state.

Lindsey Patterson Smith, Vice Chair and Chair-Elect for the American Royal Board of Directors, said thank you to the members of the Commission. I'm thrilled to be here. Walt talked to you a little bit about the American Royal, our history and our vision for the future and I want to talk to you today a little bit about what we are building and why and how it fits into our strategic plan.

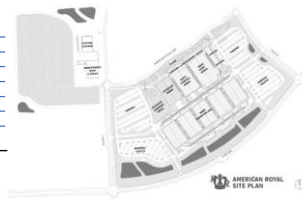
THE NEW AMERICAN ROYAL

PHASE ONE

- Barn & Exhibition Hall – 390,000 sq. ft.
- Main Arena – 125,000 sq. ft. | 5,000-8,000 seats
- Multi-Purpose Arena – 90,000 sq. ft. | 3,500 seats
- Outdoor Arena – 75,000 sq. ft. | 3,200 seats
- Outdoor Plaza – 270,000 sq. ft.
- Learning & Engagement Center – 80,000 sq. ft.
- Administration Space & Community/Commercial Kitchen – 20,000 sq. ft.
- Event Support Storage Facilities – 70,000 sq. ft.

PHASE TWO

Festival Grounds - 120 acres



12

You've probably noticed a large facility, 390 sq. ft. of barn space that has gone up on State Avenue. This is the expedition and barn space that is a part of the American Royal campus. This building

April 10, 2025

is seven football fields of conditioned space all under one roof and all on one level. To put that into perspective, Bartle Hall is 388,000 sq. ft. on a secondary level, not on the ground level. To find another space of this size, you would have to go to Chicago, Atlanta, Las Vegas or Dallas. So, this is truly a unique asset. This one building on the campus alone that will put this community and Wyandotte County on the map.

Additionally, there are three barns that can hold events all simultaneously, sorry three arenas. The main arena holds 5,000 seats and permanent seating with the ability to flex to 8,000 seats. The multi-purpose arena is designed to take advantage of a full 90,000 sq. ft. while accommodating up to 3,500 seats. There's an outdoor arena that's similar in size but is open air with a roof. All of these can host events at the same time in addition to the events that can be hosted in the barn and then there's the outdoor plaza. This is what we see as the town square for Wyandotte County and can hold anything from global sporting event watch parties to farmer markets on Sunday afternoon.

There's a community kitchen that will be used as a commissary and part of our commercial kitchen space, but one of the things we're most excited about in this facility is the Learning and Engagement Center. It's 80,000 sq. ft. of dedicated learning space that doubles as the entry into our campus, so we see this as a way that everybody who walks through our doors will leave with some intentional or unintentional learning about agriculture and how that fits into their lives.



You'll see phase one of this map, so you see State Avenue and so this is all phase one. Here's the large barns. There's five gables, but it's all under one roof, the three arenas, the community

outdoor space, community garden, and parking. There's also an addition part of phase one are some storage buildings and green space.



Then, part of phase two that will turn into our festival grounds.



If you look at these renderings, you'll see a lot of different types of events. These renderings show events that are all held in really mostly two of the same arenas.



I note this to show the diversity and the ability to flex these spaces into many different types of events for the community. Some of these are events that are on the American Royal calendar today. You're going to host a rodeo, a livestock show, but then there's things that are net new and added for the community. Here we show a volleyball and youth sports. There's ability to host banquet dinners and beyond.



This isn't just the Royals venue. We don't see this as just ours. We see this as the community's venue. We've started and look forward to conversations with several Wyandotte County community partners including all five districts of the Wyandotte County school systems, the county fair, the Unified Government and civic organizations such as Visit KCK and the KCK Chamber of Commerce and, of course, our friends at the Ag Hall of Fame, and Research and Extension.



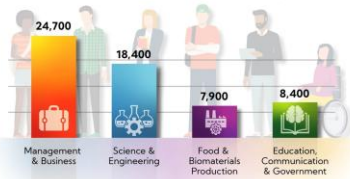
Really at the end of the day, this is all about more than a building and about a venue. This is about a place where people can connect, collaborate, and celebrate all centered around agriculture. That's something the American Royal has been doing for 125 years, and we look forward to growing that reach. This is a place where the Royal is education at the center of everything we do. We'll focus on the opportunities for the Wyandotte County youth and families to educate and inspire residents in careers in agriculture.



Educational Programming at the Royal has developed and shifted over those 125 years. With the opening of this facility, we look forward to expanding that reach into the Wyandotte community. The Royal educates all ages, but we are especially excited to work closely with the Wyandotte County schools to provide exposure to agricultural learning and industry careers.

EMPLOYMENT OPPORTUNITIES IN FOOD & AGRICULTURE

On an Annual Basis, Expect 59,400 Job Opportunities for New College Graduates



According to USDA, "employment opportunities will remain strong for new college graduates with interest and expertise in food, agriculture, renewable natural resources and the environment."

Key numbers:

- 59,400 annual job opportunities
- Concentration of jobs in Midwest
- Average salaries:
 - Ag/Food Scientist - \$76,400
 - Farm Managers - \$83,770
 - Agronomist - \$98,000
 - Vet - \$122,688
 - Food Scientist - \$52,941
 - Ag Engineer - \$59,518
 - Ag Equipment Tech - \$91,492

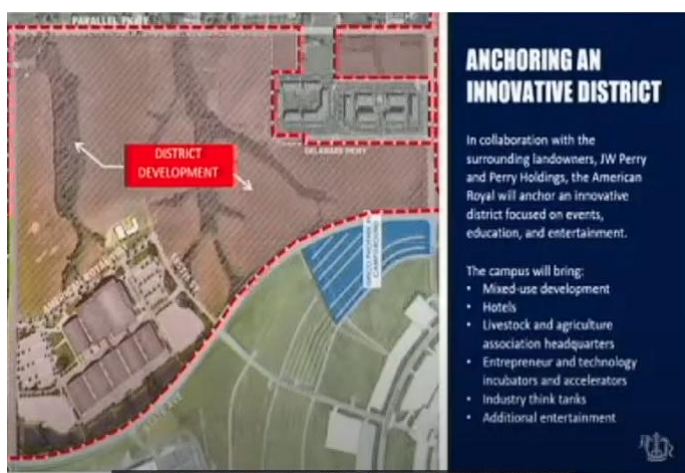
This focus and exposure on industry is not just because we believe in agriculture and the industry of it, but it's because there's an ever growing and ever present need for youth to get into the careers of agriculture. This chart shows a demand of almost 60,000 job opportunities annually needed within the agricultural industry and these are jobs that have all levels of degrees, everything from trades to graduate level degrees. So, there's something for everybody in there. As you can see, it's kind of small on here, but the average salaries for these careers are good quality wages that will add to the community.



While the Royal is known as an organization focused on youth, we're also interested in connecting with lifelong learners of all ages. We believe strongly that everybody needs to understand food and agriculture literacy as a means to creating healthier and stronger communities and we look forward to working with the Wyandotte County Research and Extension and the SNAP Program

to reach the right audience with this right message. With that, I will hand this over to my colleague, Gordon.

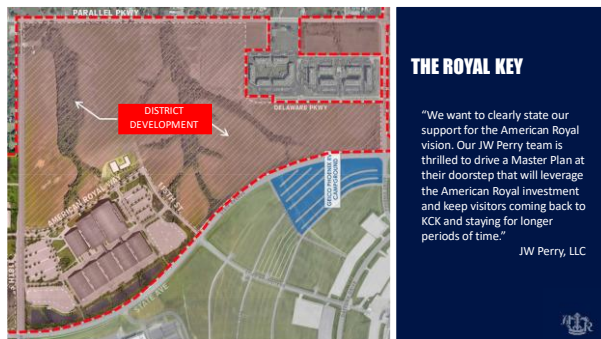
Gordon Lansford, First Vice Chairman of the Board of Governors of the American Royal and also recent Chair of the Board of Directors of the American Royal, said thank you for the opportunity to have us tonight to tell our story. We're excited to tell our story, you've heard a lot about it. I think I get the fun part because I get to talk about the impact that our organization and our campus will have on your community for the benefit of your residents and your taxpayers.



I think a key point here is if you think about our campus, it's really the anchor project or the catalyst to an innovative agricultural district. With that, it'll bring mixed-use development, hotels, livestock and Ag Association Headquarters as well as Corporate Headquarters, entrepreneur and technology incubators and accelerators, industry think tanks, as well as additional entertainment opportunities.

I think you all know that we've worked hand and glove with our partners. The adjoining property owners, the JW Perry and Perry Holdings Association and their projects will not proceed as planned without the completion of our project. Their design is seamless with ours. They've made the statement several times that you won't know when you step off of our property and on to theirs. We worked hand in hand with them and I think you all are familiar with some of the great development opportunities that they're going to create that will create additional revenues, taxes, etc., again, for your community and your taxpayers.

April 10, 2025



I've got a couple of quotes here. The first one is from the JW Perry. "We want to clearly state our support for the American Royal vision. Our JW Perry team is thrilled to drive a Master Plan at their doorstep that will leverage the American Royal investment and keep visitors coming back to KCK and staying for longer periods of time."



Our other partners, the Perry Holdings family, I won't read this whole thing because it's a little longer, but the Perry Holdings family remains steadfast in our support for the American Royal and its transformative vision for Wyandotte County. We are particularly enthusiastic about the development plans proposed by O'Reilly Hospitality, which includes a 210-room hotel, western themed convention center and steakhouse on our property. They go on to say that in addition we anticipate with the growth of this campus that it will drive tremendous demand for increased lodging, dining, retail and entertainment venues.

The other reason we chose this area is because if you look at the map and you all are very familiar with this because you made it happen, all the infrastructure that's here, all the amenities, the hotels, the restaurants, the entertainment venues, the sports teams. Our guests want to come here and they want to partake in all these other venues. It's also a very safe environment, which is important in our world today. It's also a very family-friendly environment and oh, by the way, you're 20 minutes from a great new airport, which is our front door to the region.

LOCAL EVENT PARTNERS



We've been very fortunate to have so many great partners, many of which are in the room today and you're familiar with all of them, Kansas Speedway, EPIC Resort Destinations on the Mattel Project, Sporting KC, Homefield, Legends Outlet, Wyandotte County Fair, the Ag Hall of Fame, and Visit KCK. I do want to give a special shoutout to Visit KCK and Mindy Lallier specifically who happens to be on our Board of Directors. She has been, and that whole organization, has been lining up events to use this facility. I'll talk about some of those here on the next slide, but there is pent up demand for people to come use this facility in your backyard. They just need to know when we're going to restart because that will tell them when we're going to finish and we can start booking those events.

LOCAL, NATIONAL, GLOBAL EVENTS

These interested hosted events provide significant benefit to Wyandotte County and Kansas. These events are multi-day (often up to a week) and bring people from across the nation.

- Hotel rooms
- Restaurants
- Grocery stores
- Gas
- Entertainment
- RV Spaces
- Retail needs
- And more



When you think about these events, you see a bubble diagram here that talks about the type of events, but I want to reiterate something my colleague, Lindsey, said. We have 400,000 sq. ft. of conditioned space, single level, ample parking, concrete floor, and all the amenities to go with it.

So, if you start to use your imagination, these barns can have dirt, which they will a lot with our activities. You can put courts in there, you could put ice in there, you could put carpet in there. There's not much you can't do in this unique facility that's in your backyard. Again, I want to reiterate the convenience of the parking, not to mention the attachment of the performance arenas with that big 400,000 sq. ft. and not only the amenities that are here now in your community, but those that will come because of our growth and your growth.

So, when you start to think about some of these bubble diagrams, you think about the Auto Show, you think about the Home Show, you think about youth volleyball tournaments, soccer tournaments, basketball tournaments. Those are all events that drive a lot of people into your economy and I'll talk later about some of the numbers and the attendance we expect to have through there.

I want to talk about a couple of examples of events and I picked two because they're very different. The first one is the Kansas Dental Association. They want to use our facility to come into your community and offer free dental checks for your residents. That's just one small example.



Another much bigger example in terms of impact is the National High School Rodeo Finals. You can see some statistics on your screen. That generates about \$13M for that event, 91,000 visitor days, close to 2,000 contestants, a lot of animals of all shapes and sizes, and a large Western Trade Show. When you think about where that event has been, it's been in Gillette, Wyoming; Rock Springs, Wyoming; Lincoln, Nebraska. those are all great places, but think about the amenities that you offer. A lot of times when they host those events in those places, they have to build the

infrastructure that you have and your business owners have provided. So, this particular event lasts about 11 days. You can see all the numbers up there, but all these participants and their families, they'll come here and they stay in the hotels, they'll eat at the restaurants, they'll go to Dave and Busters in their downtime. They may catch a Sporting game or a Monarchs game or whatever happens to be in season, but again, they want to come to a convenient, safe place, and they want to stay here and spend their money.



Walt started off talking about our economic impact today, which at \$86M is nice, but it pales in comparison to the economic impact we believe we will create. If you look at this chart, there's a lot of numbers on here, so I'll unpack these a little bit. The graph on the top left, that represents the number of individual events that we anticipate we will host by 2030.

The bottom where it talks about event days, let me explain that because it can be a little bit confusing, but again, if you think about the National High School Rodeo I talked about, that's 11 event days and you go, well, in 2026 you're showing 635, there only 365 days in the year, how's that possible. We anticipate many days where there's more than one event going on our campus. There may be a High School Rodeo going on, but my company J.E. Dunn might be having an executive retreat in the Education Center, so that's how we get to those number of event days.

The chart on the top right talks about total attendance and you can see that we would go from about 400,000 in 2023 to a projected 1.7M by 2030 and then 2.3M by 2045. So, I think the key point on this slide is that number on the bottom right, which is \$526M of average annual

impact over the next 20 years that we believe our organization, plus our facility creates, not to mention the impact of our neighbors.

THE BUDGET

Expense Item		Sources	
Land costs	\$ 10,000,000	STAR bond revenues	\$ 155,000,000
Sitework	\$ 23,000,000	Other public funds	\$ 10,500,000
Infrastructure	\$ 12,000,000	Private funds	\$209,500,000
Construction	\$ 277,500,000	TOTAL	\$375,000,000
Design & entitlements	\$ 34,000,000		
Other soft costs	\$ 13,500,000		
Contingency	\$ 5,000,000		
TOTAL	\$375,000,000		

I'm going to wrap up my portion just talking a little bit about the dollars and cents. On the left is our budget for the project. I think you all are familiar with this, but we show a total project of about \$375M investment. It breaks down to land \$10M, sitework 23, infrastructure 12, construction 277, design 34, soft costs 13, contingency 5.

What we really need your help on is what's on the right and that's how we pay for this project, pay to complete it and create all those opportunities I just talked about. So, as you know, we're hopeful to receive \$155M in STAR Bonds. We've got some other public support from the state of about \$10M and then we anticipate about \$210M of private funding for this project. It was always anticipated that this would be a public/private partnership as many development growth opportunities like this are.

I do want to take an opportunity to call out Lindsey Patterson Smith and her foundation, the Patterson Family Foundation, because they're a big part of that bottom number, but it was never their intent, nor their ability, nor can they or should they do more than they've already done. One of our holdups in raising more dollars is to have certainty of the completion of the project and have a signed development agreement. So, we really need your help with that top number and frankly that bottom number because we have a lot of pent-up demand until we're able to reach a STAR Bond deal that's so important to this project.

With that, I'm going to turn it over to our friends at Polsinelli to talk a little bit about the details of the deal with you.

Korb Maxwell, Polsinelli, said I've been honored to represent the American Royal for going on 12 years plus now on our journey to this new campus and no time has it been more real than us standing before you right now. Walt, Lindsey, Gordon did a great job of telling you about the project, the numbers, the civics, the education, all of those components about it. I want to go down to just the pure dollars and cents and the pure dollars and cents is why we've all needed to work so hard on this for a long time. But what we've brought before you through a lot of negotiation with your staff, your Administrator, your outside counsel and all of you is what I think all of us can stand behind. The process makes these things better. This process has been long, it's been arduous, but I think what you as a government have asked us to do, we've risen to the task and now I think you've created probably one of the highest bars for us ever to jump over in the development community and you've really crafted something that you all should be very proud of as we move this forward.

To start that and kind of explain that the nut of this has really been Plaza at the Speedway. So, if I can, we're going to talk a little bit about Plaza at the Speedway. What was the financing of Plaza at the Speedway, how did it come about, and what will the American Royal mean as it interacts with Plaza at the Speedway and the use of STAR Bonds out there.



PLAZA AT THE SPEEDWAY REMAINING THE SOURCE OF SIGNIFICANT NEW REVENUES FLOWING TO THE UG		
Time Period	Development Milestone	Annual Revenue to the UG ¹
2006	Plaza at the Speedway TIF created	N/A
2009-2013	Wal-Mart, Sam's Club, other retail open Local sales tax increment committed to pay-go TIF	
2013-Present	TIF bonds issued, including a pledged: ² 80% of local sales tax increment (2013-2018) 84.5% of local sales tax increment (2019-Present)	< \$500k / yr
Current Status	2013 TIF Bonds repaid in full	
STAR Bond Term	2025 STAR bond issuance; does <u>not</u> include: \$142M of base year sales \$10M of property tax increment over term	\$3,137,500 / yr \$501,495 / yr

¹ Estimated from ~1.83% Local Collection rate
² Per 2020 UG Economic Development Incentives Report

> 7x Increase
from PA 175 alone

And so, we took it all through a little bit of history and then we also sort of put the pictures around it. Most of you all have been here the whole time and know these pictures as well as anyone, but the picture up above is when we just had the Speedway, roughly 2003, 2004. You can kind of see Cabela's being drafted there. The Plaza at the Speedway TIF was first created in 2006 and as many know, what that TIF did was captured the property taxes and the sales taxes of the future

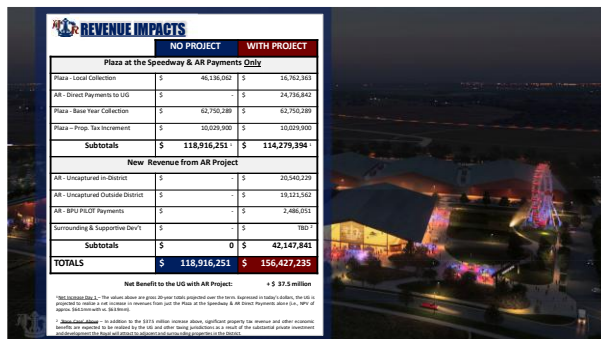
development that happened there, mainly the Walmart and the Sam's and they used that to change that picture from the fields that it was to put in all of the tens of millions of dollars of infrastructure that then brought us that Walmart and that Sam's and the other development around it, but principally those as the drivers.

As many of you know from basically 2013 to now you issued TIF Bonds on that that were backed by those property tax streams and so because of those TIF Bonds the majority of the revenue, property taxes and sales taxes, have gone to those bonds that paid for that development and they haven't gone into your General Fund. What's been going into your General Fund has been less than a half a million dollars a year. When we went and did our first STAR Bond deal approval for the American Royal because we were under that TIF regime at that time, none of this money—that Plaza at the Speedway money was collected. The STAR Bond Act says that the local government is supposed to put in that money, but we didn't have to because it was already previously committed under that bond issuance. Time has gone on, time has passed and here we all are now.

What we are asking through both the Project Plan, STAR Bond Plan, and new development agreement is we need to capture that local sales tax as part of the STAR Bond Project because that's what state law says. That's what the Secretary of Commerce says. That is what is being told to all of us of the way to move forward here.

I'm going to go through what all those numbers look like. There are some interesting things that occur even in that. When we reset this project plan, we will terminate the TIF and that will release substantial money back into the General Fund on an annual basis for all of the citizens of Wyandotte County and you as their elected to be able to place. We will set the base at \$162M. That is the base sales in 2016 approximately when we created the STAR Bond District. So, all of the revenues below \$162M that pay sales taxes, all of those revenues will be uncaptured and will go into the Unified Government's General Fund. That is that representation of \$3.1M on an annual basis and that will continue for all time that this happens.

So, by terminating that TIF, \$3.1M will start to flow into the UG's General Fund. There will also be property tax increment. We will be terminating that Property Tax TIF on Plaza at the Speedway and all of that property tax will flow in to the Unified Government General Fund. That's approximately a half million dollars a year. So, that's just setting the baseline.



	NO PROJECT	WITH PROJECT
Plaza at the Speedway & AR Payments Only		
Plaza - Local Collection	\$ 46,136,032	\$ 16,762,363
AR - Direct Payments to UG	\$ -	\$ 24,736,842
Plaza - Base Year Collection	\$ 62,750,288	\$ 62,750,288
Plaza - Prop. Tax Increment	\$ 10,029,900	\$ 10,029,900
Subtotals	\$ 118,916,251	\$ 114,279,394
New Revenue from AR Project		
AR - Uncaptured in District	\$ -	\$ 20,540,229
AR - Uncaptured Outside District	\$ -	\$ 18,111,542
AR - BPU PLOF Payments	\$ -	\$ 2,488,051
Surrounding & Supportive Dev't	\$ -	\$ 180
Subtotals	\$ 0	\$ 42,147,841
TOTALS	\$ 118,916,251	\$ 156,427,235
Net Benefit to the UG with AR Project: + \$ 37.5 million		

*NO DISTRICT DEDUCT - The value above the gross AR value represents what the state, dependent on the value, would be expected to receive as a net increase in revenue from just the Plaza at the Speedway & AR Direct Payments alone (i.e., 90% of gross AR value minus the District).

*Base Case Assumptions - In addition to the \$100 million increase above, significant property tax revenue and other economic benefits are expected to be realized by the city and other taxing jurisdictions as a result of their additional property tax revenue and the new jobs and activity generated by the project. The project is expected to generate \$100 million in additional revenue over the 20-year period.

Now, and this is a little bit hard to read. Hopefully everybody can see it. There are—what we tried to do here was now compare. When you look at those components and other components on a gross basis, what do the pure numbers look like of the Royal. What is this deal we've been negotiating and I think what this deal shows is that you've cut an incredible deal because at the end of the day, I'm going to go to the last number, the Unified Government and your citizens are \$37M plus to the good by doing this project.

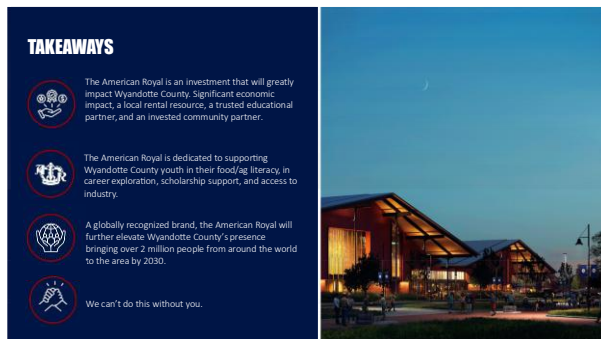
Now, let me take it through kind of a point by point. First, on the Plaza—well, first the Plaza from the local collections, if you don't do the project, the UG would see \$46M. If you do the project, you would only see 16. That's that capture of the increment from Plaza at the Speedway, but we're going to make all that up. We're going to make the vast majority of that up. This is gross numbers. We're going to make that up through the origination fee that's being paid and the annual contribution that the American Royal will pay to the Unified Government of \$1.3M. So on a gross basis, when you look at that, we're about \$4M short. On a net basis, when you take it out over time and you look at the cost of money and you look at it over 20 years, it's actually positive. There's more money guaranteed coming to the Unified Government through that. You'd collect the base with both of them. You'd collect the property tax with both of them, but on a gross basis, we're \$4M-ish short. You could stop the analysis there, but I think what's important is taking the analysis to the next level and saying, what's the American Royal bringing. Beyond all the civic, beyond all the activity, beyond all of that, what are we bringing and what we're bringing is substantial additional revenues to the Unified Government.

The first is in all of these runs, all of these numbers, taking it through the formulas of state law and STAR Bonds, there are still sales taxes that cannot be captured. Those sales taxes

are your EMS Fund and your Public Safety Fund. It adds up to about .6, .625. When you take that out, that's \$20M that will still be flowing from the American Royal Project into specified accounts of the Unified Government. There will also be uncaptured sales. We were describing all of those events. Those events that are going to come to our campus. They're not just going to only shop at our campus or at Plaza at the Speedway. They're going to shop more broadly in Wyandotte County. They're going to shop at the Legend's, they're going to shop at other places in Wyandotte County. They're going to shop in Edwardsville, they're going to shop in Bonner. They're going to go and have activity, that uncaptured activity and this has all been done through a third-party study and report that has analyzed all of this. That also equals \$20M.

Then, as everybody whose residents know, there is a PILOT that's paid with the BPU and the Unified Government. That will not be captured in any of these STAR Bond payments. That equals about \$2.5M and then the TBD number that we put here, all of that development that Gordon talked about, all of the different things that we could win, Ag Headquarters, different kinds of Ag business, office, mixed-use development, other things that the Royal creates in and around the property around us, there's all of those property taxes. There's all of those increments. I don't know how to calculate those today because I don't know when they're coming, but I know that the American Royal is the anchor that brings them. But even with not being able to calculate that, what we see, what we come to when you just look at no project or project on a gross basis, the Unified Government's \$37M to the better.

We can answer any questions on those as this moves forward and at the end, happy to get into the details. I know Todd and Chelsea have information as well that they can provide, but what that has told us is this rigorous negotiation process we've been through has been worth it at the end of the day for all the citizens of Wyandotte County because you've cut a really good deal. With that, I think I'm going to turn it back over to Walt, but we'd be happy to stand for questions later.



Mr. George said I'm going to just wrap up very quickly and I won't go through the chart, but what I would say is we view this as a partnership and in a partnership both parties need to benefit. From our perspective we get a worldclass campus that will allow us to fulfill our mission as a nonprofit. The citizens of Wyandotte County get the benefits of having a place where they can go, a place where they can participate in all kinds of programming. We can be good influence in the schools for the students of Wyandotte County and for the Unified Government you get a financial stream that comes off of the campus. So, we see this as a true winning proposition for all three parties and we appreciate the opportunity to be heard tonight and we are available for any questions that you might have.

Todd LaSala, Outside Counsel for Stinson on Economic Development, said I would just add briefly—what I'd like to do briefly is summarize the agreement between us in a little bit of detail on the high points, really tracing the evolution of this thing from back in 2016 or 2017 to now and the parts of this that are duplicative, I'll cover quickly.

American Royal Deal Terms

Original Deal Terms	Current Deal Terms
"Project" defined to include: • 164,000 s.f. main show arena w/ 5,000 seats • 250,000 s.f. Livestock Exhibition Hall • 6,500 s.f. Agricultural Ed Center • 5,000 s.f. of admin space	"Project" defined to include: • 125,000 s.f. show arena w/ 5,000 seats • 90,000 s.f. multipurpose arena • 75,000 s.f. outdoor arena • 390,000 s.f. Livestock Exhibition Hall • 80,000 s.f. Agricultural Ed Center • 20,000 s.f. of admin space
No Festival Grounds concept	Developer may build an approximately 120-acre Festival Grounds concept located west of North 118 th Street. The Festival Grounds concept is an option and not a requirement, but if Developer does build it, the UG must (i) have a non-complete agreement for Azura Amphitheater, and (iii) approve of a final development plan for the Festival Grounds
BBQ Contest: The original Agreement had a condition that the AR agree to host the World Series of BBQ contest exclusively in Wyandotte County, but at the time they were still working through how to do that.	BBQ Contest: The World Series of BBQ contest will be held exclusively in Wyandotte County during the life of this Agreement.
STAR Bond Request: \$80M for a \$165M Project • Bonds expected to be sold in a public sale with UG as issuer	STAR Bond Request: \$155M for \$375M Project (but with Festival Grounds it is approximately \$450) • Private Placement first – sold to Royal's "friends and family" • Public sale later after completion of Project and sales history
Plaza at the Speedway: State sales tax is pledged to STAR Bonds, but UG is not required to contribute the local sales taxes that were at the time pledged to TIF bonds for PATS	Plaza at the Speedway: In addition to the State's pledge of its sales tax, the UG contributes sales tax from Plaza at the Speedway for 20 years • Requires termination of PAT S TIF District
CID Request: 1% CID add on sales tax (used to make up any shortfall of \$80M STAR Bonds)	CID Request: 1% CID add on sales tax; CID Cap of \$30M+ (difference between STAR bond proceeds and \$185M)

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As you look at this side-by-side comparison on the screen, you heard Ms. Patterson speak in great detail about the project. The numbers that you see on that screen are largely the same about where we are now. This is a much bigger project than what was originally approved by the Commission in 2016. Those spaces are much larger and the festival grounds concept that she showed you really wasn't there at all in the original project.

There's also a box there about the BBQ Contest because it's always been extremely important to us to have the World Series of BBQ be exclusively within Wyandotte County as a part of our agreement. That was a little more contingent in the 2017 agreement than it is now. It's very clearly exclusively here.

I'll touch the numbers briefly and you got a lot of detail about these, but as the project has grown so has the incentive that is being requested. You may remember that the original project that was on the table in '17 was about \$165M project, 80 of which was to be paid for with STAR Bonds. Now, the project has grown tremendously. If it includes the festival grounds, it's about a

\$450M project, but even the phase one that they talked about is \$375M, but consequently, the \$80M STAR Bond ask from '17 has now grown to where they're asking for \$155M of STAR Bonds.

The bonds would be placed in a different way than we originally contemplated. The '17 agreement really thought about a public sale of bonds. What's contemplated here is slightly different and probably represents slightly less risk for the Unified Government in the first place. What I mean by that is instead of a public sale of STAR Bonds, the original sale that we would go out and do for Plaza at the Speedway is very likely to be kind of a private friends and family offering where it would be privately placed with connections and relationships that the American Royal has. That private placement bears less risk to the Unified Government and its credit rating at least initially and then the expectation is that down the road after the Royal is opened, after these facilities are going and there's some sales history, only then would we go out and do a public sale, a public placement. Again, I think from our perspective that represents less risk than what was contemplated in the original deal in 2016-2017.

Plaza at the Speedway, Mr. Maxwell talked about this in great detail. We should too because it is a significant change in the deal. Many of you remember that Plaza at the Speedway was not originally pledged, and Korb's right, all of those revenues were pledged to the TIF Bonds originally. For this deal, they are required to be pledged. We would have to commit to pledge that revenue for the entire 20-year life of the STAR Bonds, so that is just inherently part of the equation here. In a minute, I'm going to talk about two revenue sources that Korb alluded to that are supposed to mitigate that loss of sales tax revenue from Plaza at the Speedway, but I'll get to that in a moment.

The last thing on this page is the CID request. There is slightly more CID, I say slightly, it's at least \$30M more that is requested in this deal than the prior. Again, the numbers have grown, so has the incentive, but again, CID was always part of the equation here. This is just a larger expectation, a larger number.

IRB Financing and Fees: IRBs for sales tax on construction materials only, but Agreement contemplated possibility of using IRBs for abatement if any portions of project subject to property taxes Normal issuance and admin fees	IRB Financing and Fees: IRBs for sales tax on construction materials only, but will <u>not</u> use IRBs for abatement if any portions of project subject to property taxes In addition to normal fees, Developer will pay an up-front \$5M origination fee to be used by UG for economic development purposes (to be decided by full Commission after recommendations from a subcommittee)
Public/Private Ratio: 50 /50. \$80M of public financing and \$80M of private funding	Public/Private Ratio: 50 /50 on first \$100M of STAR Bond proceeds, and then after that aggregate to 42.5% public investment. Expected to require approx. \$209.7M of private investment for use of \$155M STAR Bonds
No Annual Payment Concept	Annual Payments: Developer to make \$25M of annual payments to a fund controlled by UG for economic development, infrastructure or other purposes beneficial to the UG (to be decided by full Commission after recommendations from a subcommittee). Payments of approx. \$1.3M on May 15 th in year after STAR Bonds are issued, but payments will stop when STAR Bonds are repaid in full.

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The only other incentive that's on the table here is Industrial Revenue Bonds. IRBs in this case are not for tax abatement purposes. They're really about abating the sales tax on the construction materials. As you know, we have done that a lot and that is contemplated here too. It really always was. However, as we try to figure out how to get money back in the door from the American Royal related to the pledge of Plaza at the Speedway and that sales tax revenue that we now have to put in the deal, one of the things that we've asked for is a \$5M origination fee on these IRBs related to that sales tax, that abatement of the sales tax on construction materials. So part of the equation, part of what comes back to us is \$5M upfront when we go issue IRBs and that's going to happen the same time as the STAR Bonds.

Secondly, and connected to this is an annual payment that the American Royal would make to us to again mitigate our exposure from Plaza at the Speedway. It is now—we've talked a lot about how to structure this payment, but it's ultimately \$25M that is structured over 19 years and it's a flat payment of about \$1.3M a year. So, as Mr. Maxwell said, he talked about both the gross dollars and the net present value of the dollars.

I'm going to just pause here and say something that many of you already know, so please forgive me, but the time value of money as you analyze this is pretty important. A dollar in your pocket today is worth more to the Unified Government than a dollar that you get 10 years from now, 19 years from now. So, as you do the analysis and you look at the economic models here, we've done this math several times, several ways, we've run models with various assumptions about whether Plaza at the Speedways retail sales go up, whether they're right at projections, whether they're below projections. But Mr. Maxwell is right that on a gross basis, we are often slightly below—on a gross basis, the dollars are slightly below what you've pledged at Plaza at the Speedway.

When you run the net present value, when you take into account time value of money, in most scenarios we are at least even and in a number of them, we're ahead meaning what we're getting from the American Royal either through these annual payments or origination fees, that combination, or because the bonds have paid off early and we start getting our money back, either way, in all of the scenarios that we're running, we are pretty much neutral in many of the scenarios we're ahead on a net present value basis. So again, I'm going to say that one more time and hit it hard. On a gross basis we are contributing something to the project. We are absolutely. On a net present value basis, once you take into account time value of money, for the most part we're even or in many cases ahead.

The last thing I'll talk about is Public/Private Ratio, which we've negotiated about in this deal quite a lot. The original deal was very much a 50/50 proposition. In this one, we negotiated to where the STAR Bonds are really about 42.5% of the public investment, heavily negotiated point, but that's where we now are. There's a lot to this development agreement. I'm happy to talk about all of it. If I were to hit the high points for you before we respond to any and all of your questions, we're here to do that. That's the large summary I've given you. Do we have anything else that we want to do or commissioners we'd be happy now to answer any questions as would the development team.

Mayor Garner said thank you all for the presentation. I'm going to open up for questions from our commissioners if there's any.

Commissioner Bynum said I don't have so much a question as just a couple of comments. I want to thank the American Royal for taking time to come and speak directly to us tonight. We did start this process a very long time ago. You've been working with us through COVID and then you've watched over these last three or four years of our economic struggles here at the local level. So, I have to say that I appreciate that you've continued to come to the table and work with us to try to bring us a product that's phenomenal and a deal that we could be satisfied with.

Part of the reason why the American Royal Project in general speaks to me is because my grandfather was a farmer right here in Wyandotte County on 86th Street. He was a butcher and a milkman and the reason he was a butcher and a milkman was because that was in the 1930s and if you didn't do those things, you didn't eat. My father was born in 1930 and he grew up in that environment of helping his dad butcher animals and milk cows and collect eggs.

I'm not living in that world, by the way, and I never have but it really speaks to me because it really speaks to my background and where my family came from. And of course, we know in the 30s how difficult times were, not just in the country, but in the world.

Interestingly to me, just this very morning, I was at my weekly Kiwanis Club meeting and our speaker this morning was Dr. Keith Harris with the USDA and he was phenomenal by the way. He was stressing to us just today that every single day 320M Americans are touched by Ag every single day immediately as they get out of bed, before they've even had a bite to eat from the fabric of the sheets, and these are his descriptions, not mine, but I thought it was extremely compelling to the flooring that they step out of a bed onto, to the water that they use to get cleaned up and get ready for their day. I thought that is so interesting that my day is being bookmarked with agriculture and frankly, I really appreciated it.

What it points out to me is that we're really never separated from agriculture, but at the same time, I personally think that we might be more separated from agriculture, especially in this community than ever before in our history possibly. I think it's quite possible that we may not have ever needed what you bring more than we need it right now and so with that, I just want to express to you how much I appreciate what you're trying to do, how much I appreciate that you've stayed at the table and that we've stayed at the table because it hasn't been easy. I mean I don't think any of us would say it's been easy, but it is appreciated by this commissioner and I very much want you to know that.

Commissioner Kane said so, Todd, let's get this right. We get \$5M upfront and \$1.3M annually. **Mr. LaSala** said that's right. **Commissioner Kane** said and at the end of the day, we're \$37M to the good. **Mr. LaSala** said \$37M to the good. We are collecting—yeah, this is Mr. Maxwell's number, but—**Commissioner Kane** said, Korb, am I right? **Mr. Maxwell** said yes, commissioner. When you add in all of those payments and then the uncaptured payments, yes, it's \$37M to the good over the 20 years on a gross basis, correct sir.

Commissioner Kane said I'm not sure why this project stopped and I think you might be underselling yourselves once the building gets up and going. I think there's an opportunity for more things to happen and what better place to put it where the grounds at, infrastructure is in and you're right we're bringing people from all over the place. The World Cup is just right around the corner and that facility would be used every day, all day for that type of stuff. It's stuff like that—I mean I know some people will be upset with this, but in the long run, what is the benefit to the community. I've been confused with some of these presentations though to be honest about it. That's why I had to ask those questions.

You know, I think it's an opportunity for us to grow and grow in the right direction. I know that when they did the—I was the commissioner when the Plaza at the Speedway went in and people were upset because some of the stores that went in there and it's been a pretty positive activity with the amount of money paying off faster than what we thought it could. The same thing with the racetrack and the casino and stuff like that. Everyone always has a tendency to look to the wrong side instead of the benefits that each one brings. I think this benefits everything that's out there and more things to come.

Commissioner Burns said I have a direct and indirect relation to the agriculture community. My mother-in-law grew up in Hodgeman County out in Jetmore, Kansas. If you've never had the opportunity to be there, you need to see it. You'll see it quickly too. So, anyway, I learned a lot from her. She grew up there and suffered through a lot back then, through the dust storm and everything else. My son went away to college. Luckily, he didn't go to KU. He went to K-State and he got his Agricultural Economics degree from Kansas State and occasionally he's asked back by one of his teachers to talk to the students in that field now. He is one of the lead traders for FC Stone & Co. and he does very well and he knows a lot about agriculture. I've asked him a lot about this and he said it would be a wonderful project and he does live in the Kansas City area.

Echoing what Commissioner Kane said, I'm ready to move on with this project just as soon as we can.

Commissioner Hill said thank you all for the presentation this evening. Just going with a couple of comments that Commissioner Kane made, I just want to take that to the next level. Would you please explain to me when would we receive the first amount of money that has been pledged. How does that process work? I guess that's what I'm really wanting to know. Say phase one is done, the activities are beginning. When does the UG receive the funds after things are happening. Is it the following year after? So, say it opens up in July of 2026 or whatever year, how would that work? **Mr. LaSala** said, Commissioner, I appreciate the question. I spoke about an origination fee, that's \$5M part of the equation. That would happen when we issue the bonds and the first annual payment of \$1.3M we would receive in May of the following year, May 15th of the following year. That's when those monies would start flowing to us. If those are the monies you're talking about, that's when that money would begin to flow. **Commissioner Hill** said so the origination meaning when the ink is still wet on the paper or how does that work. The origination \$5M, when would that occur? **Mr. LaSala** said we would do that in connection with the issuance of IRB Bonds and we've said in the agreement that's going to happen at the exact same time that we issue STAR Bonds. The American Royal would hopefully want to do that this year. The expectation is that they want to get out and do that as fast as possible so I would expect that \$5M to land this year. If that happens, the first annual payment is then due May 15th of 2026. So, by May 15th of 2026, we will have collected \$6.3M based on the payment schedule we've talked about. **Commissioner Hill** said okay, thank you, I appreciate that.

Commissioner Lopez said you said \$37M in 20 years is what we're going to get. **Mr. LaSala** said yes, Commissioner, those are the numbers. **Commissioner Lopez** said because what I'm figuring, just doing my homework, that TIF Plaza at the Speedway that paid off, is bringing in around in \$8.3M a year, give or take, so you multiply that times 20, that's \$166M and that's just ballparking. **Mr. LaSala** said a couple of things about that. Remember, number one, that there's a number of things—there's a base year, so the pledge—so you factor out the \$1.6M or whatever the number the Korb talked about, so that is part of the equation. We also had projections run by an outside consultant about the sales taxes for that asset, that location over the 20-year life of the

project. So the numbers you are seeing in Mr. Maxwell's presentation, the numbers we ran our models on are all based on these sales tax projections that came from an outside consultant. So, we ran them that way and, frankly Commissioner, if the consultant is wrong, we also ran models where the projections are much richer than what's expected in these models and much less. And what you find is that when it's much less, when it's not as rosy a scenario as the projections the consultant gives us, what happens is our pledge from Plaza at the Speedway is less and we wind up protected by the certainty of \$5M upfront and a flat payment of \$1.3M. We're protected by that.

In scenarios that we run where the projections like you're saying, if the projections are much higher than what the consultant suggested, what happens is that the bonds pay off a lot faster and then we start getting the full revenue stream from Plaza at the Speedway earlier. And in those scenarios, under those models, we can come out ahead. **Commissioner Lopez** said I get that. We told our people a long time ago when this pays off, you're going to see that and now, you know, of course, what 2017, it wasn't a deal because that TIF wasn't paid off. Well, now it pays off, oh hey, we can hijack that for another 20 years. That's not making sense to me and then now we got to tell our folks, well, we told you 17 years ago this is going to pay off, but by the way, now it's not. Now it's going to be another 20 years, sorry. And we got folks going to the grave. That's my issue, no, I get it. **Mr. LaSala** said I totally understand.

Commissioner Lopez said another thing is, I mean I see a lot of American Royal people out here and that's great, but how many of you folks live in Wyandotte County. How many of you folks chew our dirt. How many of you folks pay our taxes. Move to Wyandotte County, chew our dirt, and let's have a more serious conversation. That's my deal.

Mr. LaSala said I totally understand the policy issue, I do and I will tell you that's the reason this has been so hard. The fight we've been having, the back and forth, the negotiation, and these payments that you're hearing about, the \$5M and the—**Commissioner Lopez** said no, and I get that. **Mr. LaSala** said I try and mitigate that. **Commissioner Lopez** said I get that. I'm all for agriculture. My family are huge cattle barons in Oklahoma, you know, huge and running 10,000 acres. I mean they're monsters down there, but I'm all for the Ag, all day long I'm for the Ag, I'm 100%. It's the do-re-mi. That's what we need to, you know, the way I see it is that whole area is trying to be corporatized and who lives in Wyandotte County and getting all the returns. I mean, of course, according to WYEDC, there's \$5.3B in investments since 2015 to 2023, where's

our return. Where's it at? Well, we're just going to do more STAR Bonds, more this, more this and that's my issue. At the end of the day just pay the money and keep moving forward and if you want to be partners here, then live here and pay the money, help us out. So, that's where I'm at with that.

Commissioner Ramirez said I'm going to agree with my colleagues. We're beating a dead horse at this point. Beating a dead horse is kind of an understatement. This has been going on too long. We need to just get it over the goal line. So I ask, what are next steps. Where do we go from here? I don't know if it's going back to committee, if it's going to come back to full commission, but I'm done beating a dead horse. **Mr. LaSala** said, Commissioner, for what it's worth, we have noticed a public hearing for the full commission on April 24th knowing that we were going to do this, we have noticed up that commission meeting. If it's the will of the commission, this could be heard on a—we've gone through the statutory process, so this can be heard and is scheduled to be heard at your April 24th meeting. You can vote on the matters related to this, all of the matters including the project plan, including the development agreement, including the CID, you can vote on all of that. We have set the table if you will and gone through the procedural process to notice this up for April 24th.

Commissioner Burroughs said first of all, thank you to the American Royal for coming in and painting the picture that needed to be painted. There was a lot of miscommunication around the community in reference to the project. I would just like to say how much I appreciate the transparent communication that you had this evening.

I think part of the difficulty with this subject matter is the formula for STAR Bonds is a difficult formula for many that have never experienced on how to work with the STAR Bonds. But one thing I can say about this community is we were the first fortunate ones to have STAR Bonds and have worked through it and been successful. We've had a number of STAR Bond projects that have continued to help grow the economy in this community to the tune that we now have more sales tax for the first time in a long time than our property tax. And that is because of the investment made in the original STAR Bonds project called Kansas Motor Speedway and those of us that lived through that are now living through the next project and that being the American

Royal. The ancillary development that came from the Speedway has grown this community to the point that our national and international reputation has helped us.

I can remember living in this community my entire life and not having projects in Wyandotte County mentioned in the same breath in a positive way. This is an opportunity to once again to add to that discussion and dialogue for our community and for our state. I know we talked about a lot of the negatives and a lot of it has been a lot of miscommunication or limited communication and as Chair of the Economic Development Committee and as a member of the Commission I like to work with my colleagues. It's very difficult to do that when we hold on-threes or we have half of us in a committee trying to work through the verbiage and the contracts and the ancillary opportunities that come with development. I know our two counsels in the room that have been discussing this issue know what we have been through because you have been through the same thing. This was important for us collectively. As Chair of the Economic Development Committee I requested this meeting to be a public meeting for the purpose of getting everything out in a public setting so it wouldn't be, well, I heard this, I heard that. We collectively hear everything as stated here this evening as factual until proven differently.

When it comes to STAR Bonds I believe Todd, you mentioned a third party consultant that went and looked at the numbers, that's mandated within the STAR Bonds. That wasn't initially mandated in STAR Bonds when the first original STAR Bonds project came forward. That is mandated today and that helps us, helps the developer and it helps the community to know the financial obligation necessary to meet the criteria of the STAR Bonds. I think the trickery in this STAR Bonds project is the fact that the \$5M upfront and the \$1.3M per year, it's almost an offset. It's almost a push and people say why don't they just put the \$25M upfront, because STAR Bonds doesn't work that way. You have to have that revenue source and to pay for the STAR Bonds and that revenue source is the sales tax and you're reimbursing that through the 1.3. That's the incremental sales tax that is coming off of the Plaza at the Speedway from the 2016 or 2017 base. That's an incremental. It's not the full sales tax that we're getting. That's just the portion that has grown from Plaza at the Speedway from 2017 to today, so you can say it's a million two or a million three in growth.

What we're also receiving is now that the TIF is off and expired, we are getting the additional property tax that comes into our General Fund and we get the additional EMT money that comes in that was not available. Under STAR Bonds, once those previous sales taxes are

identified for another purpose, they can't be utilized for STAR Bonds unless they are put in after. They were in there before STAR Bonds was proposed for that area. That's why they were captured in the TIF and this formula is extremely difficult, but it's a formula that works and having the third party consultant is extremely important. I can share with you in my years of experience in the legislature, STAR Bonds has been combed through, has been utilized. I'll even say at times has been abused and we see those failures in some areas, but we haven't had those failures here and I'm excited to see that.

I just want to thank the Royal for giving Wyandotte County consideration in allowing us to expand our national footprint one more time and bring in the ancillary development that we so sorely need to help with our General Fund and the services we provide this community. I want to thank the Administrator and the Mayor and my colleagues for their patience in this this evening because this was important to me as Chair of the Economic Development Committee to ensure that everything was on the table. No more secret discussions, no more miscommunication. It is here. This is the plan. These are the numbers. So, you ask what the next step is. As Chair I can take it back to committee, that's one of the prerogatives I have to work it, but the fact that we've haven't had a public meeting, you have it slated for a public meeting. The process is important. Time is money. I understand that, but it's also important that we do what's right for this community. We represent Wyandotte County and its constituents and their tax base. You represent the American Royal and your project and this has allowed us to review how we do economic development and commit those long-term future revenues to projects in our community. We are responsible for providing services and we need to ensure that those dollars are there to do so.

I believe after tonight's discussion, it is more transparent that we can provide those services and that this is only a small piece of the pie even though it's a large piece because the other development in the Perry family, the development of the hotels, the additional commercial properties that will come in and that Master Plan for the rest of the STAR Bonds project—and even the buildout of the Plaza at the Speedway will generate additional sales tax, which will allow us, hopefully, I anticipate for this project to pay out even less than the 20 years. I know it's been projected to pay out within 15. That puts the money back in our General Fund a lot quicker so that we can get over.

I do understand the commissioner's comments about we made a commitment to the people. Those commitments were made by the state and a previous administration and in the legislature we don't tie future legislators hands with policy. This contract was eliminated and then re-implemented. New guidelines have come into play. This is the new contract, good, bad or indifferent. I happen to think it's a lot better contract than the previous contract. Better for the Royal and actually better for our community.

We have a lot of pluses here. We have the Agriculture Hall of Fame which has its National Charter which will be a partner with the American Royal. We also have the complement of the racetrack, the development that has occurred there. The additional development that is coming, so this is actually a catalyst for even more development to come. We also have the national recognition. We couldn't go out and buy the publicity that the American Royal will bring to our community and to the Royal itself as a partnership. Either one of us would be hard-pressed to afford to spend those dollars to try to get the publicity we will have by having this partnership right here in Wyandotte County around one of the biggest attractions in the state, 20 minutes from an international airport. That's a plus for all of us.

The educational aspect that we will gain from that for the people in the urban core, especially our youth, that so sorely are looking at urban gardening and urban agriculture is extremely important. It's also a tremendous opportunity to help with how we look at future hydroponic gardening in an urban setting and how we deal with bridging the rural and the urban in a more ergonomically and environmentally satisfactory way. So, I just want to say as Chair of the Economic Development Committee, I will take the position this evening that I'm willing to have the Standing discussion with public comment. We've all heard the discussion. My concern is if we go back to committee, we will have more misinformation come forward. If there's questions tonight, as tough as they may be, now's the time to ask those questions because once we go move forward to public comment and work it on the 24th, it's already on the calendar. If we take it off the calendar, it comes back to committee and we're talking a minimum of another 30 days and as my colleague at the end of the dais said, we've worked this quite a while.

I do know that the entertainment and tourism aspect should not be lost on this community and I do see Bridgette Jobe in the audience tonight that was our Tourism Director here. Maybe if it's okay with the Commission, Bridgette, if you would be so kind to maybe say how this might impact the tourism in the state of Kansas and our community. You were here before the racetrack.

You were here after the racetrack and now you serve in a capacity on a statewide level and I would really value your comments, if that's all right with you, Mayor.

Bridgette Jobe, Director of Kansas Tourism with the Kansas Department of Commerce, said for those of you who don't know me, I've been with the state about six years in my role as the Director with Kansas Tourism. Prior to that I spent about 21 years with the Kansas City, Kansas Convention and Visitors Bureau and it was really here in Wyandotte County that my love for tourism and my interest in the impact that it brings to our state and to local communities began. So, it's always a great honor for me to be able to be in my hometown. I am a Wyandotte County resident. I work for the state of Kansas, but I do live in Wyandotte County.

Just a couple of comments from the Department of Commerce. The American Royal STAR Bond project, it's designed to be a premier rodeo, equestrian, entertainment, and educational venue. The thing that I see as what a great opportunity here is really in two categories. One is its agricultural importance. You've heard that tonight about how we have this growing population and our job with agriculture is to feed that growing population and it faces so many challenges right now, sustainability, food security, and most consumers don't understand the relationship between the agricultural industry and the food and the things that we use every day. I think with the American Royal being rooted in 125 years of history and tradition, it is a trusted voice that connects our youth today with the agricultural industry.

The second thing is the tourism and that's what I really want to talk to. I think this new American Royal complex is expected to bring over 2 million visitors annually and the thing that really interests me with the state of Kansas is that 71% of those are expected to be from out of state. Those are people that are coming in, they are staying overnight, and we know the longer that people stay here, the more money that they are going to spend. The American Royal, it's already home to all these national competitive events. We already have them. What this new complex gives is the ability for those events to grow and the number of events to grow.

Tourism is economic development. That's the only other thing I really want to add. It's also quality of life. Wyandotte County is a fantastic example. I was here when the STAR Bonds went through for the Speedway. My first years in tourism were pre-speedway being built. I remember what Wyandotte County was like before STAR Bonds and I get to talk about this all across the state, about the impact that STAR Bond projects can bring to the state and to local

communities. So, I believe that this American Royal Complex, it's insight, it's exciting, it's very impactful, and I think it's a great opportunity for Wyandotte County and for the state of Kansas.

Commissioner Burroughs said thank you, Bridgette. It's good to have you back home, see you back home. **Ms. Jobe** said I love being here.

Commissioner Burroughs said, Mayor, if I may, I'd like to make one more comment. I know the construction has halted or is very minimal on the project and I just want to thank you for using our local craftsman, our local labor organizations. They are part of this community and that has significant value to many of us in this community and up here with this project. That's what I deem as a true partnership, so thank you for them and hopefully they'll get back to work soon.

Commissioner Lopez said I just wanted to talk about—a colleague just mentioned something about property tax. Right now, the property taxes in one parcel is \$167,127 as of 2024 for where they're building. Let's get this straight. They want to—their intention is to go in front of BOTA and be exempt from that as well. **Mr. LaSala** said that's largely correct. I probably should have mentioned this in my presentation. In 2017 it was mentioned that they intended—the American Royal has a charitable purpose, so it is their intention that the core American Royal components that they describe, those arenas, certainly the agricultural educational facility, the components that they're describing that are core Royal, it is their intention to go to BOTA and seek property tax exemption. You're right, they're paying property taxes right now while the facility is under construction, but they're very clear, as they were in '17, that they plan to seek exemption.

This development agreement is softer on that than the old one because the prior version said that if they didn't get it, that we would consider, we would bring back to the commissioners consideration of an IRB for property tax abatement. This one does not say that. It just is what it is, whatever BOTA does. So, a portion they do plan to seek exemption.

Now, there's also a portion of the project, the festival grounds facility that they describe and the way that's used, for all likelihood that's less likely to be able to achieve property tax exemption because of the mix of commercial uses there, but what you say is absolutely correct.

Commissioner, one other clarification I need to make and I'm really sorry, something else I should have done in my presentation, if you'll indulge me for just a minute.

As Commissioner Burroughs talked about how STAR Bonds work and these payments that we're making, I really need to make very, very clear that none of that money, the origination fees, the annual payment, none of that is made with STAR Bond money. That is not the UG taking STAR Bond money, all of that money has to be paid privately by the developer. Those are not STAR Bond eligible costs and I know Commissioner Burroughs knows this, but I did a poor job in my presentation of making really clear that those private payments we're getting, they are from the developers pocket. They are not STAR Bond or paid with incentives in any way. I know that not part of your question. I just failed to do it and I needed to touch that. **Commissioner Lopez** said no, that's cool. You put it all out there, but that's what I want to be transparent about too, is pros and cons. Again, I'm all for Ag. Trust me, I'm 100% for Ag, but like I said, it comes down to do-re-mi.

Commissioner Davis said my apologies everyone. I just cannot make it to City Hall in time with traffic, but I do want to thank all of the leadership from the American Royal and their counsel and folks just for coming. You all brought kind of the entire adventure to Wyandotte County, so thank you. Todd and Chelsee, if you all would just kind of indulge me here because I do want to get some clarity and just some transparency for our community so they know exactly what we're getting into. I asked this privately in our meetings, but I want to kind of expound on it. Obviously, this on paper is a really attractive project. I really hope to our benefit that the bonds pay off early because then you all are just paying market rate. Again, there are issues with a particular development, what clawbacks do we have in the current development agreement that we can just reassure the public on? **Mr. LaSala** said there's not. When you go issue bonds you have very little ability to clawback, so the bond money once it's out the door is out the door. When it comes to the CID, we have made clear that portions of the CID money have to remain pay-as-you-go and so if there were defaults along the way, we do have the ability to cut off those payments and withhold a portion of the incentive money that is done on a pay-as-you-go basis. That is really the closest thing to clawbacks that exist in this document. **Commissioner Davis** said okay, good. I just wanted to make sure we had something on record so that it would be understood. I understand for the STAR Bonds it's kind of their bill. You're right, even if it's kind of a family and friends deal that they would have to make those folks hold as investors.

The timeline for completion of the project is when exactly? **Mr. LaSala** said if you'll bear with me just a second, I do have that in front of me. When we issue bonds, they have to commence construction within 180 days. Well, they're already under construction, but presumably they would certainly resume, and I'm sure they would tell you that they'll do it faster than that. The completion of the American Royal must occur within two years after that first issuance of STAR Bonds. That's an outside date. The Agriculture Education Center could be completed later. It could be within three years of the first issuance. The developer may want to speak to this because I think they would tell you these are outside dates. These are deadlines. They plan to deliver a lot faster than that. They're going to come up and tell you what their targets are.

Mr. Maxwell said great question, Commissioner, and it goes to some things that Commissioner Kane asked earlier and that Mr. Burroughs asked earlier. I think part of while we are so appreciative of all of you hosting this special meeting and us being able to come before you is that we want to immediately get back to work and getting those folks back on this job is something all of us take incredibly, critically and importantly, probably nobody more than our contractor themselves and Jay Dunn and their CEO sitting before you. All of us want to get folks back to work and we want to do it immediately and what we need to be able to do that is to do really two things, get this development agreement approved and then start the bond issuance process. So, if we can move forward tonight and move to the 24th, we'll feel really good about getting all of those things going and then we're going to be pushing with your staff to start working on that bond issuance project. At the same time, Gordon and all of our team is going to be figure out how do we get that project back up and going. So yes, Todd answered it exactly right that we have time under the development agreement, but someone else up here said time is money and the time when that site is just sitting, that's all of us losing money in this. We want to get going immediately and we want to get folks back to work on this job. **Commissioner Davis** said perfect.

When you talk about local minority and women-owned businesses, it's kind of standard for us to have minimum percentages and I would hope again that the effort that is put in to get this far that you all would, quite frankly, go above and beyond the percentages that we have. But either Todd or Mr. Maxwell, if you all can just state what the local minority women-owned business requirement is for this project, that would be great. **Mr. LaSala** said the MBE/WBE/LBE

requirements are very similar to those that we have in other agreements of this scale. Local business participation at 18%, minority business expectations are 15%, WBE requirements are 4%, and for professional services LBE 18%, MBE 13%, and WBE 8%. There are also, I guess speaking of clawbacks, in the event that they don't use best efforts to meet those requirements, we have the ability to reduce the STAR Bonds and the CID proceeds by an amount equal to 1.5% for each of those metrics. So, when you talk about \$155M of STAR Bonds there, it's a significant penalty. **Commissioner Davis** said thank you and I bring this up just for the public to be aware that we are thinking about the safety net and just to make sure that the public is comfortable with what this project can bring. Again, I assume again, it's already pretty built out that none of these will be an issue, but again, just wanted to state that.

It's my understanding that for STAR Bonds to get through, it would take eight votes. I just want to make sure that I have that correct as well. **Mr. LaSala** said if you hold a public hearing a couple of weeks from now on the 24th, you'll be voting on a number of different things. When it comes to the development agreement itself, a simple majority would carry the day, but when it comes to the project plan, it really requires two-thirds of the governing body and we think that's eight affirmative votes and it's not two-thirds of those present, it's really eight from the governing body no matter who's present that night or not. **Commissioner Davis** said okay, that's very important.

Mr. LaSala said I'm sorry, the other—the third component, the CID also requires a simple majority. It's just the project plan that requires the super majority. **Commissioner Davis** said gotcha. So, kind of the STAR Bond project, eight votes. The CID, IRB would be just simple majority, okay. And then since the April 24th, that date is coming up and it would be considered a public hearing, so the public would be able to offer—or they would be able to submit public comments. I just want to make sure I have that correct as well. **Mr. LaSala** said that's correct. That is required by the statute. **Commissioner Davis** said I just wanted to make sure so that folks are aware. Those are all my questions. Again, for the American Royal, thank you all for coming and presenting, thank you interest in our community and for keeping all of this going even with COVID and everything. That has made this fairly challenging. I hope this is not the last time we see you all. I hope that we're able to collaborate on other projects, not just on the west side of our community, but throughout our community, particularly on the east side and the district I represent

in Midtown. We have over 4,000 Land Bank parcels that need some development, so I hope this is a success and we're able to think of some creative ways to put a lot of our vacant land to use.

Commissioner Stites said, Todd, if you can help me understand just a couple of things. The origination fee, I know when it first came through Standing Committee, if I'm not mistaken, it was near \$15M if I'm right. Little disappointed that we're backed up now to \$5M. What changed? **Mr. LaSala** said it was \$15M upfront and in exchange for the ability to structure that payment and stretch it over time, they doubled the amount that they're paying us. It went from 15 to 30, but 15 was paid all upfront. In this case 30 is 5 upfront, 25 structured over 19 years. **Commissioner Stites** said I wish we were looking at a larger upfront because what we're facing now—and here's why. I'm going to tell everybody out there why I'm asking for that is because I'm not anti-American Royal. I like the project, I like the Ag, the cattle, but you know whenever we've got our constituents out there that are complaining every day about high taxes and property taxes, and we've got a non-profit—I know you can't—they're not all looking at the ancillary thing that come along with it, but what they see is you're giving the American Royal who's paying \$164K right now a year in property tax, that's going away. They're saying, well, where's my break on my property taxes. I hear that every day. So, what I was hoping to see was a larger upfront where we could steer that money towards immediate tax relief in reduction of the STAR Bonds or I mean in the mill levy or debt relief, which we have been talking about a lot. If we can get our debt paid down, then that frees up money on the other side so that we could not be so reliant on property tax.

With that being said, and it may be Shelley that might have to answer this, so the \$5M upfront origination fee is—a portion of that and the \$1.3M if it was paid out during the normal process of the TIF being paid off would go to the county side of the ledger, right?

Shelly Kneuvean, Chief Financial Officer, said the amount that would be captured by the American Royal would actually be split between the county and the city if it was not captured. **Commissioner Stites** said right. So, the county would be receiving some money. The way it's saying right now that it comes into the city side, right? **Ms. Kneuvean** said with the agreement, I—**Mr. LaSala** said no. What it really says is that the Unified Government collects that money and we may have talked about this before. We've set up a structure here where there's going to be a subcommittee that's going to talk about what to do with that \$5M and each of these annual payments and then come back before the Commission as a recommending body, what you choose

to do with that money. So, ultimately I think you all will get to decide. It comes into the Unified Government, but ultimately a subcommittee is going to make recommendations and then the full commission gets to decide how that money gets used.

Commissioner Stites said right, so a commissioner today, Chuck Stites, who's fighting for the county side of the budget, a next commissioner that's sitting in this seat who doesn't really care about the county side because they might be focused just on the city aspect of things, the county is going to miss out when they were told 17 years ago when this TIF was originated, hey, just hold off on receiving those funds, when it pays off, you'll start getting that money. Now there's no mechanism in here that says the county side of our ledger, which David and Shelley in our last budget meeting that we had, we talked about how the county side of our budget is the one that's struggling the most. Not our city side, our county side and now they're cut out of this process. I'm not sure why we wouldn't say that—I guess if David has any way of answering it, I mean I'd just like to hear it. I don't understand it is what I'm trying to get at. You don't have to answer right now. I'll ask this other question.

The \$375M to 450—**Mr. LaSala** said Dr. Kneuvean's asking could we amend the agreement to specify where that money goes. Of course, we could. Certainly we could. The design right now, for what it's worth, is that the money comes into the Unified Government and it's intended to be nimble about whatever your needs are at that time. So, yeah, you're going to get \$5M upfront and your needs at that moment, you can talk about, but are the county's needs going to be the same 10 years from now when a payment comes in. I don't know the answer to that, but the document is designed to be nimble about having commissioners from ED&F, commissioners from Public Works, and commissioners sitting around deciding on what recommendations to make and then coming back to this governing body, whatever it looks like 10 years from now and you can decide at that time where the money should go.

Yes, Shelley, the answer is we could hardwire it now if that was the will of the commissioners. I personally was of the impression that the commissioners wanted us to be nimble about it. **Commissioner Stites** said and maybe the majority do. I don't know. **Mr. LaSala** said yeah, I don't either.

Commissioner Stites said the other thing I wanted to ask about, the 375 to the 450, if the festival grounds comes to fruition, will there be another ask for more STAR Bond dollars? **Mr. LaSala** said that is not planned in the document, it is not contemplated. Can I prevent them

from ever coming back to ask for more, no, but it is not scaled. It is not provided for in the document. Neither the state nor the UG is pledging that if they take this extra step and they do the festival grounds, have we promised them any STAR Bonds, no. Have we promised any more CID, no. All of that is not contemplated by either the UG or the state.

Commissioner Ramirez said I just want to say thank you, Mr. LaSala. You have been at the forefront, you have been leading this battle with trying to get this development agreement and everything put together, so I want to thank you for your hard work and dedication. You know you have 11 people on this dais. You're trying to make sure you bring a project that can get enough support, so I thank you for all the hard work and sticking with it and not throwing your hands up and giving up. **Mr. LaSala** said you're welcome and thank you for saying so, Commissioner.

Commissioner Kane said where would we be without STAR Bonds. They started in 1997. There was nothing out west. When we moved out to Piper in 1990, I think there were 700 kids in the entire school system. I have a granddaughter in the sixth grade, there's eight classes of sixth graders. STAR Bonds works and I'm the only commissioner here when the Plaza at the Speedway went by and I had a hard time understanding STAR Bonds at that time. This was in my district and I think it was Commissioner Miller had to take me and beat me upside the head to understand this is a good thing. Like many of the others, I was paranoid and not sure that was going to work and yet it paid itself off early. That's something to think about and you got to remember, STAR Bonds may not be forever. You never know when the legislature is going to say, no, we're done with it. So, it's a tool, it's a good tool, it's worked and I think it will continue to work.

I also want to piggyback that that's local labor, union contractors and Wyandotte County was built by union, local contractors. You see a lot of outside contractors come in here and bring the people from out of state to perform the work here and that's not happening. These are other things that we have to think about. Those people live here, they spend their money, they don't come in here, build it, and run away. These are things that we have to think about and this helps us all the way around. Like I said, STAR Bonds could go away. It's a great tool and I think this horse is completely dead.

Mr. Johnston said I guess I want to add a few words here at the end. First of all, I want to thank the leadership of the Royal for accepting Commissioner Burroughs invitation to speak to us tonight. I think your words of the project added a lot of color. I think in our negotiations we focused on the numbers. You gave us the color about the project that talked about the potential impact to the community as a whole which was missing in our negotiations, but we were talking about the numbers, but you gave us a complete picture of what it could offer our community. And one of the things I think I appreciated was hearing about the role of the Royal particularly in economic development, particularly how agriculture can become an economic development niche. We are missing in Wyandotte County economic development niches and I think you're going to be—this project could really help Ms. Chism in providing economic development marketing to bring the investors to our community, to provide jobs and investment in a more easier fashion than it is today because of what you bring to this community. Therefore, we will be sucking on your network. So, if this becomes reality, she'll be at your door knocking and be looking at your network to make agriculture a major economic development niche because of what you said.

I think we also want to let you know that what came out of our negotiations was a stronger working relationship between the UG and your adjacent property owners. You talked about the Perry family, and there are two families in the Perry family, of those owners. We had frank discussions with them. One was further along in the development world than the other one and we talked about master planning and the role of that. If you're in a STAR Bond District, which both of them are, you're expected to develop commercially and contribute to the STAR Bond world and have sales tax generating to—revenue generating to pay off these STAR Bonds. You're not only to rely on the Plaza at the Speedway. And those frank discussions finally woke up one of those developers and we now have them, that person, working on master planning, that person's property to contribute to STAR Bond development for commercial development to contribute sales tax revenue to the STAR Bond District.

So, our expectation with those two families understanding the importance of moving toward development faster than I think they expected and develop commercially and to participate in the visioning that you articulated that the Royal will serve as a catalyst for. I'm expecting a STAR Bond District to pay off faster than 15 years because we have that expectation to be a true partner with you on this. So, thank you for articulating the potential of your project serving as a catalyst and pushing those folks in their participation.

I worked in five other states and I think you need to understand Kansas does not have many economic development tools to offer investors. Kansas has STAR Bonds and that's about it. Other states have many other tools, so as long as we have STAR Bonds, we need to embrace them and like Commissioner Kane said, every year it's under a microscope within the Kansas Legislature. So, as long as we have them, we need to embrace them and use them to get good projects in our communities throughout our great Sunflower state to create good jobs, good investment to keep our state viable economically because if we don't have these tools and use them, other states will grow faster and be more attractive to investment than we will ever be. So, as long as we have a tool, we need to embrace it and use it, and so as long as we have this one tool, and I'm telling you, Kansas has one tool. I've worked in other states where I've had five or six other tools and we don't have many tools, so we use what we've got. We're lucky to have this one and we've used them successfully in this county.

Whatever your opinion is, we've got the wonderful amenities that it created and we need to appreciate what it did have. We would not have the racetrack, we would not have Children's Mercy, we would not have Nebraska Furniture Mart. We would not have those things in our backyard that we've taken for granted because it's always been here. It would not be here. So, we need to embrace whatever the legislature gives us and this is the only thing we have before us these days. We'll use what we got to the best of our ability to create the investment environment that we can create and that's what we're trying to do with this project, we're trying to do with other projects around our area and we'll try to negotiate the best deal that we can for our taxpayers. That's our job and, therefore, we hope that we bring for this Commission and future Commissions considerations, the best deals that we can bring to them.

So, again, thank you for your patience since 2016, I think and wait a few more weeks, come back and see what happens. We thank you for your time and your presentation. Thank you American Royal for your time tonight.

Mayor Garner said thank you all for the presentation. I want to say thank you to Commissioner Burroughs. This has been in his Standing Committee and he did want to bring this to the full commission so we could have this presentation and further information could be brought out not just for the Commission, but for the public to see in this audience, so I do appreciate that. I also appreciate the work that's been done. I know a lot of work's been put over time into this effort, a

lot of questions have been answered for me. I just have a few more and this is just not so much for me, but just a little clarity for those that may be watching in the community.

When you add up how much the Unified Government will be getting every year for 20 years, what does that equate to financially, the total amount every year that will actually be going to the Unified Government as a result of this project? **Ms. Chism** said with the origination fee, the \$25M in annual payments, and contributions from Plaza at the Speedway in addition to the property taxes and the sales taxes, the total over 20 years is approximately \$61M. **Mayor Garner** said so, what would that breakdown to about a year give or take. I mean, if I was a resident, what could I expect from this project on an annual basis, revenues coming to the Unified Government that can go into our General Fund? **Ms. Chism** said approximately \$3M. **Mayor Garner** said okay, so about \$3M a year is basically what we can expect. **Ms. Chism** said correct.

Commissioner Lopez said just a quick question. Let's just say STAR Bonds never existed, that wasn't a tool here today. There wasn't that kind of a tool. Where would we be at as far as this project? **Mr. LaSala** said I don't think this project would be here at all. I like, some of the commissioners up there, have been around since the beginning of STAR Bonds and like the Speedway, like Village West, like Sporting Park, none of those things would be here. This project wouldn't be here. **Commissioner Lopez** said well, let me back up. STAR Bonds went away last year or three years ago with what we have now, what would be our payments other than their property tax and their sales tax revenue and whatever else they bring in. **Mr. LaSala** said you're saying what if they came anyway and there were no incentives. **Commissioner Lopez** said yeah, that's what I'm asking. **Mr. LaSala** said I honestly don't know. I do think that Mr. Maxwell's presentation talked about what happens if you don't do the project. Well, I honestly don't know. **Commissioner Lopez** said okay, let me kind of rephrase it. Twenty years from now paid off or even 15 years from now paid off, what are they paying now? That's what I'm trying to get at. **Mr. LaSala** said we did in some of our modeling, Commissioner, we did figure out what happens if it pays off early and maybe this is what you're after, forgive me if it is, in the later years as the retail at Plaza at the Speedway increases, if we pay off in year say 15, we think in year 16 we get an additional \$3M from Plaza at the Speedway every year after that.

We also ran scenarios where the revenue stream was higher and let's say our bonds pay off in year 10, for example, and perhaps this is exactly what you're getting at, if the Plaza at the

Speedway wasn't pledged, what would be projected to be available in year 11 if the revenues were higher, it would be \$2.8M. Now, that's based on an assumption that Plaza at the Speedway is performing better than what's in the projections, but in those scenarios, we get \$55M of gross revenue from Plaza at the Speedway. In that scenario specifically on a net present value basis, we're ahead. We make more than if you hadn't pledged it at all.

Commissioner Lopez said right, and now I'm asking myself too, we let them—we hand over this TIF, but then who's to say 15 years, 20 years from now, somebody else comes in and they want to hijack it for another 20 years and so forth. **Mr. LaSala** said, Commissioner, it would be tough to do and here's why. The legislation for STAR Bonds does not allow you to ever do a STAR Bond District on ground that's previously been in a STAR Bond District, so you can't do it twice. The statute says you cannot do STAR Bonds twice in the same place. It didn't use to say that. An amendment a few years ago did that, so this ground that's in this STAR Bond District once these bonds are paid off, it's never going to be in another STAR Bond District according to the law. Frankly, if you start looking at other tools once this thing pays off, it's pretty limited. Could you look at another CID down the road, maybe if you had a new project cost, maybe. Could you TIF it once it was already built out like this, probably not because you will have—would you make—the eligibility would be the issue. Could you somehow figure that it's blighted or conservation area, I don't really know, but it seems unlikely given the amount of money you're going to spend to improve this thing.

So, am I worried that we're going to have a constant stream of incentives there, not really. I'm not worried about that.

Commissioner Bynum said, Mr. Maxwell, were you going to make a point to that? **Mr. Maxwell** said if I could, Commissioner, I was going to add one more thing to it. If we all remember the very core and nut of STAR Bonds is yes, you do have the local sales taxes that are going in, but the majority partner in a STAR Bond is the 6.5% of the state. And if STAR Bonds didn't exist in any form or fashion, we know exactly what would happen. Well, one, this project won't be able to go forward. But even more importantly than that, the 6.5% that would get and stay here of the state's dollars that have reinvested in Wyandotte County again and again and again that has built everything we've seen out there, it's going to go to Topeka and I'll let this body say when it goes to Topeka, how much of it comes back to Wyandotte County. Not very much, right.

Commissioner Burroughs spent a lot of years up there representing on issues like that and many of you have gone and testified in Topeka and otherwise.

What STAR Bonds allow to have happen is by the approval of this body and the signature from the Secretary of Commerce, all of these local taxes that are generated local, stay local, and that's the magic of this. It's not just the American Royal and the activity we're bringing, it's that all of these dollars continue to get reinvested in Wyandotte County as it has for 20 years and, hopefully, it continues for 20 years forward because all of that is what is growing this capacity of this community. Not just the great people, not just the labor, not just all of that, that we take as a given, but this state investment tool is critical. So, I just felt I had to put that component in because that is the true key of all of this, is we're using the state's investment in how great they think this project is to transform Wyandotte County as well. Sorry, I was just to take a second.

Commissioner Bynum said no, thank you very much. I just thought—first of all, I'll thank Commissioner Kane for reminding us of, you know, before and then after the STAR Bond tool and the arrival of the Kansas Speedway and I'll remind us that with that development everything out there except the Speedway pays full property taxes. Our community has had an incredibly difficult time ever completely understanding that everything out there pays full property tax and it made it seem important to me as we close in on this topic that what we haven't calculated in the revenues that would come are those property taxes that would be paid by the additional new development that would come all around the American Royal area in the STAR Bond District. We haven't even counted those because we don't know what they are, but we know that when the Perry family properties are built out, those are full property tax paying projects, whatever they are. I just think it's really important that we not lose sight of that as well. We know it's revenue, we just don't know how much it is yet.

Commissioner Stites said I guess up to that, and I wasn't going to say anything else because I was finished, but remember that the casino, which was paying full property tax also fought their taxes and won and had them reduced.

Mayor Garner said okay, definitive questions, \$3M a year. You mentioned also 20 years to pay off or less depending on how successful the project is. **Mr. LaSala** said 20 years for STAR Bonds, 22 for the CID. **Mayor Garner** said that's right. After that, what can the public and this Unified

Government expect as far as revenues from the American Royal, it's sales, property tax, or anything else beyond the 20, 22 years, what would the contribution be to the Unified Government? **Mr. LaSala** said the sales taxes from Plaza at the Speedway are expected to be over \$4M a year at that point and all of that should flow back to the Unified Government on top of the \$1.6B base. So, Plaza at the Speedway alone, not sure if I have the Royal numbers in front of me, but the Plaza at the Speedway alone is worth about \$5M of sales tax proceeds that come back to the Unified Government once the bonds are paid off. **Mayor Garner** said I'm talking just the American Royal, not Plaza at the Speedway. What would the Royal itself proper, standalone, after all things considered, everything's paid off, what would the financial contribution be to the Unified Government and our taxpayers. What could we expect as a benefit for having that facility at that location financially? **Mr. LaSala** said give me just a second, Mayor. I think I can do that. Based on these projections from phase one alone—the net proceeds from the Royal alone by the time the bonds paid off, are paid off, are expected to be in the low \$6M range appears to me from the projections. So, \$6.2M I think in one of the final years and if the festival grounds were to happen and those bonds paid off, that's about another \$2M of sales taxes that would be available. The festival grounds may or may not happen, but if it does, you're talking about, I think, over \$8M of sales taxes that come back annually. **Mayor Garner** said that's sales, what about property taxes? **Mr. LaSala** said, again, property taxes are harder to tell. The expectation is they're going to try and be property tax exempt forever when it comes to the core American Royal. Festival grounds would be something different. I'm sorry, Mayor. I don't think I know that number. We could work on that. We could get with the Appraiser. It's a pretty general concept at the moment, but we could try and come up with a number. That'll be a pretty wild guess. **Mayor Garner** said I get that. We're projecting 20 something—**Mr. LaSala** said yeah, but I will tell you if you'd like us to work on that and come to the public meeting a couple weeks from now and give you a projection about that, we could.

Mayor Garner said I guess I just want a simple question. I think the American Royal was trying to—somebody indicated that they were a non-for-profit status. **Mr. LaSala** said that's right, 501(c)3 and, again, the expectation is that the core American Royal itself is going to be within their 501(c)3 mission and their expectation is that they will go to BOTA and be declared tax-exempt. That's what they think. **Mayor Garner** said okay, so to be conservative, we can expect sales tax, but there's a question as to property tax. **Mr. LaSala** said that's right. I think

for our purposes, we've sort of assumed that number could well be zero. **Mayor Garner** said okay, that's what I was looking for, but we're looking up potentially between \$6M to \$8M just what we're thinking of today. You know, again, we're projecting 22 years out possibly of revenues that could come the Unified Government from sales. **Mr. LaSala** said that's what I see in these projections. That's right, Mayor. **Mayor Garner** said and that's pretty much standalone. Okay, that answers that question.

The next question I have is, this kind of hits on something that was brought up and I know a lot of residents here, you know, Wyandotte County is a tight-knit community, we're very diverse, we have a lot of festivals, we have a lot of activities that go on throughout our neighborhoods and this is the one thing that I haven't heard that I've heard some of the developers talk about when they come before this body, what level of expectation as far as commitment to supporting local events, schools, parks, tourism, festivals, educational events to show that the American Royal is a good partner with Wyandotte County and supporting local events and things of that nature that we know are ongoing in Wyandotte County. Has that been thought out and what can the community expect as an added benefit of having the American Royal there and the American Royal really going in a way to show that they are a good neighbor here in Wyandotte County.

Jackie McClaskey, President/CEO of the American Royal, said I think pretty much everyone in this room, both those behind me and those I see know that I've been quiet for 2 hours and 15 minutes might be a record, so I appreciate the opportunity to address this question. I've actually had really good conversations with a number of people over the last couple of days talking about once we get this development agreement done, once we're going to move forward, what do some of those partnerships look like. So, let me give you a few examples of those conversations.

One, we believe there are community activities that we can engage in that already exist whether that's us being an active member of the Wyandotte County Economic Development Council, becoming a member of the KCK Chamber, getting more engaged in Visit KCK, which we already have a member of our board on the Visit KCK Board, as I think you know, and I think you know, Jara. But in addition to that, it's really about how we engage in those events.

We've had ongoing conversations with Piper School District and we're very excited that they are going to be the first school district in Wyandotte County that has an FFA Chapter and we

believe that there are certain things that we can do with that Agricultural Education Program that can help that program grow quickly and help attract students to that program. We'd actually like to see how we can be an asset in building that program in such a way that we can create FFA Chapters and Agricultural Education Programs at the other school districts in Wyandotte County.

We believe there are opportunities for events that could be community events, but the American Royal is a key partner. One of my colleagues and I just came back from Rodeo Austin. They have a breakfast that engages the community that has 6,000 people show up at 6:00 in the morning and when I think about that community, there's a lot of similarities to what we can do here. So, when it really comes down to being a partner, that is what we want to be whether it's with the schools, whether it's with the civic organizations, whether it's with the existing groups, and certainly with the Unified Government.

I believe there's a lot of great opportunities there, not the least of which is what Lindsey brought up in her comments about how we can really engage with students and not just bringing students to our site, but what we're doing on the school sites. I know when I bring that up too, I know there are some comments and I know this is something that Commissioner Davis has asked about. When we think about programming we can do on the eastern side of the county, we think there are programs we can take to people as well related to consumer connections and food and careers and talent and all of those kinds of things. So, that gives you a little bit of the breadth that we have and some of the thoughts that we have about what that might be liked.

Mayor Garner said that's a good first step and thank you for that. I'm sure we got a lot of staff and a lot of community groups, if you don't know about Livable Neighborhoods, our Neighborhood Business Revitalization groups, there's eight of them, I just encourage you all to get to know them. They are really embedded and anchored in our neighborhoods and Wyandotte County has a lot of great folks in our neighborhoods doing great things.

My message is I'd like to really promote to the community that the American Royal, if this is approved by the Commission, is going to not just be a facility in Wyandotte County, but is going to be a part of the fabric of what makes Wyandotte County such a great place to live, work and raise a family. I would really like to promote that for as long as I'm Mayor, so thank you for that information.

Talking to Commissioner Burroughs, he has released it from his Standing Committee which is good news. It's not going back to a Standing Committee. That was a question that

Commissioner Ramirez raised. That means it's in my lap. I've directed the Administrator to move forward, put it on the next commission meeting with everything that needs to be there, so there will be public comment on April 24th as well as an action item for this Commission to move forward and take a vote. Again, I heard the term don't beat a dead horse. There's enough information here hopefully for this Commission to saddle up and make a decision on what we're going to do.

Thank you again for your time. The information was valuable and I'm anxious to see you all here in a couple of weeks. I believe this was information only. There's no further business to conduct here.

Action: **Commissioner Kane made a motion, seconded by Commissioner Burns, to adjourn.** Roll call was taken and there were nine "Ayes," Lopez, Stites, Davis, Bynum, Burroughs, Burns, Ramirez, Hill, Kane.

MAYOR GARNER ADJOURNED

THE MEETING AT 7:19 p.m.

Monica L. Sparks
Unified Government Clerk

dt

April 10, 2025

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

SPECIAL MEETING, WEDNESDAY, APRIL 16, 2025

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Meeting, Wednesday, April 16, 2025, with seven members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Burns, Commissioner Second District; Hill, Commissioner Fourth District; Lopez, Commissioner Sixth District; Stites, Commissioner Seventh District (left meeting at 5:59 p.m.); and Garner, Mayor/CEO presiding. Townsend, Commissioner First District; Ramirez, Commissioner Third District; Kane, Commissioner Fifth District; and Davis, Commissioner Eighth District; were absent. The following officials were also in attendance: David Johnston, County Administrator; Alan Howze and Bridgette Cobbins, Assistant County Administrators; Wendy Green, Deputy Chief Counsel; Shelley Kneuvean, Chief Financial Officer; Debbie Jonscher, Deputy Chief Financial Officer; Reginald Lindsey, Budget Director; Michael Peterson, Assistant Budget Director; Rodney Lucas, Interim Assistant County Administrator; Angel Ferrara, Director of Parks & Recreation; Terrie Garrison, Interim Director of the Health Department; Chris Cooley, GIS Director; and Monica L. Sparks, Unified Government Clerk.

Mayor Garner said before I call the meeting to order I want to announce that we have individuals attending remotely as well as on-site. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, please make sure you announce yourself by name and title every time you speak so the public that is participating knows who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General Office. Please be sure to speak directly into the microphone to ensure your comments are heard and an accurate record can be made of this meeting.

Mayor Garner called the meeting to order.

NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, is scheduled to be conducted in a hybrid format on Wednesday, April 16, 2025, at 5:00 p.m. for presentations regarding a historical financial review from Finance and a County

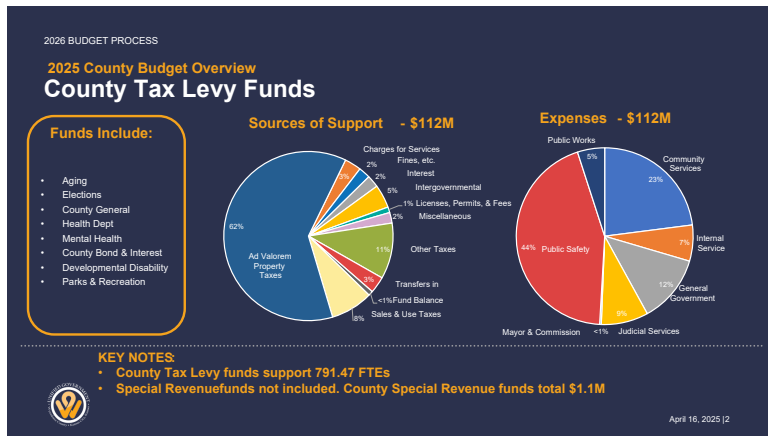
Mandate Review from Budget in the fifth floor conference room of the Municipal Office Building. Roll call was taken and there were seven “Ayes,” Lopez, Stites, Bynum, Burroughs, Burns, Hill, Garner.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Garner said tonight is another scheduled Special Meeting dealing with our budget as we move through this process for the 2026 Budget and I believe tonight a brief presentation on background as well when you talk about our budgetary fiscal health. I’ll turn the meeting over now to our County Administrator, David Johnston, and he will take the meeting from here.

David Johnston, County Administrator, said as we continue our series on the budget our Budget team lead by Reginald Lindsey is going to be focusing on our county departments today.

Reginald Lindsey, Budget Director, said I also have Michael Peterson, Assistant Budget Director; and Dr. Shelley Kneuvean, CFO; and Debbie Jonscher, Deputy CFO. Last budget season we took a deep dive into our budget. This budget season we’re going to continue to dive deep into our budget. One of the questions I think the elected body has had for staff is to look into mandates, so tonight what we’re going to do is look into the county side mandates. One of the things about being able to look into these mandates is a lot of times you look at one department and see you have a \$10M budget, but what we’re about to do tonight is look down into the programs and services that these departments have and kind of dig deeper into just how much their budget is. What this will do is provide a viable insight to kind of let us know where we can start to make some changes to department budgets.



The County Tax Levy Fund in total is \$112M. We have \$112M of revenues coming in in our County Tax Levy Funds. We also have expenses going out of the \$112M. There are eight funds. They include Aging, Elections, County General Fund, Health Department, Mental Health, County Bond & Interest, Development Disability and also our Consolidated Parks & Recreation Fund. The County Tax Levy Funds support almost 800 FTEs. To kind of give you an idea, the Unified Government in total has 2,373 FTEs. The city side has about 1,500 FTEs, so we have about 34% of our FTEs on the county side.

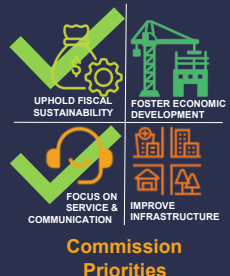


How we're going to review the departments tonight are based on the functional area and then we're going to look at Public Safety, Judicial Services Functional Area, Community Services Functional Area, Infrastructure Functional Area, and Shared Services Functional Area. Also, just a little tidbit is this also is the same way that departments are represented in our budget documents.

2026 BUDGET PROCESS

Explainer on Check Marks

- Every department received a check for fiscal sustainability and communication because these are organization - wide tenants that every department must attend to
- Departments received a check for economic development and/or improve infrastructure if they scored a 2 or higher on a scale of 0-4 for these strategic goals



Commission Priorities

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As were going through the departments tonight, we'll see that our four goals that the Commission set out last year for us to build our budget on Uphold Fiscal Sustainability, Foster Economic Development, Focus on Service & Communication, and Improve Infrastructure will be on each departments page. It will have a check based on if they qualify for those four.

2026 BUDGET

A Path Forward to Financial Sustainability

- Adopt balanced budgets every year for the City and County General Funds
- Contain expenses based on available funding focused on required services and other needs such as property tax and PILOT relief
- Reduce Debt
 - Work to pace capital improvements program within available funding by implementing debt strategy
 - Only use debt for large capital projects with a life of more than 20 years based on available funding
 - Identify funding to increase cash funded capital projects

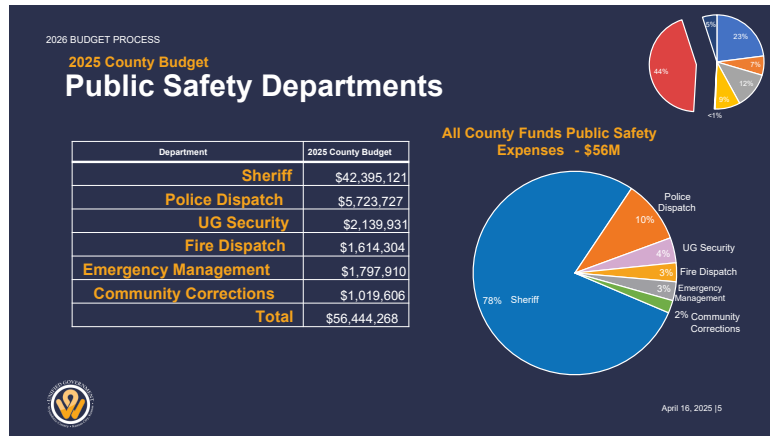


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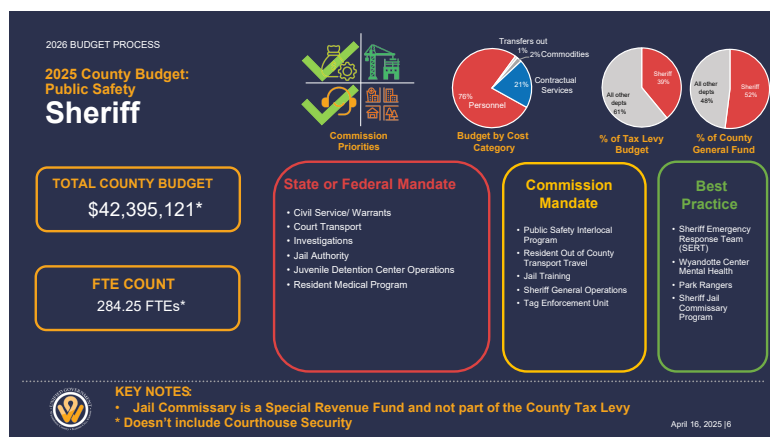
Each department is going to have a check for Uphold Fiscal Sustainability and then also Focus on Service and Communication because we believe every department should concentrate on those and ranks high in those with Foster Economic Development and Improved Infrastructure. Not everyone will receive a check for that. This information was pulled from our priority based

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budgeting database and so if they scored a two or higher, that department will get a check based on that.



The first set of functional departments we're going to go through is Public Safety. There are seven departments there. Again, there's \$112M for the tax for the—County General or the County Levy Funds. This particular group of departments makes up 44% of that pie at about \$56M. The largest department there is the Sheriff at \$42M and then we have Police Dispatch, UG Security, Fire Dispatch, Emergency Management, and Community Corrections. We can see the Sheriff is 78% of that, Police Dispatch is 10%, and the next largest one would be UG Security.

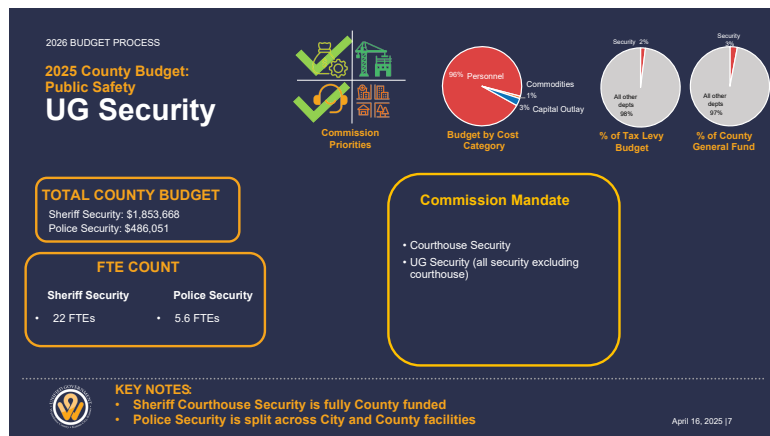


Diving into the Sheriff's Department, we can see that the Sheriff's Department does have two checks for Customer Service and also Upholding Fiscal Sustainability. We can see that 76% of the Sheriff's budget is made up of personnel. That's about \$32M. They also have 284 FTEs with a total budget of \$42M. Most of their funding comes from the County General Fund.

On the slide, the pie chart to the right shows the County General Fund. It shows the portion of the County General Fund that funds the Sheriff, so we see that is 52%. Then we have the blocks in red, yellow, and green. The red is state and federal mandates. We can see there's Civil Service/Warrants, Court Transport, Investigations, Jail Authority, Juvenile Detention Center, and then our Operations and Residential Medical Programs that the Sheriff does have mandated at a state or level federal.

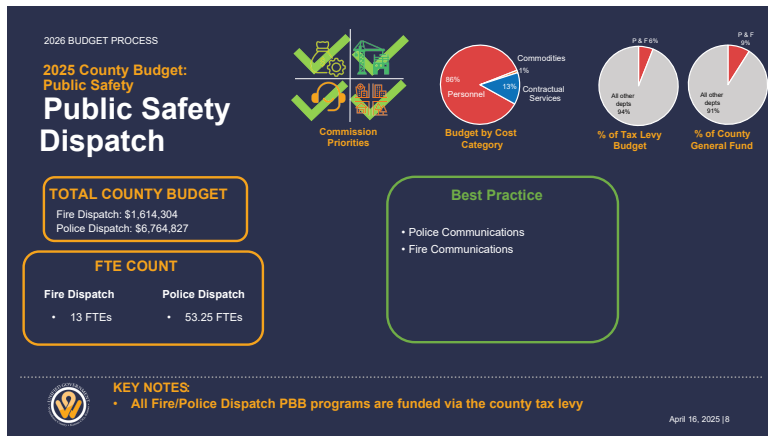
Then there are Commission mandates that are local mandates that the Unified Government came up with at some point in time. Those are Public Safety Interlocal Programs, Resident Out of County Transport Travel, Jail Training, Sheriff General Operations and Tag Enforcement and then there is best practices.

The Sheriff also does receive funding outside the County General Fund from a Jail Commissary Fund, which is a Special Revenue Fund within the Sheriff's Office.

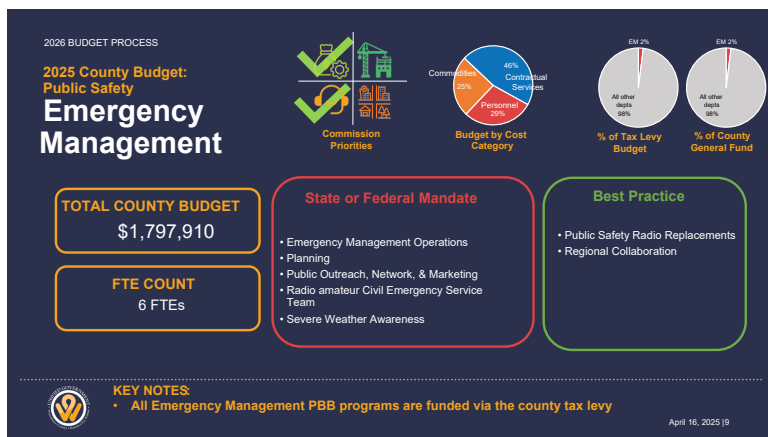


Next we have UG Security. UG Security is a combination between Sheriff Security and also Police Security. We see Sheriff Security is about \$1.8M and Police Security on the county side is \$486K. We see FTE count on the Sheriff side is 22 FTEs and Police Security is 5.6 FTEs. We can see this is about 3% of the County General Fund expenses and then just kind of gives you a glimpse of the County General Fund itself is like a \$84M budget. This is a Commission mandate, a mandate that we did put on ourselves to have courthouse security and then UG security.

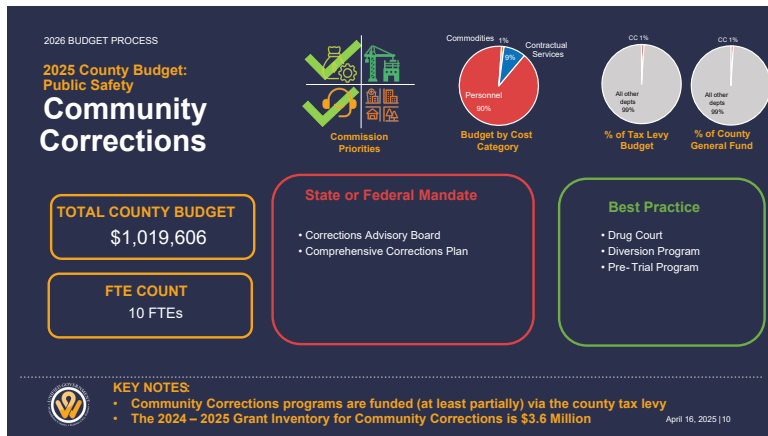
Some of our elected officials that have departments, they do have to get out of here early, so I don't know if you might have some questions for Sheriff Soptic based on the slides that we just went through for him.



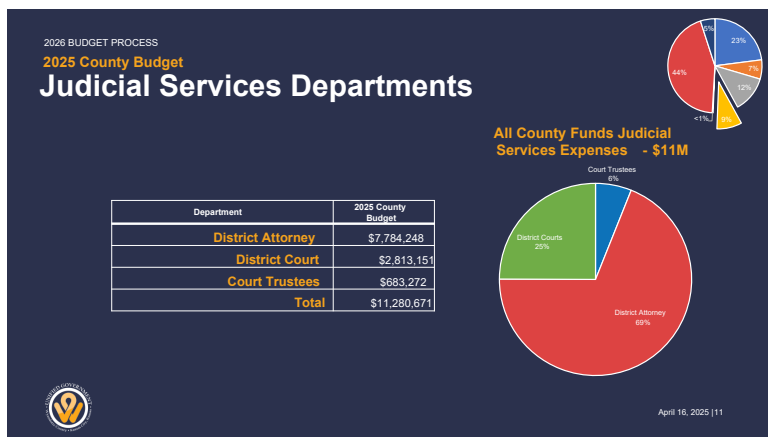
The next set of departments we're looking at are Public Safety Dispatch. Public Safety Dispatch is made up of two departments. You have Fire Dispatch and you also have Police Dispatch. Fire Dispatch has 13 FTEs and Police Dispatch has 53 FTEs. This is—best practice is not mandated. We can see that the costs are 86%--86% of their costs are personnel and it is a department that received checks for all four of our goals.



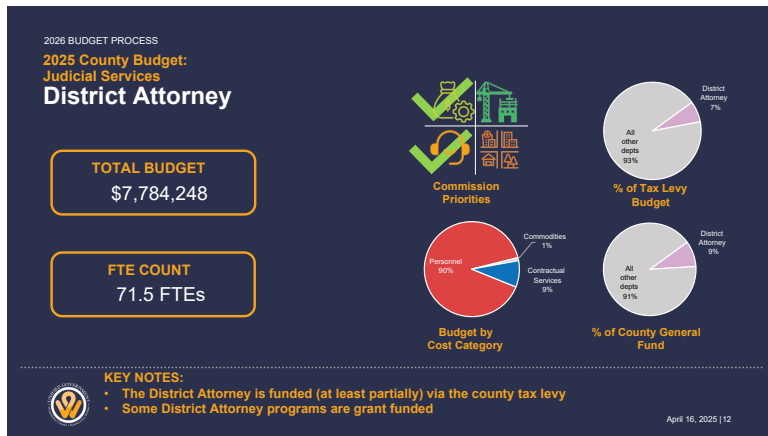
The next department is Emergency Management. It has a total budget of almost \$1.8M and has a total FTE of six. Also, Commission priorities, it does rank on two of them. Also, we can see personnel is 29% of their budget and contractual service is 46% of that budget. It does make up 2% of the \$84M County General Fund. We see most of the programs or services that it does offer are state or federal mandate with two being best practice.



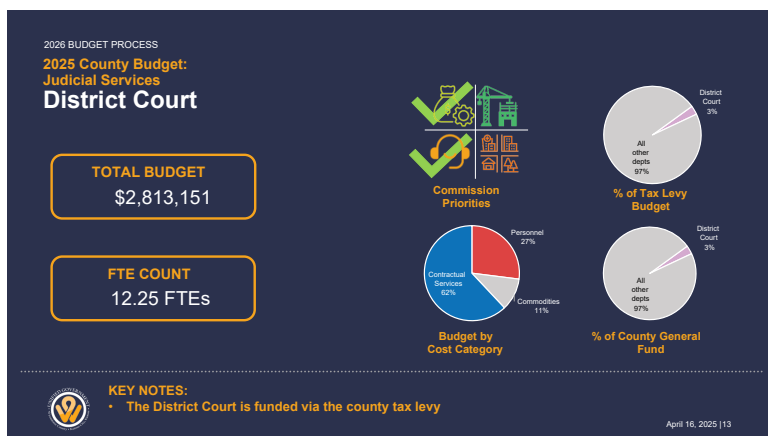
The next department we're looking at is Community Corrections. It's about \$1.8M and has 10 FTEs. Most of their funding does come from grants that come through the state and they do make up about 1% of the County General Fund, which again, is a \$84M budget. Some of the things that they have to do are Correction Advisory Board and Comprehensive Correction Plan. They do have best practices of Drug Court, Diversion Program, and Pre-Trial Programs.



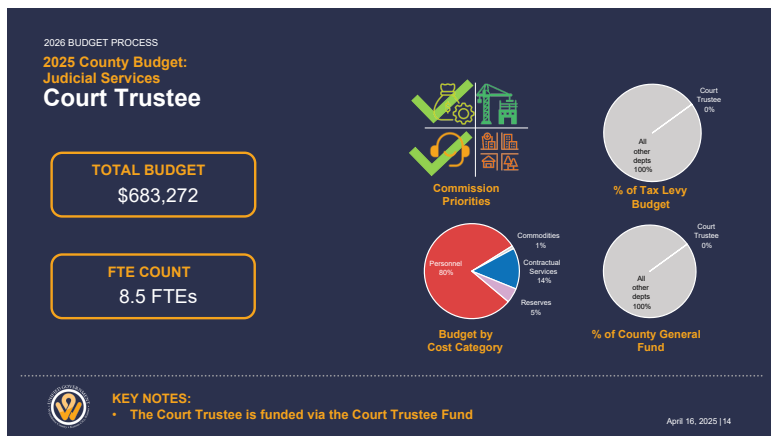
The next set of departments are our Judicial Services Departments. A lot of this information that we have as far as mandates and best practices were pulled together in our priority based budgeting software. These departments here we don't have any information on in our priority based budgeting software, so you won't see mandates for these departments. We can see there's a total of \$11M for these departments. The District Attorney, there's \$7.8M, District Court is about \$2.8M and Court Trustee is \$683K.



Looking at the District Attorney, again, it's budget is about a \$7.8M budget. They have almost 72 FTEs and their total budget as part of the County General Fund is 9% of it. Again, that's an \$84M budget.

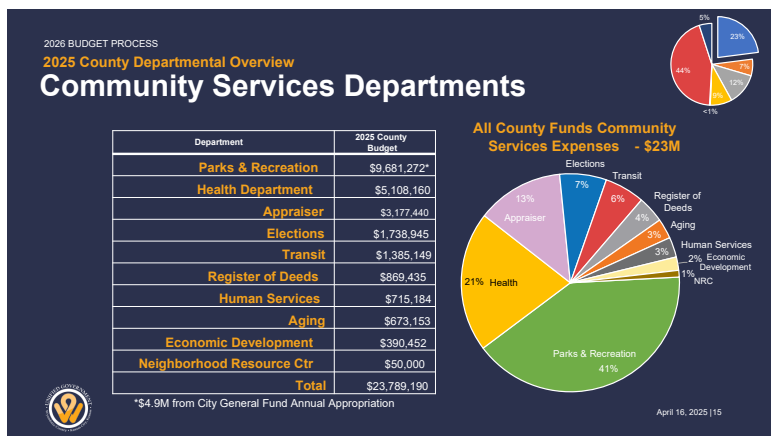


We have District Court with a \$2.8M budget and their FTEs are 12.25. We can see that they make up about 3% of the County General Fund and, again, the County General Fund is a \$84M budget.

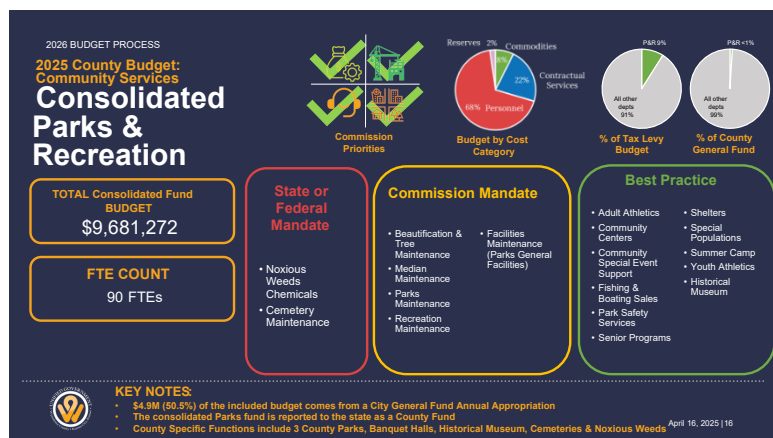


Court Trustee, which is part of the District Courts, has a \$683K budget and 8.5 FTEs. It is its own fund, is a Special Revenue Fund, the funds that it brings in or what they use to operate it. There's no money coming from like any of the Tax Levy Funds. It has its own funding.

That is a summary of Judicial Services budgets and I do know District Attorney Dupree does have to take off also. I don't know if there's any questions for him before he has to get out of here.



Our next set of functional departments are our Community Service Departments. Here we have 10 departments with the biggest one being Parks & Recreation at \$9.6M. Then we have the Health Department, Appraisers Office, Elections, Transit, Register of Deeds, Human Services, Aging, Economic Development, and Neighborhood Resource Center. Again, we see the biggest piece of the pie is Parks & Rec and then comes the Health Department and we also have the Appraiser there at 13%.



Drilling down into Consolidated Parks, they do have a total budget of \$9.6M. However, \$4.9M of this does come from the City General Fund in an appropriation of a transfer that we do each year. Parks & Rec does get all four checks for Uphold Fiscal Sustainability, Focus on Service and Communication, and Economic Development and then Improving Infrastructure. We can see as far as FTEs they have a total of 90 FTEs and it is 68% of personnel. Their cost for personnel is 68% of their total budget and they do not receive any funding from the County General Fund. It does have its own Tax Levy Fund that is on the county side. We see as far as state and federal mandates things that they have to do at that level for noxious weeds and chemicals and cemetery maintenance. Us, as a Unified Government, we do have some Commission mandates as far as beautification & tree maintenance, median maintenance, park maintenance, recreation maintenance, and facility maintenance.

Commissioner Burroughs said, Reggie, I'm really trying to follow you and the question I have and maybe you stated this at the beginning, you've got the state and federal mandates and Commission mandates. Best Practice, that comes from—was that AI generated or are these just programs that have gone into—I'm just looking—I'll use the Parks one, just one slide back, but I see all of these things that are best practice, those aren't necessarily things that we have chosen or are those programs that are presently in place. I'm trying to look at how I would review those if I saw them on a document and didn't have any knowledge about it. **Mr. Lindsey** said the best practices are programs that are within our budget and they are programs or services that, for instance, Parks & Rec does provide to the community, so we do have budget dollars attached to those. They just don't have any mandates on them at the local level or the state level saying that there is something that we have to do. **Commissioner Burroughs** said now, you said something

we have to do. That's by Commission mandate. **Mr. Lindsey** said the Commission mandate is definitely like local mandates that we have here at the Unified Government and the State and Federal Mandates are mandated at the state level or at the federal level.

Commissioner Burroughs said I'll just use an example if I may. Fishing and boating sales, I mean that's one of these best practices, what do we as a Commission and Parks & Rec know about boating sales. When I see that it raises—it's just one thing that raises a flag. Do we fund something for that or is that mandated through the Commission. Was that something set up decades ago with Parks. I'm just trying to understand because I see Senior Programs, but we also have an Aging budget. If I had to go in and look at Consolidated Parks & Rec, I'm going to look at state and federal mandate, Commission mandate. Best Practices is my subjective services. **Mr. Lindsey** said yes. I mean they are discretionary spending. I mean there's something that we don't have to do. **Commissioner Burroughs** said okay, thank you. That explains it, discretionary funding. I appreciate that. I just want to make sure I'm reading—because at first I found it a little confusing. I was trying to follow and then when I saw this one, it came to light.

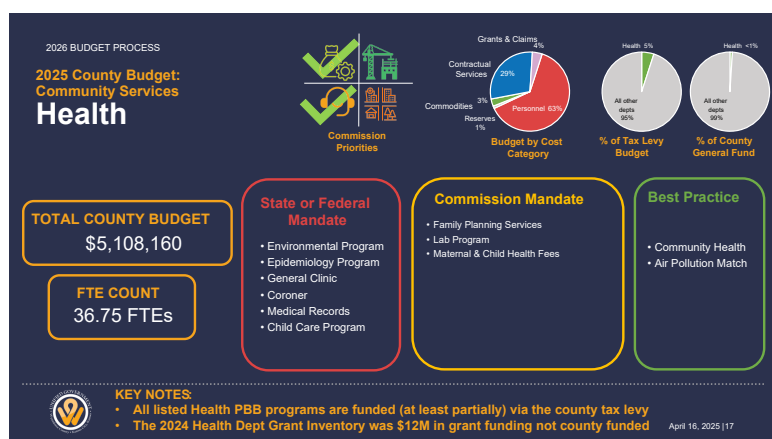
Commissioner Burns said, Reggie, I trust that some of the state mandates were passed when Burroughs was in the Legislature. Is that right? **Mr. Lindsey** said I can't say. I don't know which ones exactly that would have been passed when he was there, but there is that possibility. **Commissioner Burroughs** said if it's a state mandate and 26 years, there's a chance it did come before me. I know I didn't mandate the fishing and boat sales.

Michael Peterson, Deputy Budget Director, said I was just going to say I think the word sales probably was put there in error, so that's meant to be like fishing license activity, fish stocking, and the boating activity that happens at Wyandotte County Lake. I'm sure Parks & Rec could speak more to it if we want them to, but it's not sales of boats and fish.

Commissioner Lopez said when you're saying, you know, when people are buying their permits to boat on the lake and then the permits they're buying they're spending money for fishing permits and things like that, right? We're not spending money on boats. It's the money coming in, right? **Mr. Lindsey** said yeah, that would be yes and we do have Parks & Rec here to answer that question also.

Angel Ferrara, Director of Parks & Recreation, said that would be correct. It would be for the fishing and boating permits, not for the sale of boats. **Commissioner Burroughs** said please note, I'm not trying to pick just specifically on Parks. When I see best practices, but I do see some, as I stated, like Senior Programs, I know we have an Aging budget as to why we may be able to consolidate some services. I'm just looking at how this was presented as best practice when it's really discretionary funding, but some of this would go hand in hand with a Commission mandate or a state and federal mandate. It was just when I see certain things that stick out like summer camp, you know, I don't know what the costs of those programs are, how they got set up, who requested them, do we have enough children taking advantage of that. Those are some of the questions that some of us might want to drill down into and trust me, I'm not picking on Parks. It's just when best practices come up with all of these sidebars that just raises some questions.

Ms. Ferrara said while I'm up here I'll just put a plug in for our annual report. It's got a lot of good information and data on numbers and programs and all that good stuff. Make sure and take a look, it could answer some questions.



Mr. Lindsey said our next department that we're going to look at is the Health Department. They have a total budget of \$5.1M. They have a total FTEs of almost 37 people. This is its own separate Tax Levy Fund. It doesn't receive much money from the County General Fund at all. You see there are state and federal mandates for Environmental Programs, Epidemiology Program, General Clinic, Coroner, Medical Records, and Child Care Program. Then Commission mandates, which are mandates at the local level, Family Planning Services, Lab Program, and Maternal & Child Health fees. Under best practices we have Community Health and Air Pollution Match Program.

Also, they do get a substantial amount of funding through grants that they have and that's about \$12M.

Commissioner Lopez said on the Health, like our County Coroner, where they're at over off Merriam Lane, I knew that building, but I didn't know what it was, now I know. I was told too that seven other counties use that coroner that we use. What are we funding them versus other counties? **Mr. Lindsey** said what do we do as far as—**Commissioner Lopez** said we're funding the County Coroner, but seven other counties or six other counties, so I think—or seven counties altogether including us is using him, funding him too. What I'm trying to ask is are we funding him—**Mr. Lindsey** said they also do pay. **Commissioner Lopez** said so we're not paying the other counties—**Mr. Lindsey** said the other six counties, we're not funding the other six counties. **Commissioner Lopez** said so we all split the money then within seven. **Mr. Lindsey** said yeah, it's based on the services that are provided, so there is a fee that's paid to the actual coroner, but it's also based on how much activity there is also. **Commissioner Lopez** said I got you.

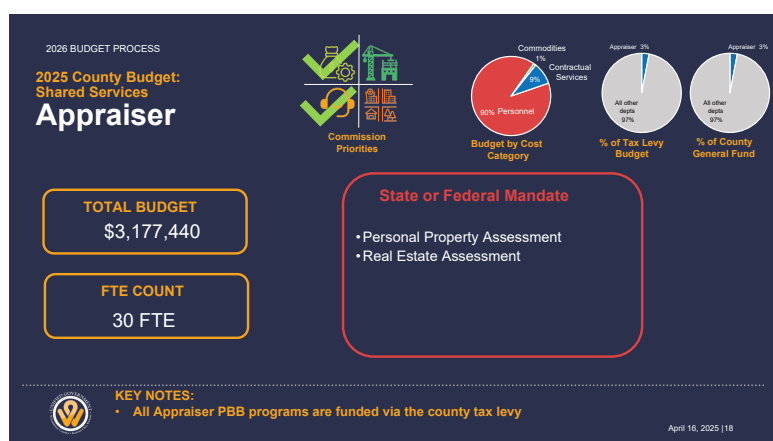
Commissioner Bynum said with the Health Department, so the \$5.1M is the county funded part of the budget. Is that correct? **Mr. Lindsey** said yeah, and it's actually the Health Levy. **Commissioner Bynum** said okay, that's the Health Levy. Additionally, they bring in another 12 in grants, is that what I heard you say? **Mr. Lindsey** said yes.

Commissioner Bynum said question on the mandates part. Are there no mandates for vaccines? I know they provide them. **Mr. Lindsey** said I don't know. I think I did see Terrie here. **Terrie Garrison, Interim Director of the Health Department**, said yes, immunizations is part of the Maternal and Child Health. That is part of our grant. That's one of our grants. The part that's the Commission mandate is we bring in fees, service fees, so that is an account for that as well as we have match. Some of our grants have match. Maternal and Child Health is one of those grants that has a match, so when you see that, that's kind of what that's talking about. It's revenue that we generate as well as a match that we have to pay out—or have to match to our grant money.

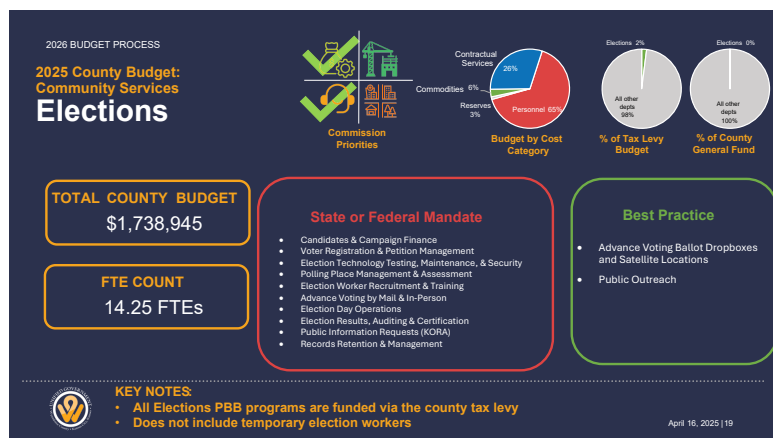
Commissioner Bynum said I feel like there's quite a few more actual mandates than are listed. We don't have to dive into every single one of them, but like swimming pools, I think, is a local requirement as far as your involvement in making sure that they're safe. **Ms. Garrison** said

yes. That's part of our Environmental Inspections is aquatics as well as septic as well as schools and daycares. The childcare licensing is the daycares. **Commissioner Bynum** said okay, thanks.

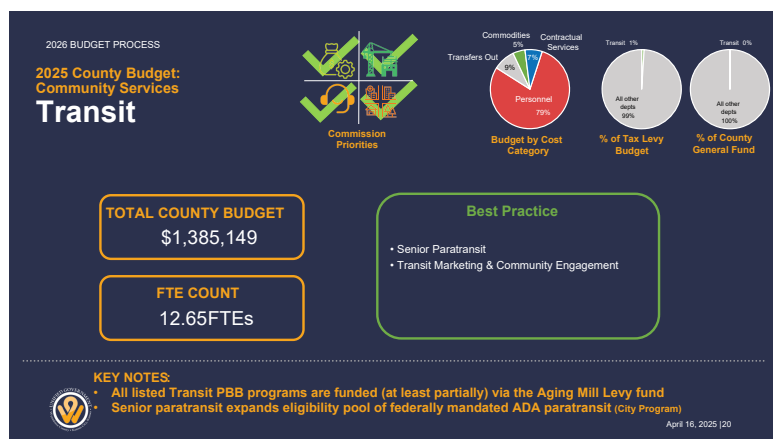
Mr. Lindsey said also some background, when you do see the state and federal mandates and the Commission mandates up here on the screen for the different departments, there are a lot of different mandates and one of the things we did was consolidate them to provide a summary. Some of the things Terrie just mentioned, like she said, one of the items was within the Environmental Programs looking at the pools. There are a number of other mandates that, you know, if we drill down further would show up, but in the sake of providing a summary to the Commission we wanted to make sure that it was in a precise format to explain to you all.



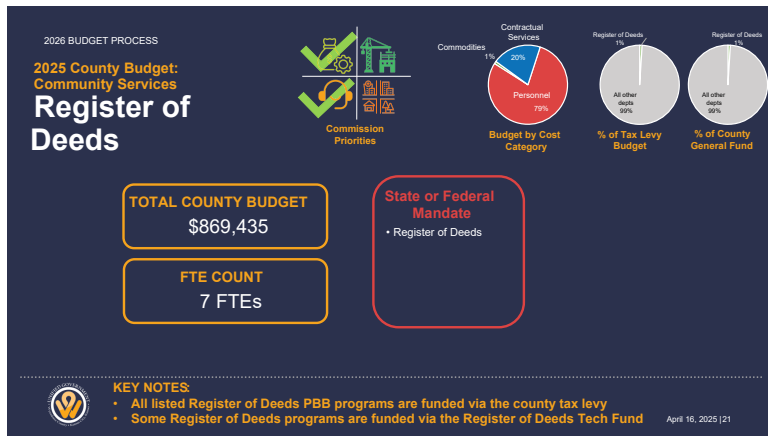
The Appraiser has almost \$3.2M and he has 30 FTEs. Everything he does is state and federal mandated, which is personal property assessment and then real estate assessment. All his funding does come from the County General Fund and he is 3% of the total County General Fund. We can also that as far as his budget 90% of it is personnel.



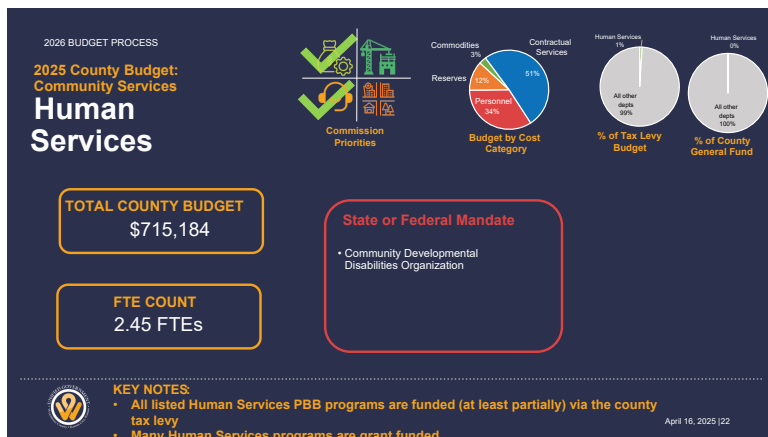
Next we have the Election Office. It's a \$1.7M budget. They have 14.25 FTEs. Their funding is via their tax—they have their own Tax Levy, so that's where all their funding comes from. We see most of their services and programs that they offer are either state or federally mandated or there are some best practices that they do provide. Most of the personnel is 65% with contractual services being 26% of their budget.



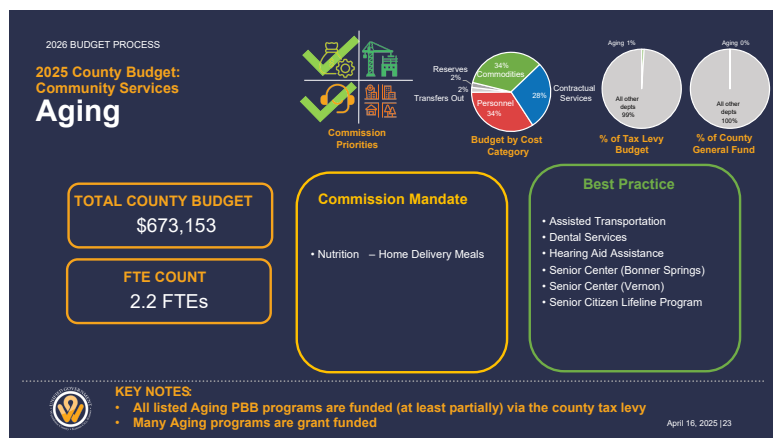
Transit, county budget-wise, it has a \$1.3M budget and it has almost 13 FTEs. One of the things about Transit's budget on the county side, most of the funding does come from the Aging Tax Levy Fund. We see none of the services there are mandated. They're all best practices, which are services we provide just at a county level to our citizens. We see that almost 80% of the costs are related to personnel.



We have Register of Deeds. It has about an \$870K budget with 7 FTEs. All this funding does come from the County General Fund and we see most of its costs are personnel at about 80%.

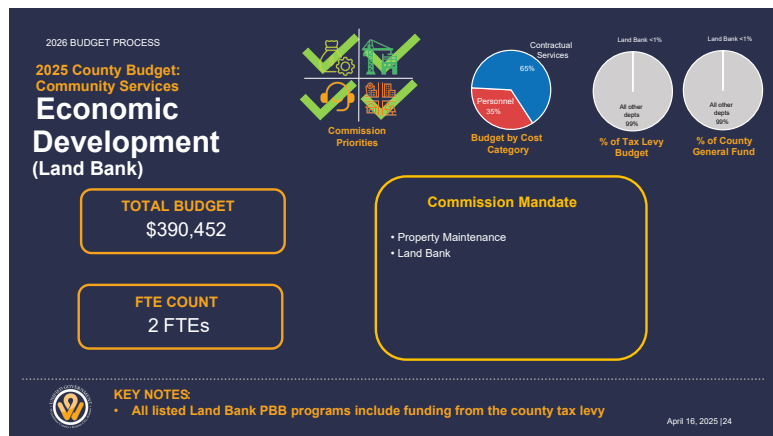


Next we have the Human Services budget. It's a total county budget of \$715K and it has almost 2.5 FTEs. This budget does have its own levy. It doesn't get any funding from the County General Fund. We can see everything that it does is state and federally mandated. We see that personnel is 34%. They also receive a good amount of grant funding at the state level.

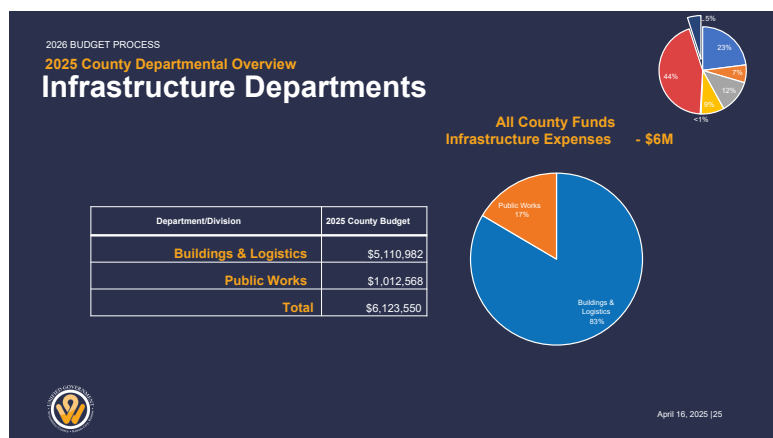


We have Aging. From the county it receives \$673K. Other than that, \$673K does come from the Aging Levy which it shares with Transit. They have 2.2 FTEs. They also do receive a good amount of grant funding that comes through the state and we see they do have one Commission mandated program, but the rest of their programs are best practices. We see that personnel ends up being like 34% of their budget and then contractual services are 51%.

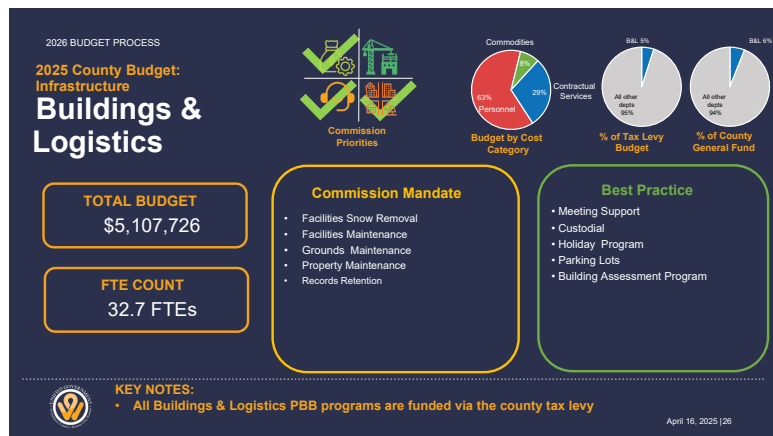
Commissioner Bynum said is Aging here because this isn't your whole budget and this isn't all your people, so would you help us there? **Ruth Jones, Director of Area Agency on Aging**, said could you ask the question again? **Commissioner Bynum** said you have more than 2.2 full-time employees and you have a bigger budget. **Ms. Jones** said yeah, we have 12 and about 80% of our budget is federal and state. **Commissioner Bynum** said I'm going to guess that the federal funding that's provided means there are some federal mandates that go with it. **Ms. Jones** said of course. **Commissioner Bynum** said I just wanted to be a little bit more precise. This slide I guess, Reggie, is showing us what the County Aging Mill Levy contributes to the Area Agency on Aging. Would that be correct? **Mr. Lindsey** said that is correct. **Commissioner Bynum** said like total budget, do you know it off hand Ruth? It's okay if you don't. **Ms. Jones** said about \$2.9M.



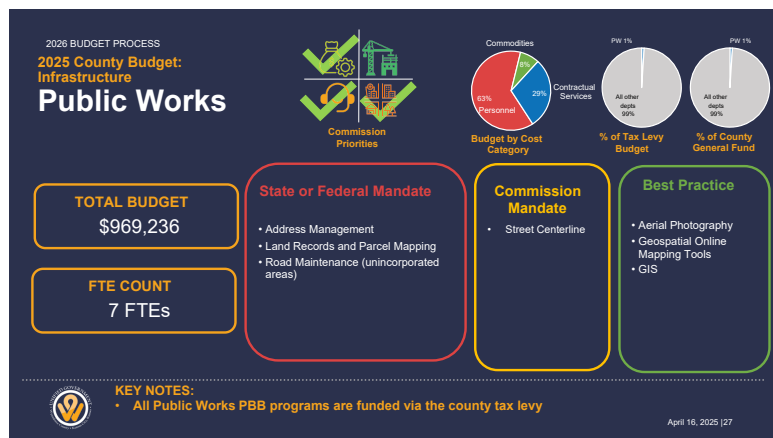
Mr. Lindsey said the next department we're going to drill down to is Economic Development. They have a total budget of \$390K. This amount does come from the County General Fund and 2 FTEs. We see personnel is about 35% of their budget. The services and programs that they do provide the community are Commission mandated being Property Maintenance and Land Bank.



Next, we have our Infrastructure Departments, which consist of Building & Logistics and Public Works. The two departments together make up \$6.1M.

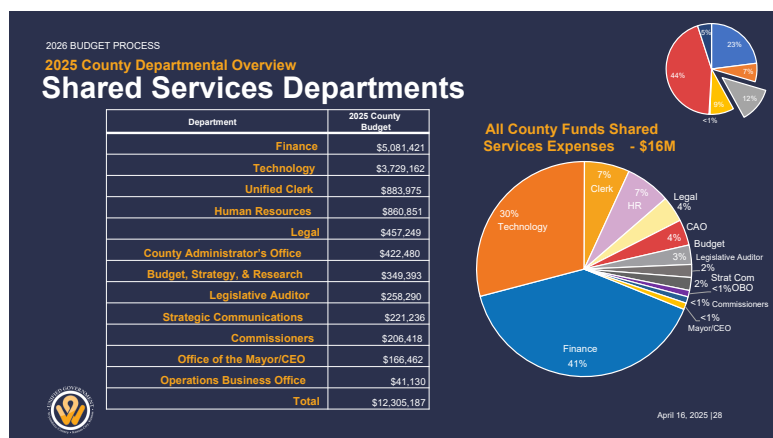


Building & Logistics is \$5.1M and has a FTE count of 32 FTEs. We can see as far as Commission priorities it does match three of our Commission priorities, Infrastructure, Fiscal Sustainability, and also Customer Service. What they provide as far as Commission mandates are Facilities Snow Removal, Facilities Maintenance, Grounds Maintenance, Property Maintenance, and Records Retention. There's best practices that they do provide the community being Meeting Support, Custodial Services, Holiday Program, Parking Lot Maintenance, and Building Assessment Program.



We have Public Works next. We have total budget coming from the County General Fund of about \$970K and total FTE is 7. Some of the main things that are happening on the county side within Public Works are our GIS Program and our Road and Maintenance Programs and Services that they provide.

Commissioner Burns said, Reggie, what is Street Centerline? **Mr. Lindsey** said I think Chris Cooley is going to come up and answer that question. **Chris Cooley, GIS Director**, said actually, that's misidentified. The Street Centerline should be a state mandated program. Street Centerline, as well as address points. Mapping—proper mapping of those is essential for 911 Dispatch and 911 use. There are state statutes that require us to maintain and report that to the state, the GIS Coordinating Council. So, that's what the Street Centerline is. It is a street map. Street Centerline is more of kind of a way that we explain it, but essentially it's a street map. Accurate data contains address attribute data about the street network and things like that that's used by the 911 system as well as we're using it to support our general mapping and economic development and other activities that might require just a street map.



Mr. Lindsey said our next set of departments are our Shared Services Departments. These are departments that have both city and county functions and what we did was provide a summary of those. We didn't plan to drill down into those, but those departments are Finance, Technology, Unified Clerk, Human Resources, Legal, County Administrator's Office, Budget Office, Legislative Auditor, Strategic Communications, Commission Office, Office of the Mayor/CEO, and our Operations Business Office. Again, these are departments that offer services to both the city and the county and they're split 70% city and 30% county.

Commissioner Burroughs said, Reggie, you've given us all of our total county budget numbers. Those numbers come from the mill levy that is assigned to that particular entity, correct? **Mr. Lindsey** said there will be some of those departments that don't have an actual mill levy. Some

of those departments do have their own assigned mill levy, but there are a number of them that are just funded out of the County General Fund.

Commissioner Burroughs said if I may, I'm going to use Elections as an example. They have a mill levy that has been assigned to them and their budgeted amount this last year from the mills generated was \$1.738M. That's what I can take away from the mill assessment on the Election Department, correct? **Mr. Lindsey** said yes. There possibly could be some small amounts within their fund that do not fall right within their department and that would be related to like insurance premiums, things like that that they have to pay, cyber security, those type of things. **Commissioner Burroughs** said with that in mind, they have to find the wherewithal to fund those things like that within their budget? **Mr. Lindsey** said yes and there are things that are for service that help them provide their services, so it does come out of the Election Levy.

Commissioner Burroughs said the reason why I ask is because I know that in dealing with HAVA in the Legislature, there was so much money allocated to the Election Offices to ensure one, they had modern equipment for elections and be able to pay for whatever was necessary to go on the ballot as well as to prepare for like a presidential election and this is one the first times that I can recall that we had a presidential—I can't think of the word right now. I just want to ensure that when I look at Elections and I look at Aging and a few of the others that have the mill levy that if they're not providing—if we're not providing enough revenue for them to operate efficiently and effectively, then the mill levy is up to us to adjust to ensure that revenue stream is met at request provided the Commission chooses to do so. Two, if they're putting too much money into Reserves, then that might state they're either not providing services or the mill levy may be too high and they're not expending all of that money.

I would just hope that as we're coming into election season again and next year will be the presidential election that we do everything to ensure that our Election Office has the resources to do what the Election Office is mandated to do. I guess that's why I just want to ensure that \$1.738945 is what the mill levy is providing them in dollar value in this year's budget. Thank you Reggie.

Commissioner Hill said I have a couple quick questions. For the FTEs, full-time employees, are they the actual amount that is budgeted for or is this the amount we're paying for right now, the FTEs? **Mr. Lindsey** said it's the amount we have budgeted for. **Commissioner Hill** said help me

to understand like Human Services FTE count is 2.45, so explain the 45. I'm just trying to understand. I've seen it before. **Mr. Lindsey** said Human Services, they do receive grants, so what they do have going on in their department, they could have one person that is paid from half a grant and then one person that is paid from the WDDO Tax Levy, so that would split, so the FTE, some of it would split over into the Grant Fund to make up one whole person.

Mr. Lindsey said that was the end of our presentation for County Mandated Departments. I don't know if there's any more questions related to that.

Commissioner Lopez said let's go back to the Election Department. When you were saying they have to pay insurance, their money, some of that is allocated towards insurance. Is that an insurance that they are told to use an insurance company that they're told to use, they have to use? **Mr. Lindsey** said as the Unified Government we do have like an insurance broker that we buy insurance through who goes and finds us a carrier. For instance, like property and casualty insurance is insured by the same carrier for all our buildings. I mean, in essence, they use the same carrier as all our buildings. **Commissioner Lopez** said I was just asking what if—I mean it's hypothetical, but what if they went and had their own broker and said I found an insurance company that could insure our department that's going to be a little bit more cost effective for our department. **Mr. Lindsey** said I don't know legally they could. **Commissioner Lopez** said I mean if they just said, hey, I've got this broker guy and he's going to line us out with this and it's going to be more cost effective than what we're paying right now to help them, put some of those other monies towards equipment or whatever they would need. Would that be possible? That's in other departments that are mandated to pay insurance as well. **Mr. Lindsey** said I'll let Legal answer that question.

Wendy Green, Deputy Chief Counsel, said would you say that again? **Commissioner Lopez** said they're mandated to pay an insurance fee through a broker. I have brokers that I go through as well, but if one department said, hey, I'm just shopping and just happened to trip and fall on this one insurance outfit and they're just going to line this out. We won't have to, you know, it's more cost effective than what we're paying. **Ms. Green** said you're saying like a department in and of itself wants to go pay a different insurance brokerage fee. Normally we would have to go through an RFP process to do that, so we would have already done that with

whoever we are currently paying. So, if there is a situation where a different fee or a reduced fee was found, we could determine at the end of whatever contract we had with the current broker that we could put it out for RFP again to see if we could find a reduced fee, absolutely. We wouldn't just be able to break the contract that we had at the time and just switch at that time.

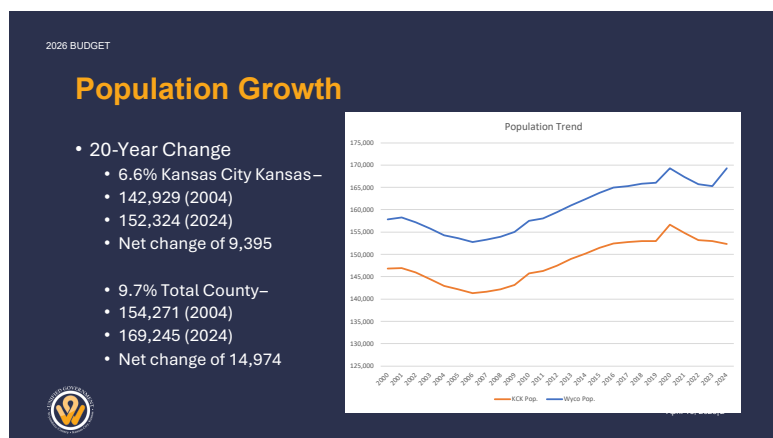
Commissioner Burroughs said do we know if any of these entities that we've discussed here this evening, do any of them outsource some of their responsibilities to a third party that basically they just administer the program? And if they do, do we get some kind of report back that shows how those dollars were spent that comes back to the CFO or somebody to review to make sure that those programs are meeting the criteria that were RFP or spirit of the contract that was negotiated. So, if hypothetically, one of our departments prioritizes grass cutting, do we know if that contract, the spirit of that contract is being met on a certain timeline? So, if they miss three or four days, do we get a reimbursement? Do we not pay them? How is that set up, do we know that the taxpayers are getting what was committed to them in a private contract? **Ms. Green** said let me tackle a little bit of that first. I will say that it's going to have to depend on a contract by contract basis and probably a department by department basis. So, for your specific example with mowing, our mowing contracts do have provisions in them that state if that particular vendor or the mower doesn't meet the requirements of the contract—let's say they don't get out there as often as the contract requires, if they're not doing the quality that the contract sets for, then yes, we can absolutely tell them that their services are no longer needed and we will go find another mower. In fact, I've had to write that letter before on behalf of the Parks & Rec Department.

Commissioner Burroughs said I think that's extremely important. If we're going to fund a department and then they're going to subcontract out some of the work, that privatization, here nor there on it, I just want to ensure that we're getting the agreed upon services and that there's a way to monitor that. So, if an agency comes before us and asks for additional dollars to provide those services, that we have a track record or some kind of proof that those services are being provided in a manner that is professional and above board with an RFP.

Mayor Garner said is that the end of your presentation? **Mr. Lindsey** said yes, but we do have another presentation by Dr. Kneuvean. **Mayor Garner** asked, are there any other questions for Mr. Lindsey in regard to his presentation? Okay, thank you, Reggie. Great presentation.

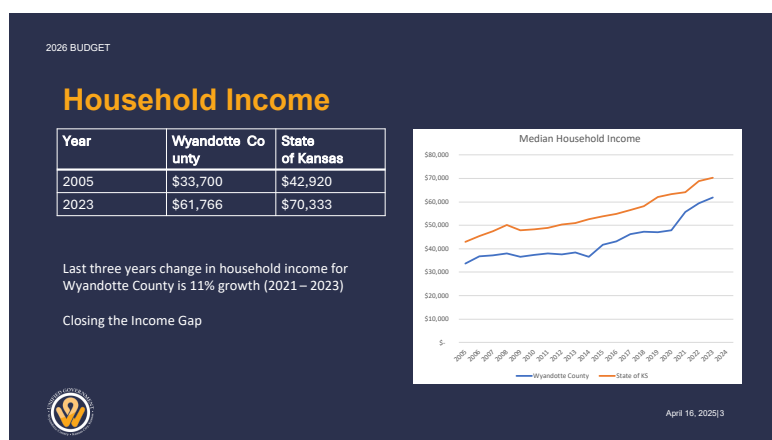
We're going to now turn it over to Shelley Kneuvean who's our Chief Financial Officer. She has a presentation. I asked her to put this together on behalf of the Unified Government and Commission to just really walk us through some of the historical data on our budget. She did a real good job. She has a more thorough report. Commissioners, if you want to see that, she can get that to you if she hasn't already done so, but this should be an abbreviated version.

Shelley Kneuvean, Chief Financial Officer, said as the Mayor said, some of the discussion that the County Administrator, the Mayor, and the Commission have all had is how did we find ourselves in a place where we have financial struggles so that we can chart a course going forward so that we can achieve financial sustainability. The purpose of this report is really to look back. The time periods are typically 10 or 20 years, but it's to look back at data and just kind of pick up some clues. There's a thousand more questions this data may cause you to ask, but it's intended to give you kind of a 10,000 foot level of our historical financial condition.

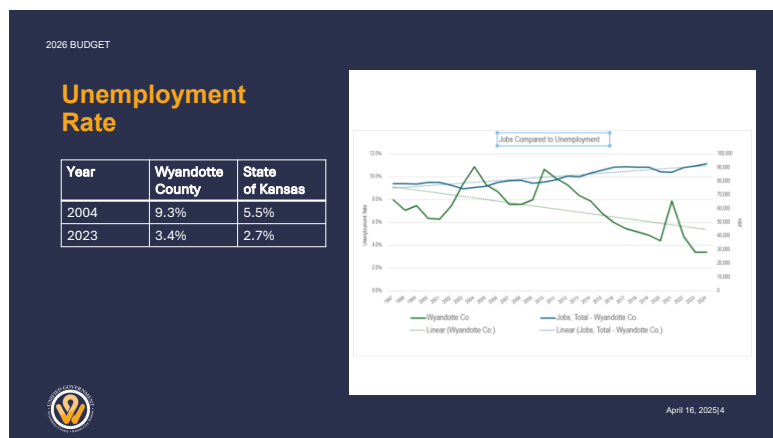


One of the things that indirectly affects our finances because it's the people we serve, but it's also the people that pay taxes and they pay revenues for services is our population. When you look back at our population for the city, the population over the last 20 years has grown about 9,000 people, so it's a pretty modest growth, about 6.6% over a 20-year period. There's been more growth on the county side. We've had about 14, almost 15,000 people, which is about a 9.7% growth. You can see that we've had growth, but it's been modest, so it's relatively the same population base that we're serving. By way of comparison, I looked up this afternoon a couple of the counties surrounding us just to see what kind of population growth they had in the same time period. Johnson County, I assume we would all assume that they've had more significant growth.

They have, they've grown 38% over the same time period. Douglas County, where KU is, for example, has grown 17%. Leavenworth County 17%, and even on the Missouri side, Jackson County, so kind of those counties right around us has grown 10%, so they're outpacing the growth that we've experienced, but we have had a growth. You can see in the last couple of years towards the far right of the chart that Wyandotte County is the blue line and its had an uptick and you can see that the Kansas City side has had a downtick. That primarily represents some of the growth that's occurred in Bonner Springs and in Edwardsville where the county numbers include those jurisdictions and the city numbers are just the city proper, so just a perspective about our population base.

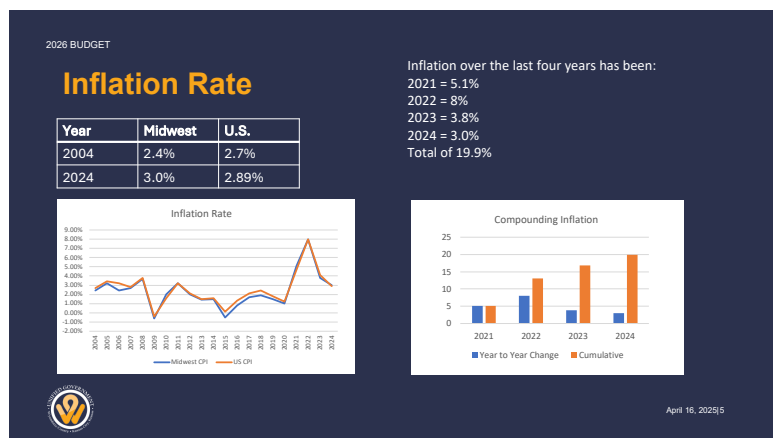


When you look at household income, of those populations you can see over the last 20 years roughly that our household income has been increasing. We benchmark against the state of Kansas and what you can see there is that from 2005 to 2023 the state grew from 42,000, almost 43,000 to 70,000 and Wyandotte County grew from 33,000, almost 34,000 to almost 62,000. What you can see is that we have lagged behind the state in terms of median household income, but what you can also see is that we've started to narrow the gap. Particularly in the last three years, our household incomes have increased by 11%, so that's a positive indicator, but we're still behind the state, but making progress. So, we're headed in the right direction in terms of household income.



Unemployment is another thing that we look at in terms of—in a way thinking about people’s ability to pay. What you see here, the green line is the unemployment rate for Wyandotte County and the blue line is creation of new jobs. You’ve seen a steady increase over the years of job growth, but you’ve seen a really good decrease in unemployment rates. Again, we benchmarked against the state of Kansas. In 2004 Wyandotte County was at 9.3% unemployment and the state of Kansas was at 5.5%, but by 2023 Wyandotte County is down to 3.4% and the state of Kansas was at 2.7%. So again, it’s a good indicator. We’ve got steady increase of jobs, we have lower unemployment, we have better household income, and generally for the same population because we haven’t had a lot of population growth. These are good indicators, a little ways to keep going, but it is a good indicator in general for our community.

I will mention these are the kinds of things that the bond counsels and the bond rating agencies do look at. They want to see growth in population, growth in household income, and a decrease in unemployment, so these are positive trends.



Unfortunately though, while we were making headway on some of those factors, the inflation rate was growing at the same time. Typically, the inflation rate in the Midwest or the US was generally 2 to 3% per year, but as you can see on the chart on the left you see this huge spike that occurred in '21, '22, and '23. So post-COVID we saw a huge spike in inflation and we all know that. When we go to the store and we buy groceries or we buy anything, the cost of goods is more and that has really increased over the last three years. So, it's a point to consider and to think about. When you're thinking about, yes, we're making gain on household income, but those dollars are going not as far because of inflation. In particular, what's happened there, there's just some anomalies that have happened in the last few years in terms of inflation, so when you hear a report about the inflation rate, what you should know is what they're reporting is the inflation rate year-over-year.

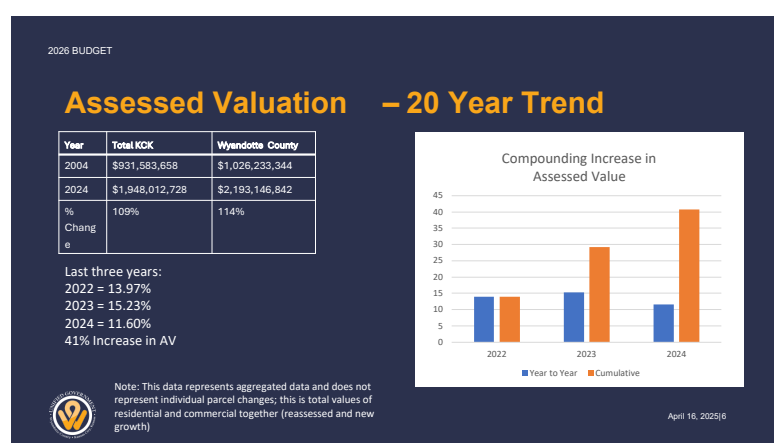
What this is telling you is that from '20 to '21 the inflation rate was 5.1%. So, what I tried to do is illustrate through the bar chart, then by '22 it was 8%, so it went up even more, but that's 8% on top of a number that was 5.1% higher, so it starts compounding. Then you look at the next year for '23 and it was 3.8%, so it's starting to normalize, but again, it is still on a higher base level because that is just the change year to year. By '24 another 3%, so really over the last four years people in the Midwest and the United States, really across the board, have experienced significant inflation rate growth about 20%.

So, it's to keep it in context of understanding the challenges and I know you all do because you hear pleas for property tax relief, PILOT relief. People are looking for relief because things are simply costing more. Their incomes have gone up but it's outpaced by inflation.

Commissioner Bynum said I understand the compounding side, but I'm trying to make it match up with the graph, so help me read the graph because I think the graph says in '04 in the Midwest the inflation rate was 2.5ish and in 2024 it was 3 point something. **Ms. Kneuvean** said the graph is the percent change year to year, so that's the difference. Like, for example, I said for '24, work backwards will be a little easier. So '24 we're down to 3%, so you see that pretty big steep drop and this is why I did the other chart, it doesn't capture the compounding. This is just year-to-year rates and changes in the rates. So it shows that, yes, it's come back down, we're not having inflation at 8 or 10%. We're having it back to more of a normal 2 to 3%, but you have to always remember that is a compounding number for the consumer on the end of that. Does that help a little bit? **Commissioner Bynum** said a little bit, but if I understood what you just said, the graph

is not necessarily an indication of the actual rate. **Ms. Kneuvean** said it's the rate year-to-year, but it's not the cumulative impact. This doesn't look at in 2004 I started at number X and each year it went up 2 or 3% and so doing a comparison to see overall how much has it compounded, I didn't do that. I feel like it's particularly important for the last few years because we truly have had an anomaly in our economy where inflation has just spiked at an extraordinary level.

Also I might mention in the detailed report, which you do have a copy of, I go through and list out every year, so you can see exactly what it was year-to-year if you're interested in that level of detail, so you have that for reference.



Assessed valuation over 20 years. What this chart tells you or what this information tells you is that our assessed value has grown in KCK and Wyandotte County both. It's almost doubled in 20 years or more than doubled in 20 years, 109% for the city and then 114% for the county. Again, as far as bond rating agencies look, they want to see that your property values are going up. I will say that this is a combined number of new growth plus reassessment, but what they're looking for and what we would all really want is that the value of our properties is going up. We don't want the value of our properties to go down, but the downside of that is that the way our property taxes are calculated, as you all well know, is that if your assessed value goes up, then you're paying more in taxes depending on what the various taxing districts did because it's an equation based on the value of your property.

One of the things again we pulled out, because again it's an anomaly, over the last three years we had a similar thing that we saw in the inflation happen with assessed value and this is not unique to Wyandotte County or KCK. If you pick up any newspaper, you're going to see communities talking about this issue in Johnson County, Jackson County, Lee's Summit, Overland

Park, it's a universal thing and it's because the property values went up, which has some to do with inflation, but it also had to do with limited supply. When there is limited supply, demand is steady, then the value of that property goes up. So there's a positive in that overall. Our properties are worth more, which is good when you go to sell for example. The downside is that means that it potentially means you pay more in taxes and then over the last three years you can see that we had that same compounding effect. So, for KCK you had 109% assessed value growth, but remember that also includes new growth, all the new stuff that's built in a year. That's not all reassessment, but in the last three years we had almost 14% in assessed value growth. We had 15% in '23 and then in '24 we had almost 12%.

You have a situation where the increase in our assessed value, just like inflation, hit those three years. It was a dramatic increase, 41% and it compounded because again when we report out that our assessed value has gone up, that's on whatever the prior number was. It's gone up a certain percentage based on a prior number. Assessed value though does not automatically equate to tax levy mill rates. That's all decided by each one of the governing boards and it also is in an aggregate here. This is not per parcel, so individual people did not necessarily see these kinds of increases. They likely saw increases but it was a matter of on the whole this was what had happened. It really does in a way, I think, help explain why we're experiencing taxpayer fatigue. We've got people who are experiencing inflation, so like rapid inflation. So, the things they're buying are costing more, the assessed values going up, which in one hand is a great thing because you would probably hear as many complaints if our assessed values were going down, you would have people worried about should I try to get out of my house before the housing bubble burst, which happened in 2008 and people were in over their head and their houses were not valued at the level that they had a mortgage. So, it really cuts both ways, but it kind of helps us see visually where some of those things are coming from.

Commissioner Bynum said quick question on that last slide. If I take the total County Assessed Valuation of the \$2.193B and I subtract the KCK of the \$1.948, the difference would roughly be the total assessed value of Bonner and Edwardsville combined. **Ms. Kneuvean** said that's right.

Mayor Garner said on this great slide, the assessed values have gone up and those are huge numbers. If you can go back and just kind of reiterate how that translates when you talk about the

inflation rate and then coincide that with the incomes how that—I mean that poses a challenge to the Unified Government because it doesn't look like salaries are keeping up with inflation. And then for those that own property it seems like the appraised values are outpacing both, if that makes sense, which poses a big challenge to our commissioners when they have to try and find that balance of trying to put a pressure point, as I've always said, on property tax increases, especially when you talk about the higher cost for services that the Unified Government is expected to provide to our residents at a level that's responsible. I don't know if you want to talk about that a little more and how that all correlates.

Also, I know there's another figure we use because I have a lot of residents that ask me, you know, we talk about the costs here at the Unified Government continues to go up, but I know that there—and they compare that to me with the annual inflation rate. I think you all use some type of national formula. If you can explain that a little more so the public can kind of understand that it's not kind of apples and oranges per se when you talk about how you come up to determining that correlation between the inflation rate and then the percentages that's needed to run governments.

Ms. Kneuvean said yes, absolutely, Mayor. All of these numbers play together and a way to think about this is that my household income is increasing, but because of inflation, those dollars don't go as far and because my property is going up in value, and depending on what taxing districts do with taxes, then a greater percentage of my household income, if it's outpacing it, a greater percentage of my income is going to pay for that. Just like a greater percentage of my budget is going to pay for groceries when they cost more. So, it reduces people's discretionary spending and you're right in saying that inflation—a lot of people think about the consumer price index, which is the cost of goods and services. There's all sorts CPIs, Consumer Price Indexes. You can look at the Consumer Price Index for healthcare and compare like what are your health insurance rates doing and are they going up and in most cases the answer is yes.

So, it's just trying to balance all of those different statistics and I pulled these out in particular. I haven't talked about the expense side of our budget. We will here in a moment, but you're right there is an index that we benchmark against that kind of looks at the growth of budget for cities in general across the board each year because a city budget is going to include salaries for firefighters, police officers, street maintenance workers, finance people. It's going to have your salaries and that's not consumer price index. That's a different kind of index. It's going to

have cost for our construction and there's a different index for construction in terms of what can we build today for the dollar that we have dedicated to Capital Improvements versus what we had for a dollar ten years ago. Well, there's a different index for that and that has rapidly increased as well. The balance of all of this is exactly what you said Mayor, which is trying to balance the needs that we have and providing the services, which have costs that do up, maintenance costs on IT technology agreements, cost of increases for the employees who are also experiencing CPI inflation as consumers. It's balancing all of those things with the needs that we have with what's the tolerance or ability for people to pay.

I know you all as a group struggled with that through this last process and I'm sure we'll continue to and we will look at options with you, give you options in terms of what can be done. I will say that the mill rate, and we'll talk about this here in a minute a little bit more, and then even more when we come back on the workshop on revenues. The mill rate is a part of our budget on the City General Fund and I'll drill in on the two General Funds because that's where most of our operations are paid for from. So, the mill rates are maybe say a third of the revenue there.

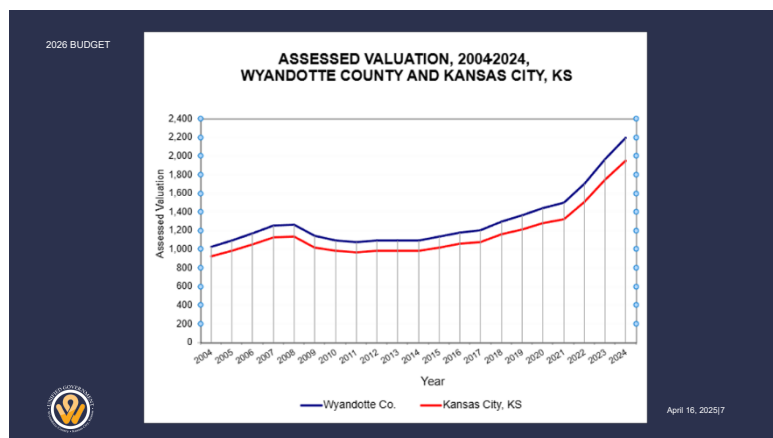
On the county side, it's the majority revenue, so the funds even are in different situations and then you look at what do they fund and that presents its own level of challenges. You all have a very hard job to balance all those things. I hope that answers, in a broad sense, your question. But it's looking at the dollars that people have to spend and the services that are mandated. The presentation that Reggie just went through and the cost of providing those services and then also complemented with our infrastructure needs, which I know you've heard some of those discussions and we'll have another presentation in terms of the CIP and the Capital needs that we have and you're balancing all of that to try and balance out how do we meet the needs and make it so that it is within the realm of affordable as best we can. That's therein lies the challenge of budget.

Mayor Garner said I challenge the Commission as you all move through the budget process in collaboration with the committee—I know there's some, I think, you call them Dotte Talk, some budget workshops coming out with the community to look at that and really I've said this since I've been Mayor. I think we really need to drill down and identify what are essential services when you talk about government. Top of my head, Public Safety obviously is one, infrastructure, parks, and then the day-to-day operation of our government, which could be administrative and then everything else on the side of that. I think a hard conversation needs to be asked is what is a need and what is a want and really asking our residents to help guide this in a

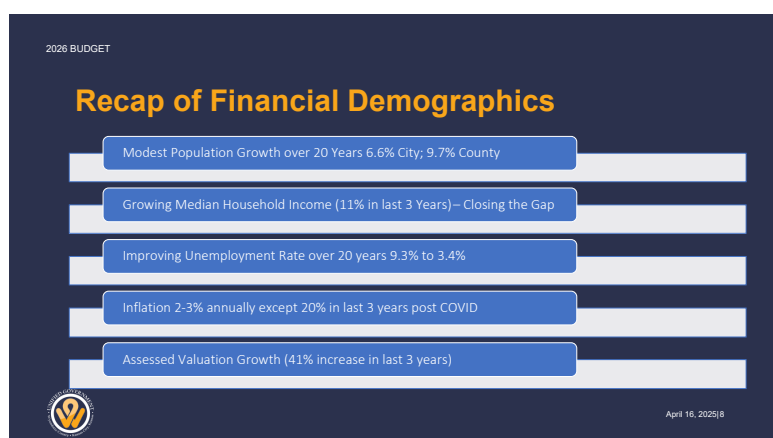
way that's community-driven to hopefully mitigate some of the sentiment that's out there that exists with budgeting and allowed to be more community-driven in a way that we're really meeting the needs of the community based on the recommendations that we get back when we talk about essential services. Salaries aren't keeping up with inflation and those that own property neither one is keeping up with the appraisals because of the dynamic. You talk about the shortage of housing and several other factors. That's not unique to Wyandotte County, that's happening all over our nation.

When we talk about—people said, Mayor, please encourage the Commission to streamline, to tighten their belt, to operate more efficiently and that's all great, but when you don't have anymore—you know when you cut off the fat and you cut the meat off, you've even cut into the bone down to the marrow, you've really got to have a conversation. What are needs, what are wants and then make those hard decisions on—unfortunately because of where we are fiscally and I know you're going to present those numbers in further budget cycles, how do we stay out of the red, stay in the black, and operate in a way that's fiscally responsible. So, I just ask the Commission to really work with me and work with staff and more importantly work with our residents to really decide what are the essential services. Then once we make that determination, what's left and then really decide what can we live without when we talk about what's a necessity and this is something that maybe is a practice or something that we're used to having, but is something that is not an essential function of municipal government.

Ms. Kneuvean said the only thing I would add to that is what we highlighted on the county side tonight was the county funding. One of the things I think people get a little confused about is that we do, hey, we announced we've got a new program or we're doing this new thing or that new thing, many, if not all of those, are funded by grants, which those dollars are restricted. We apply for them because we're asking for those dollars so we can provide services that are discretionary, so I think an important part of the conversation is they may say we don't need X, Y, or Z, we have to take it one step further to say, okay, is that a grant funded program or is that really something that's being funded by the Unified Government through one of our funds. So, more conversation can happen around that, but it is an important part of it because we don't distinguish it when we announce some big effort that we're doing a study or a new program that we got money for from a grant, which we're glad to bring to Wyandotte County and KCK. We'll provide more information on that as appropriate.



This other slide was on assessed value just to highlight. It just illustrates—you can see pretty steady increases each year and then this kind of four-year rapid increase. It really illustrates that picture for both the city and the county.



With these demographic information, I call them financial demographics, what you're seeing is modest population growth over a 20 year period. We are seeing growth in median household income. That's great and positive and we're closing the gap making progress, but unfortunately, the world experienced COVID and so inflation had increased significantly especially in the last three years and assessed valuation grew for reasons of inflation and limited supply in the last three years. So, the fact that we were making progress is wonderful and we need to continue making progress on our household income, reducing our unemployment rate, which is getting more jobs to our community, but the region as well. We can't ignore that we've had these anomalies that affect people every single day.

2026 BUDGET

Revenue to Expenses, Total Budget (All Funds)

- 2025 Budget
 - Revenue = \$468,114,512
 - Expenses = \$473,985,584
 - Difference = (\$5,871,072) *

* Note: Due to reallocation of fund balance on county funds and appropriating fund balance for projects in the dedicated sales tax fund; otherwise, balanced operational budget

- 11 budgets out of last 20 years were structurally imbalanced (expenses exceeded revenues) for Total Budget, All Funds



April 16, 2025/9

Revenue to Expenses, this is the total budget, all funds. I'm going to again stay at a pretty high level on this because we'll be talking about each one of these things in detail through the whole budget process. The 2025 budget, we had revenue of \$468M and we had expenses of \$473M, almost \$474M, so you might go, hey, wait, I thought we had a balanced budget. In our General Funds we do have a balanced budget, so just to note that. That was the primary area we were looking at, but we also had some funds that had fund balances that were higher than they needed to be. We have a Commission approved policy that says 17% minimum, 25% ideal for a fund balance, which is typical. It's what's recommended nationally by the Government Finance Officers Association.

If you look at this year, we had a couple of key funds that we were spending down some of our fund balances. We spent an extra 2.3M in the Dedicated Sales Tax because our fund balance was too high. We spent 1.9M more in the Street & Highway Fund also on Capital Project because our fund balance was too high and then in the Tourism Fund, which is our Hotel/Motel Guest Tax that we have we spent \$2.3M down from the fund balance on that one as well. The increase was for Capital Projects. So, this tells the story, but it doesn't tell the whole story.

Bigger picture, when you look at the bigger picture on this, out of the last 20 years we did have 20—I'm sorry, 11 of those years when you look at all the funds that we have it was called structurally imbalanced, which simply means the new revenue coming in that year is not as much to cover the new expenses for that year. Now, sometimes like this year, it's because we're purposely doing that, there's an intentionality about that, but sometimes there's not.

2026 BUDGET

Structurally Imbalanced Budgets in General Funds

<u>CITY GENERAL FUND</u> • Since 2014, only 2025 was structurally balanced • 2014-2024 ranged from (\$371,104) to (\$6,183,329) annual imbalance • In 8 years, cash funded projects represented more than the imbalance (indicating fund balance was used to pay for cash capital projects) • In 3 years, funded capital projects represented less than the imbalance (indicating fund balance was used to pay for operations). • In 1 year, no fund balance was used (2025).	<u>COUNTY GENERAL FUND</u> • Since 2014, only 2018 and 2025 were structurally balanced • 2014 – 2024 ranged from (\$181,858) to (\$2,237,892) annual imbalance • In 8 years, cash funded projects represented more than the imbalance (indicating fund balance was used to pay for cash capital projects) • In 4 years, cash funded projects represented less than the imbalance (indicating fund balance was used to pay for operations)
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I started to drill down a little bit more in particular into our two General Funds, again, because those are the funds that pay for most of our operations. On the city side you can see since 2014 the only structurally balanced budget we had was the one that you all adopted for 2025, which, quite frankly, is remarkable and a compliment to everybody including the departments because we also did revenue neutral. So, we made a decision to take in less revenue, but we also made decisions to make the necessary cuts to tighten our belt, as the Mayor said, in order to be structurally balanced in our General Fund.

When you look back over those 10 years, again, you've got the detailed report that can tell you the exact years, but some years it was only 371K that we were out, kind of upside down, and as much as 6.2. So, I drilled down again a little bit more. I looked at okay, well, what were we doing in terms of Capital Projects and were we making a decision that we had a lot of Capital needs and we're going to pay cash for some Capital needs. So, out of those years, we had eight of them that the cash funded Capital Projects was more than the imbalance. What that means is we made an intentional decision to fund more to pay for Capital Projects. We could have not funded those cash Capital Projects and been balanced for the year, but it was a decision that was made in order to keep advancing a lot of the needs that we have and it kind of highlights when I get to the end, one of the things that we've got to figure out a good path forward on is how do we pay for those projects for cash, how do we meet our Capital needs.

We had three years though when you look at just those numbers, the total imbalance compared to the Capital Projects where it was less than the imbalance. So the Capital didn't explain the imbalance, which means we were funding our annual operations from the fund balance. It wasn't because of the Capital Projects and that's where that gets very dangerous because you

can't sustain that year-over-year. Then, again, just to highlight this, last year we're on the right direction. We're on the right path of balancing the budget and we did so this year.

On the county side, so since 2014 we had two years that were actually balanced. Those imbalances were between 182K to 2.3M. Overall the county fund is smaller in size, so you'll see smaller numbers just relative to the size of the whole fund. The third bullet should say six years the cash funded projects represented more than the imbalance, so it's the same analogy, or not analogy, same explanation, that we spent more on Capital Projects that caused an overall imbalance. We were spending fund balance, but as we all know in those funds we don't have excess fund balance, so we're dipping into, and again, that's not financially sustainable. Then in four years, even more concerning, we did have cash projects that were less than the imbalance, which means we were using some of those dollars to pay for just normal annual operations. For the county side, the functions that Reggie just went through in his presentation.

This just kind of gives you, again, a very high level look at the world in terms of imbalances and kind of one of the drivers, which is capital cash that we need to figure out some solutions there other than spending down fund balances unless it's intentional because that fund balance is too high like I explained for this year.

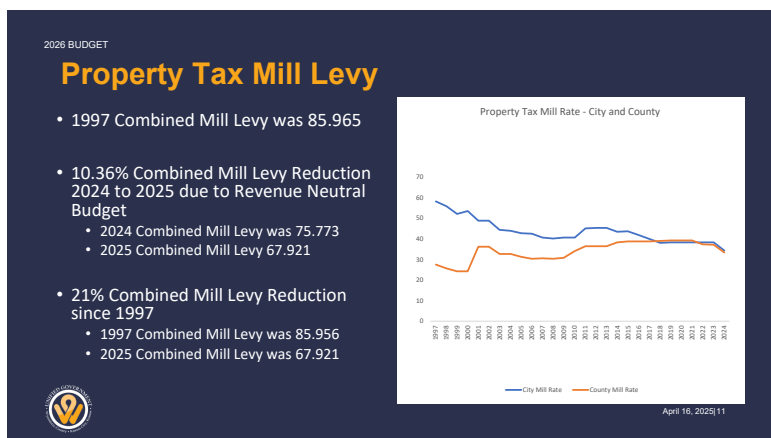
Mayor Garner said before you proceed, I'd like to give credit where credit is due. When I was elected Mayor, one of the things I did, first things I did, I directed the Administrator to have an audit. Robert Bobb group came in, they had a thorough soft audit, which really shed light on a lot of things that we just weren't aware of in our community. One being that structural imbalance, our debt, a lot of other things that just weren't being revealed, so I can say that this Commission really took note of that and I want the community to really—because if you look at where we were in 2020, Robert Bobb came in after the election in 2022, came out and they gave us a stark warning and I can tell you that this Commission took that warning seriously, staff did and we've been working diligently ever since to get us where we're at today. We were headed to a financial cliff in 2026 and 2028. That cliff was avoided through the work and partnership of this Commission, staff, and the leadership of our Administrators, Deputy County Administrator's, and Administrator and that was pushed out.

Now, even with the revenue neutral from last year we did become structurally balanced. We are operating a little more fiscally responsible. The belt was tightened at the demand and the

request of a lot of our residents and these numbers are reflective of that. That doesn't mean the work isn't done and a lot more work doesn't need to be done, but what it does say is we're moving in the right direction.

I'd like to reassure the public that this Commission has made hard choices and hard decisions working together with me and our staff to start taking us in a different direction on how we spend and how we budget the public's tax dollars in a way that I think will be positive. And I'd like to say that good things aren't going to happen quick, but hopefully, you can see through this presentation and some of the data of these budget workshops that good things are happening along the way and that the future, if we continue to be fiscally responsible and intentional about how we budget taxpayers dollars, we can get to the point to where going well into the future the fiscal situation of the Unified Government can be bright.

I just wanted to thank this Commission, and more importantly, thank staff, Reggie Lindsey, his staff, our Administrator, our Deputy Administrators, as well as our new CFO for really drilling in and really shedding the light. Part of this presentation why I had her do this was because you got to kind of know where you came from to see where you're going and whatever mistakes were made in the past, not to throw anybody on front street or blast anybody or call anybody out about past decisions that were made, but those are learning opportunities. We can see where the mistakes were made and understand those mistakes were already made for us and Commissions present and future along with Mayors can know that those mistakes don't have to be repeated and we can take how we budget the taxpayers' dollars in an appropriate direction.



Ms. Kneuvean said this next slide is a look back on our property tax mill levy because there is so much discussion about that and you can see that in 1997, which is when we Unified, our combined

levy, city/county, was 85.96, so that's how much it was in 1997. With the revenue neutral budget, it went down from 75.773 to 67.921 and how that works is that the assessed value has gone up, but we work backwards from the revenue received in the prior year and then we work backwards because the assessed value went up for lots of reasons, new growth, new construction, and assessed value. And we back into then what does the mill rate need to be to give us the same dollars we got last year, not the same mill levy, the same dollars. So, what happens is then you have a reduction in your mill levy, so for '25, for the bills that have gone out for 2025, December and May, is when the payments are due, 10.36% was a reduction in the mill rate. But even more important maybe because I hear questions asked about whether or not there's been anything good that happened because of unification, was it more efficient, were we having cost savings, and this chart illustrates with real numbers that the answer is yes. That the combined mill levies from 1997 to now have gone down 21% and that's a lot of combination of factors, but it's a matter of looking at well, we were paying so much more then versus what we're paying now in terms of mill levy. Again, there's lots of variables that go into that, but it demonstrate a positive from having unified.

Mayor Garner said I've got a question on that. A question I get a lot and I'm sure our commissioners get a lot, maybe some of you, we say that, what can you attribute because I get that same—I try and sell that and a lot of residents say, well Mayor, look at my tax bill from 1997 till now and it's steadily has gone up. I don't feel or see what you're telling me is reflective in those percentages and I don't always have a good response other than I relate it back to inflation in part and the cost of doing business here at the Unified Government. I don't know if you had a take on that when people come to you and say, okay, you can say all that great and wonderful stuff, it sounds good, but look at my property tax bill and I have them all and it continues to go up and goes up.

I know the appraisals play into that when you own property and we talked about that already. So, the question is, that message that you're sharing there and for those people that are saying that taxes are too high and it's a burden, I may lose my house, I may have to move out of the county, those are the type of people that I'm trying to reach and that really I'm trying to work with. Commission and staff, how do we help those folks to better understand and how do we find real relief that can better reflect what you're saying.

Ms. Kneuvean said there are a lot of variables at play here. We can't necessarily say directly what resulted in that 21%, but what we can point to is the slide that Reggie had in terms of shared services. We don't have two Finance Departments, we don't have two HR Departments, we don't have two Purchasing Departments. We consolidated all of those functions and so there is savings and efficiency by having one system. We don't have two computer systems, a financial management system. If you had the county as a standalone governmental entity from the city, you'd have two different financial management systems. So, those are examples of things you can look at that truly there's not duplication of services.

Now, a lot of what was talked about tonight in terms of the county services are cost shared with the city side. I think Reggie mentioned that it's—a lot of those are 70%, 30%, so that's taken into account. Where you get efficiencies outside of just the operations of any one department is by not duplicating. When you duplicate, that's the easiest way to get more efficiency, don't duplicate. You can point to real things that people can understand, HR, that there's not two HR Departments and so we're not duplicating, which in and of itself does make you more efficient. Now, does that equate to 21%, you know, there's too many variables that go into that, but if you still had two separate governments, you would still have two separate shared services, you would have two separate departments, so just as an example.

Commissioner Burns said, Shelley, did the amount of employees drop? **Ms. Kneuvean** said it did not. **Commissioner Burns** said the record should show also, I'm an old county guy, that at the time of consolidation the only debt that the county had was the jail and I think it was going to be retired in 2001 or whatever. At that time they had no other debt. The county did not have any other debt. They were fiscally responsible. Our old County Auditor made sure of that. Also, the former Legislative Auditor that just retired a couple years ago, told me at the time of consolidation, the county had \$16M in cash reserve and when it was combined, it was spent in two years. So, you know, there's a lot of hidden things behind all that. I met with Dennis Hays and I showed him that for 10 years at my residence, only the city and the county rate always went up at least 10%. I don't think there's a lot of savings in consolidation. I think only one other county in Kansas has it. Why doesn't everybody else? I just think that we need to set the record straight when the county came over and they had the same amount of employees and the county salaries were less

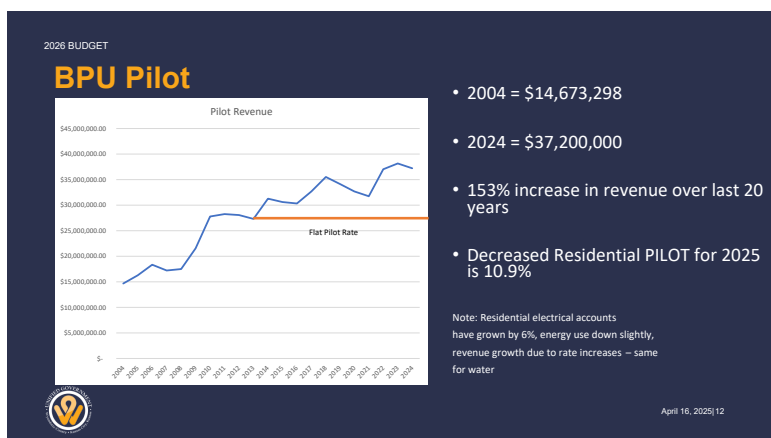
and it took the city—or the Unified Government two or three years to get them up where they said they were going to do instead of right away. So, that's my speech tonight.

Commissioner Lopez said you said one system, then why are we using two different systems? Why are we using CIC and Orion when Orion's the best out of all of them and then we have departments that have to use both systems and enter it twice. Why don't we just go straight Orion and there seems to be some serious problems with CIC, so just get rid of them completely and just go with Orion with everything. I understand that it's going to be a little bit if we do that, just go with Orion and it's going to take some man-hours to do what we've got to do, but at the end of the day we just keep moving forward and have to only enter it once instead of twice. That's holding up the show there and with all the discrepancies that CIC already has, why are we even still dealing with them? **Ms. Kneuvean** said I can't answer that.

Bridgette Cobbins, Assistant County Administrator, said Commissioner Lopez, CIC is a system that controls the tax process. Orion is a state mandated program that pretty much uses the Appraisal Office is what it's geared for. CIC, we've been with that system for a while and it does have some good things to it, but we do have a team that's looking at trying to figure out what we need to do going forward to transition to a different system. Orion is mandated by the state for the Appraiser Office to use it for the Appraiser side. CIC does the calculation for the actual tax side of it, so two different systems doing two totally different things, but the state mandates that the Appraiser's Office uses Orion. But we do have our Tax Administration group that is evaluating transitioning over into a new software, but that's why we use two different systems.

Commissioner Lopez said right, but what I was looking into too is Orion could do everything CIC does. **Ms. Kneuvean** said if I can add to what Bridgette just shared, now there is a module that it's through Tyler Technology who owns the Orion system that can do the tax side, so as technology evolves then it's able to do more things. Other counties have implemented it. We have looked at it because you're right there is double entry. It's very inefficient what we are doing now and there's a strong desire to move forward on having one common platform, different modules as Bridgette was saying, but one platform and many counties have moved away from CIC. The Appraisers is the one that is more mandated, but it is something we're looking at. The challenge is, honestly, it's a county function. Tax collections is a part of the Finance Department, which is the Treasury Division of Finance and then the Appraiser is a county function and we're

putting together and getting updated cost estimates of what it would cost to purchase the module and to transition compared to what we're paying now because you have to pay for current software. We're looking for what the cost difference is and that's one of the things that we'll be bringing forward in the CIP, but it's going to take money and, unfortunately right now, I think we all kind of understand the county side is in a little tougher spot financially and that's why it hasn't moved forward. There is a strong desire. It is a better operation, it will be more efficient, you'll have less human error because you've got people literally dedicated to data entry to data enter into the two systems. So, it is something that we're looking at, but it's always that challenge of buying new technology to solve some problems costs money and these are funded through these sources. Thank you for bringing it up, but it is something that is right square on our radar. It's something that we'd like to move forward to. It's just how does it fit into the finances that we have in terms of all the needs that the County General Fund has. Does that help? **Commissioner Lopez** said yeah, a little bit.



Ms. Kneuvean said I wanted to shift gears to the BPU PILOT because this is also a large revenue source most on the City General Fund side. One of the things, because we know that people have clamored for PILOT relief, and that is something that you all made great progress on in 2025 and reduced it from the previous rate of 11.9% down to 10.9% as well as introduced other programs such as for seniors to be able to get that PILOT waived off of their bill. So you've implemented some programs, but what this shows prior to 2025, which is when we reduced it for the residential side, that our PILOT rate had really been flat for many years, but our revenue was going up. Our percentage was flat, the revenue is going up, what that should tell you is that it was the rates that were going up because it's a mathematical equation.

So, part of the discussion and in fact I was just in a meeting with BPU's CFO is looking at—not just looking at the PILOT, but looking at the rates because at the end of the day what people are asking for relief from is their bills, their total bills. There's a lot of great promotion that they've done in terms of how people can save energy, save water, save sewer costs, what they can do to reduce their consumption charges. But if you look at this, we've been very focused because for the UG, our part of it is the PILOT. We've been focused on that, but really to the end consumer, to the resident that's paying the bill, the bigger issue there has been the rates. Now, it's not to say that those rates are not needed, I'm sure they are because they have aging infrastructure and they're having to maintain a system and they do things for efficiency, but I've encouraged them that when we have future sessions with them to share information about that. This is what their rates are now, but if they weren't doing some of the things that they are doing, they could be so much higher. This will also be important in terms of thinking about different strategies in the future of how we could bring that PILOT down even more and balanced with—this is a large funding source for the City General Fund. Again, that's the fund that pays for Fire, Police, Streets, I mean our core services. So, trying to figure out ways to balance all of those things, the needs versus what people are paying and what they can afford to pay.

Mayor Garner said let me back up one. Again, I appreciate the Commission for voting last year off the recommendation of myself and the County Administrator to really focus on the PILOT, which was 11.9%, moving it down to 10.9%. I know there's a commitment working with the Administrator's Office and our CFO, the goal is to get it down to what would equate to a franchise fee with other utilities of the average of anywhere between 4 to 6%. That's the ultimate goal. A lot of people don't like to say it, but I'm going to call it like it is, it's a tax. The only struggle that I've had with this tax is I've gone to meetings with other Mayors and the Kansas League of Municipalities. I sit around the table with Mayors and City Managers from other cities. The struggle for me to try and grasp is they have sales tax and they have property tax. We not only have sales tax, property tax, we have special taxes be it Police, EMS, Infrastructure, things of that nature. We also have a little bit of casino money, but a lot of these other cities don't own a municipal utility to where they have a PILOT and these other communities tend to have robust budgets. So, even with this, that's something that I really challenge staff to look at is how is it that other municipalities operate fiscally responsibilities for years and the BPU—I'm not sure exactly

when the PILOT came into existence. I know I've got that information somewhere, but the bottom line is we have more funding streams and more funding revenue streams than a lot of other cities and yet we're still fiscally challenged when you talk about our financials and I don't know why that is.

But, bottom line is I had a call for action to really look at the PILOT on how we can reduce it. Commissioner Bynum has taken that head on. Not just last year, but she took it again this year, working with both our staff, BPU staff and I believe it's Rose Mulvaney Henry who is one of the board members at the BPU as well as Commissioners Hill and Ramirez, and so we appreciate that. Taking the PILOT off the bill is one of the things that I've said we need to look at. That is a very complex thing to do based on some language in our Charter that at some point this Commission is going to have to look at to really decide what that really means when you talk about what's in the Charter when it regards the PILOT and BPU. The easiest way to address the PILOT is to continue doing what we're doing, which is trying to make it a point and I encourage this Commission to really see that as an option of annual increases of the actual PILOT, like you did last year, 11.9 to 10.9.

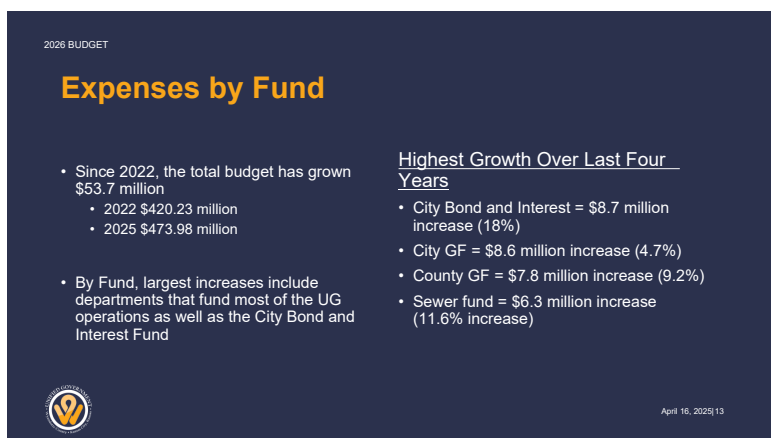
I challenge staff to hopefully get a recommendation to this body to take that further down to 9.9 and every year slowly chip away at this PILOT in a way that—even if we can't take it off the bill responsibly, we are still gradually providing our BPU customers some level of relief. But ultimately, what's going to have to happen, when we talk about taxes and BPU and all those things, we've got to expand our tax base. I think we've all recognized that. Economic development has to be key. I'm glad we have a new Economic Development Director that's in place working hard. Ms. Chism is working hard to try and bridge that gap and really market Kansas City, Kansas and Wyandotte County to bring in housing, businesses that are going to provide jobs, but more importantly anchor people in Wyandotte County and in houses so we can expand our tax base that can give this governing body more opportunities to hopefully find ways to reduce our reliance on property taxes. I think that's something that is doable, but it's got to be intentional.

I know Commissioner Burroughs and Commissioner Stites are on a task force as well looking at that aspect to look at policies and how we can reduce the bureaucracy of doing business here at the Unified Government, which has been problematic for a lot of developers. I know the Administrator is looking at several options. So, if we can do that and get more businesses here and anchor residents in Wyandotte County, expand our tax base, I believe it's going to offer more

opportunities to not only reduce property taxes, but then also bring about those needed funds to hopefully reduce the PILOT in a way to where—you've heard me say it, where the BPU can at least be considered more of a benefit to our residents as opposed to a financial burden when you talk about some of the taxation and user fees that coincide.

One thing that our CFO didn't talk about, or maybe you did, but I'm going to reiterate it was the reason those revenues keep going up is because the BPU Board, based on their discretion and their needs, and I'm not always sure what that looks like, but every time they raise their rates, that 10.9 is allocated from those additional revenues and that's how that number keeps increasing. Am I correct CFO? **Ms. Kneuvean** said yes. **Mayor Garner** said okay, thank you.

Commissioner Bynum said would it not also be fair to say that another thing that might drive PILOT revenue higher is new growth? When you have another account come on line that's using water and lights, you're collecting more revenue on the utility side and more PILOT revenue. **Ms. Kneuvean** said, Commissioner, in the detailed written report I took a look at that. I looked at the growth in accounts and then I also looked at the growth in consumption and they're not having significant growth in accounts. It's netting very much the same and then they're not having growth in consumption. So, it really does point to the rates, but some of that is because, for example, houses are now more energy efficient and so it may be there's some offset of some of the growth and the consumption with energy efficiency. Again, in every one of these slides there's not like one big silver bullet that's going to explain away everything. It's just observations about different aspects that we rely upon. But I did take a look at that and that analysis is in the written report. **Commissioner Bynum** said okay, thank you.



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Ms. Kneuvean said Expenses by Fund, so we talked about overall budget all funds. We talked about the County and the City General Fund. If you look at just in the last four years, I took a look at the last four years, what has the budget done. What you can see is in total the budget grew from in '22 about \$420M and that's again all funds to \$474M in '25. So, it has grown and again you can see over on the far right the areas where we saw the growth because that's been one of the questions is that our budgets have gone up and where has that money gone. As we talked about at the last workshop, a big part of it is debt that we have increased our reliance on debt, which causes the annual principal and interest payments to go up. So, just in the last four years, we've seen an 18% increase on the city side for bond and interest. So, of that growth, 8.7M was just to pay for debt. In the written report, there's more detail in terms of debt. I didn't put slides in here because we've already covered that, but that's the greatest area where we've had an increase.

General Fund for the city has increased 8.6%. Like we said earlier, just as citizens are experiencing inflation, so is the county and the city government. On the city side we have had an increase of 8.6M, county side 7.8M, so you can see there's been an increase. Commissioner Burns raised the point about the number of FTEs. One of the appendices to the written report is an analysis of number of employees by department, so it might be a good thing to look at, and me too, to analyze in terms of the overall growth of employees.

But you do have inflation as well as frankly new technology. In the last four years we bought a system that we used money for out of bonds, but we used money for, it has gained tremendous efficiency, but technology costs money. So, that's just looking at some of those things that have impacted the overall budget. Then the Sewer Fund, you can see accounts for 6.3M, which we know that we have a consent decree that we're complying with and we've been ramping up our expenditures related to the Sewer Fund. When people say, where did the money go, that's the answer. That's the primary answer is those four things is where the money went in terms of the overall increase in the budget. We could drill down and get into lots more detail at another time in terms of well, what did that buy me, like what projects were included and there is that detail and it's not to say those things aren't needed. It's just where did it go.

Mayor Garner said thank you and Commissioner Lopez has a question, but before I get to that, I'd like to again give credit to this Commission. Working with the Administrator I made a recommendation that we use 50% of future incentives that come online to go towards retiring our

debt, those funds as well as 10% of all new development growth. That's why economic development and building that growth in our community is so important because we can retire that debt and that debt is our residents tax dollars. When you talk about 44%, you didn't mention that goes towards retiring debt. That is huge and so I'd like to again give credit to this Commission of seeing value in taking the necessary steps to work towards trying to retire this debt, which is a huge portion of what's being spent when you talk about taxpayers dollars.

Before we get to Commissioner Lopez, you can answer this question next. I don't even know if you have it, but I've never heard out of what we pay on our debt, how much of that is actual interest as opposed to principal? **Ms. Kneuvean** said to answer in a general sense, it'll vary every year because as you're paying down principal, just like a debt you would have, then you know you start out with lots of interest and then you're paying less interest over time, but it's generally about half. If you look at—so in the presentation we did the last time we gathered, we talked about the total amount of debt, we talked about trying to get away from using debt to fund very small projects that we need to find ways to fund through cash and trying to find ways to reduce in general how much we're spending on debt because it's always more expensive. You're going to pay interest and you're going to pay issuance fees, you're going to pay all the costs that go into doing a debt issuance.

So, it's one of the things that is definitely on radar and, again, we're on the right path. It's not going to be an easy process that is presented to you all. We'll give you all the Capital Improvement needs we have. Last week we gave some ideas of ways to manage debt and still keep making some headway on some of those Capital needs, but we simply can't do it at the pace that we've been doing it at. We can't sustain that, so hard choices are going to be facing this Commission of which Capital Improvements we can afford to do. It's just being disciplined about the future in order to kind of right size the amount we're spending on debt. It's not bad that we have debt. It's just to the Mayor's point, and I think David has said this as well, many times on the city side where most of our debt is, Commissioner Burns is right, we don't have as much debt, nearly as much debt on the county side. But on the city side, 44% of our property taxes are paying for the annual principal and interest payment, 44%, that's not going to Operations.

On the county side, it's 6%, so it's much more measured in terms of what it's costing from the property tax component, but again, it's just looking at what those needs are and the challenges that face this Unified Government. **Mayor Garner** said let that sink in for the public

that's watching. Out of that 44%, almost half is interest. That's why it was really important that I put that information out that this Commission is working to chip away at that principal and interest that is costing us so much. These are dollars that could be spent elsewhere. The only thing I would challenge the Commission and staff is how do we avoid not adding to that bonded debt so we're not spinning our wheels on this treadmill of never getting and digging ourselves out of debt and so that's a huge challenge especially when you try and balance necessities with wants and some of those mandated needs that are out there.

Commissioner Lopez said so, where's the money going, good question because I see some departments that are just blowing money that doesn't need to be, you know, just different things like that. It seems like nobody's watching or they're not saying anything or they just let it go or whatever, but I've seen some idiotic spending, you wouldn't believe and that's just one department. What about other departments? You know I don't know, I just happened to see one, hear about some and I'm like are you serious. Why didn't anybody say anything? Maybe we should keep a closer eye on where they're spending it and exactly what they're spending it on. I want to see receipts, things like that.

2026 BUDGET

Expenses by Department, All Funds

Over the last 10 years, the departments with the most growth include:

- Fire \$32.6 million increase (64%)
- Police \$24.8 million increase (51%)
- Public Works without sewer \$24.3 million (75%)
- Sewer \$21.8 million increase (76%)
- Sheriff \$21.8 million (80%)
- Parks \$9 million increase (131%)

Total Positions By Fund	2004	2024	% Change
City GF	1226.35	1115.00	-9%
County GF	436.10	656.00	50%
Other	590.05	668.63	13%
Total FTE	2251.50	2439.63	

Public Safety Positions	2004	2024	% Change
Fire	369.00	484.00	31%
Police	485.90	509.75	5%
Sheriff	215.00	304.25	42%
Other	1550.60	1625.63	5%
Total FTE	2251.50	2439.63	

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Ms. Kneuvean said we're almost to the end here. Looking at by department because again the last slide was looking at in the aggregate and looking at in particular a couple of funds, so you can see that, like I said, most of our expenditures for Operations are in the City and County General Fund and as Reggie's presentation highlighted, a big part of our budget is personnel. When we started looking at where we had increases, and this is over the last 10 years, again details and if you want to look at different time periods, you're welcome to do different calculations, but over

the last 10 years the Fire Department budget grew by almost \$33M. They're at 80 some million now, 10 years ago they were at 50 some million, so they had a 64% increase.

Police has increased by 24.8, Public Works without the sewer has increased by 24.3, Sewer has increased by 21.8, Sheriff has increased by 21.8 and Parks has increased by 9M. So, what that says is what the priorities have been where we've been putting our money has been in Public Safety and in Infrastructure, which are obviously very crucial components to government. It hasn't been going to discretionary type programs. You can certainly argue that there's expenditures within departments that could be streamlined or reduced, but this just gives you a picture of this is where we placed our emphasis. And then it plays out, if you look at the number of positions, and it is true that in the last 10 years we've added overall 188 positions. Then, if you look at where some of those positions have increased, you can see again it's related to the expenditures because our departments are mostly people. A Fire Department is mostly people, a Police Department is mostly people. A Sheriff's Department that runs a jail is mostly people and so you can see that's where we've had increases primarily throughout the entire government as opposed to other departments, which have only grown modestly about 5%.

Again, there's a thousand reasons why these things are so. It's not to necessarily say you should conclude something off of this, but it's just to highlight the numbers. The facts of the numbers, these are the numbers.

Mayor Garner said out of all that, is that strictly personnel or is that just the totality? **Ms. Kneuvean** said totality. **Mayor Garner** said so, if you're just talking personnel, what would those numbers be? Do you have that? **Ms. Kneuvean** said I don't have that. We could certainly—well, it's on one of the attachments and I could get that for you. I could break that down for you. **Mayor Garner** said so herein lies the question, I think maybe a performance audit or some type of performance study of these crucial areas maybe could be in order to look at where can we find efficiencies when you talk about, not so much the personnel, but kind of going in line with what Commissioner Lopez talked about, where are we spending our money. What are we spending our money on and, again, we break it down to are these essential services that we're spending money on that—or items that provide or facilitate essential services, are these wants and needs and what's a necessity to really make sure that we try and avoid waste, abuse of taxpayers money or misuse of taxpayers money. Really drill down and take a hard look at what these departments are actually spending their money on and then sometimes I know when I was on the Police Department when

we faced financial difficulties, the Chief came to me and said I need you to cut 5% out of your budget across the top without reducing the level of service that our residents have come to expect. Now, I pay you good money Tyrone, you find a way to make that work and I did. So sometimes if we rely on our staff professionals, they can sometimes find a lot of cost savings if we give them those opportunities and we really put that pressure on them to cut costs, it can be done responsibly I'm confident of it because I had to do it. I didn't have a choice when I was on the Police Department in various positions and I was given that mandate. There was a lot of things I wanted. I might have wanted extra radios, I might have wanted extra laptops, I might have wanted extra printers, maybe a car here or there and I had to put that on hold because at the end of the day my priority, at least when I was on the Police Department, was providing those police officers getting to those calls and answer those calls for service and then what did that entail. Also, to help keep officers safe and the public safe.

I don't know when you look at that, I don't know what all those ancillary costs are that may be out there, but taking a hard look at where are we spending our money, how is it being spent and can we squeeze some cost savings out of some of those things that aren't personnel. I support all of our employees and we want to make sure that we protect their salaries, their benefits, and their positions, but it's some of those other things that maybe we need to take a hard look at again and really make a determination are these truly necessities and are we really being good stewards of the taxpayer's dollars.

Commissioner Lopez said this is what I'm getting at is and I'm just going to be the elephant in the room here, but like we got Fire Chiefs, have their take-home vehicles. Friday afternoon they're fueling them to the top and then come Monday morning, they got to fuel them to the top again. Where are they driving all weekend. Are they going to the Lake of the Ozarks with them or some of them have soccer games for their families or soccer kids or whatever in the back of them driving around. I mean at what point are we going to be paying a huge lawsuit when somebody rearends them and a bunch of kids get hurt. If they're even out of county, they're in Olathe, they're in Johnson County, they're somewhere, who's watching. Who's saying wait a minute, you're not supposed to be driving this with family in there or friends and families. Again, however many vehicles that is on a Friday fueling when they're not working, come Monday morning, they're fueling to the top again. That's a lot of money. The fuel is not cheap. I mean my fuel bill I think

I'm paying 10 grand a week, so I can't imagine—it's little things like that. Things like that add up. What other departments have take-home vehicles, are they doing that. I mean, who knows. It's like who's watching, who's policing that. That's a lot of spending that we don't need to be doing.

Commissioner Burroughs said Administrator, staff, this information was absolutely warranted and the historical review that you did I read the documents, very thorough. I sincerely appreciate it. It really puts a picture and it validates some of the concerns many of us have brought forward over the last handful of years. It also provides a roadmap for us on how we can correct and get ourselves in a more stable financial position long term. I don't know how you put all this together the way you did in chronological order, but it was an easy read and I really appreciate all the research and work that went into it. As I stated, it does validate some of the concerns that have been raised, but it also provided a roadmap and ways in which for us to address some of the concerns that we've had. So, I just wanted to say thank you, Administrator, Mayor, for putting this together. I hope the public appreciates this as much as I have.

Commissioner Bynum said, Mayor, to your point, I have a request for staff and if it's too simplistic, you can just say so. When we talk about crafting a budget around needs and not wants, the question that I have is, for example, we know that the Fire Department must do these things, but they also do these things, and so what's the cost of what they must do. What's the cost of the other stuff they might be doing that they don't have to do.

The Election Office must do these things, but they're also doing this. Are you able to actually bring us by division or department the cost of the things that we've been through. Like, for example, on this county presentation tonight, you've told us what's mandated or examples of what's mandated, so there are things that must be done by some of these departments. I don't know if that's too simple, but it drives right to the point that the Mayor is making as far as needs versus wants. You have a department that must do this, but is also doing this and they're also doing this part might be because the community said we want that, so I think we have to balance that. I'm just curious if that's a realistic request.

Then, my second question is this. To Commissioner Lopez's point, I don't know if you're suggesting that the Fire Department or any other department take-home vehicles are fueling

up on Friday and again Monday morning or you're alleging that's happening. But our fuel people know who's filling up when and if that's a real thing, we can certainly figure it out. It won't be that hard. If that's real, then that evidence could be brought forward and then we'd know is that fat that needs to be cut and I'm not suggesting that's necessarily your job, but the people running the fuel pumps know who's fueling up and they know when and they know how much, I guarantee it. That would be interesting to find out if that were truly happening.

Commissioner Burns said along that fact with the Fire and taking home vehicles, let's be very alleging that it's happening. Let's not say it's happening. I think that's important. We don't need to discredit employees that are really doing their job or not doing that. So, let's alleging, you know, we can find out but let's be very careful on how we do that.

Mayor Garner said just me working here, I think the concerns of you talk about what Commissioner Bynum mentioned and Commissioner Burns and Commissioner Lopez brought forward, I mean some of this goes back to leadership. I mean we've got an Administrator, we have Assistant Administrators, we have Directors, Managers, Supervisors, frontline Supervisors, some of this stuff goes back to leadership and individuals holding their direct reports accountable to expectation. Not just of this Commission but to the public because I get some of those complaints too and people ask me why is this employee doing X and why did I see an employee behind Price Chopper sleeping for three hours. I got it on the Police Department, so some of this stuff we're dealing with people and so a lot of times it goes back to having good leadership and good managers really staying on top of their people to hopefully address and get the most bang for their buck out of the workload that our employees are expected to produce every week. So, that's part of it and I know that our Administrator and his team are trying to address those concerns as well.

Some of that may not just be those things are being done because it's just being allowed, it's just sometimes managers and supervisors they don't know what they don't know, so if we see and hear those things, really just getting that information to the appropriate manager, supervisor so they can address those things administratively sometimes alleviates those problems.

Mr. Johnston said I think the genesis to your question, Commissioner Bynum, was reflected in a lot of the work that you saw in Reggie's presentation of the county's departments when you saw

the mandates and he used best practices and it was revealed it's the discretionary things, the things that they don't have to do. But as your question said, lots of those are what the public wanted and the Commission in the budget process has said even though it's not mandated, through the years, the public wants it, so we're going to fund it. So, over the years they become institutionalized programs, but still they're not mandated.

We saw that in my first budget process with the Commission where I remember there were 21 things that the Commission asked for when we were talking about tightening the budget, there were 21 discretionary Commission programs that weren't mandated, but those were community programs that the community liked that you provided, but we did not cut them because you thought they were too valuable of services that were provided to the community, so we did not cut them. That's why we went to priority based budgeting and we started really this year trying to bring that philosophy into this budget process and you'll see it deepened into future budget processes and that's the format that Reggie and Michael and the Budget team brought in the format that you saw this year. We're trying to reveal to the departments to start thinking that way. Things that they've taken for granted that they view as mandates because this is what we've always done.

You need to think critically about it, what are mandated and then what are discretionary that when time comes like when we need to really look at budget challenges, what can we shave out of our budgets and then services come out of our portfolio for savings. It's going to be those discretionary services. Now, some of those decisions are going to be tough because some of those discretionary services are ones that are favorable to our public, but they're not mandated. We have to provide what's legally mandated or contractually mandated, but the discretionary ones usually are the ones that we enjoy providing our public and cutting them out are tough choices that we have to make, but those are the easiest choices to make because they're not tied to legal requirements. But the revelation that they're not required is something that is culturally—we get an awareness that just because we've been doing them for so long doesn't mean they're mandated. When we have tough choices that we have to make due to budget reasons, we have to categorize it like that.

We're pleased that we've discovered priority based budgeting to help us become aware of the services that we make and we can categorize them like that. When we have these discussions with you, we can help you make the best informed decisions for our public and some aren't going to be easy choices. Some are going to be very easy choices, but it makes for good dialogue because

our goal is to make the best public service decisions for our public with the resources that are given to us. We know we don't have unlimited resources, but with the resources that we have, what's the biggest bang we can make to serve our public, that's our goal and I think we're here to help you make that decision. We brought priority based budgeting into our world and I think you'll see it more effective as the years go by, but we started in earnest this year. You'll see them deepened every year and we'll see more and more participation of our staff, have them understand it better because they're the ones that do the work and you'll see it better as years go by.

Remember when we had 21 things, no, we can't do that. Oh, that's so popular. Well, we're going to have more of those types of discussions, but that's what makes public work inefficient, the public work, because we have to make those tough decisions because we're touching people's lives.

Mayor Garner said the other thing that I asked staff to look at is our procurement process, some of our policies. There's a perception that certain entities in this county or outside this county get forever contracts and without RFPs and so I'm having the Administrator look at some of those dynamics to make sure that there's equity in our RFPs, our Request for Proposals to make sure there's no cronyism when it comes to who gets these contracts and for how long. There is that perception that if you're privileged, you're connected historically within the halls of this government that you sometimes get the hookup and I want to make sure that's not the case. That we do have a robust RFP process that can probably bring sometimes better services that we're asking for at a lower cost. So, I know that's one of the things that staff and Administrators look at as well is how do we improve our procurement process. Number one, not just to find cost savings, but to also make sure that it's equitable and it's fair for everyone because I get a lot of complaints from folks that are saying they can't even get in the process and a lot of folks feel like they're being left behind when it comes to how we dwell out contracts to certain vendors. I know there are certain vendors that personally, because I worked here, that have had longstanding contracts since I've been here at the Unified Government when I started in 1987. These folks, I don't know how they keep getting these same contracts over and over again, but that's something we need to look at. Can we get the same or better quality of service at a cheaper price and making sure that these contracts and who they're given to are equitable.

Ms. Kneuvean said I will say that has been a priority and I am pleased to report that we are putting many things out to bid. If you go out and look at our website, if the public's listening, I encourage you to register as a vendor and you can pick what the work is that your company does so that you will get notified if we have a bid that's going to do mowing or a bid that's going to do whatever. You'll get notified of that in addition to just going and looking periodically because we do want to make sure that we're following a proper procurement policy and we're looking at the current policy and we'll likely be bringing forward some enhancements to that policy for consideration.



Just to wrap up this conversation, again, there's not one particular thing that just says, well, here's exactly what happened and where we got to where we were, but what we do know is that there's a couple of key things that we can do to get on the path going forward of financial sustainability. If we balance the budget every single year, and if it's not balanced, it's done knowingly like we're spending down in excess of the fund balance where we have that in pockets, but not across the board, but having a balanced budget containing expenses. You all were just talking about that and the importance of containing expenses that are based on the available funding for required services. There's key words here and then also balance though against these other priorities that the Commission and the Mayor have expressed such as property tax and PILOT relief. So, it's really balancing all of those things and it takes containing expenses.

Then, as we've talked about a couple of times, reducing debt, which I feel like we've got a good path forward, it'll be a harder path, but a good path forward, but we do need to figure out new ways or different ways to fund some of our Capital with using cash. What we've done is we've gone creative even for say, you know, fire trucks is a good one where we're using Capital

financing. It's not bonds but we are using Capital financing and that's funding it over a period of years because those trucks have a life of more than just one year and that way you can spread the cost out. It's a very good practice actually, but it also starts locking down future years discretionary budget because it's committed, it's committed to that fire truck. We'll be sharing information about that as well. Just kind of like looking at things a little differently through a little different lens and figuring out ways to pace ourselves.

We have a lot of needs and I hope your takeaway from this presentation is not that the staff was saying that things were done in the past because they weren't needed. It was just making the decision to get things. It's because we have a lot of needs. We have aging infrastructure and we have a demand for a level of service and that's where it gets down to it. It's discretionary or it's required and then you have to keep drilling. Okay, it's a required thing. What's the level of service that we want to provide. We want a certain response time, we want 911 to always be answered. These are the things that are standards of level of service that have cost. So, it's balancing all those things, which is a challenge for the Directors, the Budget team, the Administration, and you all to try and find the right balance.

I think we do have a path forward and you all have taken big steps in that direction with doing the property tax relief through RNR last year and looking at reducing PILOT and we'll keep strategizing about how to do that. But we also know that we are experiencing inflation just like everybody else is and the cost of business does go up, so we have to balance those things or we don't do discretionary things or the level of service is reduced. It's just making sure we have good information as much as we can provide for you to make good decisions.

Again, this is hopefully a takeaway just to say here are some of the things that brought us to where we are now. We're on a new path. If we stick with that path, that really will put us in a position to be financially sustainable for years to come. You balance your budgets, you contain your expenses, and don't issue as much debt.

Mr. Johnston said I guess I would like to close this session to let you know that we opened up the internal budget process with our staff on the Operations side today and the message to them is we're taking a conservative approach in the budget process and ask them to develop the Operations side on three conservative approach. We've had discussions with a couple of the commissioners over the last couple of months. We know that you have all had conversations with many of your

constituents, that you've read messages on social media and all that and that there is significant demand on a conservative approach on budget for this year that we've asked them to do three scenarios. One is a revenue neutral approach to budgeting. One is a no new revenue budget, which means if you are going to do new initiatives, you also need to look at cost savings out of your existing budget, so you're pretty much a neutral. It's a little different than revenue neutral. It's a different approach, but ask that. We also let them know that some of the information that our Appraiser gave us that you all had on-threes with Matt about what to expect on possible maximum mill increases would be available for us. It's not going to be at the level that we saw in 2022 and 2023.

We told our staffers that yes, we viewed the revenue neutral budget year for this year as a pause, don't think we're going back to the '22 and '23 years with that huge property tax levy increase to be available to us. Matt was saying maybe 6, no more than 9% and 9% was generous. What we heard from some of the commissioners if it's 6, don't ask for 6%, on the Property Tax Levy. I think some people were hoping that the Legislature would give us a cap, we did not get that, but it's that type of philosophy, don't ask for the max. If we're going to get something, don't go for the max. So, the message to the staff is be prudent when you start looking for new revenue for your services and when we have those discussions internally, that's what I'm going to be expecting if they're going to go with that third scenario and justify what you're asking for.

We're not looking for increased personnel because that's usually the big ticket item in any budget, so temper down your expectations is what the message was. That's how our staff is going out in their Operating budgets. I think we were also—we know our Capital needs are high, but if you're going to be asking for any Capital needs, you're going to have to prioritize them because as we've had the debt explained to us in the previous thing, you got to talk about how much are you willing, commissioners, allow debt. How much debt are you willing to accept for the '26 Budget and then how do we appropriate that to each department and so we need to know the debt expectation from each department so when we appropriate the amount to each department, we know how much we can fund and then those that we can't fund go back into the shelf.

They're going into the budget process with their eyes wide open with conservative expectations. We're letting you know how they are going into the budget season with that message, so you hear it from your Administrator tonight.

Commissioner Burns said, Administrator, I would like to recommend that we limit the budget workshops to two hours. It's not fair to the employees and it's not fair to the public. I think you lose attention after two hours. You do a great job, I'm not saying that but if you can't get done in one session, it could carry over to the next one and I recommend we limit it to two hours.

Mayor Garner said thank you so much to our Budget Director, our CFO, and their teams for great presentations. I appreciate our CFO. That was a lot of work, Commissioner Burroughs, that they put in, her and her staff. I asked them to do that again because I really thought it was important that not only the Commission, but the public know how do we get to where we're at and how do we improve that dynamic moving forward so we don't keep repeating the same mistakes. She put together a real good report. There is a thorough report. Hopefully you all got it. If you didn't, just reach out to our CFO or Administrator and we'll be sure to get it to you.

I think the overriding goal that I took away from tonight's meeting was we are moving. This Commission, public, is moving in a way for this Unified Government to operate more efficiently, to be more streamlined, to be more fiscally responsible, to be more customer service friendly, and to be more financially sustainable and stable in the years to come. Thank you all for your time. I have no further business unless a commissioner has another comment. I'm going to entertain a motion to adjourn.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Lopez, to adjourn.** Roll call was taken and there were five "Ayes," Lopez, Bynum, Burroughs, Burns, Hill.

MAYOR GARNER ADJOURNED
THE MEETING AT 7:38 p.m.

Monica L. Sparks
 Unified Government Clerk

dt

April 16, 2025

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

SPECIAL MEETING, THURSDAY, APRIL 24, 2025

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Meeting, Thursday, April 24, 2025, with ten members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; Burns, Commissioner Second District; Ramirez, Commissioner Third District; Hill, Commissioner Fourth District; Kane, Commissioner Fifth District; Lopez, Commissioner Sixth District; Stites, Commissioner Seventh District (arrived at 5:17 p.m.); and Garner, Mayor/CEO presiding. Davis, Commissioner Eighth District; was absent. The following officials were also in attendance: David Johnston, County Administrator; Wendy Green, Deputy Chief Counsel; and Monica L. Sparks, Unified Government Clerk.

Mayor Garner said before I call the meeting to order I want to announce that we have individuals attending remotely as well as on-site. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, please make sure you announce yourself by name and title every time you speak so the public that is participating knows who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General Office. Please be sure to speak directly into the microphone to ensure your comments are heard and an accurate record can be made of this meeting.

Mayor Garner called the meeting to order.

NOTICE OF SPECIAL MEETING of the Unified Government of Wyandotte County/Kansas City, Kansas, is scheduled to be conducted in a hybrid format on Thursday, April 24, 2025, at 5:00 p.m. for a discussion with the Mayors and City Administrators of Bonner Springs, Edwardsville and Lake Quivira in the Commission Chambers of the Municipal Office Building. Roll call was taken and there were ten “Ayes,” Lopez, Stites, Bynum, Burroughs, Townsend, Burns, Ramirez, Hill, Kane, Garner.

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Garner said tonight's Special Session we have invited the Mayors from across Wyandotte County and three of our sister cities to join us in a discussion about the future of our county and continue open dialogue regarding items that we know are mutual interests for all the constituents, people that love and call Wyandotte County home. At this time I'll ask the Mayors and their Administrators to come to the podium and we'll start with Mayor Caiharr from the great city of Edwardsville to come to the podium and she'll give her remarks.

Carolyn Caiharr, Mayor of Edwardsville, Ks., said I didn't bring a big formal proposal or anything like that for this evening. I know it's a little bit more casual, so I just wanted to talk to you about a few of the things that I've talked with you all about before and some of the needs of the constituents in Edwardsville. Some things that would even cost less solutions that would come up for your constituents there.

One thing that we've talked about for a few years is PILOT and that is a fee, a Payment in Lieu of Taxes, basically a tax applied to the BPU bills of residents across Wyandotte County, but especially I bring your attention to the PILOT on the bills in Edwardsville. The reason I'm bringing this up is because that money is taken from your constituents in Edwardsville and placed right into the General Fund of Kansas City, Kansas. So, to your constituents in this part of the county, it doesn't seem like it's a fair taking. It's money that's taken from one community and directly deposited into another. That's been something that we've asked to be removed for quite some time. We brought that to Legal. They've said it violates Charter. I've not found anywhere in the Charter that requires a PILOT. In the Charter it does address revenue going from BPU to Kansas City, Kansas in a certain amount that ends up being a passthrough via PILOT, but I've not seen, and please correct me if I'm wrong because I could be, but I haven't seen anywhere in there that actually requires PILOT of residents in Edwardsville. So, I just ask that you address that and just give it some thought and how that might be resolved in the near future, specifically eliminating PILOT from residents bills in Edwardsville.

CIFI is one thing that we had for a brief time and then it went away with budget cuts. That was something that was very instrumental in the budget of Edwardsville, but as well as Kansas City, Kansas, Bonner Springs, and the entire county. This was not an initiative that just helps the people of Edwardsville, but it was an infrastructure improvement. It was investing in infrastructure for the entire county, something that when we talk about a Unified Government, this was a unified investment because it helps people across the entire county. One of the main needs in Wyandotte County is infrastructure, maintenance, and improvement. This is an easy win. It's an easy win for something that is equitable across the county because it was divided up by lane miles and just goes into that infrastructure. Most counties do invest in infrastructure across their whole county. There's generally county roads and things like that. We don't have that as much in Wyandotte, but CIFI was a way to make a really meaningful investment throughout the county.

The last thing that I'll bring before you has no financial ask and that is to consider revising the Charter for the PET Board. Currently the PET Board, Wyandotte County Library Board, consists of 11 members. Of those 11 members, six actually live in the PET District, which is out—it's any resident who lives outside of the Kansas City, Kansas School District. So, it's primarily residents who live in Piper, Edwardsville, and Turner, but there's a few that live kind of in that middle ground, so you're looking at Piper, Edwardsville, and Turner residents primarily. So of the 11 members, six live in that area, five do not, but all 11 vote on the mill levy set by that board, so that means five people are voting to tax an area that they do not pay. So, they're voting on a bill that they do not pay. I would ask you to consider adjusting the Charter including all those voices, including 11 members, but having six ex officio members who their voices are still brought to the board, but only having five ex officio members. But the six who are going to actually pay that bill, the representatives from Piper, Edwardsville, and Turner be the voting members just as I don't come and set a mill levy for Kansas City, Kansas, those that aren't paying that and aren't voted in by those people shouldn't be setting a tax bill that they're not participating in paying.

That is a solution to something that would be really appreciated by those that live in our area. It doesn't cost the UG anything, but it's just bringing fair representation to those who are paying for that mill that's set by that board. If you guys have any questions, I know this isn't very formal, so I'd love to answer those for you. I'm not sure if I explained that very well, so if you have questions about that, please feel free to ask them.

Mayor Garner said before we get into questions, as part of your presentation of asks, what are some of the good things going on in Edwardsville you'd like to share with the Commission and the public as far as developments, opportunities, things you're looking at. What's the vision moving forward? **Mayor Caiharr** said we do have some great things coming forward in our city. So, last November our city was able to pass a vote of a half a cent sales tax increase that's going to bring a new City Hall, Police Department, Fire Department and the first time ever a city library to our city that we have not had yet. We were able to do that without increasing the tax burden on our residents, which is something that we were really proud of because we know that's an ongoing concern. So they voted that we needed these improvements of that half cent sales tax.

Our Fire Department has been in the same building for decades now. That was built for a volunteer Fire Department. It was not built for people to spend the night. We'd have men and women in the same area. It's very outdated, very obsolete, so it was time for them to get into a more modern structure, so we're adding on to that building to bring them up-to-date and get more of a professional building for them.

Our Police Department for 16 years has been in a mobile building that we bought from the city of Leawood for \$1.00. That was supposed to be a temporary solution almost 20 years ago now, about 17 years ago, and so we felt it was time that also with law enforcement, not to get too into the weeds, but it's not a very secure building. It's not the best place to house detainees, paraphernalia, things like that. It's just not set up for that.

We're really excited for some great things moving forward in the city of Edwardsville. The residents are really excited for some positive things coming ahead. I mean there's just—that's the primary thing. We have new events coming up. We've got our Police Department more engaged with the community than ever before. We've got community events coming up, so watch the calendar for that. I don't want to take a whole lot of your time going through every little event that's coming, but there are definitely great things coming ahead.

You are all welcome out to any event that we have, any meeting that we have to come and just meet your constituents from our part of the county. You guys are our county board and it's great anytime that we have the ability to visit with you and hear your heart and you guys are able to hear the needs of your constituents in Edwardsville.

Mayor Garner said thank you, Mayor, and I just wanted to highlight you got some new housing options as well that I see you all are building. **Mayor Caiharr** said yes. We have the

Highland Townhomes coming up right off of Highland in Edwardsville. There will be about 50 units, 52ish units. They are already under construction, but over the next year or so you'll see those popping up more and there's single family housing that just pops up sporadically in our more spread out areas all the time. So yeah, we're excited to see those coming up. **Mayor Garner** said where's a big warehouse that's under construction? **Mayor Caiharr** said that's in Bonner Springs. **Mayor Garner** said that's in Bonner, okay, I got it mixed up.

Commissioner Burns said welcome and thanks for all you do. I have a question for you. It was about this time last year that you appeared before us and because taxes were so high you recommended that we go revenue neutral. The junior college did and then I learned that Edwardsville didn't. Why not? **Mayor Caiharr** said the kind of easy answer to that is for years in a row beforehand the Unified Government has taken every bit that they could. They'd say, okay, taxes have gone up this much, appraisals have gone up this much, we're going to keep the mill levy level. Edwardsville decreased every single year for the last eight years. We decreased over seven mills over the last eight years, so we only take what we've needed every year.

In addition to that, as constituents had asked me before, our General Fund was not what was presented to us the year before and so we had some hard news with that with some auditing and things not to get too into the legal weeds of it. But we had to not bring our General Fund down to \$300K, which would have happened if we went revenue neutral because of numbers that were presented to us that were not accurate. So, we didn't have that ability last year. I think going revenue neutral is a great goal. I would love to be able to do that in our city. I know that's not something that is sustainable year after year after year because we have to pay increases and things like that. Once in a while it's not something that can be—especially if we don't have a lot of development, which we haven't had in our city unfortunately, a big boom of development. But that is definitely something I'd like to see coming in the future. It just wasn't—because we had only taken small bits and had been reducing, reducing, reducing for eight years in a row we couldn't go with the full revenue neutral last year.

Commissioner Burns said so, did you not promote it with your fellow council members? **Mayor Caiharr** said I was until I found out that if we went revenue neutral, our entire General Fund would be less than \$400K. I didn't feel like we could do that. **Commissioner Burns** said I just got the impression it was kind of a do as I say, not as I do. **Mayor Caiharr** said oh, absolutely

not. Absolutely not. Just like I had mentioned before, year after year and Commissioner Stites will probably remember this, that I've been on them every year and just taking what we need. He was a huge proponent for that as well and not over taxing every year, not taking everything just because we could. We would take—if we would do a mill decrease, sometimes a 2 mill decrease, a half, like every year it was a mill decrease, so we were showing our constituents we're not taking every bit just because we can to keep the mill levy. But we also got some hard news that we just couldn't responsibly make that decision, but I definitely would love to be able to do that. **Commissioner Burns** said I hope you can understand why I was curious. **Mayor Caiharr** said sure, absolutely, and you're always—if you have questions, feel free to send me an email. You don't have to wait a year to talk to me. If you have questions, I'm happy to answer them. **Commissioner Burns** said thank you for your response.

Commissioner Townsend said you mentioned first the BPU PILOT. Do you have any idea how much money you'd be talking about if—you're saying the fund of KCK and not into Edwardsville. How much money would you be talking about? **Mayor Caiharr** said that's a good question. I had asked. I believe the UG staff had looked into that because we don't see that BPU side of the bill. I only see the big bucket when I look at the county revenue, but that's something that I'd asked about three years ago and I don't believe I got that exact number from the UG, but I think we could probably get that in the near future. **Commissioner Townsend** said we could easily find that. It's good to see you again.

I am not familiar again with the PET Board. Could you once again say what that is and what the ask is? **Mayor Caiharr** said sure and I'm sorry. As I was saying it, I thought that probably wasn't the clearest way to state it. It's our Library Board or Wyandotte County Library Board. The Kansas City, Kansas Public Library is run through District 500. So, the constituents of Wyandotte County who do not live in District 500 are taxed through this PET District, Piper, Edwardsville, Turner is what it stands for and the members of that PET Board set a mill levy that taxes the residents in Piper, Edwardsville and Turner. There's 11 members on that PET Board, but only six of those members actually live in the area that have to pay the tax and so we have five people voting on a tax that they do not pay. **Commissioner Townsend** said okay, thank you.

Commissioner Stites said thank you for the presentation. So, what would be a fix on that PET? What was your—do you have any kind of thoughts on how that could be remedied or how we look at trying to address that? **Mayor Caiharr** said absolutely. So when I had asked some others about that, they felt like, you know, we still want to have a voice and be involved and I think that's fine. I would suggest that of the 11 members that the six who live in Piper, Edwardsville, and Turner be the voting members and the five others would be ex officio members so they can still come and contribute to the conversation, but they wouldn't vote on the actual tax that they are not paying. Those five members do get to vote on the board that sets the tax that they're paying through the school district, so they're getting to vote on that board already. **Commissioner Stites** said you may not know this, do we know how long this has been in place, this board, at this number at 11? Does anybody know that? **Mayor Caiharr** said I believe that was shortly after the—1997. **Commissioner Stites** said 1997 in the Charter. **Mayor Caiharr** said there was a Wyandotte County Library Board before that and that was established because the communities outside of Kansas City, Kansas didn't have their own library and so they said okay, well you guys are using our libraries, can you contribute and that's where the Wyandotte County Library Board was established, but the PET was 1997. **Commissioner Stites** said I'll add to that a little bit and the reason Bonner Springs is not involved in this district is because, and they may speak about it here in a little bit, but they have their own library, so that's why it's not PBET. **Mayor Caiharr** said they do have a member on the board and they do receive funds, so the Wyandotte County Library Board or the PET Board can work with any library within Wyandotte County and so they do contribute to Bonner Springs Library as well.

Commissioner Stites said do you remember when you talked about CIFI, do you remember what the contribution was to Edwardsville when CIFI was in place the previous year. Was it roughly \$500K? **Mayor Caiharr** said I think it was about 430. **Commissioner Stites** said so removing that from your budget could definitely play a role into why you were not able to go revenue neutral, correct? **Mayor Caiharr** said absolutely. In our budget, and this will seem probably a little bit foreign to the Unified Government, our entire budget is about \$8M a year. That includes our Police, Fire, Municipal Court, City Hall, Parks, Public Works, everything, about \$8M a year and so about half a million dollars off of that is a pretty significant chunk for us to have to incorporate back into the budget. **Commissioner Stites** said hopefully if we're able to

reinitiate CIFI, that might be a tool that gets you closer to being able to go revenue neutral, so appreciate it.

Commissioner Ramirez said I guess I never really fully understood how the PET worked. So, we all have an appointee on the Library Board and the mill levy that board sets is only for Piper, Edwardsville, and Turner. Is that correct? **Mayor Caiharr** said yes and so any resident who lives outside of District 500 is who pays that and so there's a little bitty portion that's, I think, Delaware Ridge, it's not District 500, but it's also not Piper, Edwardsville, Turner, but it's the PET Board Piper, Edwardsville, Turner. And so only the people who live in that PET District pay that tax. **Commissioner Ramirez** said okay, and the PET District is Piper, Edwardsville, Turner, okay. Then the libraries that are in KCK, those are set and funded by the USD 500 School Board. Is that correct? **Mayor Caiharr** said it's a part of their mill. It's a part of the money they collect that funds the Kansas City, Kansas Public Library. **Commissioner Ramirez** said, again, I guess I never realized how that worked until—I know this is probably like the third year—you've brought it to us before, but not until today did I really like—you explained it very well today where the lightbulb in my head was like oh sure. **Mayor Caiharr** said it's confusing. It took me a while to like, wait a second, how does this work and so it's pretty confusing.

Mayor Garner said Mayor and Commission, I meet with all three Mayors in Wyandotte County and Mayor Caiharr has brought the issues up and I did make a commitment to Mayor Caiharr that I would work with our Legal staff to formulate resolutions that would address the PILOT as well as the PET Board. So, that commitment remains. We've had a lot of other things as priority, but we will get that going and get it to a Standing Committee so they can start having those discussions. So, thank you for your time and your presentation. **Mayor Caiharr** said thank you all for having me out and for asking questions. Feel free to send me an email if you think of something later. I'm happy to answer those.

Mayor Garner said we've got Bonner Springs Mayor here, Mayor Stevens. I apologize, I tried to give Edwardsville your brand new facility out there, but they are in close proximity and so we're glad to have Mayor Stephens here.

Tom Stephens, Mayor of Bonner Springs, said I want to take just a moment to introduce you to our new City Manager, Amber Vogan, who has now been on staff—well, I shouldn't say staff, but has taken the position of City Manager three months now, two months. **Amber Vogan, City Manager for Bonner Springs**, said one month officially. **Mayor Stephens** said she acts like she's been here 10 years. I want to make sure we give her some opportunities to speak because she can really speak more at a staff level of the things. Many of the things I talked about the last time I was here about many of the projects going on, we have broken ground on a majority of those. There is one, unfortunately, that has fallen through and that was the apartments that were going to be built just north of Academy Bank because of an issue with the developer and the property owner. The property owner didn't want to wait as long as it was going to take to remediate the property for the wetlands and the group that was—the developer did not want to purchase the property until that remediation had been accomplished. It was approved by the federal government. They wanted to wait until that point in time, so because of that, the agreement fell through and they returned their money to the state, their LIHTC funding. All the other projects are going forward.

I was hoping that by the next time I saw you, I'd be able to talk about the Epic Resort. It is still moving forward. We are still working on that developers agreement. There are a few little things and hopefully within the next probably month, we're hoping to have something come in front of us.

I do have a few items I was going to address, but Ms. Vogan would like to speak on some of the things that might be happening in Bonner.

Ms. Vogan said we have several projects going on. He mentioned the Epic Resort. One thing that you'll probably see coming before you in the future is a partnership to update the agreement we have with you all about the sewer up in that corner of our city. I've been working with your Economic Development Department on that and with your Public Works Department, so we'll get that before you and before a Standing Committee once we get through all the development agreement stuff, then we can really start to work on that.

We have several projects going on. We have, for commercial, we have a QuikTrip that's going in right off I-70. This will be our second QuikTrip, so we have one as you get off I-70 north and this one will be as you're getting off I-70 south just near our Old Dominion that opened a

couple years ago. We have several housing projects. In our downtown we have almost 100 apartment units going in. There'll be half market rate and half median income, which is really great for our city. That's a gap that we don't have any median income housing right now and it fits really well with our median income levels in the city. So, that will be a really great project and bring some more people to our downtown, which we're very excited about.

We also have about 144 townhomes that are opening up near Azura Amphitheater right across the street there behind Feldman's. Some of those, they've started moving people in. They'll continue to work on the rest of the units and as they open people will move in there.

We have a few commercial lots that are still up by our QuikTrip location that we're hoping to bring in more businesses along there, along the I-70 and K-7 corridor. We have some senior apartments that are going in up near that Kansas Avenue K-7 corridor and those should be breaking ground anytime now. Then, of course, we have our warehouses at the corner of 110th & Riverview that are under construction. There's a couple of projects that have signed on to lease those spaces and then there's a few other buildings that will be coming in the future that right now are specs, but as they get proposals for businesses coming in, then they're happy to work with those businesses to kind of build to fit if they choose to.

Mayor Stephens said I think you covered pretty well, but you might talk about the use of the ARPA funds for the water. **Ms. Vogan** said we did use our ARPA funds to open a new water plant last fall. That was a great project for us. Our water plant was very outdated. I think it was from the 1950s, so we had very hard water and we recently opened our new plant and we're now able to get soft water between 150 and 170 is the rate where the soft water is, so we're very, very excited to be able to offer soft water to our residents now.

Mayor Stephens said wasn't ARPA also used for 2nd Street waterline? **Ms. Vogan** said yes. I forgot about our city projects that we've got going on. We've got 138th Street, which is a road that goes near our high school that a lot of kids use to walk to and from school. It's never had sidewalks on it. It's very hilly, it's got big ditches, so we're redoing that road right now and it'll be part of our Complete Streets Project, which means they'll have sidewalks and wider lanes and everything for that portion. Hopefully, in the future we'll be able to take that up to Kansas Avenue, but that's in two and three phases in the future. So, right now we're focusing on that first phase near our school and then we did use some ARPA funds for a waterline project near the

elementary school and we're putting in some sidewalks around there and some sidewalks on another street nearby, also using this funding, so that the kids that regularly use those areas to get to and from school can now do it a lot more safely on the sidewalks than they were using the roads.

Mayor Stephens said also I will use Amber as my go-to for information to make sure of specifics if I get something incorrect.

One of the things that was talked about was the library. Quite a few years ago Bonner Springs created its own Library Board, developed its own library. We do pass a mill levy that's incorporated in the city's mill levy, but part of the agreement that was made, and I don't know if that was made with USD 500 or the county itself, but to allow access to all of the residents of Wyandotte County to have access to the Wyandotte County—are for the Bonner Springs Library to participate in programs, checkout materials. That was part of the reason why we have someone on the Library Board as well as we receive some funding from the USD 500 Library Board to help pay for that access from non-residents into our library.

I know Mayor Caiharr already talked a little bit about the CIFI, so I won't beat on that horse, but I will tell you along that line of how impactful that can be such as we would be no different than—that is the ad valorem taxes is the last thing you pursue when it comes to budget. So, anything that's coming in revenue for us helps us reduce that load we have to put on the property tax owners with ad valorem taxes.

When I was here last time I also talked about the importance of optics and about the county having programs that they're sharing countywide and it looks like we potentially are moving forward with something new. I talked about the Health Department out there last time. We have something new that was basically really advocated by Commissioner Stites and before I say too much, I'd rather have Commissioner Stites speak on it if he would, if that's okay.

Commissioner Stites said well, thank you, Mayor. I didn't know if that was going to be brought up tonight, but one of the things that we've all been hearing is about the delays and things that occur out when you get your vehicles registered at both locations, the length, the time, the annex out west that parking is a problem, there's long lines that occur outside. So, one of the things that I thought that might help us resolve that would be if we could look at a satellite location out in western Wyandotte County. Bonner Springs just did their new City Hall, so they had—I

approached them and asked them if there would potentially be some space that we could do a remote location. I guess, and I don't know for sure about this part, but I guess we had to petition the state and ask them and get their permission that they would allow us to have another location.

I don't want to get way down in the weeds because I don't know that I know all of the details, but it sounds like what we're going to try to do is a pilot program that's going to be operated maybe two days a week out there to see what type of response that we get, how many people come in to be able to renew tags. We'll have a location out in Bonner Springs and, you know, it would be nice—I would like to see this happen sooner than later because it happens every month people are going to try to renew their tags.

If we could figure out an agreement tonight, I'd love to see it happen tonight. I really do appreciate it. We went out and did a walkthrough at Bonner City Hall with staff from the UG, Shelley, and Andrea Vinyard and we looked at multiple spaces inside the City Hall and they kind of found one that they landed on and they like it and think it's going to work. I think this is going to be a benefit to all of Wyandotte County and this is the kind of thing that I think that whenever we talk about what services do we get out in western Wyandotte County from the county side, this is one of them. **Mayor Stephens** said I appreciate that, Commissioner Stites, and yes, we were excited when Commissioner Stites reached out to us and asked us about possibly hosting a location even if it's just for renewals, it will still benefit all the western Wyandotte County, both Bonner, Edwardsville, as well as the Piper areas, so all of western parts of Wyandotte County.

I might just real quickly mention we are coming into our summer season, we put on a lot of community events during the course of the summer and May 9th or 2nd, which is it, Evening on Oaks? **Ms. Vogan** said Evenings on Oak is the second Thursday each month. **Mayor Stephens** said so, second Thursday coming up here in May, we will start our Evening on Oak. We'll have food trucks and vendors, so we invite all of you to come out if you would like to and show Bonner a little love. With that, I will stand for questions if you have any.

Oh, we got a little time for Tiblow Days. It doesn't come along until mid-August, end of August, so we got a little bit of time for that.

Commissioner Kane said just a comment. I just literally had staff reach out to someone that was having a problem at State getting their taxes redone or their tags redone. This would be huge for all of us because I think we could do it more than two days a week to take the pressure off 80th &

State. I think this is an outstanding idea and as soon as possible, that'd be great. **Mayor Stephens** said I will say this, your staff will probably be able to address some of those specifics a little bit more in-depth, but it's mainly for renewals at the current time, but any pressure we can take off from the other location will help facilitate.

Mayor Garner said that is a great idea with the satellite. I know that Mayor Harrington was involved in that conversation as well before he left and I think that's how we led to some of the satellite facilities as well.

Just to highlight some of the issues that led to the conversation, especially after COVID, and I know I've talked to our At-Large Commissioners about it in-depth, about trying to find solutions for those that may be watching to ease some of the concerns folks have with trying to pay your taxes or get your tags renewed at our satellite facility out there at 82nd & State. The Administrator in working with our CFO, they have a performance audit that's going to be done to look at how we do business when we talk about our Treasury Department and that operation. Hopefully, we come up with some good solutions and recommendations that can really ease that congestion that a lot of our residents are seeing.

For those that may be watching, that has not gone unnoticed to this Commission, to our staff, and we are looking for actionable solutions to make that process not as much of a hassle to get in and out of a facility to be able to actually pay your taxes for those that we know want to do so.

Are there any more questions for the Mayor? All right, thank you so much. Thank you, Mayors, for your time.

Commissioner Stites said, Mayor, I just want to say thank you for putting this together because we've been asking for quite some time that we bring all counties—it's unfortunate that Lake Quivira couldn't have been here. I'm not sure the reason, but I'm sure it was a good one. Just getting things that we get to talk about, just like Commissioner Ramirez said, it took a little while, but then we finally get to drill down and find out what really does that mean and that doesn't happen unless we have these sit-downs and talks about what's going on. When we vote on a budget, we're voting on a budget for the entire county and they are the rest of our county, so I thank you for that. I appreciate it and thank you guys and congratulations Amber.

Mayor Garner said that was one of the commitments I made as Mayor is, you know, I have to be the Mayor for the entire county. I kind of wear the hat of the KCK Mayor, but I'm also the CEO of the county, so I have to make sure that our residents in Bonner, Edwardsville, and Lake Quivira have their representation.

The Lake Quivira Mayor isn't here, but for those of you who don't know, they do have a lot of events that go on out there. Myself, the Administrator, I know some of our commissioners have gone and met with the new Mayor there as well as the City Manager. What I learned just going out there is that all the buildings to the north, so if you go into Lake Quivira, their gas station, their Municipal Office Buildings as well as their clubhouse and really the bridge over the lake all the way out to the middle of the lake and I think about four, maybe five houses in Lake Quivira are actually—that is all Wyandotte County and they pay property taxes to Wyandotte County. The other side of that going south where most of the residentials are, that is in Johnson County. They are a great partner. The Mayor there has been engaged as much as he can be and I know he wanted to be here tonight. He does invite us out to come visit his small community.

Every Fourth of July they have a huge Fourth of July celebration with fireworks, parade and I know the Sheriff has committed to get the Sheriff's Department more engaged with the parade they have. I went last year and I was just really impressed and it was almost standing room only for the amount of people that came out to watch the fireworks display and engage in the festivities and it's open to anyone. It's not a closed community like we think it is. It's a very friendly, welcoming and warm community and they really want to be more engaged and in tune with what goes on in Wyandotte County because they are a part of Wyandotte County and that goes in line with the messaging that I'm trying to say that, yeah, we are a Unified Government, but on top of that we are essentially one Wyandotte. Kansas City, Kansas, Bonner Springs, Lake Quivira, and Edwardsville, we are one Wyandotte, we are one community and the decisions we make impact everybody that loves and calls our awesome county home.

So, thank you Mayors for your time and commissioners. I don't have any other business for tonight, so I'll entertain a motion to adjourn.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Burns, to adjourn.** Roll call was taken and there were nine "Ayes," Lopez, Stites, Bynum, Burroughs, Townsend, Burns, Ramirez, Hill, Kane.

MAYOR GARNER ADJOURNED
THE MEETING AT 6:46 p.m.

Monica L. Sparks
Unified Government Clerk

dt

April 24, 2025



Unified Government Clerk's Office
Monica L. Sparks
Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
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<http://www.wycokck.org>

Memorandum

To: David Johnston
County Administrator

From: Monica L. Sparks
UG Clerk

Date: April 24, 2025

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

Attachments

BM

Weekly Business Material for April 18, 2025 – April 24, 2025

1. PUBLIC NOTICE:

- Alandon Tow Service, 6224 Kansas Ave., Kansas City, KS 66111, held a public auto auction on April 1, 2025, at Alandon Tow Service.

Action: Received and filed.

2. NOTICE OF CLAIM:

- Leonidas (Leo) K. Faulk by and through attorney Monsees & Mayer, P.C., alleging personal injury on November 14, 2024.

Action: Received and filed. Copy previously forwarded to Legal.

3. CLAIM FOR DAMAGES:

- Holly Draper, Kansas City, KS, alleging damage to personal property on 1/6/2025.
- Jacqueline Grady, Kansas City, KS, alleging damage to personal vehicle on 4/21/2025.

Action: Received and filed. Copies previously forwarded to Legal.

4. TRAVEL REQUESTS:

- Jared Altic, KCKPD, travel to Little Rock, AR, from 7/20/2025 through 7/25/2025, to attend International Conference of Police Chaplains, Employee Training & Travel.
- Ernestine Holmes, Health Department, travel to Las Vegas, NV, from 4/22/2025 through 4/25/2025, to attend 2025 NWA Education and Training Conference, Employee Training & Travel.
- Ashley Hutton, Legal Department, travel to Dallas, TX, from 5/18/2025 through 5/22/2025, to attend Conference on Crime Against Women, Employee Training & Travel.
- Angela Lawson, Legal Department, travel to Pittsburg, PA, from 4/22/2025 through 4/25/2025, to attend Wet Weather Partnership, Enterprise Fund.
- Michael Martin, Brendan McEvoy and Chad Williams, KCKPD, travel to Pipe Creek, TX, from 4/15/2025 through 4/17/2025, to attend Police K9 boarding and Police K9 selection, Employee Training & Travel.
- Shane Turner, KCKPD, travel to Clive, IA, from 5/11/2025 through 5/16/2025, to attend Media and Public Relations Course, Employee Training and Travel.

Action: Approved by Administrator's Office and received and filed.

5. APPLICATIONS FOR DRINK EST./PUBLIC VENUE:

- El Toro Loco Legends LLC, William Hutton, d/b/a El Toro Loco Mexican Bar & Grill, 1706 Village West Pkwy, Kansas City, KS 66111.

Action: Referred to License.

6. APPLICATIONS FOR LIQ. TEMP. LIC.:

- Lao Buddhist Association of Olathe, Billy Naphosaysavath, d/b/a Lao New Year 2025 Festival, Wat Lao Sengphokham Phoutharam, 1315 N 139th St., Kansas City, KS 66109. This temporary permit is for 5/16/2025 to 5/18/2025 from 9:00AM to 12:00AM.
- Lao Buddhist Association of Olathe, Billy Naphosaysavath, d/b/a Boon Pravat Festival, Wat Lao Sengphokham Phoutharam, 1315 N 139th St., Kansas City, KS 66109. This temporary permit is for 6/27/2025 to 6/29/2025 from 9:00AM to 12:00AM.

Action: Referred to License.



Unified Government Clerk's Office
Monica L. Sparks
Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: David Johnston
County Administrator

From: Monica L. Sparks
UG Clerk

Date: May 1, 2025

Re: Weekly Business Material

Attached is a listing of weekly business items presented to the Unified Government of Wyandotte County/Kansas City, Kansas, for informational purposes.

In addition to the listing of the items, we have indicated the action taken by the Unified Government Clerk.

Attachments

BM

1. MOTION FOR OWNERSHIP:

- Iglesia Evangelica Cristiana Espiritual vs. Unified Government of Wyandotte County/Kansas City KS, Case No. 2020-PT-000002.

Action: Referred to Legal.

2. NOTICE OF CLAIM:

- Dawn Hill by and through her attorney DM Injury Law, alleging personal injury on April 21, 2025. (x2)

Action: Received and filed. Copy previously forwarded to Legal.

3. CLAIM FOR DAMAGES:

- Adrien Warren, Kansas City, KS, alleging damage to personal vehicle on 3/29/2025.
- Georgia Howlett, Kansas City, KS, alleging damage to personal vehicle on 4/22/2025.
- Deborah Willmon, Kansas City, KS, alleging damage to personal vehicle on 4/12/2025.

Action: Received and filed. Copies previously forwarded to Legal.

4. SUMMONS:

- Yoiber Graterol Nieves, vs. Unified Government of Wyandotte County/Kansas City KS, et al., Case No. WY-2025-CV-000379.

Action: Received and filed. Copy previously forward to Legal.

5. TRAVEL REQUESTS:

- Carlos Navarro, KCKPD, travel to Kansas City, MO, from 6/2/2025 through 6/6/2025, to attend K9 Narcotic Training, Employee Training & Travel.
- Karl Oakman, KCKPD, travel to Grapevine, TX, from 4/24/2025 through 4/27/2025, to attend IACP Policy Midyear Meeting, Employee Training & Travel.
- Dylan Passinese, KCKPD, travel to Vail, CO, from 4/30/2025 through 5/2/2025, to conduct DEA case interview, DEA Funded.
- Troy Shaw and Ricky Ledgerwood, Public Works, travel to Chicago, IL, from 8/17/2025 through 8/20/2025, to attend PWX National APWA Conference, Employee Training & Travel.
- Erica Warrior, KCKFD, travel to Clearwater, FL, from 5/31/2025 through 6/6/2025, to attend XI/abc360 Conference, Employee Training & Travel.

Action: Approved by Administrator's Office and received and filed.

6. APPLICATIONS FOR DRINK EST./PUBLIC VENUE:

- Club 403 Enterprises LLC, Gordon A. Scholes III, d/b/a 403 Club, 614 Reynolds Ave., Kansas City, KS 66101.

Action: Referred to License.



Report to Planning & Zoning / Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	Jeffrey Conway, Assistant Counsel jconway@wycokck.org x5075	Economic Development
AGENDA ITEM #10.1.		
PUBLIC HEARING/ORDINANCE: CREATION OF AMERICAN ROYAL COMMUNITY IMPROVEMENT DISTRICT		
BACKGROUND		
Commission action related to the American Royal project: 1. Conduct a public hearing to receive comments regarding the creation of the American Royal Community Improvement District and levy a sales tax within the district; 2. Approve an Ordinance authorizing the creation of the American Royal Community Improvement District and levy a CID sales tax within the district. <i>On April 24, 2025, the Board of Commissioners voted unanimously to adopt Resolution R-31-25 to set the public hearing.</i>		
RECOMMENDATION		
Approve		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		
Ordinance - CID Establishment - American Royal (UG), R-31-25		

Approved by Administrator to add to agenda.

(Published in *The Wyandotte Echo* on June __, 2025)

ORDINANCE NO. O-____-25

AN ORDINANCE AUTHORIZING THE CREATION OF THE AMERICAN ROYAL COMMUNITY IMPROVEMENT DISTRICT IN THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS; AUTHORIZING THE MAKING OF CERTAIN PROJECT IMPROVEMENTS RELATING THERETO; APPROVING THE ESTIMATED COSTS OF SUCH PROJECT IMPROVEMENTS; AND LEVYING A COMMUNITY IMPROVEMENT DISTRICT SALES TAX WITHIN SUCH DISTRICT.

WHEREAS, K.S.A. 12-6a26 *et seq.* (the “Act”) authorizes the governing body of any city or county to create community improvement districts to finance projects within such defined area of the city or county and to levy a community improvement district sales tax and/or levy special assessments upon property within the district to finance the Projects (as defined herein); and

WHEREAS, a petition dated December 17, 2024 (the “Petition”) was filed with the Clerk proposing the creation of a community improvement district (“District”) under the Act and the imposition of a community improvement district sales tax in order to pay a portion of the costs of the Projects; and

WHEREAS, the Petition was signed by the required number of owners of record, whether resident or not, as required by the Act; and

WHEREAS, the Board of Commissioners (the “Governing Body”) of the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”) intends to create the District and levy the community improvement district sales tax in an amount of one percent (1.00%) (the “CID Sales Tax”) as requested in the Petition; and

WHEREAS, the Act provides that prior to creating any community improvement district and imposing a community improvement district sales tax, the Governing Body shall, by resolution, direct and order a public hearing on the advisability of creating such community improvement district and the construction of such community improvement district projects therein, and to give notice of the hearing by publication at least once each week for two (2) consecutive weeks in the official Unified Government newspaper and by certified mail to all property owners within the proposed community improvement district, the second publication to be at least seven (7) days prior to the hearing and such certified mail sent at least ten (10) days prior to such hearing; and

WHEREAS, on April 24, 2025, the Governing Body adopted Resolution No. R-__-25, directing that a public hearing on the proposed District be held on May 29, 2025, declaring its intent to impose the CID Sales Tax and requiring that the Unified Government Clerk provide notice for such public hearing as provided in the Act; and

WHEREAS, notice of the public hearing was duly published in the official Unified Government newspaper on May 8, 2025 and May 15, 2025, and mailed via certified mail to all property owners within the proposed District on May 9, 2025; and

WHEREAS, on this date, the Governing Body conducted a public hearing on the proposed District, the Projects, the estimated costs thereof, and the method of financing the same; and

WHEREAS, the Governing Body hereby finds and determines it to be advisable to create the District and set forth the boundaries thereof, authorize the Projects as described herein, approve the estimated costs of the Projects and the method of financing the same, all in accordance with the provisions of the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

SECTION 1. Creation of Community Improvement District; Boundaries. The Governing Body hereby finds and determines that the Petition is sufficient, and it is advisable to create, in accordance with the provisions of the Act, the District within the Unified Government. A legal description of the boundaries of the District is set forth on **Exhibit A**, attached hereto and incorporated by reference herein. A map generally outlining the boundaries of the District is set forth on **Exhibit B**, attached hereto and incorporated by reference herein.

SECTION 2. Authorization of Community Improvement District Projects and Estimated Costs. The general nature of the proposed projects described in the Petition to be constructed within the District is approved as follows (collectively, the “Projects”):

to promote the acquisition, development, operation and maintenance of a new mixed-use commercial development within the areas located generally (i) north of State Avenue, south of American Royal Way, east of 118th Street and west of 115th Street, and (ii) west of the intersection of 118th Street and American Royal Way, in Kansas City, Wyandotte County, Kansas, all as generally depicted on the attached **Exhibit B**. The Projects may be more particularly described as the construction, maintenance, and procurement of certain improvements, costs, and services within the District, including, but not limited to: infrastructure related items, sidewalks, parking lots, drainage improvements, buildings, tenant improvements, utilities, landscaping, lighting, signage, marketing and advertisement, cleaning and maintenance, security, soft costs of the Projects, and the Unified Government’s and the Petitioners’ administrative costs in establishing and maintaining the District, and any other items permitted to be financed within the District under the Act.

The estimated total costs of the Projects are \$450,000,000.

SECTION 3. Method of Financing; CID Sales Tax; No Special Assessments. It is proposed that the Projects be financed through a combination of private equity, private debt, and the CID Sales Tax, either as pay-as-you-go financing or special obligation bonds, both as defined in the Act, to be repaid by a pledge of the revenues received by the Unified Government from the CID Sales Tax. No full faith and credit bonds will be issued.

The Governing Body hereby imposes the CID Sales Tax within the District in an amount of one percent (1.00%) on the selling of tangible personal property at retail or the rendering or furnishing of services taxable pursuant to the provisions of the Kansas retailers’ sales tax act within the District. The CID Sales Tax will commence on July 1, 2026, or such other date as shall be approved by ordinance of the Governing Body, and to continue for a maximum term of twenty-two (22) years.

There will be no District special assessments.

SECTION 4. Segregation of CID Revenues. All revenues derived from the collection of the CID Sales Tax shall be deposited into a special fund of the Unified Government to be designated as the

American Royal Community Improvement District Revenue Fund, with such subaccounts as may be necessary for the issuance of any bonds or repayment of costs of the Projects.

SECTION 5. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the Governing Body and publication once in the official newspaper of the Unified Government pursuant to applicable law.

SECTION 6. Recording. The Clerk shall file a certified copy of this Ordinance with the Register of Deeds of Wyandotte County, Kansas.

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PASSED by the Governing Body on May 29, 2025 and **APPROVED AND SIGNED** by the Mayor/CEO.

Tyrone Garner, Mayor/CEO

[SEAL]

Monica Sparks, Unified Government Clerk

Approved as to form:

By: _____
Office of Chief Counsel

EXHIBIT A

**LEGAL DESCRIPTION OF
COMMUNITY IMPROVEMENT DISTRICT**

The following property located in Wyandotte County, Kansas City, Kansas:

Lot 1 and Tracts A, B, C, and D, American Royal Second Plat, a subdivision of land in Kansas City, Wyandotte County, Kansas, and also Lot 3 and Tracts E, F, G, H, and I, American Royal, a subdivision of land in Kansas City, Wyandotte County, Kansas;

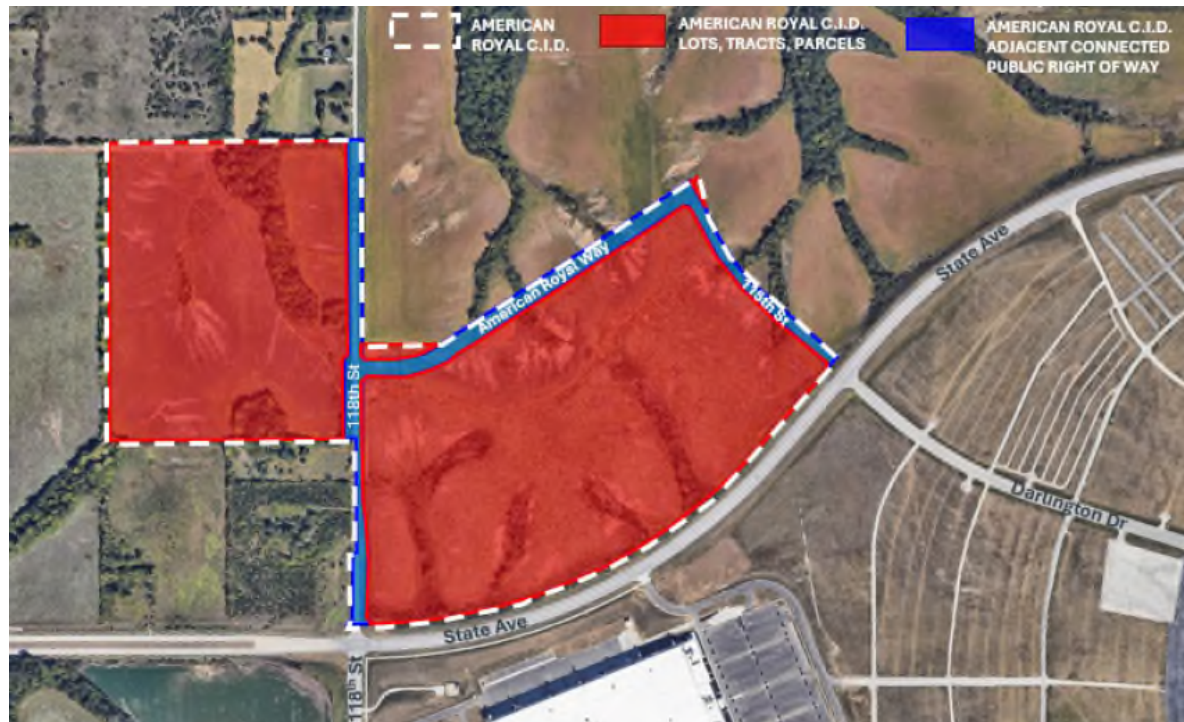
AND, including:

All adjacent right-of-way.

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EXHIBIT B

MAP OF COMMUNITY IMPROVEMENT DISTRICT



(Published in *The Wyandotte Echo* on May 8 and May 15, 2025)

RESOLUTION NO. R-31-25

A RESOLUTION CALLING AND PROVIDING FOR THE GIVING OF NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF CREATING A COMMUNITY IMPROVEMENT DISTRICT IN THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS TO BE KNOWN AS THE AMERICAN ROYAL COMMUNITY IMPROVEMENT DISTRICT AND REGARDING THE UNIFIED GOVERNMENT'S INTENT TO LEVY A SALES TAX WITHIN SUCH DISTRICT.

WHEREAS, K.S.A. 12-6a26 *et. seq.* (the "Act") authorizes the governing body of any city or county to create community improvement districts to finance projects within such defined area of the city or county and to levy a sales tax upon property within the district; and

WHEREAS, a petition dated December 17, 2024 (the "Petition") was filed with the Unified Government Clerk proposing the creation of the American Royal Community Improvement District (the "CID") under the Act and the imposition of a 1.0% sales tax (as described herein, the "CID Sales Tax") in order to pay the costs of the project as described herein and in the Petition (the "Project"); and

WHEREAS, the Petition was signed by the required number of owners of record, whether resident or not, as required by the Act; and

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the "Unified Government") intends to consider creation of the CID and levying the CID Sales Tax as requested in the Petition; and

WHEREAS, the Unified Government's Board of Commissioners (the "Governing Body") hereby finds and determines it to be necessary to direct and order a public hearing on the advisability of creating the CID, approving the Project, and levying the CID Sales Tax pursuant to the authority of the Act and further to provide for the giving of notice of said hearing in the manner required by the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE UNIFIED GOVERNMENT BOARD OF COMMISSIONERS, AS FOLLOWS:

SECTION 1. Petition. The Governing Body hereby finds and determines that the Petition meets the requirements of the Act.

SECTION 2. Public Hearing. It is hereby authorized, ordered, and directed that the Governing Body shall hold a public hearing, in accordance with the provisions of the Act, on the advisability of creating the CID, approving the Project set forth in Petition, and whether to levy the CID Sales Tax, such public hearing to be held on **May 29, 2025, at 7:00 p.m.**, or as soon thereafter as the matter can be heard, in the Commission Chambers, at the lobby level of the Municipal Office Building, 701 North 7th Street, Kansas City, Kansas, under the authority of the Act.

SECTION 3. Proposed Projects. The general nature of the Project is as follows:

to promote the acquisition, development, operation and maintenance of a new mixed-use commercial development within the areas located generally (i) north of State Avenue, south

of American Royal Way, east of 118th Street and west of 115th Street, and (ii) west of the intersection of 118th Street and American Royal Way, in Kansas City, Wyandotte County, Kansas, all as generally depicted on the attached Exhibit B. The Project may be more particularly described as the construction, maintenance, and procurement of certain improvements, costs, and services within the CID, including, but not limited to: infrastructure related items, sidewalks, parking lots, drainage improvements, buildings, tenant improvements, utilities, landscaping, lighting, signage, marketing and advertisement, cleaning and maintenance, security, soft costs of the Project, and the Unified Government and the Petitioners' administrative costs in establishing and maintaining the CID, and any other items permitted to be financed within the CID under the Act.

SECTION 4. Estimated Cost. The total estimated cost of the Project is \$450,000,000.

SECTION 5. Method of Financing. The proposed method of financing the Project is through a combination of private equity, private debt, and certain public incentive revenues, including CID financing. It is proposed that CID revenue will be made available to finance the cost of the Project through the issuance of pay-as-you-go financing, as defined in the Act, special obligation revenue bonds, or any combination of these methods. No CID special assessments are proposed with regard to the Project.

SECTION 6. Proposed CID Sales Tax. It is proposed that the Project be financed in part through the levying of a 1.0% CID Sales Tax as authorized by the Act, with such sales tax to commence on **July 1, 2026**, or such other date as shall be approved by ordinance of the Governing Body, and to continue for a maximum term of twenty-two (22) years.

SECTION 7. Map and Legal Description of Proposed CID. The legal description of the property to be contained in the proposed CID is set forth on Exhibit A attached hereto and incorporated by reference herein. A map generally outlining the boundaries of the proposed CID is attached as Exhibit B hereto and incorporated by reference herein.

SECTION 8. Notice of Hearing. The Unified Government Clerk is hereby authorized, ordered and directed to give notice of said public hearing by publication of this Resolution in the official newspaper. Such publication shall be at least once each week for two (2) consecutive weeks. The second publication shall be at least seven (7) days prior to the date of the hearing. The Unified Government Clerk is hereby further ordered and directed to mail a copy of this Resolution, via certified mail, to all property owners within such proposed CID at least ten (10) days prior to the date of the hearing.

SECTION 9. Effective Date. This Resolution shall be effective upon adoption by the Governing Body.

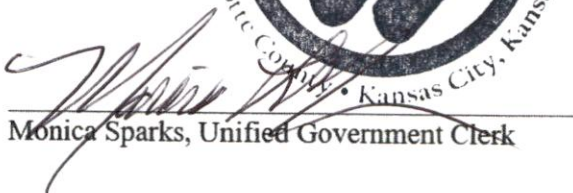
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ADOPTED BY THE UNIFIED GOVERNMENT BOARD OF COMMISSIONERS THIS
24TH DAY OF APRIL, 2025.

(SEAL)

ATTEST:




Monica Sparks, Unified Government Clerk


Tyrone Garner, Mayor/CEO

Approved as to Form:

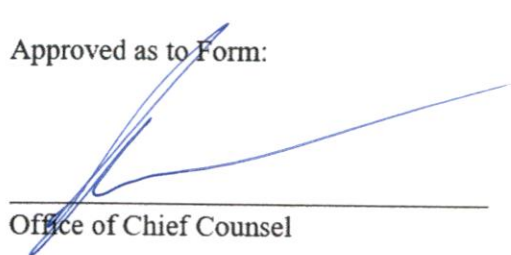

Office of Chief Counsel

EXHIBIT A

**LEGAL DESCRIPTION OF PROPOSED
AMERICAN ROYAL COMMUNITY IMPROVEMENT DISTRICT**

Lot 1 and Tracts A, B, C, and D, American Royal Second Plat, a subdivision of land in Kansas City, Wyandotte County, Kansas, and also Lot 3 and Tracts E, F, G, H, and I, American Royal, a subdivision of land in Kansas City, Wyandotte County, Kansas;

AND, including:

All adjacent right-of-way.

[Balance of page intentionally left blank]

EXHIBIT B

MAP OF PROPOSED AMERICAN ROYAL COMMUNITY IMPROVEMENT DISTRICT



(Published in *The Wyandotte Echo* on May 8 and May 15, 2025)

NOTICE OF PUBLIC HEARING REGARDING PROPOSED AMENDMENT AND SUBSTANTIAL CHANGE TO THE NORTHWEST SPEEDWAY STAR BOND DISTRICT AMENDED STAR BOND FINANCING PROJECT PLAN, ALL WITHIN AN ESTABLISHED STAR BOND PROJECT DISTRICT IN THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS.

Public notice is hereby given that the Governing Body of the Unified Government of Wyandotte County/Kansas City, Kansas (the "Unified Government"), will conduct a public hearing, pursuant to K.S.A. 12-17,160 *et seq.*, as amended, and particularly K.S.A. 12-17,166(k), regarding a substantial change to the Northwest Speedway STAR Bond District Amended STAR Bond Financing Project Plan within the Northwest Speedway STAR Bond District.

The public hearing will be held on **May 29, 2025**, at 7:00 p.m. or as soon thereafter as the matter can be heard at City Hall, 701 N 7th Street, Kansas City, Kansas, 66101. Additional public hearing access information is available at www.wycokck.org/Departments/Clerks-Office/Engage-in-Public-Commission-Meeting or by contacting the Clerk's office via phone at (913) 573-5206 or via email at ugclerkrequest@wycokck.org. Public comment may also be submitted in advance of the public hearing by email to ugclerkrequest@wycokck.org, fax to (913) 573-5299, or mail to Unified Government Clerk's Office, 701 N. 7th Street, Suite 323, Kansas City, Kansas 66101.

All persons having an interest in this matter will be given an opportunity to be heard at the time and place above specified.

At the conclusion of the public hearing, the Governing Body will consider an ordinance approving the amended and restated project plan. A copy of the proposed amended and restated project plan is available to any person upon request to the Unified Government Clerk's Office.

DATED: April 10, 2025.

**UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS**

Monica Sparks, Unified Government Clerk

NOTICE

SEE ATTACHED LEGAL NOTICE

Resolution R-31-25

May 8th, 2025

PROOF OF PUBLICATION

State of Kansas, Wyandotte County, ss:
Joe M. Peterson, of lawful age, being duly sworn, says that he is the **PUBLISHER** of **The Wyandotte Echo**, a weekly newspaper, owned and operated by **M.R.P.P. Inc.**, printed and published in the city of Kansas City, Wyandotte County, State of Kansas, which said newspaper has a general circulation and has been admitted to the mails as second class matter in said county, and has been published therein during a period of more than five years prior to the first publication of the legal notice hereto annexed; that affiant, of his own knowledge, knows that the printed notice was published each and every issue of **The Wyandotte Echo** for 2 consecutive week(s) as follows:

1st Publication was made on: May 8th, 2025

2nd Publication was made on: May 15th, 2025

3rd Publication was made on: _____

4th Publication was made on: _____

Printer Fees: \$ 351.36



Joe M. Peterson, Publisher
The Wyandotte Echo
Official Newspaper for Wyandotte County, KS
PO Box 2305, 3006 Strong Avenue
Kansas City, KS 66110

LEGAL NOTICE

IN THE MATTER OF THE GRIFFIN NAME CHANGE
IN THE 29th JUDICIAL DISTRICTDISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
IN THE MATTER OF THE PETITION OFKendall James Griffin
Present NameCase No. 25CV0208
Division 3To Change His Name to:
Kemuel Abishai Israel
New Name

PURSUANT TO K.S.A. CHAPTER 60

NOTICE OF HEARING PUBLICATION

THE STATE OF KANSAS TO ALL WHO ARE OR MAY BE CONCERNED:

You are hereby notified that Kendall James Griffin, filed a Petition in the above court on the 19th of March, 2025 requesting a judgment and order changing his name from Kendall James Griffin to Kemuel Abishai Israel.

The Petition will be heard in Wyandotte County District Court, 710 N 7th Street, Kansas City, Kansas on or after June 18th, 2025.

If you have any objection to the requested name change, you are required to file a responsive pleading by June 18th, 2025 in this court or appear at the hearing and object to the requested name change. If you fail to act, judgment and order will be entered upon the Petition as requested by Petitioner.

Kendall James Griffin
2806 N. 100th St.
Kansas City, KS 66109
Filed by a
Self-Representing Party
(First published 5-8-25)
31-The Wyandotte Echo-5-22-25

IN THE MATTER OF THE COLEMAN MARRIAGE
IN THE DISTRICT COURT OF WYANDOTTE COUNTY, KANSASIN THE Matter of the Marriage of
Tonya ColemanCase No. 25DM0486
Division 6And
Curtis Coleman Sr.**NOTICE OF SUIT**

The State of Kansas to Curtis Coleman:

You are notified that a Petition for Divorce was filed in the District Court of Johnson County, Kansas asking that the person filing the divorce be granted a divorce and asking that the court make other orders in that divorce matter. You must file an answer to the Petition for Divorce with the court and provide a copy to the filing spouse on or before June 17th, 2025, or the court will enter judgment against you on that Petition.

Tonya Coleman
419 N 82nd St.
Kansas City, KS 66112
Filed by a
Self-Representing Party
(First published 5-8-25)
31-The Wyandotte Echo-5-22-25

IN THE MATTER OF THE GRIFFIN NAME CHANGE
IN THE 29th JUDICIAL DISTRICTDISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
IN THE MATTER OF THE PETITION OF

LEGAL NOTICE

TITON OF

Kierra Shantell Griffin

Present Name

Case No. 25CV0209
Division 3To Change Her Name to:
Kediah Zibiah Israel

New Name

PURSUANT TO K.S.A. CHAPTER 60

NOTICE OF HEARING PUBLICATION

THE STATE OF KANSAS TO ALL WHO ARE OR MAY BE CONCERNED:

You are hereby notified that Kierra Shantell Griffin, filed a Petition in the above court on the 19th of March, 2025 requesting a judgment and order changing her name from Kierra Shantell Griffin to Kediah Zibiah Israel.

The Petition will be heard in Wyandotte County District Court, 710 N 7th Street, Kansas City, Kansas on or after June 18th, 2025.

If you have any objection to the requested name change, you are required to file a responsive pleading by June 18th, 2025 in this court or appear at the hearing and object to the requested name change. If you fail to act, judgment and order will be entered upon the Petition as requested by Petitioner.

Kierra Shantell Griffin
2806 N. 100th St.
Kansas City, KS 66109
Filed by a
Self-Representing Party
(First published 5-8-25)
31-The Wyandotte Echo-5-22-25

IN THE MATTER OF THE RIEBSCHLAGER-ODEN NAME CHANGE
IN THE 29TH JUDICIAL DISTRICTDISTRICT COURT OF WYANDOTTE COUNTY, KANSAS
In the Matter of the Petition of
Catherine Rietschlager-Oden

Case Number 25CV321

Division 2

To Change His/Her Name to:
Catherine Rietschlager

Pursuant to K.S.A. Chapter 60

Notice of Hearing Publication

THE STATE OF KANSAS TO ALL CONCERNED:

You are hereby notified that Catherine Rietschlager-Oden filed a petition in the above court on April 23, 2025 Requesting a judgment and order changing his/her name from: Catherine Rietschlager-Oden to Catherine Rietschlager.

The Petition will be heard in Wyandotte County District Court, 710 N 7th Street, Kansas City, Kansas on or after June 18, 2025.

If you have any objection to the requested name change, you are required to file a responsive pleading by June 18, 2025 in this court or appear at the hearing and object to the requested name change. If you fail to act, judgment and order will be entered upon the Petition as requested by the Petitioner.

Catherine Rietschlager-Oden
29 S 15th St
Kansas City, KS 66103
913-424-5345
Filed by a
Self-Representing Party
(First published 5-8-25)
31-The Wyandotte Echo-5-22-25

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING REGARDING PROPOSED AMENDMENT AND SUBSTANTIAL CHANGE TO THE NORTHWEST SPEEDWAY STAR BOND DISTRICT AMENDED STAR BOND FINANCING PROJECT PLAN, ALL WITHIN AN ESTABLISHED STAR BOND PROJECT DISTRICT IN THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS.

Public notice is hereby given that the Governing Body of the Unified Government of Wyandotte County/Kansas City, Kansas (the "Unified Government"), will conduct a public hearing, pursuant to K.S.A. 12-17,160 et seq., as amended, and particularly K.S.A. 12-17,166(k), regarding a substantial change to the Northwest Speedway STAR Bond District Amended STAR Bond Financing Project Plan within the Northwest Speedway STAR Bond District.

The public hearing will be held on May 29, 2025, at 7:00 p.m. or as soon thereafter as the matter can be heard at City Hall, 701 N 7th Street, Kansas City, Kansas, 66101. Additional public hearing access information is available at www.wyocokc.org/Departments/Clerks-Office/Engage-in-Public-Commission-Meeting or by contacting the Clerk's office via phone at (913) 573-5206 or via email at ugclerkrequest@wyocokc.org. Public comment may also be submitted in advance of the public hearing by email to ugclerkrequest@wyocokc.org, fax to (913) 573-5299, or mail to Unified Government Clerk's Office, 701 N. 7th Street, Suite 323, Kansas City, Kansas 66101.

All persons having an interest in this matter will be given an opportunity to be heard at the time and place above specified.

At the conclusion of the public hearing, the Governing Body will consider an ordinance approving the amended and restated project plan. A copy of the proposed amended and restated project plan is available to any person upon request to the Unified Government Clerk's Office.

DATED: April 10, 2025.
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

Monica Sparks,
Unified Government Clerk
(First published 5-8-25)
21-The Wyandotte Echo-5-15-25

RESOLUTION NO. R-31-25

A RESOLUTION CALLING AND PROVIDING FOR THE GIVING OF NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF CREATING A COMMUNITY IMPROVEMENT DISTRICT IN THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS TO BE KNOWN AS THE AMERICAN ROYAL COMMUNITY IMPROVEMENT DISTRICT AND REGARDING THE UNIFIED GOVERNMENT'S INTENT TO LEVY A SALES TAX WITHIN SUCH DISTRICT.

WHEREAS, K.S.A. 12-6a26 et. seq. (the "Act") authorizes the governing body of any city or county to create community improvement districts to finance projects within such defined area of the city or county and to levy a sales tax upon property within the district; and

WHEREAS, a petition dated December 17, 2024 (the "Petition") was filed with the Unified Government Clerk proposing the creation of the American Royal Community Improvement District (the "CID") under the Act and the imposition of a 1.0% sales tax (as described herein, the "CID Sales Tax") in order to pay the costs of the project as described herein and in the Petition (the "Project"); and

WHEREAS, the Petition was signed by the required number of owners of record, whether resident or not, as required by the Act; and
WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the "Unified Government") intends to consider creation of the CID and levying the CID Sales Tax as requested in the Petition; and
WHEREAS, the Unified Government's Board of Commissioners (the "Governing Body") hereby finds and determines it to be necessary to direct and order a public hearing on the advisability of creating the CID, approving the Project, and levying the CID Sales Tax pursuant to the authority of the Act and further to provide for the giving of notice of said hearing in the manner required by the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE UNIFIED GOVERNMENT BOARD OF COMMISSIONERS, AS FOLLOWS:

SECTION 1. Petition. The Governing Body hereby finds and determines that the Petition meets the requirements of the Act.

SECTION 2. Public Hearing. It is hereby authorized, ordered, and directed that the Governing Body shall hold a public hearing, in accordance with the provisions of the Act, on the advisability of creating the CID, approving the Project set forth in Petition, and whether to levy the CID Sales Tax, such public hearing to be held on May 29, 2025, at 7:00 p.m., or as soon thereafter as the matter can be heard, in the Commission Chambers, at the lobby level of the Municipal Office Building, 701 North 7th Street, Kansas City, Kansas, under the authority of the Act.

SECTION 3. Proposed Projects. The general nature of the Project is as follows:

to promote the acquisition, development, operation and maintenance of a new mixed-use commercial development within the areas located generally (i) north of State Avenue, south of American Royal Way, east of 118th Street and west of 115th Street, and (ii) west of the intersection of 118th Street and American Royal Way, in Kansas City, Wyandotte County, Kansas, all as generally depicted on the attached Exhibit B. The Project may be more particularly described as the construction, maintenance, and procurement of certain improvements, costs, and services within the CID, including, but not limited to: infrastructure related items, sidewalks, parking lots, drainage improvements, buildings, tenant improvements, utilities, landscaping, lighting, signage, marketing and advertisement, cleaning and maintenance, security, soft costs of the Project, and the Unified Government and the Petitioners' administrative costs in establishing and maintaining the CID, and any

LEGAL NOTICE

other items permitted to be financed within the CID under the Act.
SECTION 4. Estimated Cost. The total estimated cost of the Project is \$450,000,000.

SECTION 5. Method of Financing. The proposed method of financing the Project is through a combination of private equity, private debt, and certain public incentive revenues, including CID financing. It is proposed that CID revenue will be made available to finance the cost of the Project through the issuance of pay-as-you-go financing, as defined in the Act, special obligation revenue bonds, or any combination of these methods. No CID special assessments are proposed with regard to the Project.

SECTION 6. Proposed CID Sales Tax. It is proposed that the Project be financed in part through the levying of a 1.0% CID Sales Tax as authorized by the Act, with such sales tax to commence on July 1, 2026, or such other date as shall be approved by ordinance of the Governing Body, and to continue for a maximum term of twenty-two (22) years.

SECTION 7. Map and Legal Description of Proposed CID. The legal description of the property to be contained in the proposed CID is set forth on Exhibit A attached hereto and incorporated by reference herein. A map generally outlining the boundaries of the proposed CID is attached as Exhibit B hereto and incorporated by reference herein.

SECTION 8. Notice of Hearing. The Unified Government Clerk is hereby authorized, ordered and directed to give notice of said public hearing by publication of this Resolution in the official newspaper. Such publication shall be at least once each week for two (2) consecutive weeks. The second publication shall be at least seven (7) days prior to the date of the hearing. The Unified Government Clerk is hereby further ordered and directed to mail a copy of this Resolution, via certified mail, to all property owners within such proposed CID at least ten (10) days prior to the date of the hearing.

SECTION 9. Effective Date. This Resolution shall be effective upon adoption by the Governing Body.

[Balance of page intentionally left blank]

ADOPTED BY THE UNIFIED GOVERNMENT BOARD OF COMMISSIONERS THIS 24TH DAY OF APRIL, 2025.
(SEAL)

Approved by
Tyrone Garner, Mayor/CEO
ATTEST:
Monica Sparks, Unified Government Clerk
Approved as to Form:
Office of Chief Counsel

EXHIBIT A**LEGAL DESCRIPTION OF PROPOSED**

AMERICAN ROYAL COMMUNITY IMPROVEMENT DISTRICT
Lot 1 and Tracts A, B, C, and D, American Royal Second Plat, a subdivision of land in Kansas City, Wyandotte County, Kansas, and also Lot 3 and Tracts E, F, G, H, and I, American Royal, a subdivision of land in Kansas City, Wyandotte County, Kansas;

AND, including:
All adjacent right-of-way.
[Balance of page intentionally left blank]

**EXHIBIT B
MAP OF PROPOSED AMERICAN ROYAL COMMUNITY IMPROVEMENT DISTRICT**

(First published 5-8-25)
21-The Wyandotte Echo-5-15-25

SUMMARY OF ORDINANCE NO. O-52-25

On April 24, 2025, the governing body of the Unified Government of Wyandotte County/Kansas City, Kansas (the "Issuer") passed an ordinance entitled:

AN ORDINANCE APPROVING THE SECOND AMENDED AND RE-STATEMENT NORTHWEST SPEEDWAY STAR BOND DISTRICT STAR BOND FINANCING PROJECT PLAN.

The Ordinance approves the Second Amended and Restated Northwest Speedway STAR Bond District STAR Bond Financing Project Plan. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the Unified Government Clerk, 701 North 7th Street, Kansas City, Kansas. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at www.wyocokc.org.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: April 24, 2025
Office of Chief Counsel
(First published 5-8-25)
11-The Wyandotte Echo-5-8-25



Report to Planning & Zoning / Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
		Economic Development
AGENDA ITEM #11.1.		
RESOLUTION: AUTHORIZING SIXTH AMENDMENT TO DEVELOPMENT AGREEMENT FOR LEGENDS WEST LAWN		
BACKGROUND		
A resolution extending the completion date of the paving and striping improvements required at Legends West Lawn, or alternatively establishes certain deadlines for the redevelopment of the parcel located at 1824 Village West Parkway. Additionally, the Sixth Amendment contemplates repairs and improvements to the common areas of the project prior to April 1, 2026.		
RECOMMENDATION		
Approve		
To adopt the Resolution.		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		
Resolution Approving Sixth Amendment to West Lawn DA, Sixth Amendment to Development Agreement-Extension of Paving Obligations		

Approved by Administrator to add to agenda.

RESOLUTION NO. R-____-25

**A RESOLUTION AUTHORIZING THE SIXTH AMENDMENT TO
DEVELOPMENT AGREEMENT FOR LEGENDS WEST LAWN.**

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the "UG") and W-LD Legends Owner VII, L.L.C., a Delaware limited liability company ("Developer") are parties to that certain Development Agreement for Legends West Lawn dated as of February 8, 2018, as amended by that certain First Amendment to Development Agreement for Legends West Lawn dated as of January 4, 2019, that certain Second Amendment to Development Agreement for Legends West Lawn dated as of May 9, 2019, that certain Third Amendment to Development Agreement for Legends West Lawn dated as of September 30, 2021, that certain Fourth Amendment to Development Agreement for Legends West Lawn dated as of December 13, 2022, and that certain Fifth Amendment to Development Agreement for Legends West Lawn dated as of December 15, 2023 (collectively, the "Agreement"), whereby Developer proposed to design, develop, and construct certain improvements to the Legends Outlets Kansas City, including among other things, hardscape and landscape replacements, video board installation on the existing "smokestack," shade structure, signage, façade improvements, escalator repair and enclosure and new "legends" monuments (as more particularly described in the Agreement, the "Project");

WHEREAS, Developer has requested an extension to the deadline to complete certain paving and striping obligations (as more particularly described in the Agreement, the "Paving Obligations"); and

WHEREAS, the Governing Body has determined that it is advisable to enter into the Sixth Amendment to Development Agreement for Legends West Lawn, attached hereto as **Exhibit A** (the "Sixth Amendment").

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

Section 1. The Governing Body hereby approves the Sixth Amendment in substantially the form attached hereto.

Section 2. Each of the Mayor/CEO and the County Administrator is hereby authorized to execute in the name of the UG and deliver the Sixth Amendment. The County Administrator and other officials and representatives of the UG, including special counsel, are hereby further authorized and directed to take such actions and to execute any other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

Section 3. This Resolution shall be effective upon adoption by the Governing Body.

[Remainder of page intentionally left blank; signature page and exhibit follow.]

**ADOPTED BY THE UNIFIED GOVERNMENT BOARD OF COMMISSIONERS
ON _____, 2025.**

Tyrone Garner, Mayor/CEO

ATTEST:

UG Clerk

(Seal)

EXHIBIT A
Sixth Amendment

[Attached on following pages.]

**SIXTH AMENDMENT TO DEVELOPMENT AGREEMENT
FOR LEGENDS WEST LAWN**

This SIXTH AMENDMENT TO DEVELOPMENT AGREEMENT FOR LEGENDS WEST LAWN (this "Amendment") dated as of _____, 2025, is made and entered into by and between the Unified Government of Wyandotte County/Kansas City, Kansas (the "UG"), and W-LD Legends Owner VII, L.L.C., a Delaware limited liability company ("Developer").

RECITALS

A. The UG and Developer entered into that certain Development Agreement for Legends West Lawn dated February 8, 2018 (the "Original Agreement") with respect to, among other things, the design, development, and construction of certain improvements to the Legends Outlets Kansas City, including among other things, hardscape and landscape replacements, video board installation on the existing "smokestack," shade structure, signage, façade improvements, escalator repair and enclosure and new "legends" monuments (the "Project"), all as more particularly described in the Agreement. All capitalized terms which are not otherwise defined herein shall have the meanings assigned to them in the Agreement.

B. On January 4, 2019, the parties entered into that certain First Amendment to Legends West Lawn Development Agreement (the "First Amendment") to extend the time for completion of the Project.

C. On May 9, 2019, the parties entered into that certain Second Amendment to Legends West Lawn Development Agreement (the "Second Amendment") to further extend the time for completion of the Project.

D. On September 30, 2021, the parties entered into that certain Third Amendment to Legends West Lawn Development Agreement (the "Third Amendment") to extend Developer's obligations to "pave in asphalt and stripe, in a manner consistent with asphalt parking lots elsewhere at Legends Outlets Kansas City, the unpaved portions of parcel number 299900 located at 1824 Village West Parkway" (the "Paving Obligations") on or before December 31, 2020. The Third Amendment extended the deadline for completion of the Paving Obligations to November 30, 2022, and provided for Developer to pay to the UG liquidated damages in the amount of \$500,000 in the event that (i) Developer fails to complete the Paving Obligations in a timely manner, or (ii) a redevelopment plan for an alternative use of parcel number 299900 is not approved by the UG's Commission on or before November 30, 2022.

E. On December 13, 2022, the parties entered into that certain Fourth Amendment to Legends West Lawn Development Agreement (the "Fourth Amendment") to further extend the deadline for completion of the Paving Obligations to November 30, 2023.

F. On December 15, 2023, the parties entered into that certain Fifth Amendment to Legends West Lawn Development Agreement (the "Fifth Amendment") to further extend the deadline for completion of the Paving Obligations to November 30, 2024.

G. To date, Developer has not yet performed the Paving Obligations. The Original Agreement, as amended by the First Amendment, Second Amendment, Third Amendment, Fourth Amendment, and Fifth Amendment shall be collectively referred to herein as the "Agreement".

H. Developer has now requested an additional extension of the deadline to complete the Paving Obligations as set forth in Section 2.2(c) of the Agreement.

I. The parties hereby agree to amend and modify the Paving Obligations as set forth herein.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the UG and Developer agree as follows:

1. Amendment to Paving Obligations in Section 2.2(c). Section 2.2(c) of the Agreement shall be deleted in its entirety and replaced with the following:

"Developer hereby agrees to pave in asphalt and stripe, in a manner consistent with asphalt parking lots elsewhere at the Legends Outlets Kansas City, the unpaved portions of parcel number 299900 located at 1824 Village West Parkway (the "Paving Obligations"). These Paving Obligations must be performed in a manner that fully complies with Applicable Laws and Requirements, including, without limitation, all stipulations and requirements from the planning and zoning for this parcel. The Paving Obligations shall be completed by the Developer on or before that date which is sixty (60) days after the failure to timely meet and satisfy the Execution Deadline, the Submittal Deadline, the Approval Deadline and/or the Commencement Deadline each as defined and set forth below (each, a "Deadline" and collectively, the "Deadlines"). Notwithstanding the foregoing, in the event that (i) Developer has a fully-executed lease with a potential user or contract for sale by April 1, 2026 (the "Execution Deadline"), and (ii) either the user, buyer or Developer has properly submitted a redevelopment plan for an alternative use of parcel number 299900 on or before the Execution Deadline (the "Submittal Deadline"), and (iii) such redevelopment plan for an alternative use of parcel number 299900 is approved by the UG's Commission (an "Approved Plan") on or before July 1, 2026 (the "Approval Deadline"), then the Paving Obligations described herein shall be of no further force or effect as long as commencement of construction on the Approved Plan occurs on or before September 1, 2026 (the "Commencement Deadline"). In the event that Developer shall fail to meet the conditions set forth in the prior sentence on or before any of the respective Deadlines, then the deadline for the Paving Obligation shall be sixty (60) days after any such failed Deadline (the "Paving Deadline").

If Developer shall fail to timely complete the paving and striping improvements described herein by the Paving Deadline, then the UG shall

be entitled to receive liquidated damages in the amount of \$500,000. The parties hereby further agree as follows:

(w) the \$500,000 of damages described in the prior sentence is agreed upon by and between the UG and Developer, as fair and equitable liquidated damages due to the difficulty and inconvenience of ascertaining and measuring actual damages, and the uncertainty thereof, and no other damages, rights or remedies will in any case be collectible, enforceable or available to the UG as a result of Developer's failure to timely perform under this Section 2.2(c) and the Paving Obligation shall be deemed to have been waived by the UG and fulfilled by Developer for all purposes and neither party shall have any further obligation to the other with respect to the Paving Obligation.

(x) the notice and cure provisions set forth in Section 9.1 shall not be applicable to a failure of Developer to timely perform under this Section 2.2(c).

(y) Developer has, contemporaneous with the execution of this Amendment, paid an amount equal to \$500,000 to the UG as security for the timely completion of the paving obligations described herein (the "Deposit"). The UG will hold said Deposit and may commingle said Deposit with other UG funds, and the UG may earn interest on the Deposit, which interest shall in all events be retained by the UG. In the event that Developer fully meets all of the Deadlines, the Paving Obligation will be considered satisfied and the UG shall return the Deposit to Developer within thirty (30) days after demand therefor and the Paving Obligation shall be deemed to have been waived by the UG and fulfilled by Developer for all purposes and neither party shall have any obligation to the other with respect to the Paving Obligation.

(z) At any time prior to the Paving Deadline, Developer may draw upon the Deposit for any and all costs associated with performing the Paving Obligations. Any such draws on the Deposit shall be made pursuant to the same terms and conditions as payments of CID Project Costs pursuant to Section 4.7 of the Agreement, including without limitation the submittal of Certificates of Expenditures for the costs incurred in connection with the Paving Obligations. Notwithstanding the 45 calendar days referenced in Section 4.7(f) of the Agreement, the UG hereby agrees to use best efforts to review and respond to Certificates of Expenditure for the Paving Obligations within thirty (30) calendar days of receipt. If and to the extent that Developer timely performs and satisfies its Paving Obligations on or before the Paving Deadline, any remaining funds from the Deposit after the Paving Obligations have been satisfied, shall be paid to Developer.

If and to the extent that Developer's redevelopment plan for an alternative use of parcel number 299900 only uses a portion of such parcel, and the redevelopment plan would leave a portion of such parcel undeveloped, then the UG will retain

\$250,000 of the Deposit (which shall thereafter become nonrefundable and the property of the UG) unless (A) the remaining portion of the parcel is also able to timely satisfy the Deadlines, or (B) Developer timely satisfies the Paving Obligation with respect to the remaining portion on or before the Paving Deadline.

2. Repairs and Improvements. A new Section 2.4 shall be added to the Agreement as follows.

"2.4 Repairs and Improvements. Developer agrees to perform the repairs and improvements to the common areas of the Project which are described in Exhibit L attached hereto; which improvements shall be completed on or before April 1, 2026. For the avoidance of doubt the listed items on Exhibit L are separate and distinct from the Paving Obligation and the Deposit and liquidated damages section of this Agreement is not applicable to the repair and improvement obligations detailed on Exhibit L.

3. Recitals. The parties acknowledge that the Recitals set forth above are true and correct and are hereby incorporated into the body of this Amendment.

4. No Further Modification. Except as expressly set forth in this Amendment, all terms and provisions of the Agreement are hereby confirmed and remain unmodified and in full force and effect, such terms and provisions being hereby incorporated herein for all purposes.

5. Conflict or Inconsistency. In the event of any conflict or inconsistency between the terms and provisions of this Amendment and the terms and provisions of the Agreement, the terms and provisions of this Amendment shall control.

6. Multiple Counterparts. This Amendment may be executed in any number of counterparts, each of which may be executed by only one party, which shall be enforceable against the parties actually executing such counterparts, and all of which together shall constitute one instrument. Delivery by facsimile or electronic transmission of an executed counterpart of any signature page to this Amendment to be executed hereunder shall have the same effectiveness as delivery of a manually executed counterpart thereof.

IN WITNESS WHEREOF, the parties have caused this Sixth Amendment to be executed as of the day and year first above written.

UG:

THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS

By: _____

Printed Name: _____

Title: _____

STATE OF KANSAS)
) SS.
COUNTY OF WYANDOTTE)

 This instrument was acknowledged before me on _____, 2025, by
_____ as the _____ of the Unified
Government of Wyandotte County/Kansas City, Kansas.

Printed Name: _____
Notary Public in and for said State
Commissioned in _____ County

My commission expires

[Seal]

[Signatures continue onto the next page.]

IN WITNESS WHEREOF, the parties have caused this Sixth Amendment to be executed as of the day and year first above written.

Developer:

W-LD LEGENDS OWNER VII, L.L.C.,
a Delaware limited liability company

By: W-LD Legends Holdings VII, L.L.C., a
Delaware limited liability company,
its Sole Member

By: W-LD Legends Investors VII, L.L.C., a
Delaware limited liability company,
its Authorized Member

By: Walton Acquisition REOC Holdings VII, L.L.C.,
a Delaware limited liability company,
its Sole Member

By: Walton Street Real Estate Fund VII-Q, L.P., a
Delaware limited partnership,
its Managing Member

By: Walton Street Managers VII, L.P., a
Delaware limited partnership, its
General Partner

By: WSC Managers VII, Inc., a
Delaware corporation, its
General Partner

By: Name:

Title:

By: _____

Name: _____

Its: _____

STATE OF _____)
) SS.
COUNTY OF _____)

This instrument was acknowledged before me on _____, 2025, by _____ as the _____ of W-LD Legends Owner, L.L.C., a Delaware limited liability company.

Printed Name: _____
Notary Public in and for said State
Commissioned in _____ County

My commission expires

[Seal]

Exhibit L

Developer hereby agrees to perform at least the following capital repairs and improvements to the Shopping Center on or before April 1, 2026:

- a. Parking Lot, Sidewalk and Concrete - Repair and Replacement: approximately \$1,150,000;
- b. Roof Replacement: approximately \$500,000; and
- c. Elevator, Escalator, Panel and Fountain - Repair and Replacement: approximately \$650,000



Report to Planning & Zoning / Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	Wendy Green, Assistant Counsel wmgreen@wycokck.org x5679	Administrator's Office
AGENDA ITEM #12.1.		
RESOLUTION: APPOINTMENT OF COUNTY APPRAISER		
BACKGROUND		
Resolution appointing Matthew Willard as the Wyandotte County Appraiser for the period of July 1, 2025, through June 30, 2029.		
RECOMMENDATION		
Approve		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		
Reso appointing appraiser Matthew Willard_2025		

Approved by Administrator to add to agenda.

RESOLUTION NO. _____

WHEREAS, each county in the State of Kansas is mandated by K.S.A. 19-430 to adopt a resolution appointing the County Appraiser for such County; and

WHEREAS, the County Administrator, under the authority granted to him by Resolution No. R-1-97, has the authority to appoint office holders employed by the Unified Government; and

WHEREAS, Matthew Willard, RMA, was appointed as County Appraiser effective July 29, 2021, by Resolution No. R-45-21; and

WHEREAS, Matthew Willard, RMA, possesses all the qualifications required by K.S.A. 19-430 and Kansas law to hold such office; and

WHEREAS, the County Administrator wishes to appoint Matthew Willard, RMA, as the County Appraiser; and

WHEREAS, K.S.A. 19-430 requires that the appointment of the County Appraiser be adopted, ratified and approved by a Resolution of the County Commission; and

WHEREAS, K.S.A. 19-434 states that the annual salary of the County Appraiser be fixed by a Resolution of the County Commission.

**NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF
THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS
CITY, KANSAS:**

1. Matthew Willard, RMA, who currently serves as the County Appraiser, is hereby appointed County Appraiser for the Unified Government of Wyandotte County/Kansas City, Kansas, as of July 1, 2025.

2. Matthew Willard's appointment shall remain in effect for the full County Appraiser term, per K.S.A. 19-430, expiring June 30, 2029, or until the position is deemed vacated prior thereto.

3. Matthew Willard's employment is subject to the provisions of the Unified Government Human Resources Guide and K.S.A. 19-430 et seq., as may be amended.

4. Matthew Willard's compensation will be in Range 17 of the Unified Government of Wyandotte County/Kansas City, Kansas, Non-Union Classification and Compensation Plan, with the Step to be determined by the County Administrator.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS ____ DAY OF _____, 2025.**

Monica Sparks
Unified Government Clerk

Approved as to Form:

/s/ Wendy M. Green
Wendy M. Green
Deputy Chief Counsel



Report to Planning & Zoning / Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	Casey Meyer, Senior Counsel cmeyer@wycokck.org x2851	Legal
AGENDA ITEM #12.2.		
RESOLUTION: AGREEMENT WITH DOWNTOWN SHAREHOLDERS		
BACKGROUND		
Resolution seeking approval for the Unified Government to enter into an Agreement with the Downtown Shareholders, as contracting entity for the SSMID to provide additional KCKPD patrols for public safety purposes.		
RECOMMENDATION		
Approve To adopt the resolution.		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
n/a		
LEGAL CONSIDERATIONS		
To adopt the resolution.		
ATTACHMENTS		
Resolution for Downtown SSMID Safety Agreement 4.29.25, Downtown SSMID Safety Agreement Final 4.24.25 cm, Exhibit 1 - Downtown SSMID Legal Description 2016 Application and Map		

Approved by Administrator to add to agenda.

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE APPROVAL OF AN AGREEMENT BETWEEN THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS AND THE DOWNTOWN SHAREHOLDERS OF KANSAS CITY, KANSAS, INC., RELATED TO PUBLIC SAFETY SERVICES.

WHEREAS, pursuant to Kan. Stat. Ann. 12-2908, the Unified Government of Wyandotte County/Kansas City, Kansas and The Downtown Shareholders of Kansas City, Kansas, Inc (“DTS”) as the contracting entity for the Self-Supported Municipal Improvement District (“SSMID”), which was authorized pursuant to Unified Government Ordinance O-52-16, have determined that the interests and welfare of the public will best be served by an Agreement for the Unified Government to provide additional KCKPD public safety patrols; and

WHEREAS, the parties have reached and prepared an Agreement describing the responsibilities of the parties concerning the above relationship;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS: That the Unified Government is hereby authorized to enter said agreement by signature of the County Administrator and who is hereby authorized to take any action required and necessary to implement and satisfy the intent of said Agreement.

THIS RESOLUTION IS ADOPTED by the Governing Body of the Unified Government of Wyandotte County/Kansas City, Kansas, this ____ day of _____, 2025.

UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS

By: _____
Tyrone A. Garner, Mayor CEO

ATTEST

Unified Government Clerk

DOWNTOWN SSMID SAFETY AGREEMENT

This AGREEMENT made as hereafter provided is between The Downtown Shareholders of Kansas City, Kansas, Inc., a Kansas non-profit corporation (“DTS”) and the Unified Government of Kansas City, Kansas/Wyandotte County and Kansas City, Kansas Police Department (“Unified Government”).

WHEREAS, Unified Government Ordinance O-52-16 authorized the establishment of the Downtown Kansas City, Kansas Self-Supported Municipal Improvement District (“SSMID”) through December 31, 2026; and,

WHEREAS, the boundaries of the SSMID were set forth and approved through the legal description attached as Exhibit 1 in O-52-16 and further attached as Exhibit 1 in this Agreement; and,

WHEREAS, in accordance with the procedure set forth in O-52-16, DTS currently serves as the fiscal agent and contracting entity for the SSMID; and,

WHEREAS, as the fiscal agent, DTS is responsible for making all purchases of improvements and services necessary for the SSMID as long as they are consistent with the purpose of the SSMID, which includes safety services; and,

WHEREAS, expenditures for this purpose will be authorized in accordance with K.S.A. 12-17,1901a and O-52-16; and,

WHEREAS, the parties have determined that it is in the best interests of the Unified Government and in the furtherance of the health, safety and welfare of Kansas City, Kansas and specifically the SSMID to support increased police presence in the boundaries of the SSMID as described in Exhibit 1;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is hereby agreed as follows:

1. Purpose:

To provide increased Kansas City, Kansas Police presence for public safety purposes in the boundaries of the SSMID as described in Exhibit 1.

2. Responsibilities of the Parties:

Kansas City, Kansas Police Department:

- a. Shall provide one on-duty police officer, with a marked patrol unit, to patrol the SSMID, Monday through Friday, during the hours of 10:30 am – 2:30 pm, as staffing and resources allow.

- b. Shall provide one on-duty police officer, with a marked patrol unit, to patrol the SSMID, Monday through Friday, during the hours of 5:30 pm – 10:30 pm, as staffing and resources allow.
- c. Shall provide on-duty police officers to patrol the SSMID, with marked patrol units during special events or during weekends (Saturday/Sunday) when requested with 72 hours-notice by the DTS, as staffing and resources allow.
- d. If staffing numbers do not permit the police department to provide on-duty police officers either as scheduled in sections (a) or (b) or as requested in (c), the police department will notify DTS immediately.

DTS:

- a. Shall notify the Kansas City, Kansas Police Department Chief or Chief's designee of the dates, times, and number of marked patrol units requested for Special Events or weekend patrols as soon as practicable, but no later than 72 hours prior to the date of service.
- b. Shall reimburse the Unified Government of Wyandotte County, Kansas City, Kansas for the provision of on-duty Kansas City, Kansas Police Officers as outlined in Section 3 below.

3. Reimbursement:

The Unified Government shall invoice DTS monthly for the number of hours worked by each officer at a rate of \$50.00 per hour per officer. DTS shall submit payment to the Unified Government within 30 days of the invoice.

4. Term:

This agreement shall be in effect from June 16, 2025, through December 31, 2025, unless terminated in accordance with section five below.

5. Termination for Convenience:

Either party may terminate this agreement by providing 30 days written notice to the other party. Any unpaid invoices shall be paid within 30 days of the date of termination.

6. Applicable Law:

This Agreement shall be governed and interpreted in accordance with the laws of the state of Kansas. It is agreed that should any dispute arise concerning the validity and effect of this Agreement, or of any breach of the Agreement, venue of an action concerning such dispute shall be in the District Court of Wyandotte County, Kansas.

7. Independent Relationship:

The parties agree that the legal relationship between them is of a contractual nature. Nothing in this Agreement shall be construed to create a relationship of employer and employee or principal and agent or any other relationship other than that of independent parties contracting with each other solely for the purpose of carrying out the provisions of this Agreement.

7. Modification of Agreement:

This Agreement may be modified or amended only in writing executed by both parties.

8. Prior Agreements:

This Agreement constitutes the entire understanding and Agreement between the parties hereto with respect to the subject matter contained herein and supersedes all prior agreements, negotiations, and discussions concerning the matters contained herein.

9. Notice:

Any notice pursuant to this agreement will be directed to the following:

Unified Government and KCKPD:

Unified Government of Wyandotte County/Kansas City, Kansas
701 N. 7th Street
Kansas City, Kansas 66101
Attn: Unified Government Clerk

Kansas City, Kansas Police Department
Police Headquarters
700 Minnesota Ave.
Kansas City, Kansas 66101
Attn: Chief Karl Oakman

DTS:

The Downtown Shareholders of Kansas City, Kansas Inc.
726 Armstrong Avenue, Ste 201
Kansas City, Kansas 66101
Attn: Dawn Rattan

10. Exhibits:

The following exhibits are attached hereto and are hereby incorporated into this Agreement:

Exhibit 1 – Downtown KCK SSMID Legal Description, 2016 Application July 22, 2016
Revision 2 and Boundary Map

IN WITNESS WHEREOF, The Downtown Shareholders of Kansas City, Kansas, Inc. and Unified Government have executed this Agreement as indicated below:

Unified Government of Wyandotte County/Kansas City, Kansas

By: _____
David W. Johnston, County Administrator

DATED this ____ day of _____, 2025.

The Downtown Shareholders of Kansas City, Kansas, Inc.

By: _____
Dawn Rattan, Executive Director

DATED this ____ day of _____, 2025.

EXHIBIT 1

Downtown KCK SSMID Legal Description
2016 Application
July 22, 2016
Revision 2

A tract of land known as the Self Supporting Municipal Improvement District of Downtown KCK, SSMID being a part of the Northeast Quarter Section 10, Northwest Quarter Section 10, Northeast Quarter Section 9, Northwest Quarter Section 9, Southwest Quarter Section 4, Southeast Quarter Section 4, Southwest Quarter Section 3, and Southeast Quarter Section 3 all in Township 11 South, Range 25 East of the Sixth Principal Meridian in Kansas City, Wyandotte County, Kansas, being more particularly described as follows:

NOTE: Unless stated otherwise, courses within the description are the center line of the established public right of way at the date of the ordinance.

Beginning at the center of the intersection of Armstrong Avenue and North 5th Street located in Northeast Quarter of said Section 10;

Thence Southerly along N 5th Street to the center of intersection with Tauromee Avenue;

Thence Westerly along Tauromee Avenue to the center of intersection with N 6th Street;

Thence Southerly along N 6th Street to the center of intersection with Tauromee Avenue;

Thence continuing Westerly along Tauromee Avenue to the center of intersection with N 7th Street Trafficway;

Thence continuing Westerly along Tauromee Avenue to the center of intersection with N 8th Street;

Thence Northerly along N 8th Street to the center of intersection with Barnett Avenue;

Thence Westerly along Barnett Avenue to the center of intersection with N 9th Street;

Thence Northerly along N 9th Street to the center of intersection with Armstrong Avenue;

Thence Westerly along Armstrong Avenue to the center of intersection with N 12th Street being the most Westerly street of said SSMID;

Thence Northerly along N 12th Street to the center of intersection with Washington Boulevard;

Thence Easterly along Washington Boulevard to the center of intersection with N 4th Street;

Thence continuing Easterly past the entry ramp to I-70 Highway along Washington Boulevard to the center of intersection with N 3rd Street;

Thence Southerly along N 3rd Street to the center of intersection with Minnesota Avenue;

Thence Westerly along Minnesota Avenue to the center of intersection with N 4th Street;

Thence Southerly along N 4th Street to the center of intersection with Armstrong Avenue;

Thence Westerly along Armstrong Avenue to the center of intersection with N 5th Street and the Point of Beginning.

Except parcels within the said SSMID tract that are zoned residential and as listed below:

[illegible]

GRAPHIC SCALE
400' 800'
1 inch = 800 feet

1 OF 1

Project:	SSMID BOUNDARY EXHIBIT
Self Supporting:	YES
Municipal:	YES
Improvement District:	YES
Kansas City, Kansas:	YES
Drawn By:	PJS
Project No:	PR2074.00.38
Field Date:	N/A
Issue Date:	2016-07-22
Sheet:	1

Client:
DOWNTOWN SHAREHOLDERS
OF KANSAS CITY, KANSAS
726 ARMSTRONG AVENUE
SUITE 201
KANSAS CITY, KANSAS , 66101

BHC RHODES
Civil Engineering • Surveying • Utilities
901 N. 8th Street, Suite 100 Kansas City, KS 66101
p. (913) 371-5300 f. (913) 371-2677
BHC RHODES is a trademark of Burroughs Monomichel & Company, P.

1	2016-07-22	REMOVE 12TH W-TAUROMEE S
Rev.	Date	Description



Report to Planning & Zoning / Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	Jeffrey Conway, Assistant Counsel jconway@wycokck.org x5075	Economic Development
AGENDA ITEM #12.3.		
ORDINANCE: TERMINATING SPEEDWAY PLAZA REDEVELOPMENT DISTRICT AND TAX INCREMENT FINANCING		
BACKGROUND		
Adopt an ordinance to terminate the Speedway Plaza Redevelopment District, to terminate the Redevelopment Project Plan, and to terminate tax increment financing for the Speedway Plaza Redevelopment District pursuant to Home Rule authority.		
RECOMMENDATION		
Approve		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
NONE		
LEGAL CONSIDERATIONS		
NONE		
ATTACHMENTS		
TIF Termination Ordinance - Plaza at the Speedway (Unified Government)		

Approved by Administrator to add to agenda.

(Published in *The Wyandotte Echo* on June __, 2025)

ORDINANCE NO. O-__-25

AN ORDINANCE TERMINATING THE SPEEDWAY PLAZA REDEVELOPMENT DISTRICT CREATED PURSUANT TO ORDINANCE NO. O-92-06, TERMINATING THE REDEVELOPMENT PROJECT PLAN ADOPTED PURSUANT TO ORDINANCE NO. O-138-06, AND TERMINATING TAX INCREMENT FINANCING WITH RESPECT TO THE SPEEDWAY PLAZA REDEVELOPMENT DISTRICT.

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”) created the Speedway Plaza Redevelopment District (the “District”) pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”) and Ordinance No. O-92-06 passed on August 31, 2006 and adopted a Redevelopment Project Plan for the Speedway Plaza Redevelopment District pursuant to Ordinance No. O-138-06 passed on December 21, 2006 (the “Plan”); and

WHEREAS, the Unified Government previously issued its Special Obligation Tax Increment Revenue Bonds (Plaza at the Speedway Project), Series 2013 (the “Bonds”), to finance certain eligible improvements within the District; and

WHEREAS, as of September 1, 2023, the trustee for Bonds reports that such Bonds have been fully repaid; and

WHEREAS, the Act (specifically K.S.A. 12-1775(b)) instructs that, upon payment of all redevelopment project costs and any bonds issued pursuant to the Act, all real property taxes collected within a redevelopment district shall be allocated and paid to the respective taxing subdivisions in the same manner as other ad valorem taxes; and

WHEREAS, the Unified Government has determined it is in the best interests of the Unified Government to terminate the District and the Plan, and the Act does not provide a mechanism for termination of a redevelopment district or a redevelopment plan; and

WHEREAS, Article 12, § 5 of the Constitution of the State of Kansas (the “Home Rule Amendment”) empowers cities to determine their local affairs and government and provides that such power and authority granted thereby to cities shall be liberally construed for the purpose of giving to cities the largest measure of self-government; and

WHEREAS, the Unified Government is a duly organized and existing municipal corporation under the laws of the State of Kansas, is a consolidated city-county having all the powers, functions and duties of a county and of a city of the first class, and is a city within the meaning of the Home Rule Amendment; and

WHEREAS, there is no enactment of the Kansas Legislature which provides the procedure to terminate a redevelopment district and redevelopment plan; and

WHEREAS, the Unified Government has determined that it is necessary and desirable to pass this Ordinance to terminate the District and the Plan and to terminate tax increment financing in connection with the District and the Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AS FOLLOWS:

Section 1. Finding; Termination of District and Termination of Plan. The Unified Government hereby finds that the Bonds have been repaid in full. Pursuant to the Home Rule Amendment, the Unified Government hereby terminates the District, the Plan, and tax increment financing for the District.

Section 2. Further Authority. The Unified Government shall, and the officers, employees and agents of the Unified Government are hereby authorized and directed to, take such action, expend such funds and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 3. Governing Law. This Ordinance and the Bonds shall be governed by and construed in accordance with the applicable laws of the State.

Section 4. Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the governing body of the Unified Government and publication in the official Unified Government newspaper.

PASSED by the Commission of the Unified Government of Wyandotte County/Kansas City, Kansas this 29th day of May, 2025.

(SEAL)

Tyrone Garner, Mayor/CEO

ATTEST:

Monica Sparks
Unified Government Clerk

Approved as to form:

Office of Chief Counsel

EXHIBIT A

REDEVELOPMENT DISTRICT LEGAL DESCRIPTION

File No. 2005-1529
Speedway ALTA
February 23, 2006
Revised April 26, 2006
Revised June 27, 2006

Preliminary Plat Property Description

All that part of the Southeast Quarter of Section 34 and all that part of the Southwest Quarter of Section 35, all lying in Township 10 South, Range 23 East, in Kansas City, Wyandotte County, Kansas, described as follows:

COMMENCING at the Southeast corner of the Southeast Quarter of Section 34, Township 10 South, Range 23 East; thence North 1 degree 37 minutes 11 seconds West along the East line of the Southeast Quarter of said Section 34 a distance of 40.00 feet to a point on the North right of way line of Parallel Parkway, the POINT OF BEGINNING; thence South 88 degrees 02 minutes 34 seconds West along the North line of said Parallel Parkway a distance of 1023.23 feet to a point on the Southerly prolongation of the East line of Security Bank, a subdivision in Kansas City, Wyandotte County, Kansas; thence North 1 degree 29 minutes 46 seconds West along the East line of said Security Bank and its prolongation a distance of 446.56 feet to the Northeast corner thereof; thence South 88 degrees 44 minutes 35 seconds West along the North line of said Security Bank a distance of 156.00 feet to a point; thence South 88 degrees 01 minutes 04 seconds West along the North line of said Security Bank and its Westerly prolongation a distance of 170.29 feet to a point lying on the West right of way line of 109th Street; thence North 1 degree 30 minutes 23 seconds West along the West right of way line of 109th Street a distance of 198.61 feet to the Southeast corner of Lot 5, Piper Plaza 2nd Plat, a subdivision in Kansas City, Wyandotte County, Kansas; thence South 88 degrees 02 minutes 34 seconds West along the South line of said Lot 5 a distance of 346.85 feet to the Southwest corner thereof; thence North 1 degree 57 minutes 26 seconds West along the West line of said Lot 5 a distance of 182.41 feet to a point; thence North 57 degrees 37 minutes 28 seconds West along the West line of said Lot 5 a distance of 159.97 feet to the Westernmost corner of said Lot 5; thence North 32 degrees 22 minutes 32 seconds East along the West line of said Lot 5 a distance of 544.18 feet to a point; thence in a Northeasterly direction along the West line of said Lot 5 and along a curve to the left, have a radius of 1512.40 feet, through a central angle of 0 degrees 16 minutes 52 seconds, an arc distance of 7.42 feet to a point; thence South 57 degrees 54 minutes 20 seconds East along the West line of said Lot 5 a distance of 10.00 feet to a point; thence in a Northeasterly direction along the West line of said Lot 5 and along a curve to the right whose initial tangent bears North 23 degrees 19 minutes 08 seconds East, having a radius of 1522.40 feet, through a central angle of 8 degrees 46 minutes 33 seconds, an arc distance of 233.18 feet to the Northwest corner thereof; thence North 88 degrees 01 minutes 33 seconds East along the North line of said Lot 5 a distance of 51.56 feet to a point on the West right of way line of 109th Street; thence North 1 degree 30 minutes 23

seconds West along the West right of way line of 109th Street a distance of 50.33 feet to a point on the Westerly prolongation of the South line of Prairie Country, Lots 1-42, a subdivision in Kansas City, Wyandotte County, Kansas; thence North 88 degrees 00 minutes 51 seconds East along the South line of Prairie Country Lots 1-42, Prairie Country Lots 43-72, Prairie Country Lots 73-106, and Prairie Country Lots 107-123, subdivisions lying in Kansas City, Wyandotte County, Kansas and its prolongation a distance of 1346.23 feet to a point on the West line of the Southwest Quarter of Section 35, Township 10 South, Range 23 East; thence South 1 degree 37 minutes 11 seconds East along the West line of the Southwest Quarter of said Section 35 and the West line of 2nd Addition to Westmore Downs, a subdivision in Kansas City, Wyandotte County, Kansas a distance of 338.74 feet to the Southwest corner of said Addition; thence North 88 degrees 02 minutes 25 seconds East along the South line of said 2nd Addition to Westmore Downs a distance of 1322.45 feet to a point on the West line Parallel Heights, Lots 1-6 Block 1, Lots 1-6 Block 2, Lots 1-13 Block 3, Lot 1 Block 4, Lot 1 Block 5, a subdivision in Kansas City, Wyandotte County, Kansas; thence South 1 degree 43 minutes 29 seconds East along the West line of said Parallel Heights a distance of 461.84 feet to a point; thence South 33 degrees 08 minutes 33 seconds East along the West line of said Parallel Heights a distance of 203.35 feet to a point; thence South 1 degree 43 minutes 29 seconds East along the West line of said Parallel Heights a distance of 633.20 feet to a point on the North line of said Parallel Parkway; thence South 85 degrees 26 minutes 35 seconds West along the North line of said Parallel Parkway a distance of 330.26 feet to a point; thence South 88 degrees 13 minutes 57 seconds West along the North line of said Parallel Parkway a distance of 16.90 feet to a point; thence South 88 degrees 01 minutes 21 seconds West along the North line of said Parallel Parkway a distance of 162.04 feet to the Southeast corner of Lot 1, Wendy's, a subdivision in Kansas City, Wyandotte County, Kansas; thence North 51 degrees 58 minutes 36 seconds West along the Northeasterly line of said Lot 1 a distance of 508.95 to the Northwest corner thereof; thence South 1 degree 36 minutes 26 seconds East along the West line of said Lot 1 and its Southerly prolongation a distance of 327.15 feet to a point on the prolongation of the North right of way line of said Parallel Parkway; thence South 88 degrees 01 minutes 24 seconds West along the North line of said Parallel Parkway and its prolongations a distance of 530.01 feet to the POINT OF BEGINNING and containing 4,023,403 Square Feet or 92.365 Acres, more or less.



Report to Planning & Zoning / Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	J. Renee Ramirez, Director rramirez@wycokck.org x5665	Human Resources
AGENDA ITEM #12.4.		
RESOLUTION: MEMORANDUM OF UNDERSTANDING WITH INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL NO. 64		
BACKGROUND		
Adoption of a resolution Memorandum of Understanding Between Unified Government of Wyandotte County/Kansas City, Kansas, and International Association of Firefighters Local No. 64 for the period from January 1, 2025 through December 31, 2027.		
RECOMMENDATION		
Approve		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		
IAFF Resolution for MOA 2025-2027, 9OM1345-MOA - 2025-2027 - 4-11-25 - Clean with updated TOC, iaff attachment c 2025 Revised 4.7.25		

Approved by Administrator to add to agenda.

RESOLUTION NO. _____

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

That the County Administrator of the Unified Government of Wyandotte County/Kansas City, Kansas, is hereby authorized and directed to execute in the name of the Unified Government of Wyandotte County/Kansas City, Kansas, and the Unified Government Clerk is hereby authorized and directed to attest the signature of said County Administrator and to attach the seal of the Unified Government thereto as the voluntary act of the Unified Government to the Memorandum of Agreement between the Unified Government of Wyandotte County/Kansas City, Kansas, and The International Association of Firefighters Local No. 64, for the period from January 1, 2025 through December 31, 2027.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS ____ DAY OF _____, 2025.**

Mayor/CEO

ATTEST:

Unified Government Clerk

Approved as to Form:

**Angela Lawson
Chief Counsel**

MEMORANDUM OF AGREEMENT

2025-2027

Between

**The Unified Government of Wyandotte County,
Kansas City, Kansas**

and

The International Association of Firefighters

Local No. 64

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DEFINITIONS

Certified Fire Inspector – An individual who has met the job performance requirements specified in the NFPA 1031 standard for Level 1 Fire Inspector who conducts basic fire inspections and applies codes and standards.

Certified Plan Examiner – An individual who has met the job performance requirements specified in the NFPA 1031 standard for Level 1 Plan Examiner who conducts basic plan reviews and applies codes and standards.

Chief – Chief of the Kansas City, Kansas Fire Department.

City – City of Kansas City, Kansas.

Department – Kansas City, Kansas Fire Department.

Deputy Chief – A chief officer who is in charge of an office comprised of multiple divisions.

Dispatcher – An individual responsible for receiving citizens' request for services, dispatching units to respond to calls, receipt and transmission of fire alarms, telephone calls, ambulance requests and provision of pertinent information to responding units. Position requires Emergency Medical Dispatch certification and/or a willingness and ability to obtain such certification.

Division Chief – A chief officer of the Kansas City, Kansas Fire Department who is in charge of a Department Division.

Divisions – Training, Fire Suppression, Emergency Medical Services, Special Operations, Support Services, Fire Prevention and Communications or as otherwise created by the Department.

Employee – All persons employed by the Fire Department who are members of the bargaining unit.

Employer – Unified Government of Wyandotte County/Kansas City, Kansas.

Executive Committee – IAFF Local No. 64, President, Vice-President, Secretary-Treasurer, Business Manager/Recording Secretary and Six Elected Executive Board Members.

Fire Department – Kansas City, Kansas Fire Department.

Firefighter/EMT – Sworn member of the Kansas City, Kansas Fire Department who is assigned to a fire suppression/EMS position and who works twenty-four (24) hour shifts.

Firefighter/Paramedic – Sworn member of the Kansas City, Kansas Fire Department who is assigned to a fire suppression/EMS/Paramedic position and who works twenty-four (24) hour shifts.

Fire Mechanic – A skilled and specialized position performing mechanic work in the repair and maintenance of firefighting trucks, equipment, related apparatus and advanced expertise related to multiplex computer diagnostic equipment technology required for modern apparatus repair and maintenance needs. Position requires EVT and ASE certification and/or willingness and ability to attain such certification.

Memorandum – Memorandum of Agreement between Unified Government of Wyandotte County/Kansas City, Kansas and IAFF Local No. 64.

Paramedic – An Employee possessing an active license as a Paramedic from the Kansas Board of Emergency Medical Services.

Permanent Employees – Fire Department employees who have successfully completed their 12 month probationary period and have received a permanent appointment.

Recruit – Employees of the Fire Department hired for Firefighter/EMT or Firefighter/Paramedic positions who are actively enrolled in the Training Academy.

Shift Days – 24 Hour work periods.

Specialized Units –Recruitment, Investigations, Inspections, Haz Mat, USAR and other units so designated by the Department.

UG – The Unified Government of Wyandotte County/Kansas City, Kansas.

Union – IAFF Local No. 64.

MEMORANDUM OF AGREEMENT

ARTICLE 1 – PREAMBLE

This Memorandum of Agreement (hereinafter “Memorandum”) is entered into by and between the Unified Government of Wyandotte County/Kansas City, Kansas (hereinafter “Employer” or “UG”), and Local No. 64, International Association of Firefighters (hereinafter “Union”).

It is the purpose of this Memorandum to achieve and maintain harmonious relations between the Employer and the Union; to provide for equitable and peaceful adjustment of differences that may arise, and to establish proper standards of wages, hours and other conditions of employment.

ARTICLE 2 – RECOGNITION

The Employer recognizes the Union as the exclusive bargaining agent for all sworn and non-sworn employees of the Fire Department of the rank of captain (or equivalent) and below, except that confidential, supervisory, and elected and management employees as defined by the Kansas Public Employer-Employee Relations Act are excluded.

ARTICLE 3 - NON-DISCRIMINATION

UG and the Union agree that they shall not directly or indirectly discourage or deprive or coerce any employee in the enjoyment of any rights conferred by the laws of Kansas and the United States; that neither the Employer nor the Union shall interfere with the right of employees covered by this Memorandum to become or not become members of the Union and there shall be no discrimination against any such employees because of lawful Union membership or lawful Union activity or non-membership or non-activity; that each will comply with applicable laws and regulations regarding discrimination against any employee or Union member due to such person's race, color, creed, religion, national origin, sex, age or disability. When words of gender are used in this Memorandum, the male term shall include the female and the female term shall include the male. The Union recognizes its responsibility as bargaining agent and agrees fairly to represent all employees in the bargaining unit.

ARTICLE 4 - UNION BUSINESS

§ 4.1 Conferences, Conventions, Seminars and Symposiums

Designated members of the Union shall be granted time off without loss of pay to attend certain conventions, conferences, seminars and symposiums, with the consent of the Chief. Time off requests must be submitted two weeks prior to a convention, conference, seminar or

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symposium. The referenced conventions, conferences, seminars or symposiums will be the International Association of Firefighters' Convention (not to exceed four (4) members of the Union every other year), the John P. Redmond Safety Symposium (not to exceed four (4) members of the Union every other year), and the Kansas State Fire Council of Firefighters Convention (not to exceed eight (8) members of the Union) and the Human Relations Conference (not to exceed three (3) members of the Union); the District 2 Symposium (not to exceed six (6) members; and the IAFF Legislative Conference (not to exceed two (2) members). If as a result of any of the above, a shortage of manpower exists, then the Department may invoke its rights under Article 24, paragraph 7.

§ 4.2 Local Meetings

The President, Vice President, Business Manager/Recording Secretary, Secretary/Treasurer of the Union shall be allowed reasonable time off to attend not to exceed two (2) regular meetings and two (2) special meeting per month of the local Union. The Chief shall be given written notice at least seven (7) calendar days in advance of such regular meetings and must consent to these Union officers being granted time off for any special meetings.

§ 4.3 Pay for Negotiators

UG will permit not to exceed five (5) Local Executive Board members time off with pay for time actually spent in collective bargaining sessions with UG.

§ 4.4 Local Union Business

Nothing contained within this Memorandum of Agreement shall alter the existing past practice between the Parties which allows Local Executive Board Members to conduct authorized Local Union business during their regular working hours, provided that the Chief and the appropriate supervisor are given notice that such representative of the Local will be so engaged and consent thereto. Time spent in handling Union Business outside of the Local Executive Board Members normal work hours shall not be considered time spent in the employ of UG. Subject to the approval of the Chief or the Chief's designated representative, the Local Union President shall be allowed time off without loss of pay to engage in activities that benefit the UG, the Department or Department employees.

ARTICLE 5 - PROBATIONARY PERIOD

§ 5.1 New Hires

A new employee appointed to the Fire Department shall serve a probationary period of one (1) year, shall pass the necessary examinations and shall satisfactorily perform their duties before the employee becomes a permanent employee. An employee's probationary period may be extended by mutual agreement of the Employer, Employee and the Union for a period of time up to ninety (90) days.

A new dispatch employee shall serve a probationary period of one (1) year, shall become certified as required and shall satisfactorily perform their duties before they become a permanent employee. This period may be extended for a time not to exceed ninety (90) days, by the written agreement of the Employer, Employee and Union. Any interruption of employment (leave, sickness, etc.) during the probationary period in excess of five (5) days shall not be counted as part of the period.

§ 5.2 Promotions

An Employee who receives a promotion to a higher rank shall serve a probationary period of six (6) months in such higher rank, unless extended by mutual written agreement between the Department and the Union, before such appointment becomes permanent.

§ 5.3 Retention or Removal

If a probationary employee is unsatisfactory to the Employer, then the employee and the Union (unless the employee requests that the union not be notified) shall be notified in writing that he is not to be retained. If the employee is retained beyond the probationary term, then their appointment or promotion shall be deemed permanent. An employee who does not satisfactorily complete the probationary period for promotion shall be returned to their last permanent rank.

ARTICLE 6 - PAYROLL DEDUCTION OF DUES

The Employer agrees to deduct, each month, dues and assessments in any amount certified by the Union and authorized by the employee from the pay of those employees who individually request, in writing (Dues Deduction Authorization Slip), that such deductions be made. Employees may revoke the authorization by giving thirty (30) calendar days written notice to the Employer. The employer will notify the Union of any revocation of dues deductions. The total amount of deductions shall be remitted, each month, by the Employer to the Treasurer of the Union.

ARTICLE 7 - CALL BACK PAY

Employees who are called back to work after leaving their normal shift shall be compensated for all time actually so worked at the overtime rate. Employees shall receive a minimum of four (4) hours pay at their regular straight time rate or the actual time worked at the overtime rate, whichever is greater. Employees shall not be compensated for "travel time," to or from work. Call backs shall be made in accordance with the Department's orders concerning the same.

ARTICLE 8 - LEAVES OF ABSENCE

§ 8.1 Leaves of Absence

Leaves of absence shall be without pay unless specifically stated that they are to be with

pay.

§ 8.2 General Leaves of Absence

Any general leave of absence that may be granted is the decision of the Chief. The maximum general leave of absence shall be thirty (30) calendar days. The UG Governing Body may extend such leave for any periods not to exceed thirty (30) calendar days upon receipt from the Chief of a written recommendation to that effect. Any employee desiring a general leave of absence shall submit a written request to the Chief, setting forth the reasons for the request at least seven (7) calendar days prior to the commencement of the requested leave, except in cases of emergency. If such request is denied, the reason for such denial shall be made known to the requesting employee. The time an employee spends on general leave of absence shall not be counted as time worked in determining vacation benefits or any other benefits under this Memorandum or under law.

§ 8.3 Military Leave

Any employee who voluntarily or involuntarily enters active duty in any branch of the military service, including all Guard and Reserve units of the Armed Forces of the United States, may be placed on military leave of absence without pay. Any employee who is a member of the National Guard or any other component of the Military Reserve may be granted a leave of absence without pay to meet their military obligation. Military obligation means required summer camps and meetings, and may or may not, in accordance with Federal Law, include camps and training sessions attended voluntarily. In either case, such employee shall comply with UG procedures in requesting such leave and upon their separation from the service they shall be entitled to such benefits accruing to the employee under existing Federal laws and regulations and agreement then in effect. An employee on military leave shall report for duty with the Department within the time required by law from their separation from service on their initial tour of duty or the employee will be considered as having voluntarily resigned.

§ 8.4 Death in the Family Leave

Each employee shall have, in the event of a death in their immediate family, not to exceed three (3) consecutive calendar days off for 40 hour personnel or one shift day off for 24 hour personnel, with pay, but such leave shall not extend beyond the day after the funeral. The term "immediate family" shall include the employee's spouse, children, parents, step-parents, brother, sister, grandparents, grandchildren, brother-in-law, sister-in-law, son-in-law, daughter-in-law, parents of spouse, grandparents of spouse, a person whom the employee served as legal guardian, or was a primary care provider or a relative living in the employee's home. The Chief or the Chief's designee at their discretion may grant death in the family leave to an employee to attend the funeral of other relatives, or extend the funeral leave, at their discretion under extenuating circumstances. The employee shall provide verification of the death of the immediate family member.

§ 8.5 Injury Leave

a) An employee who sustains injuries arising out of and in the course of their employment shall be covered by the provisions of this section. Additionally, an employee who contracts an "occupational disease," as defined and applied by the Kansas Workers' Compensation Act (K.S.A. 44-5a01, as amended), which disease arises out of and in the course of the employee's employment which disease results from the nature of the employment in which the employee was engaged with the Department, and which was actually contracted while so engaged, may be eligible for the benefits provided by the provisions of this section. The applicable provisions of the Kansas Workers' Compensation Act shall provide the parties with authority to determine if employees of the bargaining unit are entitled to the benefits of this section for occupational diseases.

b) The disability of an employee due to an exposure-related cancer shall be presumed to constitute an injury arising out of and in the course of employment covered by the provisions of this section if:

- (i) the employee was exposed to or in contact with heat, radiation, or a carcinogen that is linked to an exposure-related cancer while in the course of the line of duty;
- (ii) the employee began serving in such position not later than five (5) years before the date of the diagnosis of an exposure-related cancer;
- (iii) the exposure-related cancer directly and proximately results in the disability of the employee.

The presumption in the preceding sentence shall not apply to the disability of an employee due to an exposure-related cancer if competent medical evidence establishes that the exposure-related cancer was unrelated to the exposure or contact referenced in subparagraph (b)(i) above. For the purposes of this paragraph an "exposure-related cancer" shall be defined to include the following cancers: bladder, brain, breast, cervical, colon, colorectal, esophagus, kidney, leukemia, lung, malignant melanoma, mesothelioma, multiple myeloma, non-Hodgkins lymphoma, ovarian, prostate, skin, stomach, testicular, and thyroid.

c) Claims due to stress, mental disorder or mental injury may be compensable under this section if the stress, mental disorder or mental injury arises out of and in the course of the employee's employment.

d) If the injured employee, in the opinion of their and the Department's physicians, is unable to work because of such injuries they may be granted injury leave. If the employee is granted such leave they shall receive their regular base pay for a period not to exceed fifteen (15) months. Such leave shall be terminated when the employee's or the Department's physician determines that the employee is able to return to work. No employee will lose any benefits while on approved injury leave.

e) The maximum amount of leave allowed under this section for any one injury or series of injuries, shall be a cumulative fifteen (15) months at the end of which the injured employee must return to their regular full-time Departmental duties, apply for a disability pension, resign their position with the Department or be terminated.

f) An employee on injury leave shall be required to periodically (at least every forty-five (45) calendar days) acquire and provide to the Department a report, from their attending physician, stating clearly the employee's medical condition, the likelihood of said employee's return to work and a physician's statement, based upon reasonable medical certainty as to when the injured employee may return to the employee's regular duties with the Department.

g) The Department may allow, by mutual agreement of the employee and the Department, or may require with a written release from the employee's treating physician, including specialist if applicable, an employee on approved injury leave, at any time, may be assigned to a light duty assignment if the employee is able to perform the work within work restrictions and the Department has a position available. In this event the employee may be placed at the discretion of the Department. However, any time spent on light duty shall be included within the maximum fifteen (15) months injury leave provided in paragraph (c) hereinbefore. If at the end of the total cumulative fifteen (15) month period the employee is still unable to perform their regular full duties then the employee must apply for a disability pension, resign their position with the Department or be terminated.

h) An employee injured on duty, must report, if reasonably able, in writing, such injury immediately, but no later than within twenty-four (24) hours from the end of the shift on which they were injured to their immediate supervisor. If reporting occurs following the conclusion of the employee's shift and the employee's immediate supervisor is not on-duty, then the employee should report such injury to the on-duty shift commander. The injury shall be recorded in the fire company's daily electronic log as to date, time, location and type of injury. The employee shall then be required to forthwith report to an in-network physician within the UG's applicable group health and medical plan for examination and/or treatment. If such physician is not available then the firefighter shall be required to report to an in-network hospital emergency or urgent care facility for examination and/or treatment. The injured employee shall return a written verification to the Department that he has been so examined and/or treated. An employee shall not be entitled to receive injury leave benefits unless the employee complies with this section.

i) When an employee is on injury leave, the UG may require the employee to be examined by a physician of the Department's choosing to determine the capability of the employee to return to duty.

j) Employees on approved injury leave are prohibited from being gainfully employed or being self-employed.

k) No employee will be entitled to receive more salary as a result of receiving the benefits of this section than the employee would have received had the employee been working and receiving their base pay during this time period. IOD paid leave shall not be substituted for a previously scheduled Kelly day when an employee has been placed in an IOD status. Such previously scheduled Kelly day shall be taken as originally scheduled.

l) Any medical examinations and/or treatments which are required by the

Department will be provided under the applicable group health and medical plan. Any deductible amount not paid by this coverage shall be the responsibility of the UG. If the carrier denies coverage the UG shall be responsible for the full costs of such examinations.

m) Employees are required when initially requesting injury leave to execute Department forms which authorize the employee's treating physician(s) to release the relevant medical records to the Department and to respond to the Department's inquiries concerning the capability of the employee to return to work and/or to return to work light duty. The Department will provide the physician(s) with a general description of the duties of the light duty position when requesting their opinion(s).

n) Injury Leave – Dispatch.

- i. Subsection a. through d. and k. of this Section 8.5 are inapplicable to dispatch employees.
- ii. An employee who sustains injuries arising out of and in the course of his or her employment shall be covered by the provisions of the Workers' Compensation Act of the State of Kansas. If the employee is unable to work, he or she shall receive the difference between her regular pay and the workers' compensation benefits he or she receives for the first thirteen (13) weeks of any such injury leave. Thereafter, any further injury leave shall be at the discretion of the UG Commission.

o) Injured on Duty prescriptions filled during the hours of operation of the Road to Wellness clinic shall be filled at the clinic. Outside of the clinic hours of operation prescriptions shall be filled at an in-network pharmacy.

§ 8.6 Sick Leave

a) Entitlement

1) All permanent employees shall be allowed leave with pay on account of sickness or non-duty related injury at the rate of one and one fourth (1-1/4) calendar days for each calendar month of full service by such employees.

2) Sick leaves shall not accumulate during general leaves of absence, extended military leave of more than thirty (30) days, suspensions or layoff.

3) Twenty-four (24) hour shift employees must actually work or be credited with working at least six (6) shift days per month and forty (40) hour employees must actually work or be credited with working at least twelve (12) work days per month in order to accumulate the referenced Sick Leave entitlement.

b) Limitation of Accumulation

There shall be no limit on the number of sick days that the employee may accrue.

c) Transferred Employees

When an employee is transferred to another department of UG, any unused sick leave that may have accumulated to their credit shall continue to be available for their use as necessary.

d) Termination

Upon an employee's voluntary resignation, termination for just cause or layoff due to personnel reduction, any accrued, unused sick leave shall be forfeited.

e) Pension

An Employee who shall have accumulated sick leave and is eligible for a pension in accordance with the provisions of the Kansas Police and Fire Department Retirement Systems Act, shall upon retirement receive regular straight time compensation for any accumulated unused sick leave, but such compensation shall not exceed four (4) months base pay.

Thirty (30) days of accumulated sick leave shall be used for each one (1) month's equivalent pay. If an employee has less than the referenced number of accumulated sick leave, the employee shall receive the pro-rated one-thirtieth (1/30th) of one (1) month's pay for each day of accumulated sick leave existing at that time.

f) Use Provisions

1) The payment to an employee of paid sick leave shall be subject to the following rules:

a) Sick leave may only be used for the purpose for which it was intended, that being to provide an employee with protection against a loss of pay due to a bona fide illness.

b) Employees on approved sick leave are prohibited from being gainfully employed or being self-employed.

c) The granting of sick leave shall be at the determination of the Chief or the Chief's designee.

d) The employee shall not be entitled to receive paid sick leave unless the employee shall notify their immediate supervisor of their illness before such paid sick

leave is due to begin, unless the delay of such notification can be shown to be unavoidable.

e) If an employee reports for work and then leaves during their tour of duty due to illness, the employee must report same to their supervisors before leaving the Department's premises and, upon request of their supervisor(s), the employee shall sign an authorization to allow the UG to acquire the employee's relevant medical records and/or a report, from their attending physician, stating clearly the nature of the illness or injury, the probable length of time it will be necessary for the employee to be absent due to such illness or injury, a statement of the treatment being provided the employee and a statement that the employee was unable to work the day(s) of their absence due to their illness or injury.

f) Any permanent employee who is absent for more than one (1) consecutive shift day for 24-hour employees or three (3) consecutive workdays for 40-hour employees due to illness or injury, shall provide a report from the employee's attending physician, stating clearly the nature of the illness or injury, the probable length of time it will be necessary for the employee to be absent due to such illness or injury, a statement of the treatment being provided the employee and a statement that the employee has been seen and treated and was unable to work the day(s) of their absence due to their illness or injury. Such employees must also be at their place of residence during the hours of the employees shift for which the employee has called off sick unless: (1) the employee can provide documentary proof upon the employee's return to work that their absence was necessary for seeking medical care or treatment from or at the direction of the employee's attending physician; or, (2) after the employee has provided to the Department a report from the employee's treating physician attesting that the employee has incurred an injury or has a chronic, serious medical condition but is nonetheless ambulatory.

g) The Chief or the Chief's designee shall request on the first day of sickness after said employee has laid off two (2) sick leaves in any twelve (12) consecutive month period a statement signed by the employee's treating physician stating clearly that the employee was seen and treated, the nature of the illness or injury, the probable length of time it will be necessary for the employee to be absent due to such illness or injury, a statement of the treatment being provided to the employee and a statement that the employee was unable to work the day(s) of their absence due to their illness or injury. Such employees must also be at their place of residence during the hours of the employee's shift for which the employee has called off sick unless: (1) the employee can provide documentary proof upon the employee's return to work that their absence was necessary for seeking medical care or treatment from or at the direction of the employee's attending physician; or, (2) after the employee has provided to the Department a report from the employee's treating physician attesting that the employee has incurred an injury or has a chronic, serious medical condition but is nonetheless ambulatory. The employee shall be notified in writing when they have laid off two (2) sick leaves in any twelve (12) month period.

h) Sick Leave Buyback.

Employees who have at least 480 hours of sick leave in their sick leave bank are permitted to sell back to the Unified Government at the end of a calendar year sick leave based upon the following usage table:

Sick leave used per year	Hours permitted to sell back
None	96 hours (24-hr) / 64 hours (8-hr)
One (1) shift	72 hours (24-hr) / 48 hours (8-hr)
Two (2) shifts	48 hours (24-hr) / 32 hours (8-hr)
Three (3) shifts or more	None

The provisions of this Section 8.6(h) shall only apply if the total amount of unscheduled leave (sick leave, family illness and injured on duty leave including any such leave taken in conjunction with FMLA) from July 1st through December 31, 2024 (half year calculation) and then on a calendar year basis is reduced by the following percentages from the amount of such leave taken by the bargaining unit in the 2021 calendar year: 2024 (half year) – 35%, 2025-2027 – 35% each year. The number of hours of unscheduled leave taken by the bargaining unit in 2021 is 122,730 hours. For the half year calculation from July 1, 2024 – December 31, 2024, if the bargaining unit reduces its unscheduled leave by 35% from the half time number of 2021 hours of 61,365 hours (1/2 of 122,730 2021 hours), then employees are entitled to cash out one-half (1/2) of their sick leave hours identified in this paragraph h. based upon their half-time usage during said six-month period of time.

i) Any employee who averages three (3) or more sick leaves per year from their date of employment, shall be classified as an "excessive user" of sick leave and the Chief shall inform the employee in writing that they have been placed in this category. An employee in the "excessive user" category will be governed by the following rules:

1) Such employee during a sick leave absence shall be checked to see if they are at home and if not there, the employee must supply proof that they were at the doctor's office, or hospital during that time. If proof cannot be supplied, the employee shall receive six (6) consecutive calendar days off of work without pay for the first offense; fifteen (15) consecutive calendar days off of work without pay for the second offense; thirty (30) consecutive calendar days off for the third offense; and termination for the fourth offense. Discipline for the fourth offense is subject to the Chief's discretion.

j) Employees not using any sick leaves including family illness in either of the following six (6) month periods - January 1st through June 30th and/or July 1st through December 31st - shall receive twelve (12) hours with pay the following year if a twenty-four (24) hour employee and eight (8) hours with pay if a forty (40) hour employee for each respective six (6) month period without such sick leave usage ("Award Day(s)"). Employees who are off on FMLA leave who elect to use sick leave in conjunction with FMLA leave shall be disqualified from the granting of Award Day(s) as provided in this paragraph. Such days may be taken by the employee, schedule permitting and with consent of their supervisor.

k) Records of Sick Leave

It shall be the duty of the Department to keep a permanent record of sick leave and each employee's accumulation and use of sick leave.

l) Payment Beyond Accrued Vacation and Sick Leave

Any employee who, on account of a non-job related illness or injury, is absent beyond the period of time for which they have accrued sick leave and vacation leave may apply to be paid at the rate of one-half (1/2) the usual wages or salary such employee was receiving at the time the illness or injury commenced, for a period not to exceed six (6) months. The granting of such additional leave shall be at the discretion of the UG Commission. A return to work for a period of thirty (30) days shall be prerequisite to the vesting of an entitlement to any second or subsequent period of half-pay not to exceed six (6) months.

m) Family Illness

Employees may, with the Chief's permission, take a family illness leave with pay. Such leave shall not exceed two (2) twelve (12) hour days or one (1) twenty-four (24) hour day for twenty-four (24) hour shift employees or two (2) work days for forty (40) hour employees within a calendar year, unless the employee provides a written note from the family member's treating physician indicating that the employee's absence on the date of the family illness was necessitated to provide care for the family member's illness or injury. Such leave may be extended when in accordance with the treating medical doctor's specific orders. This leave shall be charged to the individual employee's accumulated sick leave; however, the leave shall not count as an occurrence.

n) Sick Leave Donation

Bargaining unit employees may be allowed to donate sick time to other bargaining unit employees of the Fire Department who have a catastrophic or life threatening personal illness under the following conditions:

1. All other accrued paid leave and/or time must be exhausted before donated time can be used.
2. Employees who are excessive users of sick leave under Section 8.6 leave are not eligible to receive sick leave donations.
3. Donating employees must have at least one hundred (100) hours remaining after donating to participate.
4. Employees may donate up to two (2) twenty-four (24) hour shifts for 24 hour shift employees or forty (40) hours for 40 hour per week employees.
5. Sick time hours donated will not be converted into any other form of compensation. Donations shall be paid at the recipient's rate of pay. Donated sick time will not be paid upon separation from employment by the employee receiving the donated time. Unused donated sick leave will not be returned to the donating employee.
6. Any unused donated sick time that has been turned into the Department will be lost.
7. Employees on disability are not eligible to receive donated sick time.
8. The eligibility of an employee to receive donated sick time will be at the discretion of the Department.
9. The maximum number of donated sick leave hours that can be received is 640 for 40 hour per week employees and 960 hours for 24 hour shift employees.

§ 8.7 Family Medical Leave

Employees may be entitled to a Family Medical Leave as set forth in the UG's Human Resource Guide section and by the Family Medical Leave Act.

§ 8.8 Pregnancy Protection Assignment

Employees who become pregnant may, upon a date set forth by the employee's physician, be moved into a non-hazardous duty position until the pregnant employee's FMLA leave commences. The employee shall return to her original position upon completion of her FMLA leave.

The non-hazardous pregnancy assignment shall terminate upon the employee being medically required to be placed off duty due to the pregnancy. Such employee may apply for FMLA leave to cover this absence, for childbirth purposes, from her employment.

§ 8.9 Selection of Administrative Days for Paramedic Field Internship

The Department agrees to allow one (1) shift off for each employee for each twenty-four hour paramedic field internship shift that is required for completion on that employee's paramedic educational program. The shift off will be granted for either the day of, the day before, or the day after the scheduled field internship. It is the employee's responsibility to

notify the Department of scheduled field internship shifts at the beginning of the semester in which the field internships are scheduled. In the event of unforeseen changes to the employee's field internship schedule, the employee must notify the Fire Operations Office as soon as the change to the schedule is made but the notification must be made no less than seventy-two (72) hours prior to the needed shift off. Currently, paramedic programs require twenty (20) field internship shifts of twenty-four (24) hours each to complete paramedic training. The Department agrees to cover no more than twenty (20) shifts off for field internships for a single employee. The Union and Department agree that this process will not be retroactive and no claims for previous employee's field internship shifts will be made against the Department.

ARTICLE 9 - WORKING OUT OF CLASSIFICATION

Any employee who is required to accept the responsibilities and carry out the duties of a position or rank above that which they normally hold, shall be paid in full at the rate of that position or rank while so acting for each one-half (1/2) shift day or any part thereof so worked. Provided, that a Firefighter/EMT I, II or III or a Firefighter/Paramedic who operates as a Fire Apparatus Operator of Fire Department apparatus for one (1) or more shifts shall receive as compensation their regular per diem rate plus the difference between the per diem rate of a Firefighter/EMT I and a Fire Apparatus Operator. Pay commencing from the first day of acting capacity shall be paid monthly.

In the event of a shortage of Battalion Chiefs, Captains may be allowed to ride out of title in those Battalion Chief's positions at the discretion of the Chief. Their selection shall be made at the discretion of the Chief.

The UG does not have grade positions in the Medical Transport Division, therefore, Article 9 does not apply to Medical Transport Division employees.

In the event of a shortage of Medical Transport Supervisors, Paramedics may be allowed to ride out of title in those Medical Transport Supervisor positions at the discretion of the Chief. Their selection shall be made at the discretion of the Chief. The Paramedics acting as Medical Transport Supervisors shall receive out of title pay on a per diem basis which shall be the difference between the Paramedic's pay and the Medical Transport Supervisor's pay.

In the event of a shortage of Fire Investigators, members of any rank may be allowed to ride out of title in those Fire Investigator positions. Their selection shall be made at the discretion of the Chief or the Chief's designee. Members acting as Fire Investigators shall receive out of title pay on a per diem basis.

ARTICLE 10 - HOLIDAYS-KELLY DAYS

§ 10.1 Holidays and Kelly Days

- a) Twenty-four hour shift employees.

Twenty-four (24) hour shift employees shall be granted five and one-half (5-1/2) shift days off as holidays and six and one-half (6-1/2) shift days off as Kelly days. Employees shall schedule such holidays and Kelly days as provided in Article 24. Additionally, 24-hour shift employees shall receive twelve (12) hours of straight time pay for the Juneteenth holiday, which hours shall not be included as hours worked for purposes of overtime.

b) Forty-hour employees.

Forty hour employees shall receive the following days of each year as legal holidays:

- 1) New Year's Day
- 2) President's Day
- 3) Martin Luther King Day
- 4) Spring Holiday
- 5) Memorial Day
- 6) Juneteenth
- 7) Independence Day
- 8) Labor Day
- 9) Veterans Day
- 10) Thanksgiving Day
- 11) Day after Thanksgiving Day
- 12) Christmas Day

ARTICLE 11 - UNIFORMS, PROTECTIVE CLOTHING AND DEVICES

A) Provision.

All uniforms, protective clothing, or protective devices required of employees in the performance of their duties shall be furnished by UG.

B) Replacement.

Worn-out, damaged or unserviceable uniforms, work and protective clothing and devices must be turned in at the designated location prior to the issuance of replacement items. Items which are damaged, destroyed, lost or stolen not in the performance of the employee's duties shall be the employee's responsibility. Items lost or stolen due to the Department's negligence, shall not be the employee's responsibility. A joint Union-Management committee will be formed in order to review and recommend to the Chief of the Department a system for handling replacement of worn out, damaged or unserviceable uniforms, work and protective clothing and devices. The Union President shall appoint two members and the Chief shall appoint two members of the joint committee.

C) Termination.

When employment is terminated for any reason, the employee is required to return the issued items and UG may withhold a reasonable amount from the final paycheck, not to exceed 75% of the cost of replacement of the issued items, of the employee's funds to compensate UG for uniforms or equipment not so returned as permitted by K.S.A. 44-319(b)(3), provided that such withholding does not reduce the employee's compensation paid, less the withholding, to below the minimum wage under either State or Federal law.

D) Wearing of Uniforms.

Employees are required to be in uniform at all appropriate times while on duty. Employees reporting for duty either fully or partially out of uniform shall not be allowed to work until they report in uniform. Employees are not allowed to wear the issued items or use UG issued equipment at any time except when they are traveling to or from work or actively engaged in performing duties of their employment with the UG, conducting legitimate Union business when it is necessary to wear the uniform or with the permission of the Chief.

ARTICLE 12 - MEDICAL PLAN

During the term of this Memorandum, UG agrees to offer the employees of the Department the same medical, dental or other similar welfare benefit plans which are made available to the UG's employees generally. As of the date of the adoption and execution of this Agreement, for all years of this Agreement such plans have already been adopted and benefits have been established. Members of the bargaining unit represented by the Union shall receive those benefits as set forth in the benefit plans adopted by the U.G. for all contract years of this contract. Other than benefits paid for compensable on the job injuries under Section 8.5 of this Agreement, members of the bargaining unit shall not be entitled to greater or differing medical plan benefits from those benefits offered to other U.G. employees. For these purposes, "medical plan" includes medical, dental and vision coverage.

A. Employee Premium.

Prior to January 1, 2016, UG agrees to pay for one hundred percent (100%) of the insurance premium for each covered employee for the employee's individual cost of coverage elected under either the Single or Family coverage offering. Beginning on January 1, 2016 and for the remainder of the term of this Agreement, each covered employee shall make monthly medical plan premium payments for either Single or Family coverage elected at the rate of \$30 per month, provided that upon ratification of this MOA the monthly premium contribution amount shall be annually adjusted at the same percentage increase or decrease as would be applicable to any adjustment to the dependent coverage premium for Family coverage during any plan year. The Unified Government shall pay the remainder of each covered employee's monthly medical plan premium for the least expensive medical plan provided or administered by a major reputable carrier recommended by the Joint Committee and approved by the Unified Government Administrator.

B. Family Premium.

Employees electing to obtain dependent coverage under a Family coverage election under the medical plan(s) will pay 25% of the premium cost of the dependent portion of Family coverage in addition to any applicable employee premium of \$30 per month discussed in Subsection A above, and the Unified Government shall pay the remaining contribution cost for the least expensive medical plan provided or administered by a major reputable carrier recommended by the Joint Committee and approved by the Unified Government Administrator.

C. Election of More Expensive Plans.

Should UG offer a more expensive medical plan and an employee(s) should elect to be covered by the same, then the employee shall be responsible to pay any and all additional premiums, if any, and their portion of the premium therefore shall be deducted from the employee's paycheck.

D. Unusual Increase in Annual UG Premium Costs.

The cost of the premium paid by the UG for individual and dependent coverage for these employees shall not increase more than fourteen percent (14%) from one year to the next. If the cost of the medical plan, dental or other similar welfare benefit plan is projected, based on a review of actual plan experience and historical utilization data as well as applicable industry survey and medical trend documentation, to increase by more than fourteen percent (14%) from the preceding budget year, then insurance plans, insurance carriers or other claims administrators, contribution formula and/or benefits must be changed under the medical, dental or other similar welfare benefit plan in order to decrease the overall projected cost increases to fourteen percent (14%) or less. The UG Employee Health Benefit Committee (EHBC) shall meet and confer in an attempt to make recommendations to the UG Administrator for modifying the polic(ies), carrier(s), administrator(s), plan design(s), benefits, contribution formula or other variables to reduce the projected cost increase to fourteen percent (14%) or less for the next budget year. The Union shall have one voting member on the EHBC. The EHBC shall have at least an equal number of voting members from representatives of bargaining units of the UG as members from unrepresented groups, administrative staff and retirees. If the EHBC recommendation is deadlocked, then the UG Administrator shall make the determination and the Union (Local 64) has the right to submit the matter to expedited arbitration. When the EHBC determines what its recommendations are to be to the UG Administrator, the UG Administrator shall then determine whether they agree with those recommendations or not. If the UG Administrator agrees, the recommendation modifications shall be immediately adopted. If the UG Administrator disagrees with the EHBC recommendations, the UG Administrator shall notify the EHBC of such determination. If the UG Administrator and EHBC cannot immediately resolve their differences, the matter shall be submitted to expedited arbitration. The arbitrator only has jurisdiction to determine if the UG Administrator's or the EHBC's recommendations are correct in determination of the method of modifications of carrier(s), plan(s), benefits, etc. in order to keep the UG's projected cost for the medical, dental or other similar welfare benefit plan for each year from exceeding the preceding year(s) by fourteen percent (14%). The factors used to determine costs for any one year of this Memorandum shall be as follows:

1. Plan experience during year. (On a claims paid, not claims made basis).
2. Administrative expenses to administer the plan during the year.
3. Sufficient funds to create and/or preserve a “premium stabilization” reserve fund of at least five percent (5%) of the previous year’s total premium costs amount.

Retirees are eligible for the same health insurance benefits made available by the UG to other UG retirees. See Attachment “B.”

ARTICLE 13 - SENIORITY AND PERSONNEL REDUCTION

§ 13.1 General

Seniority shall govern in bidding for station assignment when the qualifications of the employee involved, including training, education, experience, ability and performance, are equal. If department seniority is equal then time in rank will be used to break any tie. If time in rank should be equal, then seniority shall be governed by the employee's identification number, the lowest number having preference. Seniority shall also govern in layoff and recall as further provided herein. Seniority shall not apply to promotions to positions not included in the employment classifications covered by this Memorandum.

For recruit classes hired on or after January 1, 2008, the employee’s identification number, which determines seniority in the event of a tie, will be determined and based upon the scores attained in the employee’s recruit class rather than by alphabet.

§ 13.2 Measurement of Seniority

A. Seniority shall be measured by continuous service as an employee of the Fire Department. This service shall be measured from the date of last hire, unbroken by other than vacation, military leave or other authorized leave of absence not exceeding ninety (90) calendar days. Seniority shall be broken by discharge, resignation, retirement, permanent disability, or suspensions from duty in excess of ninety (90) calendar days. During suspensions in excess of ninety (90) calendar days, an employee shall receive no credit for that service. In the cases of break in seniority caused by such suspensions, the employee's seniority is reduced only by the length of the suspension. In the case of disputes concerning seniority, the employer's records shall govern. During the first one (1) year of employment, which is the probationary period, an employee shall not be considered to have seniority, however, upon completion of this probationary period seniority shall extend from the first day of continuous employment.

B. All bargaining unit members hired into EMS Transport Division on May 6, 2004 will be given a suppression/medical transport date of hire of May 6, 2004. For those employees hired after May 6, 2004, the date of hire will be the effective suppression/medical transport date of hire.

Those dates of hire that occur after May 6, 2004 will be subject to this definition of effective date of suppression/medical transport date of hire and will be subject to existing contract language regarding the bid process and promotions.

§ 13.3 Measurement of Seniority for Paramedics

Employees who were employed previously by the Department as Emergency Medical Intensive Care Technicians or Medical Unit Leaders and who are now employed by the Department as Firefighter/Paramedic shall have a Department seniority date of April 21, 1994 for purposes of requests for station assignments and promotions.

§ 13.4 Seniority Lists

The employer shall prepare an up-to-date seniority roster containing names, length of service and rank of such employees represented by the Union. The employer shall update the list annually (by March 15), during the term of this Memorandum. In the event an employee believes an error has been made as to their position on the seniority roster, they shall have fifteen (15) calendar days after the roster is prepared to file their protest, in writing, with the Chief. Such lists shall be posted in each station.

§ 13.5 Layoffs

Layoffs or job displacement shall be made according to Division seniority until fifty percent (50%) of the Division bargaining unit members have been laid off, then layoffs shall be governed by inverse departmental seniority of the employees being laid off.

§ 13.6 Recall Rights

a) The order of recall shall be governed by the employee's Division Seniority and their qualifications within the Division in which the vacancy exists.

b) Notification of recall shall be given by the UG by certified mail to the recalled employee at their last address furnished to UG.

c) Within five (5) days after such notice is postmarked, the employee must advise the Personnel Department whether they accept such reinstatement. Any recalled employee who fails to notify the Personnel Department within five (5) days, as outlined above, shall forfeit all seniority rights and opportunities for future recall. The next qualified employee on the appropriate Division seniority list may be notified of the opening and the above procedure shall be repeated until the vacancy is filled. If no qualified employee remains on the appropriate Division seniority list to fill the vacancy, then the vacancy may be filled by new hires.

d) An employee recalled shall report to work within ten (10) calendar days after indicating their willingness to accept reinstatement. If the employee fails to report within such

time, they shall forfeit all seniority rights and all future recall rights.

ARTICLE 14 - REQUEST FOR STATION ASSIGNMENT
AND ASSIGNMENT TO TRAINING

§ 14.1 General

a) It is understood and agreed that it is the responsibility of the employer to determine the size of the work force, to declare job opportunities available and to determine relative qualifications, including ability, education and experience of bidding employees for vacant positions.

b) In order to qualify for a permanent promotion, an employee must be able to immediately perform (except temporary physical disability) the job and must be properly tested or certified where required by State or Federal Law for the posted job description.

§ 14.2 Request for Station Assignments

a) Permanent Vacancies – Notice When vacancies occur in permanent duty assignments except training, planning, shop, property, fire prevention, recruitment or other specialist positions, UG shall determine within forty-five (45) calendar days from the creation of the vacancies whether such positions shall be filled. If it is determined that the position is to be filled it shall be posted within fifteen (15) calendar days from the determination to fill it.

b) If the employer determines that a position is to be permanently filled, the following procedure shall govern.

1) Such job vacancies shall be posted for fifteen (15) calendar days along with information relating to the qualifications required for the position.

2) Employees desiring to apply for a job vacancy may do so by being qualified and by entering their bid preference on Telestaff within the posting period.

3) If the relative qualifications including training, education, experience, performance, and ability of the employee candidates for the vacant position are equal, then seniority shall control in selection of the employee to fill the job vacancy, as long as such selection does not contravene any affirmative legal responsibility placed upon the UG. Provided however, if the employer feels that the bidding employee is incapable or unqualified to perform the functions of the vacant position or that the employee will in the opinion of the employer create a problem at their new assignment. In these situations, the employer may make an assignment, within its discretion, to the position. The employer shall determine capability, qualifications or problem areas. In exercising such judgment, the employer shall not unlawfully discriminate against an employee, and if any employee is aggrieved by such determination, they may appeal through the Grievance

Procedure set forth herein. An employee who is disqualified from a bid position may request in writing the reason for their disqualification, which reason(s) shall be given.

c) Limitation of Assignments. No employee shall make more than one (1) successful request in any twenty-four (24) month period. Employees who make more than one (1) request for station assignment, which requests are pending at the same time, must designate their preference for station assignment by first choice, second choice, etc. If the employee does not so designate their preference, the employee's requests shall be considered void.

d) Fire Investigator. When a bargaining unit member bids to become a Fire Investigator the length of the bid term shall be a minimum of five (5) years. Members will be eligible to promote into the next higher rank while serving as a Fire Investigator.

e) Probationary Employees. Employees serving a promotional probationary period pursuant to Section 5.2 of this Memorandum, shall not be eligible to request assignment to fill such vacancies; however, those employees shall be permitted to request unbid station assignments pursuant to subsection (e) below.

f) Unbid Station Assignments. In the event there are no successful applicants for a non-specialist (specialist positions as identified in Section 14.2(a)) position after the posting period, the position assignment may then be made available indefinitely on Telestaff for employees to place a bid. The first employee that places a bid and meets the required qualifications shall be considered the successful bidder. Any employee that is currently within the twenty-four (24) month period from their last successful bid may submit a written request to the Battalion Chief and Shift Commander for an unfilled station assignment. If the request is granted, then the twenty-four (24) month limitation for section c. of this Article will apply.

g) Transfer. Once the successful bidder has been selected to fill the permanent vacancy, the employer shall within fifteen (15) calendar days of the selection, transfer such employee to their new permanent assignment.

h) Management Rights. Nothing herein, except as expressly stated, shall affect the rights of the employer under Article 23 of this Memorandum.

§ 14.3 Request for Assignment to Training Division

a) Permanent vacancies or newly created bargaining unit positions within the Training Division shall be filled on a request basis in accordance with training, education, experience, ability and performance of the applicants. These determinations shall be made by the Department.

b) When a permanent vacancy occurs or a new bargaining unit position is created within the Training Division, the Department shall post such openings at each station and within fifteen (15) calendar days of such posting, parties interested in such vacancy or position shall submit their request in writing to the Chief, stating their name and qualifications for the position.

c) Applicants, unless physically disabled, must have served at least five (5) years with the Fire Suppression or EMS Division of the Department to be eligible for appointment to the Training Division. Seniority or length of service of the applicants shall not otherwise be considered a factor in selection of the employee to fill the vacancy or new position.

d) Any employee who is a qualified and successful applicant for a Training Division position, shall be required to remain in that position for a period of at least twelve (12) months, unless a shorter period is agreed upon by the Department and the employee.

§ 14.4 Medical Transport Division

There shall be a maximum of three (3) FF/Paramedics and three (3) FF/EMT positions per transport unit subject to the agreed upon bid process.

Scheduling shall be at the discretion of the Department. A tiered system agreed to by the parties shall be implemented based on seniority. Assignment within the Tiers will be established from least seniority to most seniority.

TIER 1	Hire – 3 Years	Seven (7) shifts
TIER 2	4 – 6 Years	Five (5) shifts
TIER 3	7 – 9 Years	Three (3) shifts
TIER 4	10 – 11 Years	Two (2) shifts
TIER 5	12 – 15 Years	As needed

Employees being utilized shall be assigned from the appropriate list in ascending order of seniority from least to most. After assignment, the next employee will be utilized until the list is exhausted. When there is a shortage of staffing and extra shifts outside the Table above, one extra shift will be added at Tier 3 first, then move to Tier 4, and then move to Tier 5. The Department shall make every effort to utilize all employees within their respective tiers equally. Any employee that requests to be utilized on the EMS Unit more than the required outlined shifts can do so in a written request to their Battalion Chief, Captain, and EMS Supervisor.

§ 14.5 Recruitment

a) Positions assigned to conduct Department recruitment of prospective employees are not subject to bid. Assignments to such recruitment positions will be made at the discretion of the Department.

§14.6 Dispatch

Department seniority shall govern in annual bidding for shifts and days off for dispatch employees. The annual bid shall occur on or before October 1st or the next closest business day and shall be effective on January 1st. Employees with less than one (1) year Communications Division seniority shall not be eligible to bid but may be assigned to the various shifts as

determined by the Department. Employees who do not exercise the opportunity to bid shall then be assigned to any unbid position by the Assistant Chief of Communications or their designee. If an employee is unable to fulfill the position which they have successfully bid, within ten (10) calendar days of its effective date, then the position shall be considered temporarily vacant and may be filled by the Assistant Chief of Communications by assignment. If the successfully bidding employee is unable to fulfill the position within sixty (60) calendar days of the job's effective date, then the position shall be considered a permanent vacancy and may be rebid. The Assistant Chief of Communications may disqualify applicants for Lead Dispatcher positions if within their opinion such applicant does not possess qualifications for such position. The rejected applicant may appeal such rejection to the Chief.

ARTICLE 15 - DISCIPLINE

The authority to discipline employees is vested exclusively in the Chief. However, the Chief may from time to time delegate this authority to subordinate officers of the rank of Captain, or above. Employees, excluding probationary employees, shall only be disciplined or discharged for just cause.

Whenever the Chief or the Chief's designee summons an employee to appear before the Chief for any investigatory interview which the employee reasonably believes may result in disciplinary action against said employee, Union representation, if requested by the employee, shall be allowed to accompany said employee, at the time designated by the Department, and to advise the employee. Seventy-two hours prior written or electronic notice to the employee of the calling of the meeting for disciplinary action shall be provided to the employee. The employee may arrange to have union representation at the noticed meeting.

Any suspension of two (2) shift days or less for twenty-four (24) hour employees and four (4) work days or less for forty (40) hour employees may be effectuated prior to the employee being allowed to have the matter heard by an arbitrator and any suspension of more than the stated times shall not be effectuated prior to the employee being allowed to have the matter heard by an arbitrator. Prior to any employee being discharged, he shall be placed on suspension without pay during the pendency of any protest of the proposed discharge.

When discipline arises from an employee's activities outside the scope of their employment with the UG, such discipline shall not be implemented until such time as criminal charges, if any, in connection with such activities shall be concluded, unless the employee's action, within the discretion of the Chief, has brought discredit upon the UG or Department.

A twenty-four (24) hour shift employee who is absent without leave for a period of three (3) consecutive twenty-four (24) hour shifts, or a forty (40) hour employee who is absent for a period of seven (7) consecutive work days, unless it can be subsequently shown that such absences were unavoidable and without fault of the employee, shall be considered as a voluntary resignation by the employee.

ARTICLE 16 - GRIEVANCE PROCEDURE

§ 16.1 Disputes and Grievances

In the event of any complaint or grievance arising under the terms and provisions of the Memorandum or of any disputes between the parties as to the interpretation or application of this Memorandum, such complaint or grievance shall be processed through the grievance procedure in accordance with the terms herein. An impasse in any negotiations for any Memorandum of Agreement shall not constitute a grievance.

Where a matter within the scope of this grievance procedure is alleged to be both a grievance and a prohibited practice under the jurisdiction of the Public Employee Relations Board, the employee may elect to pursue the matter under either the grievance procedure herein provided or by action before the Public Employee Relations Board. The employee's election of either procedure shall constitute a binding election of the remedy chosen and waiver of the alternative remedy.

§ 16.2 Informal Grievance Procedure

The establishment of this procedure for the formal handling of grievances shall not prohibit or discourage discussion between an employee, the union as the employee's representative and their immediate supervisor of any matter arising out of the employee's relationship with the employer, and shall not prohibit or discourage the friendly solution of such matters without recourse to the formal grievance procedure.

§ 16.3 Grievance Procedure

Grievances by any employee or a group of employees shall be handled in the following manner:

- 1) Time Limits: Department and Union representatives agree to make every effort to meet and settle grievances within the prescribed time limits. Any failure to comply with the time limits specified herein shall result in the grievance being disposed of in favor of the party not in default- i.e. if the employee and/or Union fail to meet the grievance procedure time limits, the employee's grievance is dropped in the Department's favor and if the Department fails to meet the grievance procedure time limits the grievance shall be found in the employee's favor. Provided, the parties may extend any and/or all of the time limits prescribed herein by mutual written agreement.
- 2) Commencing Grievance Procedure: This grievance procedure must be started within seven (7) calendar days from the time that the events giving rise to the grievance occurred or became known or reasonably should have been known otherwise it shall be considered as dropped.

3) Appeals and Responses:

- (a) If a grievance is not settled at any step as herein outlined, the decision may be appealed to the next higher step in the grievance procedure.
- (b) All appeals must be in writing, on a regular Department grievance form and clearly stated.
- (c) All written answers on grievances shall be mailed, e-mailed or hand-delivered to the Union President.
- (d) All appeals by employees shall be delivered to the proper chief officer with a copy to the Chief.
- (e) Answers and appeals may be delivered by hand, mail or by e-mail; and if delivered by mail, shall be considered delivered on the date of the postmark, if mailed to the Chief at Fire Headquarters, 6th & Armstrong, Kansas City, Kansas 66101, and to the current IAFF Local #64 President at their residence or office address appearing on the Department's records.
- (f) If a grievance cannot be answered within a specified time in any step because of circumstances beyond the Department's control, a time extension may be granted by mutual written agreement.
- (g) Once a written grievance has been filed, it may not be withdrawn without the knowledge of the Union.

4) Grievance Procedure Steps: The steps in the grievance procedure are as follows:

Step 1:

All employee grievances first shall be stated in writing and shall be delivered to the Chief or the Chief's designee within seven (7) calendar days from the time that the events giving rise to the grievance occurred or became known, or reasonably should have been known. The grievance shall set forth the place, date, time and identity of parties involved and nature of the occurrence upon which the grievance is based, and shall set out the particular portions of the Memorandum which it is alleged were violated or misinterpreted.

All grievances shall be discussed within fifteen (15) calendar days of the filing of the grievance. At such meeting the Department will be represented by the Chief or the Chief's designee, the Division Chief and the First Line Chief Officer, if involved. The employee will be represented by themselves and two

members of the Union Executive Committee. The meeting shall be recorded. The Chief or the Chief's designee will answer the grievance in writing within seven (7) calendar days following the conclusion of the second step meeting, unless extended by mutual agreement.

Step 2:

If a mutually satisfactory settlement of the grievance is not reached in the first step, an appeal may be taken to the second step. In such appeal the grievance shall be stated in writing and shall be delivered to Patrick Dunn formerly of the Federal Mediation and Conciliation Service within seven (7) calendar days after the conclusion of the first step. If Mr. Dunn becomes unwilling or unable to serve as the standing Step 2 hearing officer, the Chief of the Kansas City Fire Department and the President of the IAFF Local 64 should jointly select a Step 2 hearing officer with the grievance to proceed to arbitration in the event there is no agreement on a step 2 hearing officer. The appeal shall set forth the place, date, time, identity of the parties involved and the nature of the occurrence upon which the grievance is based and shall set out the particular portions of the Memorandum which is alleged were violated or misinterpreted. A grievance appealed to Step 2 mediation must be mediated and concluded within ninety (90) days from the required Step 2 notice of appeal. At the conclusion of such ninety (90) day time limitation, the grievance shall proceed to Step 3 arbitration unless the parties have a mutual agreement in writing to extend such ninety (90) day time limitation. Each party shall endeavor to have those parties with the necessary authority to resolve grievances present at such mediation.

Grievances appealed to the 2nd Step shall be presented and concluded within ninety (90) calendar days from the required Step 2 notice of appeal. At such meeting the Department will be represented by the Chief or the Chief's designee, the Division Chief and the First Line Chief Officer, if involved. The employee will be represented by themselves and not to exceed two members of the Union Executive Committee. At the conclusion of such ninety (90) day time limitation if the grievance is not resolved, the grievance shall proceed to Step 3 arbitration unless the parties have a mutual agreement in writing to extend such ninety (90) day time limitation.

Step 3:

Arbitration: Disputes that arise with respect to the interpretation of this Memorandum or discipline and discharge appeals from Step 2, may be settled by arbitration. Arbitration may be requested by the Union or the Department in the following manner:

- 1) Notice in writing of intent to arbitrate shall be delivered by the party seeking arbitration to the opposing party within fifteen (15)

calendar days following the conclusion of Step 2 above. The notice shall set forth the Articles or Sections of this Memorandum that are claimed to require interpretation or construction or the discipline being appealed. If notice of intent to arbitrate is not delivered within fifteen (15) calendar days, the dispute shall be deemed abandoned.

2) The parties shall within a reasonable amount of time, not to exceed twenty-one (21) calendar days, shall select an arbitrator either through a FMCS panel or as otherwise agreed upon by the parties.

3) Employees, except for the grievant, shall not be compensated for time spent in attending an arbitration proceeding, other than as a witness for the Department.

4) The jurisdiction and authority of the arbitrator shall be bound by the following:

a) The arbitrator shall have the authority to determine the procedural rules of arbitration, and shall have the ability to make such binding orders as are necessary to enable the arbitrator to act effectively. The arbitrator shall observe the rules of evidence, and their decision shall be final and binding on both parties except as set forth in Step 4.

b) The arbitrator shall have no authority to substitute their judgment for that of the management of the UG or Fire Department, nor shall the arbitrator have the authority to usurp, subtract from, modify or exercise any management right of the UG or the Fire Department.

c) The decision of the arbitrator shall be based on the evidence presented to the arbitrator by the parties in the presence of each other and upon the specific language of this Memorandum.

d) The arbitrator shall have no power to add to, subtract from or modify any of the terms of this Memorandum.

e) In discipline or discharge matters, the arbitrator shall have the discretion to modify the discipline imposed.

f) The cost of the arbitrator shall be shared equally by the UG and the Union.

g) The arbitrator shall tape record the proceedings and make a copy of the tape available to both the UG and the Union

unless the parties mutually agree to waive this requirement.

h) The arbitrator shall render their decision within a reasonable time after the hearing is closed or after briefs, if any, are filed.

Step 4:

If either party is dissatisfied with the decision of the arbitrator, then the aggrieved party may appeal the arbitrator's decision to the District Court of Wyandotte County, Kansas within thirty (30) calendar days of the date of the arbitrator's decision. The Court shall only determine whether the arbitrator's decision was arbitrary, capricious and/or unreasonable.

ARTICLE 17 - PREFERENCE FOR DISABLED FIREFIGHTERS

In the event a vacancy occurs within the Fire Department in the positions of Fire Inspector, or Training Instructor, preference shall be given in filling those positions to employees injured in the line of duty or suffering from a physical condition contracted in their work and who are disabled as a result thereof. ("Disabled" means permanently unable to perform the essential functions of their current position.) Provided, that such Disabled employees must be capable of performing the work of Fire Inspector, or Training Instructor the vacant position and must adequately perform such duties once they are placed in those positions. Such Disabled employees shall be assigned to the lowest position within the division (i.e. Fire Prevention Inspector, Class III and Training Instructor, Class III).

ARTICLE 18 - VACATIONS

§ 18.1 Entitlement: Twenty-Four Hour Shift Employees

A twenty-four (24) hour shift employee who has completed at least one (1) year of continuous service as a sworn member of the Fire Department shall be entitled to the following vacation entitlements:

<u>Completed Years of Continuous Service</u>	<u>Vacation Entitlement</u>
1 to 2 years	Four (4) twenty-four (24) hour working day
2 to 4 years	Eight (8) twenty-four (24) hour working days
4 to 12 years	Ten (10) twenty-four (24) hour working days
12 years to retirement	Twelve (12) twenty-four (24) hour working days

§ 18.2 Entitlement: Forty-Hour Employees

A forty (40) hour employee who has completed at least one (1) year of continuous service as a member of the Fire Department shall be entitled to the following vacation entitlement:

<u>Completed</u> <u>Years of Continuous Service</u>	<u>Vacation Entitlement</u>
1 to 2 years	Ten (10) working days (80 hours)
2 to 5 years	Fifteen (15) working days (120 hours)
5 to 12 years	Twenty (20) working days (160 hours)
12 to 20 years	Twenty-seven (27) working days (216 hours)
20 years to retirement	Thirty (30) working days (240 hours)

§ 18.3 Exception

An employee shall not accrue vacation time while on leave of absence, lay off, or suspensions in excess of fifteen (15) calendar days for forty-hour employees or seven and one-half (7 1/2) shift days for twenty-four hour employees. In these situations, vacation time shall be reduced pro rata to the portion of the year the employee earned and was eligible for vacation privileges.

§ 18.4 Pro-rata Vacation

For the purpose of computing vacation pay, an employee shall earn one-twelfth (1/12) of their vacation pay for each month of service during the twelve month period preceding January 1 of each year. Each month in which a forty (40) hour employee works or is credited with working fourteen (14) days or a twenty-four (24) hour employee works or is credited with working seven (7) shift days shall be considered a month of service.

§ 18.5 Vacation Buy-out

An employee shall be entitled to be paid in cash at the time of retirement from the UG for accrued unused vacation pay standing to their credit at the time of their retirement. In the case of death of any employee, such payment shall be paid to the person or persons designated as that employee's beneficiary or beneficiaries under the Kansas Police and Firemen's Retirement System.

§ 18.6 Use

- (a) The period of vacations for all employees of the Fire Department shall be

regulated by the Chief. Employees shall select their vacation days consistent with Article 24.

(b) Vacation time or pay are not accruable from year to year and vacation time or pay must be taken in the calendar year in which the vacation falls.

ARTICLE 19 - EMPLOYEES TO RECEIVE COPIES OF THE MEMORANDUM OF AGREEMENT

The Employer shall furnish to each station and to each employee one copy of this Memorandum of Agreement at no expense to such employees.

ARTICLE 20 - HOURS OF WORK

§ 20.1 Twenty-Four Hour Shift Employees.

(a) Standard Work Period.

The standard work period for personnel assigned to a twenty-four (24) hour shift shall be one hundred forty-four (144) hours of work in a nineteen (19) day work period, except that such work period may be exceeded in cases of emergency, conflagration and other public danger.

(b) Shifts

There shall be three (3) rotating shifts. Each shift shall commence at 8:00 a.m. and shall be for a period of twenty-four (24) hours. Each shift then shall receive forty-eight (48) hours off-duty before returning for their next twenty-four (24) hour shift. The shift shall be referenced as the "24 on and 48 off" plan.

(c) For 24-hour shift employees the maximum number of consecutive hours any 24-hour shift employee will be allowed to work shall be 96. Any 24-hour employee working in excess of 72 consecutive hours will be required to have 48 hours off duty. The exception to this rule is for hold over overtime and overtime required for late calls for service.

§ 20.2 Forty-Hour Employees.

1) Standard Work Week.

The standard work week for sworn personnel of the Fire Department, other than twenty-four (24) hour shift employees, shall be forty (40) hours of work per week. The normal assignment for the employees shall consist of five (5) consecutive days of work with two (2) consecutive days off.

§ 20.3 Medical Transport Division

a. Standard Work Period. The standard work period for employees assigned to the

Medical Transport Division shall be one hundred forty-four (144) hours of work in a nineteen (19) day work period, except that such work period may be exceeded in cases of emergency, conflagration and other public danger.

b. The Department has discretion to set the number of hours per each shift in this nineteen (19) day work period. Medical Transport Division Supervisors shall work twenty-four (24) hour shifts which shall run from 7 a.m. to 7 a.m.

c. For those employees assigned to twenty-four (24) hour shifts, other than Medical Transport Division supervisors, the shift start time is 8 a.m. For those employees assigned to less than twenty-four (24) hour shifts, the start time will vary.

ARTICLE 21 OVERTIME

A. Calculation of Overtime.

Employees shall receive one and one-half (1-1/2) times their actual hourly rate of pay for work performed in excess of the standard work period (Sec. 20.1) for twenty-four hour shift employees or in excess of the standard work week (Sec. 20.2) for forty-hour employees. Medical transport employees will receive one and one-half (1-1/2) times their actual hourly rate of pay for work performed in excess of their standard work period. (Sec. 20.3). Overtime or compensatory time shall only be paid for time actually worked and when approved by the employee's supervisors. Travel time will not be credited to the employee. When an employee voluntarily trades time with another employee and works hours in excess of the standard work period or standard work week, the employee shall not be entitled to overtime pay for such work.

B. Compensatory Time.

Compensatory time may be paid in lieu of overtime payment, if the Department and employee so elect, provided that no employee may accumulate more compensatory time than is allowed by the applicable federal law or regulation.

C. Assignment of Overtime.

The Department has the sole and exclusive power and authority to determine when overtime work shall be required. Overtime shall be called and worked by Division. In case of emergency, the Chief, in the Chief's discretion, may permit overtime being called and worked across Divisions. Upon the Department's determination that a temporary vacancy exists necessitating the assignment of overtime, the Department will assign the personnel needed from the appropriate overtime list. The overtime lists shall be established and used as follows:

1. Establishment of Overtime Lists.

a. There shall be overtime lists created for Captains, Fire Apparatus Operators, FF/EMT's, and FF/Paramedics. Such lists shall be created and utilized for the calling of overtime work as follows:

i. Overtime shall be seniority based. Seniority within rank (time in grade) for Captains and Fire Apparatus Operators, and Departmental seniority (date of hire with the Department) for FF/EMT's and FF/Paramedics shall establish position on the overtime list.

ii. Employees will be placed at the bottom of their respective overtime list when a positive contact is made regarding an overtime opportunity and the employee (a) accepts the overtime work or (b) receives a forced overtime assignment. Employees will not move to the bottom of their respective overtime list when a positive contact is made, and the employee rejects the overtime work.

iii. An employee's place on the overtime list will be maintained by the date of their last positive overtime contact. The list will be arranged in order of oldest positive contact proceeding to most recent positive contact.

iv. Upon an employee's hiring and release from proctoring, or promotion to the position of Captain, Fire Apparatus Operator, FF/EMT, or FF/Paramedic such employee shall immediately be added to the bottom of the appropriate overtime list based upon their seniority as provided herein.

b. Employees classified as "excessive users" of sick leave shall not be eligible to be contacted for overtime opportunities. These employees are not allowed to work and/or trade overtime (unless by being forced to do so as provided for herein).

c. An employee who has used Sick Leave or Injury Leave on the preceding work day shall not be eligible to work overtime.

d. The Department shall regularly update overtime lists. In the event an employee believes an error has been made as to their position on the overtime list, they shall have fifteen (15) calendar days after the roster is prepared to file their protest, in writing, with the Chief.

e. An employee requesting to remove their name from the overtime list must do so in writing to the Deputy Chief of Emergency Operations Office.

2. Voluntary Assignment of Overtime.

a. Overtime shall be assigned by rank from the appropriate overtime rank list for a determined temporary vacancy. Employees being called to work overtime shall be called from the appropriate list in descending order of last positive contact by date. After the acceptance of an overtime opportunity by an employee, the next overtime opportunity shall be offered to the next employee on the overtime list until the list is exhausted. The list shall be fully exhausted before returning to the first employee on the respective list.

b. The individual(s) on the unscheduled leave that caused the shortage in personnel is the employee that will be replaced by overtime personnel. The last employee

reporting off will be the first employee replaced.

c. When contacted to work overtime by Tele Staff, employees shall be informed of the nature of the overtime work available (hours, shift and assignment). Upon contact employees may:

- i. Refuse the work.
- ii. Accept the work.
- iii. Accept the work and exercise their ability to trade time.

d. When an employee elects to exercise their ability to trade time, they must follow the steps listed below:

- i. Step 1: Accept the overtime offer.
- ii. Step 2: Complete a Shift Trade request within the TeleStaff system.
- iii. Step 3: Inform the employer that they will be trading time and give the name of the person who will be working.

No trading time requests will be accepted in advance for overtime employees. The time limits for submitting trades of time as set forth in Article 26 of the Memorandum of Agreement will be waived in overtime situations.

e. Once an employee has accepted the overtime work offered for shift work and/or Standby Overtime, it becomes their responsibility to either report to work in a timely fashion or make sure that the person with whom they are trading time reports to the overtime assignment in a timely fashion. The failure of an employee to do so may result in disciplinary action.

f. The following parameters shall govern contacts with employees relative to overtime work:

i. Contact phone number: The telephone number on the employee's overtime contact information will be the first method of contact for all employees. The employee's department email address will be the second method of contact. Employees may choose to include one (1) additional phone number to their contact method but are not required to do so.

ii. When contacting an employee for an overtime opportunity if the employee does not answer or acknowledge the call, it shall be considered a negative contact. An employee acknowledging the call within 2 minutes shall be allowed to accept the overtime provided the vacancy has not been filled. Acknowledgment of the call can be handled electronically by phone or by computer.

iii. An employee's overtime eligibility with respect to future overtime opportunities shall not change based upon accepting, rejecting, or inability to be contacted.

Those working less than twelve (12) hours of overtime will remain eligible to work overtime the next available opportunity. If an employee has been inappropriately skipped on the overtime list, their calling position shall be restored and they shall be eligible for the next overtime opportunity.

iv. Upon any type of contact, the Department is permitted to contact the next employee on the appropriate overtime list. The Department is not required to wait the two (2) minutes for the employee to acknowledge the call as provided in paragraph 2. above prior to contacting the next employee on the overtime list. Employees who do not answer an initial call for overtime can call back in and accept the overtime provided that such overtime has not already been accepted. The use of negative contacts will be unlimited.

v. The posting of the OT list will be on TeleStaff.

3. Forced Assignment of Overtime.

If, upon contacting or attempting to contact all of the employees on an appropriate overtime eligibility list the Department is unable to fill the temporary vacancy, the Department shall exhaust all other respective overtime lists within the suppression division and make efforts to accommodate temporary transfers. If all lists within the suppression division are exhausted, the Department may then force the first employee on the appropriate list who is working the shift prior to the overtime vacancy to hold-over and work the required overtime. These employees may exercise their rights to trade time as set forth in Article 26 of the Memorandum of Agreement, provided that the employee who is to work the overtime reports in a timely fashion.

4. EMS Standby Overtime.

a. Standby Overtime will be utilized for any duty on an EMS unit other than shift coverage, partial shift coverage, or additional ambulances added to the system for temporary 911 overload coverage.

b. Standby Overtime will be voluntary.

c. To be eligible for Standby Overtime, employees must be providing regular duty EMS Transport.

d. Standby Overtime will be listed on a monthly calendar and will be found on the TeleStaff website. Firefighters will be able to pick the dates they would like to work voluntarily. Firefighters will be able to submit multiple dates.

e. If multiple firefighters sign up for a single date, the firefighter with the oldest date of the last Standby Overtime worked will be assigned the Standby Overtime work.

f. If only one firefighter signs up for Standby Overtime, the work shall be awarded to that firefighter regardless of last date worked.

g. Employees working less than two (2) hours Standby Overtime shall remain eligible to be awarded the next available Standby Overtime opportunity.

h. In the event no employee requests Standby Overtime for a particular event, the Department shall:

i. First call for Standby Overtime from a list of eligible Standby OT employees.

ii. Second, utilize on duty personnel to cover the event, provided that no suppression apparatus will be placed out of service or reduced below the agreed upon minimum manning as defined in Article 35 of the Memorandum of Agreement. There shall be no forced assignment of overtime for any Standby event.

ARTICLE 22 - STRIKES AND LOCKOUTS

The Union, on behalf of its membership, recognizes that the protection of life and property is of paramount importance to itself and the Employer. Therefore, during the life of this Memorandum, the Union will not condone, nor encourage, nor instigate any work slow-down, stoppage or strike, or any action that is detrimental to the operation of the Department. The Employer agrees that it shall take no action that could be defined as a lockout, nor shall it discriminate against any employee for their action as a member of the Union, provided those actions are not proscribed by law.

Any violation of this Article may be the subject of disciplinary action.

The Employer and the Union shall, within twenty-four (24) hours of the commencement of any of the acts prohibited herein or prohibited by law, take all reasonable affirmative action to terminate such conduct.

ARTICLE 23 - MANAGEMENT RIGHTS

By entering into this Memorandum, the UG has agreed to certain specific limitations on its right to manage the Fire Department and direct the personnel. However, it is the intention of the parties hereto that UG retain each and every right and privilege it ever had except insofar as it has, by this Memorandum, agreed to specific limitations thereon.

The exclusive rights of UG shall include its right to determine the existence or non-existence of facts; to establish or continue policies, practices and procedures for the conduct of the Department and to change or abolish such policies, practices or procedures; to introduce new or improved methods, equipment or facilities; to discontinue processes or operations, or to discontinue their performance by sworn employees; to select, determine and schedule the number or type of employees required; to assign work to such employees in accordance with the requirements determined by the Department; to determine the facts of lack of work; to direct the

work of its employees; to hire, promote, demote, transfer, assign and retain employees in positions within the public agency; to suspend, discharge, or layoff employees for proper cause; to maintain the efficiency of governmental operations; to determine employee qualifications; to take action as may be necessary to carry out the mission of the Department in emergencies; and to determine the methods, means and personnel by which operations are to be carried on; to develop reasonable Rules and Regulations for the Department not in conflict with this Memorandum; and all other prerogatives and responsibilities normally inherent in management of the UG or Fire Department that are not in conflict with the specific provisions of this Memorandum.

ARTICLE 24 - SELECTION OF HOLIDAYS,
KELLY DAYS AND VACATION DAYS

1) Employees shall by December 1st of each year, complete the preference sheet prepared by the Department wherein they shall state their preference as to days for taking their holidays, Kelly days and vacation days. Preference sheets shall be made available for employees by November 1st.

2) The completed preference sheet shall be delivered by the employee to the employee's supervisor by December 1st.

3) The Department shall have the right to assign a twenty-four (24) hour employee to a designated shift day off as a holiday or Kelly Day when that employee is scheduled to work seven shift days during their work period and when he has not requested and been scheduled, in accordance with this Article, to have a shift day off during that work period.

4) Division Chiefs shall be responsible for arranging the scheduling of holidays vacation days and Kelly Days so that such are scheduled consistent with the proper manning of shifts and stations and the proper provision of fire fighting services to the public. Provided that, not more than one employee per vacation group, per shift, per day shall be allowed off. Requests for granting holidays or Kelly days may be denied if such granting would render the Department unable to operate any shift or station.

5) Captains/group leaders within their respective groups shall insure to their Division Chiefs the vacation schedule is correct and they shall determine how the days are to be selected.

6) In cases of conflict, where two (2) or more employees request the same day off and the granting of both would not allow the Department to operate its shifts and stations properly, then priority for that day off will be determined as follows:

- (a) Requests for vacation days shall be given preference over requests for Kelly Days or Holidays;
- (b) If the conflicting requests are both for vacation days, or both are for Kelly Days or both are for holidays, then preference for that day off will be

determined as follows:

- (1) the requesting employee's rank;
- (2) the requesting employee's time in grade;
- (3) the requesting employee's Department seniority; and,
- (4) if the requesting employees' Department seniority is equal, then the employee's identification number.

7) In cases of emergency or when sufficient personnel are unavailable to operate all Department shifts and stations, scheduled Kelly days or Holidays may be canceled and rescheduled. The employee(s) whose days are to be canceled or rescheduled will be determined by the employee's Department seniority on their shift and within their rank. Seniority shall be determined as provided in Sec. 13.1 of this Memorandum.

8) Vacation groups for suppression employees shall be formed during the last week of October of each year. The following guidelines will be used to form the vacation groups:

a) The number of vacation groups will be determined by the level loading number agreed to by UG and Union.

b) Each group will be assigned a Captain. The most senior Captain (time in grade) will be assigned to group 1, the next senior Captain to group 2, etc., until all the groups have one Captain assigned. The crew members of the senior Captains are also assigned to their respective Captain's vacation group.

c) Unassigned Firefighters are then placed in groups with vacancies with the most senior Firefighter being placed in a group according to seniority.

9) The number of vacation groups will be determined by the level loading number agreed to by the UG and Union. This number shall be subject to change by written agreement in subsequent years.

10) The Department and Union shall form a four person committee that will be charged with the responsibility of reviewing on an ongoing basis the operation of the system of selection of holidays, Kelly Days and vacation days and making recommendations to the Chief concerning said system. The Union President shall appoint two members and the Chief shall appoint two members of this committee.

11) Vacation Carryover. Notwithstanding the provisions of Article 18.6 (b), an employee may carry over up to two (2) twenty-four (24) hour working days or four (4) eight (8) hour working days per year per the following:

a) When employees select their vacation days for the ensuing year as set forth in this Article, they may designate up to two (2) vacation days for twenty-four hour employees and four (4) vacation days for forty hour employees which they wish to bank and carry over.

b) Subsequent to vacations being annually scheduled, employees may with thirty (30) days written notice to their Shift Commander, request that up to two (2) (24 hour employees) or four (4) (40 hour employees) days of their scheduled vacation days be banked to be carried over to the next year. In some cases of emergency, as determined by the department, the Shift Commander may within their discretion waive the requirement of thirty (30) days written notice. The Shift Commander has the sole discretion to grant or deny these requests based upon manpower availability.

c) Employees are not allowed to bank vacation days by substituting a sick leave day or injury leave for scheduled vacation days.

d) Banked vacation days may not be used until all other accumulated leave is exhausted.

The total number of accrued vacation days per employee may not exceed thirty-two (32) twenty-four (24) hour working days or sixty-four (64) eight (8) hour working days. The U.G. advises the Union in this contract that there is not a reasonable expectation that these limits can be increased in future contracts.

12) Medical Transport Division Selection

a) The selection process will be determined by the Department.

13) Vacation Scheduling – Dispatch.

Vacations for dispatchers will be scheduled by seniority among employees on each shift as follows:

1. The senior employee on each shift shall select their first five (5) day vacation block. The next senior employee shall then select their first five (5) day vacation block until all employees have had an opportunity to make their first selection for vacation that year. The same procedure shall then be followed until all employees' vacation on each shift has been scheduled. Employees may select their vacation days after their initial five (5) day vacation block is selected in minimum amounts of one (1) full eight (8) hour day. Employees may leave a maximum of five (5) of their vacation days unscheduled to be used in full one (1) day eight (8) hour increments. Employees must designate at the conclusion of the annual vacation bidding process whether they wish to carry over up to five (5) vacation days to the next year. The vacation credits carried over must be

- used during that next year.
2. Each employee must be aware of their vacation selection days and make their selection upon those dates. If they do not so select in a timely fashion, they will be skipped over and vacation selection by other shift employees will continue. The skipped employee will be allowed to make only their second selection in the next round.
 3. An employee's first choice of vacation will be scheduled in blocks of five (5) or more consecutive vacation days, except as provided herein. ("Consecutive" means regularly scheduled workdays). A maximum of two (2) holiday/compensatory days may be scheduled in conjunction with any five (5) or more consecutive day vacations. This does not prevent an employee from requesting additional days off with their vacations, however, those requests will be submitted the same as any normal request for time off. Employees must make written application to their supervisor to use any unscheduled vacation days which the employee has reserved as set forth in paragraph 1 above at least twenty-four (24) hours in advance of the usage. The employer may grant or deny the request depending upon manpower. Should the employee not be allowed to use this unscheduled vacation by the end of the year after at least five (5) requests by the employee to use those unscheduled vacation days, then they shall be paid at their base rate of pay for these days. Other than new employees, who have not earned five (5) vacation days, any increments of vacation less than five (5) days will not be scheduled and granted in accordance with the compensatory time and holiday scheduling procedures.

14) Vacation Scheduling – Divisions of Training, Inspections, Shop.

The group in each Division shall select their vacation days as follows:

1. The senior employee on each shift shall select their first five (5) day vacation block. The next senior employee shall then select their first five (5) day vacation block until all employees have had an opportunity to make their first selection for vacation that year. The same procedure shall then be followed until all employees' vacation on each shift has been scheduled. Employees may select their vacation days after their initial five (5) day vacation block is selected in minimum amounts of one (1) full eight (8) hour day. Employees may leave a maximum of five (5) of their vacation days unscheduled to be used in full one (1) day eight (8) hour increments. Employees must designate at the conclusion of the annual vacation bidding process whether they wish to carry over up to five (5) vacation days to the next year. The vacation credits carried over must be used during that next year.
2. Each employee must be aware of their vacation selection days and make their selection upon those dates. If they do not so select in a timely fashion, they will be skipped over and vacation selection by other shift employees will continue. The skipped employee will be allowed to make

- only their second selection in the next round.
3. An employee's first choice of vacation will be scheduled in blocks of five (5) or more consecutive vacation days, except as provided herein. ("Consecutive" means regularly scheduled workdays). A maximum of two (2) holiday/compensatory days may be scheduled in conjunction with any five (5) or more consecutive day vacations. This does not prevent an employee from requesting additional days off with their vacations, however, those requests will be submitted the same as any normal request for time off. Employees must make written application to their supervisor to use any unscheduled vacation days which the employee has reserved as set forth in paragraph 1 above at least twenty-four (24) hours in advance of the usage. The employer may grant or deny the request depending upon manpower. Should the employee not be allowed to use this unscheduled vacation by the end of the year after at least five (5) requests by the employee to use those unscheduled vacation days, then they shall be paid at their base rate of pay for these days. Other than new employees, who have not earned five (5) vacation days, any increments of vacation less than five (5) days will not be scheduled and granted in accordance with the compensatory time and holiday scheduling procedures .

ARTICLE 25 - TRANSFERS

§ 25.1 Permanent

Employees assigned to one (1) fire station may request a permanent transfer to another station. Such transfers will only be granted on the written recommendation of the requesting individual's Battalion Chief and Shift Commander. When arrangements satisfactory to the Chief have been made, employees of equal rank and grade may request a trade of permanent assignments upon written recommendation of each Battalion Chief and Shift Commander.

The Chief may, for the good of the fire service and its efficient operation, change an employee's permanent station assignment.

§ 25.2 Temporary

In order to maintain necessary and efficient fire service, the Division Chief may make temporary transfers between fire stations. Provided that the transferred employee must return to their permanent assignment station before any subsequent temporary station assignment. Provided further, that extra Fire Apparatus Operators and acting captains may be transferred without reassignment to their permanent stations, if qualified personnel, working that day are not otherwise available. Provided further, that personnel may be transferred to meet the medical requirements of the Department without reassignment to their permanent station, regardless of station assignment.

§ 25.3 Mileage Reimbursement for Temporary Station Detail

When temporary details between stations are made at the insistence of the employer, the detailed employee shall receive, except as provided hereinafter, the sum per mile, paid by the State of Kansas to its employees for mileage reimbursement for direct mileage from their regular assigned station to their detailed duty station. The direct mileage for which he is to be reimbursed shall be established by a mileage chart created by the Employer and the Union and shall govern the mileage between stations. The Employer shall compute mileage reimbursement on a monthly basis, however, the employee shall only receive their mileage reimbursement, if any, on an annual basis. The detailed employee shall not receive mileage reimbursement if the detailed employee was notified of the anticipated detail at least forty-eight (48) hours prior to their detail.

ARTICLE 26 - SHIFT EXCHANGE, TRADING TIME

§ 26.1 Employees may trade time within the Division only. In case of emergency, the Shift Commander may permit trading time across Divisions.

§ 26.2 Employees shall have the right to exchange shifts with other employees of at least equal experience and/or grade, provided the exchange does not interfere with the efficient operation of the Fire Department. The qualifications of the employee to assume the additional duties shall be determined by the Department. Reasonable exchange of shifts will be allowed. However, the Department may limit the right to exchange shifts in the case of abuse. The Department will only allow Firefighters/Paramedics to work for Firefighter/Paramedics. Firefighters/Paramedics may work for other Firefighters/EMTs who are not Firefighters/Paramedics.

All requests for trading shifts or time with another employee must be presented to the appropriate Division Chief by at least 1700 hours the shift period prior to the requested shift or time to be traded (e.g., if employees desire to trade on Friday, the request must be in by 1700 hours Tuesday). In cases of emergency the Division Chief may, within the Division Chief's discretion, waive this requirement.

The employee responsible for the completion of a trading time agreement will be the party agreeing to work for another employee on a given shift. If the party agreeing to work is placed on any approved leave prior to the commencement of the shift of the trade, it shall be their responsibility to find a replacement to work the shift he has traded for. Such employee shall receive as discipline for not completing the trade the loss of one and one-half (1-1/2) shift days from their wages, which discipline is non-grievable, provided that the Chief may give lesser discipline within the Chief's discretion. However, the employee may grieve UG's decision that he did not fulfill their responsibility under this section. Additionally, the Department will have the authority in such a case to require an off-duty employee assigned to the same shift and of the same classification as the absent employee, to work for the absent employee.

Any trading of time for more than twenty-four (24) times per year will be considered an abuse of trading time. Trading of time for the purpose of duty related education or legitimate union business will not be considered an abuse and shall be granted in accordance with this

article.

Employees on Sick, Injury or Family Medical Leaves shall not be allowed to work for other employees.

§ 26.3 Trading Vacation Days

Employees shall be allowed, as provided herein, to exchange assigned vacation days with other employees at their shift and vacation group on a one-day-for-one day basis, provided that Firefighter/Paramedic employees may only trade vacation days with other Firefighter/Paramedic employees. The employee must submit to their Captain or Battalion Chief and Division Chief, their request for such exchange. The exchange must be approved in writing by their Captain or Battalion Chief and Division Chief.

ARTICLE 27 - PROMOTIONS

§ 27.1 Merit Promotion Qualification.

Promotion to the position or rank of Fire Apparatus Operator, Captain, and Battalion Chief and promotions within specialized units shall be based on merit. The merit guidelines shall be:

a) Promotion to Fire Apparatus Operator.

1) Each candidate for promotion to the position of Fire Apparatus Operator must have attained the position of Firefighter Class I and have completed at least five (5) continuous years, as a sworn Firefighter/EMT or Firefighter/Paramedic member of the Kansas City, Kansas Fire Department, as of January 1, of the year the test is given. Each candidate must, as well possess a current valid, unrestricted Kansas Vehicle Operators License which would permit the employee to operate the appropriate Department equipment.

2) Any Firefighter who has completed at least five (5) continuous years, as a sworn member of the Kansas City, Kansas Fire Department, and assigned to Fire Suppression, as of January 1 may be placed on the Fire Apparatus Operator's promotional list by becoming certified as a Fire Apparatus Driver/Operator Pumper and Aerial National Certification ("Certification"). Certification shall be through an accredited agency approved by the Department. The Department shall also host in-house Certification courses. The Department will offer two such Certification classes per year. Promotional lists shall be updated by seniority adding certified employees twice a year on January 1st and July 1st.

3) When promotions to the position of Fire Apparatus Operator are made they shall be made by the Chief from the eligibility list in accordance with the candidate's position thereon. Those employees not promoted from an expired promotion list shall be

included in subsequently established promotional lists based on Department seniority. The parties agree that there will be an active promotional list in effect at all times for the rank of Fire Apparatus Operator. The Department shall be permitted to make promotions at any time from any active promotional eligibility list.

b) Promotion to Captain.

1) An employee to be eligible to be examined for promotion to the position of Captain must have served as of January 1 of the year the test is given at least twelve (12) years of service on the Kansas City, Kansas Fire Department as a Firefighter/EMT or Firefighter/Paramedic or if the employee has less than twelve (12) years of service and the employee holds the rank of Fire Apparatus Operator, the employee must have served as a Fire Apparatus Operator for at least one year as a FAO as of January 1st. Employees with twelve (12) years of service who have not served a year as a FAO must be on the Fire Apparatus Operator's promotional list as of January 1st to be eligible for promotion to Captain. Employees shall not be eligible to test until they attain the requisite time in grade.

2) Each candidate for promotion to the position of Captain must:

a) Take a written examination prepared by an outside agency in compliance with all Federal Equal Opportunity Standards. The examination shall test the candidate's suitability for the position of Captain.

3) Candidates shall then be assessed by the Kansas City, Kansas Fire Department Assessment Center.

4) Candidates scores from the written examination and the assessment center shall then be averaged. Candidates' averaged score must be equal to or greater than 70% to be eligible for promotion. Those candidates whose averaged scores are 70% or greater shall have the following enhancements added to their averaged score:

i). A Candidate shall be credited with an additional 1%, for each continuous completed year of service as a Kansas City, Kansas Firefighter/EMT, Firefighter/Paramedic or Fire Apparatus Operator, commencing with completion of their 15th year of service.

ii). Applicants holding the following certifications shall receive a 1% enhancement to their final score for each certification held: Fire Officer I, II, Fire Instructor I.

5) Following enhancements, the testing firm shall rank the list from high to low scores. Promotions therefore shall be made in accordance with the candidate's position on the list. A new Captain's eligibility list shall be established as soon as practical and reasonable, and shall govern promotions to the rank of Captain for a period

of three years from the date that the list is established and posted; however, if a current Captain's promotional list is exhausted prior to the expiration of three years, the Department may conduct testing in order to establish a new list.

6) The parties agree that there will be an active promotional list in effect at all times for the rank of Captain. The exception to the requirement of an active list is established to allow for that period of time necessary to conduct promotional testing. Promotional testing for the rank of Captain shall be conducted approximately every three years from the date that a new Captain's promotional eligibility list is established and posted. An eligibility list shall expire three years from the date that the list is established and can no longer be used after its expiration. Nothing within this Memorandum shall be construed to constrain the Department from conducting promotional testing and establishing a promotional list on a recurring basis when: (1) an existing promotional list has been exhausted; or, (2) after the expiration of an existing list. The Department shall be permitted to make promotions at any time from any active promotional eligibility list.

c) Promotion to Battalion Chief.

1) The following provisions apply to the creation of a new eligibility list.

(a) An employee to be eligible for promotion to the position of Battalion Chief must have attained and have served at least five (5) continuous years as a Captain or above on the Kansas City, Kansas Fire Department as of January 1 of the year the testing is given. Employees shall not be eligible to test until they attain the requisite time in grade.

(b) Each candidate for promotion to the position of Battalion Chief must:

1) Take a written examination prepared by an outside agency in compliance with all Federal Equal Opportunity Standards.

2) Following the written examination applicants shall be assessed by the Kansas City, Kansas Fire Department Assessment Center.

3) Candidates scores from the written examination and the assessment center shall then be averaged. Candidates' averaged score must be equal to or greater than 70% to be eligible for promotion. Those candidates whose averaged scores are 70% or greater shall have the following enhancements added to their averaged score:

i). A Candidate shall be credited with an additional 1%, for each continuous completed year of service as a Kansas City, Kansas Firefighter/EMT, Firefighter/Paramedic or Fire Apparatus Operator, commencing with completion of their 20th

year of service.

ii). Applicants holding the following certifications shall receive a 1% enhancement to their final score for each certification held: Fire Officer I, II, Fire Instructor I, II.

c) Following enhancements, the testing firm shall rank the list from high to low scores. Candidates shall be placed on the promotion eligibility list in the order of their overall rating. Promotions therefore shall be made in accordance with the candidate's position on the list. This eligibility list shall govern promotions made from the date of the establishment and posting of the list for a period of three (3) years; however, if a current Battalion Chief's promotional list is exhausted prior to the expiration of three years, the Department may conduct testing in order to establish a new list.

d) The parties agree that there will be an active promotional list in effect at all times for the rank of Battalion Chief. The exception to the requirement of an active list is established to allow for that period of time necessary to conduct promotional testing. Promotional testing for the rank of Battalion Chief shall be conducted approximately every three years from the date that a new Battalion Chief's promotional eligibility list is established. An eligibility list shall expire three years from the date that the list is established and posted and can no longer be used after its expiration. Nothing within this Memorandum shall be construed to constrain the Department from conducting promotional testing and establishing a promotional list on a recurring basis when: (1) an existing promotional list has been exhausted; or, (2) after the expiration of an existing list. The Department shall be permitted to make promotions at any time from any active promotional eligibility list.

e) Miscellaneous.

1) Notification. UG shall post notices of testing at least four (4) weeks prior to the commencement of the administration of the test.

2) Ties. All ties shall be broken by the involved employee's identification number. The lowest number being given preference.

§ 27.2 Promotion Within Certain Specialized Units.

Promotions within the Specialized Divisions of Shop, Training, and Fire Prevention shall be based upon merit. The merit guidelines are as follows:

(a) An employee serving in the entry level position of Fire Prevention Inspector Class III, Training Instructor Class III or Mechanic Class III, shall be required to serve at least twelve (12) continuous months within these positions in order to be allowed to take a written merit

examination, demonstrate their abilities, and be evaluated by their supervisors in order to determine if he is to be promoted to the next specialist class within their respective specialist unit.

(b) An Employee serving in any of the referenced specialized units in a specialist position between an entry level position and a Class II level shall be required to serve at least twelve (12) continuous months within that classification before he is eligible to be evaluated by their supervisors, demonstrate their abilities, and to take the written examination for promotion to the next level within their specialized unit.

(c) An employee serving in a position of Fire Prevention Inspector Class II, or Mechanic Class II, Training Instructor Class II shall be required to serve at least thirty-six (36) continuous months within such position in order to be allowed to take the written examination, demonstrate their abilities and be evaluated by their supervisors to determine if he is to be promoted to the Class I position within their specialized unit. If an applicant for the Class I position within the Shop, Fire Prevention Division and Training Division shall pass the written examination, demonstrate their abilities and receive at least commendable ratings by their supervisors and otherwise qualify for such position, he shall be promoted.

(d) The written examination portion of the promotional criteria shall be administered in the second quarter of each year.

(e) The results of the written examinations, supervisors' evaluations and/or performance evaluations shall be compiled and the employees within the Shop, Fire Prevention Division and Training Division who have satisfactorily qualified, shall be promoted, effective thirty days following certification of such results.

(f) Criteria for promotions within other specialized units may be established by the Department. Such criteria and standards shall be established by Department Bulletin, which shall be posted.

(g) If an employee serving within a specialized unit shall return within twelve (12) months to a fire suppression position, the employee shall return to their last held permanent fire suppression rank. If the employee wishes to return to the suppression division after serving at least twelve (12) months in a specialized unit, the employee must demonstrate the capability to immediately perform the duties of their former suppression rank and if a vacancy exists within such rank, they may be returned to that suppression rank and position.

§ 27.3 Other Promotions.

All other promotions to positions covered by this Memorandum shall be based upon the following factors:

(a) Seniority

- (b) Knowledge, training, ability, skill, adaptability, performance and efficiency; and
- (c) Physical capability

When factors (b) and (c) are equal, seniority shall govern. Determinations of the qualifications set forth in (b) above shall be vested in the Employer.

§ 27.4 Promotion from Eligibility List

The Department has the discretion to determine whether vacancies will be filled. When vacancies occur in permanent duty assignments except training, planning, shop, communications, property, fire prevention or other specialist positions, through promotions, retirements, death, terminations or resignations, UG shall determine, within forty-five (45) days from the creation of this vacancy, whether such position shall be filled by promotion. When such determination is made and the appropriate eligibility list has been established and certified, promotions shall be made within fifteen (15) calendar days from the promotion list existing at the time of the vacancy.

§ 27.5 Promotion - Probationary Period

Employees promoted to Fire Apparatus Operator, Captain, or Battalion Chief shall be on probation for the first six (6) months of service in the higher rank. During this probationary period, the employee may be demoted to their former rank by the Chief. Any employee who is demoted to their former rank shall be notified by the Chief of the reasons for such demotion.

ARTICLE 28 - COMPENSATION

§ 28.1 Salary

Employees in the respective ranks shall receive monthly salary as reflected in Attachment C.

§ 28.2 Bi-Weekly Payroll

Employees shall be paid bi-weekly.

§ 28.3 Longevity Pay

UG agrees to the following longevity pay, which shall be added to the salary and wages of each Firefighter/EMT, Firefighter/Paramedic as follows:

Years of Continuous Employment Pay Per Month

5	\$ 44.26
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8	\$ 70.88
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12	\$ 97.43
16	\$ 135.05
20	\$ 150.61
25	\$ 177.16

§ 28.4 Tuition Assistance and Education Incentive.

A. Tuition Assistance.

Any employee is eligible to receive tuition assistance from the Department under the following conditions:

1. The employee completes required credit courses at a university or college approved by the Department with a grade of “C” or better.
2. The employee may be reimbursed upon verification of completion of the course as provided in No. 1, and satisfactory proof of payment of tuition is furnished.
3. Reimbursement may be received for completion of up to six (6) credit hours in a semester at the maximum credit hour rate of:

Associate of Arts or Sciences	\$ 60.00
Bachelor of Arts or Science	\$ 85.00
Master of Arts or Science	\$110.00

Reimbursement rates are as follows: 50% for a C, 75% for a B and 100% for an A.

B. College Incentive.

New hires shall provide documentation evidencing their college degree to the Department either through the hiring process or to the training academy upon hire. Employees who obtain degrees after their date of hire with the Department shall provide documentation evidencing their college degree to the Chief’s office. The following college incentive pay shall be added to the monthly salary of each qualified employee after such employee’s completion of their probationary period:

College Degree Achieved or
Hours Earned from
Accredited College

Employees with a minimum of 28 credit hours of a technical Nature related to Fire Science or Paramedic toward an Associate's Degree in Fire Science or Paramedic or if the Employee is receiving advanced training Compensation for obtaining an Associate's Degree in Fire Science or Emergency Medical Intensive Care Training.	\$50.00
Associates of Arts or Sciences	\$ 100.00
Bachelor of Arts or Sciences	\$ 125.00
Master of Arts or Sciences	\$ 155.00

§ 28.5 Special Duty Pay

A. General Provisions Regarding Special Duty Assignments.

1. Use of employees holding special duty certifications and receiving special duty pay shall be at the discretion of the Chief or the Chief's designee. Such employees may be directed to respond to any emergency call or may be temporarily detailed pursuant to Section 25.2 of this Agreement.

2. "Certification" as used in this Section 28.5 shall be defined to mean completion of required training, including any required periodic retraining, and if the training course requires successful completion of testing, passage of the applicable test.

3. Stacking of Special Duty Assignments.

a. Employees shall be limited to two special duty pay certifications consistent with the following paragraphs.

b. The following special duty assignments cannot be stacked – i.e. receive more than one certification pay - with one another:

- i. Hazardous Materials Technician.
- ii. Technical Rescue Specialty.
- iii. Safety Officer.
- iv. Field Training Officer.

c. Employees may stack the following certifications with other special duty certification up to a limit of two (2):

- i. Bilingual Interpreter.
- ii. Tactical Paramedic.
- iii. EMS Preceptor.

4. Employees that do not receive any special duty pay under paragraphs B. through G. below will receive \$25 per certification for up to six (6) of any of the following certifications through an accredited program: Critical Care Paramedic, Pediatric Advanced Life Support (PALS), EMS Instructor, Fire Apparatus Operator Pumper, Fire Apparatus Operator Aerial, Fire Instructor I, Fire Instructor II, Fire Officer I, Fire Officer II, Fire Inspector I, Fire Inspector II, Incident Safety Officer, Certified Blue Card Command, Red Card Wildland, Emergency Vehicle Technician (EVT).

5. Special duty pay as provided for within this Section 28.5 shall be effective the first pay period following the Union vote voting in favor of ratification through the end of the term of this Agreement.

B. Tactical Paramedic.

Employees possessing the following active certifications in addition to any recurrent training required by the Department for tactical paramedics shall receive certification pay in the amounts provided for below up to a maximum of \$200 per month:

1. Tactical Combat Casualty Care for Medical Personnel (TCCC-MP) or Tactical Emergency Medical Support (TEMS) certifications - \$100 per month.
2. Tactical Paramedic (TP-C) certification - \$200 per month.

C. Bilingual Interpreter.

Employees possessing the following active certifications in addition to any recurrent training required by the Department for bilingual interpreter shall receive certification pay in the amounts provided for below:

1. Certification by an accredited institution of secondary education (University, College, Junior College, etc.) as a qualified interpreter within the designated foreign language or signing for the deaf and such certification is provided in writing to the employee's respective department/division heads - \$75 per month.

D. Hazardous Materials Technician.

Employees possessing the following active certifications in addition to any recurrent training required by the Department for hazardous materials technician shall receive certification

pay in the amounts provided for below:

1. NFPA 472 and/or OSHA 1910.120 accredited certification - \$250 per month.

2. Employees bidding on vacant positions in the Haz Mat Unit who possess the certifications identified in paragraph 1. shall be given preference over those employees who lack such certifications. If multiple certified employees bid on such vacant positions, the senior certified employee shall be awarded the position.

E. Technical Rescue Specialist

Employees possessing the following active certifications in addition to any recurrent training required by the Department for technical rescue specialists shall receive certification pay in the amounts provided for below:

1. NFPA 1006 & 1670 compliant accredited certification in: Rope Rescue Technician (TRR-TL), Confined Space Rescue Technician, Rescue Boat Operations Technician, Swift Water Rescue Technician Advanced (SRT-II); Structural Collapse Rescue Technician (SCR-TL); and, NFPA 1006 and/or OSHA 1926.650 accredited certification in Trench Rescue Technician - \$300 per month.

2. Employees assigned to the Technical Rescue Unit upon the effective date of this Agreement shall continue to receive special duty pay in the amount of \$225 per month. Such employees shall complete the certifications identified in the preceding paragraph within three (3) years from the effective date of the 2019-2024 MOA at which time they shall receive the special duty pay in the amount identified in the preceding paragraph. Such employees who fail to complete the required certifications within three (3) years may be transferred out of the Technical Rescue Unit and shall no longer receive Technical Rescue special duty pay. If such employees transfer out of the Technical Rescue Unit prior to the expiration of such three (3) year period without receiving such certifications, such employees shall no longer receive Technical Rescue special duty pay.

3. Employees bidding on vacant positions in the Technical Rescue Unit who possess the certifications identified in paragraph 1. shall be given preference over those employees who lack such certifications. If multiple certified employees bid on such vacant positions, the senior certified employee shall be awarded the position.

F. Safety Officer

Employees possessing the following active certifications in addition to any recurrent training required by the Department for safety officer shall receive certification pay in the amounts provided for below:

1. NFPA 1041 compliant accredited certification in: Instructor I, Instructor

II, Company Officer I; NFPA 1521 compliant accredited certification in: Safety Officer; all Technical Rescue Specialist certifications; all Hazardous Materials Technician certifications - \$350 per month.

2. Employees assigned to a bid Safety Officer position who possess an active NFPA 1521 compliant accredited certification in Safety Officer - \$100 per month.

3. Employees bidding on vacant Safety Officer positions who possess the certifications identified in paragraph 1. shall be given preference over those employees who lack such certifications. If multiple certified employees bid on such vacant positions, the senior certified employee shall be awarded the position.

G. Field Training Officer.

Employees possessing the following active certifications in addition to any recurrent training required by the Department for Field Training Officer shall receive certification pay in the amounts provided for below:

1. NFPA 1041 compliant accredited certification in: Instructor I, Instructor II, Company Officer I - \$250 per month.

2. Field training officers must hold the rank of Fire Apparatus Operator or Captain.

3. The Department may direct employees receiving FTO special duty pay to conduct field training as needed by the Department.

H. EMS Preceptor.

1. Employees selected and assigned to serve as an EMS Preceptor shall be paid \$25 for shift that the employee precepts.

I. Training Instructor.

1. Employees selected by the Department on a call for resume basis to the position of Training Instructor will be compensated at 7% above the Master Captain rate of compensation. Required and preferred qualifications are determined at the discretion of the Department and will be identified in the job description.

J. Dispatch Trainer's Pay.

1. Employees who are selected by the Assistant Chief of Communications to serve as Dispatch Trainers shall receive a per hour pay for each hour, or part thereof, which is spent training dispatchers as directed by the Assistant Chief of Communications or their designee. The Department may require that those selected successfully complete a training

program selected by the Unified Government. The per hour rate shall be two dollars (\$2.00) per hour. This pay shall be by the quarter hour.

K. Fire Investigator.

Employees possessing the following active certifications in addition to recurrent training required by the Department for Fire Investigator who are not assigned on a full-time basis to a Fire Investigator position shall receive certification pay in the amount provided for below:

1. Kansas State Fire Marshall Certified Fire Investigators - \$100 per month.

Certified employees assigned to the position of Fire Investigator on a full-time basis will be compensated at 7% above the Master Captain rate of compensation. Required and preferred qualifications are determined at the discretion of the Department and will be identified in the job description.

L. Community Paramedic.

Employees assigned to the full-time position and possessing an active Certified Community Paramedic (CP-C) certification in addition to any recurrent training required by the Department for Community Paramedic shall be compensated at the Medical Transport Supervisor rate of pay.

§ 28.6 Transport Pay for Paramedics and EMTs

When assigned to medical transport units, Paramedics will receive \$50.00 additional pay per assigned shift and EMTs will receive \$25.00 additional pay assigned per shift. When activated to a medical transport unit Paramedics will receive \$25.00 per half shift or any part thereof and EMTs will receive \$12.50 per half shift or any part thereof.

§ 28.7 Paramedic Pay

1. The provisions of this Section 28.7 shall be effective from November 11, 2021 through the end of the term of this Agreement.

2. A hiring incentive payment of \$10,000 will be paid to new hires possessing an active license as a Paramedic from the Kansas Board of Emergency Medical Services upon their successful completion of the Academy. Employees who receive the hiring incentive shall be required to reimburse the payment if they separate from the Department for any reason, before five (5) years following their hire date. Repayment will be prorated at the rate of a 20% reduction each year following their hire date. Employees who fail to establish residency within one (1) year from their date of hire shall be required to reimburse this hiring incentive.

3. Starting pay for new hires possessing an active license as a Paramedic from the Kansas Board of Emergency Medical Services shall be at Step III. Existing employees possessing an active license as a Paramedic who are currently compensated at Step IV shall be compensated at Step III and their months of service at Step IV shall be credited as months of service at Step III.

4. Employees possessing an active license as a Paramedic from the Kansas Board of Emergency Medical Services shall receive an additional nine-percent (9%) added to their base wage rate.

5. Employees who are actively enrolled and attending classes in an EMT Paramedic program approved by the Kansas Board of Emergency Medical Services and by the Fire Chief will receive the nine-percent (9%) addition to their base wage rate provided for within paragraph 4 of this Section 28.7. All costs including tuition, books, lab fees, and equipment associated with training and education for the program shall be borne by the Unified Government. To receive this pay differential employees must maintain a credit hour enrollment which will enable them to complete the program within 2 years from the date of commencement and employees must maintain a passing GPA of at least a 2.0 or as defined by the program. Employees will be required to provide proof of enrollment at the beginning of the semester or term and their grade card or report at the end of the semester. Employees who elect to participate in the EMT Paramedic program shall receive a lump sum payment of \$10,000 upon obtaining licensure from the State of Kansas as a paramedic.

§ 28.8 Retroactive Pay

Compensation rates for base and overtime pay in 28.1 are retroactive to January 1, 2025 for those employees who remain employed by the Unified Government as of the effective date of this Agreement. All other compensation provided for in this Agreement including the compensation provided for in Sections 28.3 through 28.7 except as expressly provided, shall not be retroactive and shall apply from the date of final execution of this MOA through the end of the term of the Agreement.

ARTICLE 29 - JOINT STANDING COMMITTEES

§ 29.1 Accident Review Board

There shall be an Accident Review Board to review all accidents involving fire department vehicles. The Accident Review Board shall be composed of two (2) firefighters appointed by the Union and two (2) supervisors appointed by the Chief. The members of the Board shall serve two year terms and may be reappointed. All tie votes shall be broken by Pat Dunn, formerly of the Federal Mediation and Conciliation Service, or such other neutral party as agreed upon by the parties. The cost of the neutral third party shall be shared equally by the parties. The neutral party may review the evidence presented at the Board hearing or may take additional evidence, if he or she so desires. As part of the neutral's review, the employee shall have the opportunity to present their case directly to the neutral party. The employee shall make the request for such a hearing within fifteen (15) days of the employee being notified of the decision. The employee's request shall be in written or email form to the Fire Chief or his designee. The secondary hearing will be held quarterly with all currently pending tie votes being presented the day of the hearing. Upon employee request, union representation is allowed at any and all accident review related hearings.

The Accident Review Board shall review the accidents to determine whether or not the accident in question was preventable or non-preventable. Preventable or non-preventable for this purpose is a designation that the FD operator did everything that a reasonable person would do to avoid the accident without risking the health/safety of other UG employees or the public.

The Accident Review Board shall be empowered to hold whatever hearings and interviews of witnesses it deems necessary to fulfill its purpose. The Accident Review Board shall report its findings along with reasons in support thereof to the Fire Chief within forty-five (45) calendar days of an accident. The Accident Review Board may be granted more time if the Board has a consensus agreement to extend the time to a date certain. The determination of the Accident Review Board shall be binding on both the Department and the employee. The Chief may impose discipline as a result of a finding of preventable by the Accident Review Board. If discipline is imposed and the discipline does not exceed one (1) shift day suspension, then the employee shall have no right to appeal this disciplinary action to Arbitration. A suspension of more than one (1) shift day may be appealed.

The on-duty Shift Commander, his designee, or the Fire Chief's designee shall be responsible for completing the accident investigation. Any Fire Department employee completing an accident investigation shall hold the rank of Battalion Chief or higher. A Captain acting as a Battalion Chief shall not conduct any accident investigation. The investigating officers shall not serve as a member of the ARB on an accident that they have investigated. The accident review investigation may include any pertinent information or evidence the Investigating Chief determines is necessary for the Accident Review Board to make an informed decision. The Accident Review packets shall be opened by the Accident Review Board together. No person on the Board shall be able to review the investigatory information before any other Board member. The Accident Review Board shall determine whether the accident was preventable or not. The Accident Review Board may recommend re-training or additional training for the employee(s) to the Fire Chief. The recommendation of training is non-binding and non-punitive.

§ 29.2 Joint Safety and Equipment Committee

There shall be a Joint Safety and Equipment Committee composed of three (3) supervisors appointed by the Chief, and three (3) employees appointed by the Union. The ranking Commanding Officer shall be the chairman of the Joint Committee. The purpose of the Joint Committee shall be to study, evaluate and make recommendations to the Chief concerning the purchase of new equipment or the upgrading, utilization, maintenance or upkeep of Department equipment; to make recommendations to the Chief in regard to Department safety practices and to review on-the-job injuries and make recommendations to prevent their occurrence.

§ 29.3 EMS Committee

There shall be a Joint Labor/Management EMS Committee composed of three (3)

Supervisors appointed by the Chief and three (3) employees of the rank of Captain or below appointed by the Union. The ranking commanding officer shall be the Chairman of the committee. The committee shall act as an advisory committee to make recommendations to the Chief concerning relevant issues.

§ 29.4 Labor/Management Committee

There shall be a Joint Labor/Management Committee composed of three (3) Supervisors appointed by the Chief and three (3) employees of the rank of Captain or below appointed by the Union. The ranking commanding officer shall be the Chairman of the committee. The committee shall act as an advisory committee to make recommendations to the Chief concerning relevant issues.

§29.5 Additional Committees

The Union President and the Chief may form any additional committees deemed jointly to be necessary.

ARTICLE 30 – HEALTH AND WELLNESS

§ 30.1

All employees shall annually, as scheduled by the Department, be evaluated by a third party vendor otherwise unaffiliated with the UG that can provide a NFPA 1582 compliant medical / physical examination including ultrasound based cancer and cardiac screening. If the Employer changes vendors, the Employer will consult with the Union regarding such change. All results, findings and recommendations of the medical physical evaluations shall remain confidential between the healthcare provider and the employee, and further, the only information that will be disclosed to the Employer is the participation status of the employee. Any employee who is found to have an immediate medical concern shall be initially placed on injury leave and subject to the provisions of Article 8.5. Upon further evaluation, if the employee's medical condition is determined to be non-duty related in accordance with Article 8.5, then the employee's absence(s) shall be converted to his or her personal sick leave.

Dispatch employees shall wear headsets at all times while on duty unless otherwise authorized by the Communications Manager. Hearing tests shall be conducted upon the employer's or employee's request.

§ 30.2

Employees may participate in physical fitness activities, as established by the joint Department and Union physical fitness committee with permission of their supervisors. Physical fitness activities may not interfere with performance of an employee's employment duties. The joint Department and Union physical fitness committee may research, evaluate and recommend modifications or additions to the physical fitness activities.

§ 30.3

Smoking shall be prohibited upon all UG property and in all UG vehicles.

ARTICLE 31 - DRUG AND ALCOHOL TESTING

There shall be a Joint Drug and Alcohol Testing Committee composed of two (2) members of Local 64, together with two (2) supervisors appointed by the Chief of the Fire Department. The Human Resources and Legal Departments shall each have one ex officio member of the Committee. The purpose of the Joint Committee shall be to study, evaluate and make recommendations to the Union and the Employer concerning the establishment of a revised Policy on Substance Abuse and Drug and Alcohol Testing. Such recommendation shall then be considered for ratification.

The drug and alcohol committee will continue work on review of drug and alcohol testing procedures within the drug and alcohol testing policy. The scope of the Committee's work shall be to review and make recommendations as to drug and alcohol testing procedural matters. The decision to implement and/or continue drug and alcohol testing as well as defining discipline for policy violations is beyond the scope of work of this Committee. The Committee shall have six (6) months from the execution date of this Agreement within which to make a recommendation on needed procedural revisions to the drug and alcohol testing policy. If the Committee fails to make a joint recommendation relating to changes to drug and alcohol testing procedures, then the parties agree that they have reached impasse on the issue of drug and alcohol testing procedures and they agree to file a joint impasse petition with PERB. Prior to the adoption of revised drug and alcohol testing procedures, the Unified Government has agreed to pause random drug and alcohol testing. Following settlement of final drug and alcohol testing procedures, the aforementioned committee shall be converted to a standing committee to consider any future necessary changes to the drug and alcohol testing policy.

Until such time as a revised Policy is implemented, all employees shall continue to be subject to the provisions of the Drug Free Workplace Act of 1988, as amended, and the existing UG Statement and Policy on Substance Abuse and Drug and Alcohol Testing, with the exception that the provisions of this Article, to the extent that this Article conflicts with the Policy, shall prevail over the Policy. The provisions of this Article which shall prevail over the Policy include:

1. Pausing of random drug and alcohol testing for the limited duration as provided above.
2. The Committee shall develop procedures providing for oral swab testing for marijuana. The parties agree to find a mutually agreeable laboratory for testing of such oral swabs as no Department of Transportation approved labs exist as of the date of ratification of this Agreement. Both parties will agree to accept the results from such lab and will not raise objections that oral swabs are not a reliable testing method.

The Union reserves the right to challenge a positive test on grounds other than the reliability of oral swab testing.

3. Discontinuation of random testing for marijuana. Marijuana testing will still occur in the pre-employment, reasonable suspicion, post accident, follow up and return to duty context. When testing becomes available to test for active marijuana intoxication, which testing is recognized as reliable by the United States Department of Transportation, the standing committee will reopen this issue for the purpose of reinstituting procedural language relating to random testing for marijuana.
4. Alcohol. A positive test between .02 and .039 will result in no discipline and the employee may be placed on modified duties or the employee may elect to go home and use their own time.
5. Existing return to work agreements as of the effective date of this Agreement for positive alcohol tests from .04 - .079 will roll off after 5 years from date of occurrence and will not be considered for the purposes of progressive discipline. Any future return to work agreements which may be entered into for a positive alcohol test will roll off after 5 years and will not be considered for the purposes of progressive discipline.

ARTICLE 32 - MISCELLANEOUS

§ 32.1 Burial Expenses - Funeral and Reasonable Burial Expenses

UG agrees to defray all reasonable funeral and burial expenses of any employee of the Fire Department killed in the line of duty.

§ 32.2 Snow Removal

Snow removal on fire station ramps may be provided within the discretion of the Chief from 8:00 A.M. to 8:00 P.M., however, the Department has the ability to require employees to remove snow in emergency situations after 8:00 P.M.

§ 32.3 Vaccinations for Occupational Diseases

UG shall provide vaccinations for requesting employees who are determined to be at risk for Hepatitis B virus or other infectious diseases, as determined by UG to require vaccination, due to occupational exposure. Any employee who refuses an offered vaccination for such determined infectious diseases, shall execute a written waiver, waiving any claims against UG as a result of contraction of such diseases. Vaccinations shall be at no expense to the employee, but if covered by medical insurance, the proper forms shall be completed by the employee and a claim made.

§ 32.4 Unspecified Paid Leave

1) 2010 Time Bank.

All bargaining unit members who were employed in the fire department as of September 30, 2010 and who previously received 5 shifts less 3 hours (24-hour employees) or 80 hours (40 hour employees) as unspecified paid leave may continue to use such hours of paid leave. The scheduling of such time shall be subject to supervisory approval based on the staffing needs of the Department. Any of the hours which are not used by an employee may be carried over from year to year. Upon an employee's retirement, any of such hours which have not been used shall be paid to such employee at the regular straight time rate of compensation.

2) 2012 Time Bank.

The unspecified leave granted for the calendar year 2012 does not sunset which means it remains as long as the firefighter is employed by the UG. It cannot be cashed out at retirement, however, the firefighter can substitute this leave in lieu of using vacation leave.

ARTICLE 33 - ENTIRE MEMORANDUM OF AGREEMENT

This Memorandum supersedes all previous agreements and all existing unwritten practices between UG and the members of the bargaining unit and constitutes the entire Memorandum between the parties, except as to those areas of employment not covered herein which are subject to UG ordinances existing at the date of this Memorandum. Agreements or practices established between the parties following the effective date of this Memorandum are not prohibited by this Article. Any conflict that may exist between existing UG ordinances and provisions of this Memorandum shall be determined in favor of this Memorandum. Any amendment or agreement supplemental hereto shall not be binding upon either party unless executed in writing by the parties hereto.

The parties further acknowledge that during the negotiations which resulted in this Memorandum, each had the unlimited right and opportunity to make demands and proposals with respect to any subject or matter not removed by law from the area of collective meeting and conferring, and that the understandings and agreements arrived at by the parties after the exercise of that right and opportunity are set forth in this Memorandum.

Subject to the provisions of Article 35 below, UG and the Union, for the life of this Memorandum, agree that the other shall not be obligated to negotiate collectively, but may if mutually agreeable, with respect to any subject or matter referred to or not specifically referred to or covered in this Memorandum. Waiver of any breach of this Memorandum by either party shall not constitute a waiver of any further breach of this Memorandum.

ARTICLE 34 - SAVINGS CLAUSE

If any provision of this Memorandum or the application of such provision should be rendered or declared invalid by any court action or by reason of any existing or subsequently

enacted legislation, the remaining parts or portions of the memorandum shall remain in full force and effect.

ARTICLE 35 - MINIMUM STAFFING

a) The Department is in the process of undertaking a comprehensive Fire/EMS service analysis through a joint Union-Management process. Factors considered in the analysis and in the development of a comprehensive master plan for the Department include, but are not limited to the following: station locations including potential new stations and renovation and expansion and/or closure of existing stations, deployment of manpower and apparatus, response times, and safety of fire personnel and consideration of the NFPA 1710 Standard. The parties shall form a strategic planning committee and have appointed representatives to this committee to develop recommendations relevant to Fire/EMS service, including development of a Master Plan. The Master Plan shall evaluate and make recommendations regarding minimum manning requirements, including the requirements as identified in sub-paragraph (b) and (c) of this Article. The committee may consider any relevant documentation, reports or data including but not limited to the FACETS report and IAFF GIS report. The Master Plan recommendation shall be presented to the Commission. The parties are not required to reach consensus on all matters of the Master Plan and may present the Commission with alternative options on any individual or any multitude of issues. The parties' recommendation or alternative recommendations shall be submitted to the Commission contemporaneously prior to the end of 2025.

b) The Department will not operate a fire suppression shift with less than 78 bargaining unit suppression personnel except in cases of emergency. In no event will the Department operate a fire suppression shift with less than 74 bargaining unit suppression personnel. The Department will utilize overtime to insure that there will be at least 74 bargaining unit suppression personnel in emergency situations. "Emergency", for purposes of this section, shall include personnel absences due to unscheduled leaves. The Department will not operate less than twenty-three (23) companies during the term of this agreement.

c) Three safety officers shall be on duty at all times.

d) All fire suppression pumpers, will be staffed with a minimum of three (3) employees in order to be considered "in service" and available for use. All Fire Department aerials and quints will operate with four (4) employees except in cases of emergency at which time aerials and quints may operate with three (3) employees. "Emergency", for purposes of this section, shall include personnel absences due to unscheduled leaves.

e) The parties recognize that the Fire/EMS Service Analysis addresses contractual issues other than the manning issues identified in sub-paragraphs (b) through (d) above. If the recommendations of the strategic planning committee address contractual issues other than those identified in sub-paragraphs (b) through (d) above, negotiations over such issues shall be deemed to be reopened and the parties agree that they will meet and confer in good faith to attempt to arrive at an agreement over such issues.

ARTICLE 36 - DURATION

This agreement, and any written amendments made and annexed hereto, shall continue in full force and effect from January 1, 2025 through December 31, 2027. The parties hereto agree that they will begin discussion as quickly as humanly possible in an attempt to arrive at a new Memorandum of Agreement.

IN WITNESS WHEREOF, THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY AND THE UNION have hereunto set their hands this _____ day of
_____, 2025.

FOR THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS

Date _____

Attest:

Unified Government Clerk

FOR THE INTERNATIONAL ASSOCIATION
OF FIREFIGHTERS, LOCAL #64

Date _____

Attachment “A”

The union and the department agree that a minimum of seventeen (17) certified suppression personnel shall be dispatched on the initial alarm to all regular alarm responses.

The union and the department agree that a minimum of twenty-eight (28) certified suppression personnel will be dispatched on the initial alarm to all general alarm responses.

ATTACHMENT “B”

Health insurance benefits for Department retirees available through the UG are determined each year by the UG Commission. The UG will advise retiring bargaining unit members of the benefits available to those retiring bargaining unit members at the time of retirement. Current benefit information is available from the Human Resources Department of the UG.

ATTACHMENT C

For the ranks of:	Effective 1/1/2025	Effective 1/1/2026	Effective 1/1/2027
Master Captain - 10 Years - completion of ten (10) consecutive years or more of service as a sworn Captain	\$8,559.62	\$8,816.41	\$9,080.90
Senior Captain - 5 years - completion of five (5) consecutive years or more of service as sworn Captain	\$8,391.80	\$8,643.55	\$8,902.86
Captain	\$8,187.12	\$8,432.73	\$8,685.71
For the ranks of:	Effective 1/1/2025	Effective 1/1/2026	Effective 1/1/2027
Master Fire Apparatus Operator - 10 years - completion of ten (10) consecutive years or more of service as a sworn Fire Apparatus Operator	\$8,048.45	\$8,289.90	\$8,538.60
Senior Fire Apparatus Operator - 5 years - completion of five (5) consecutive years or more as a sworn Fire Apparatus Operator	\$7,890.63	\$8,127.35	\$8,371.17
Fire Apparatus Operator	\$7,698.18	\$7,929.13	\$8,167.00
For the ranks of:	Effective 1/1/2025	Effective 1/1/2026	Effective 1/1/2027
Master Firefighter - 20 years - completion of twenty (20) consecutive years or more of service as a sworn K.C.K. Firefighter	\$7,543.37	\$7,769.67	\$8,002.76
Senior Firefighter - 12 years - completion of twelve (12) consecutive years or more of service as a sworn K.C.K. Firefighter	\$7,468.71	\$7,692.77	\$7,923.55
Firefighter Class I	\$7,364.42	\$7,585.35	\$7,812.91
Firefighter Class II	\$5,827.04	\$6,001.85	\$6,181.91
Firefighter Class III	\$5,112.59	\$5,265.97	\$5,423.95
Firefighter Class IV	\$4,591.88	\$4,729.64	\$4,871.53
Firefighter Class V	\$4,073.47	\$4,195.67	\$4,321.54
Firefighter/Paramedics receive an additional 9% above the stated rates.			
Prior to 7/1/22 Firefighters shall serve the following service time at each step and pass an examination prior to progressing to the next step: Class V - 18 months, Class IV - 12 months, Class III - 6 months, Class II - 12 months, Class IIA - 12 months. After 7/1/22, employees will progress from Steps V to I after completing twelve (12) months at each respective step. Employees will be credited for time served at their reclassified step."			
For the ranks of:	Effective 1/1/2025	Effective 1/1/2026	Effective 1/1/2027
Master Medical Transport Supervisor - 10 Years - completion of ten (10) consecutive years or more of service as a sworn MTS	\$8,559.62	\$8,816.41	\$9,080.90
Senior Medical Transport Supervisor - 5 years - completion of five (5) consecutive years or more of service as sworn MTS	\$8,391.80	\$8,643.55	\$8,902.86
Medical Transport Supervisor	\$8,187.12	\$8,432.73	\$8,685.71
Community Paramedic (same rate and progression as Medical Transport Supervisor)			
For the rank of:	Effective 1/1/2025	Effective 1/1/2026	Effective 1/1/2027
Property Officer	\$5,534.35	\$5,700.38	\$5,871.39

For the ranks of:	Effective	Effective	Effective
	1/1/2025	1/1/2026	1/1/2027
Master Fire Prevention Inspector - 10 Years - completion of ten (10) consecutive years or more of service as an Inspector I	\$8,559.62	\$8,816.41	\$9,080.90
Senior Fire Prevention Inspector - 5 years - completion of five (5) consecutive years or more of service as an Inspector I	\$8,391.80	\$8,643.55	\$8,902.86
Fire Prevention Inspector Class I	\$8,187.12	\$8,432.73	\$8,685.71
Fire Prevention Inspector Class II	\$7,698.18	\$7,929.13	\$8,167.00
Fire Prevention Inspector Class III	\$7,364.42	\$7,585.35	\$7,812.91
For the ranks of:	Effective	Effective	Effective
	1/1/2025	1/1/2026	1/1/2027
Master Fire Plans Review Inspector - 10 Years - completion of ten (10) consecutive years or more of service as an Inspector Class I	\$8,559.62	\$8,816.41	\$9,080.90
Senior Fire Plans Review Inspector - 5 years - completion of five (5) consecutive years or more of service as an Inspector Class I	\$8,391.80	\$8,643.55	\$8,902.86
Fire Plans Review Inspector Class I	\$8,226.75	\$8,473.55	\$8,727.76
Fire Plans Review Inspector Class II	\$7,866.93	\$8,102.94	\$8,346.03
Fire Plans Review Inspector Class III	\$7,397.30	\$7,619.22	\$7,847.80
For the rank of:	Effective	Effective	Effective
	1/1/2025	1/1/2026	1/1/2027
Master Mechanic - 10 Years - completion of ten (10) consecutive years or more of service as a Mechanic I	\$8,559.62	\$8,816.41	\$9,080.90
Senior Mechanic - 5 years - completion of five (5) consecutive years or more of service as a Mechanic I	\$8,391.80	\$8,643.55	\$8,902.86
Mechanic I	\$8,187.12	\$8,432.73	\$8,685.71
Mechanic II	\$7,698.18	\$7,929.13	\$8,167.00
Mechanic III	\$7,364.42	\$7,585.35	\$7,812.91
For the rank of:	Effective	Effective	Effective
	1/1/2025	1/1/2026	1/1/2027
Lead Master Mechanic - 10 Years - completion of ten (10) consecutive years or more of service as a Lead Mechanic	\$9,083.54	\$9,356.05	\$9,636.73
Lead Senior Mechanic - 5 years - completion of five (5) consecutive years or more of service as a Lead Mechanic	\$8,905.44	\$9,172.60	\$9,447.78
Lead Mechanic	\$8,730.82	\$8,992.74	\$9,262.52
Fire Communication Classifications*	Effective	Effective	Effective
	1/1/2025	1/1/2026	1/1/2027
Fire Communications Dispatcher (Step 1)	\$4,097.56	\$4,220.49	\$4,347.10
Fire Communications Dispatcher (Step 2)	\$4,260.28	\$4,388.09	\$4,519.73
Fire Communications Dispatcher (Step 3)	\$4,432.63	\$4,565.61	\$4,702.58
Fire Communications Dispatcher (Step 4)	\$4,696.48	\$4,837.37	\$4,982.49
Fire Communications Dispatcher (Step 5)	\$4,978.99	\$5,128.36	\$5,282.21
Fire Communications Dispatcher (Step 6)	\$5,227.89	\$5,384.73	\$5,546.27
Lead Fire Communications Dispatcher	\$5,747.42	\$5,919.84	\$6,097.44
*Dispatchers will progress from Steps 1 to 5 after twelve (12) months at each step and to Step 6 after 60 months at Step 5.			
Promotion to Lead Dispatcher is based on course work, resume, and letter of interest with approval of the Fire Chief.			



Report to Planning & Zoning / Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	J. Renee Ramirez, Director Shakeva Christian, Manager rramirez@wycokck.org, schristian@wycokck.org x5665, x5661	Human Resources
AGENDA ITEM #12.5.		
RESOLUTION: MEMORANDUM OF UNDERSTANDING WITH CONSTRUCTION AND GENERAL LABORERS LOCAL NO. 1290		
BACKGROUND		
Memorandum of Understanding between the Unified Government of Wyandotte County/Kansas City, Kansas, and the Construction and General Laborers Local No. 1290 for the period from January 1, 2025 through December 31, 2027.		
RECOMMENDATION		
Approve		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
3% salary increases for each calendar year 2025, 2026 & 2027		
LEGAL CONSIDERATIONS		
n/a		
ATTACHMENTS		
construction and laborers union reso, 2025-2027ConstLbrsMOU (clean copy) (union signature)		

Approved by Administrator to add to agenda.

RESOLUTION NO. _____

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

That the County Administrator of the Unified Government of Wyandotte
County/Kansas City, Kansas, is hereby authorized and directed to execute in the name of
the Unified Government of Wyandotte County/Kansas City, Kansas, and the Unified
Government Clerk is hereby authorized and directed to attest the signature of said
County Administrator and to attach the seal of the Unified Government thereto as the
voluntary act of the Unified Government to the Memorandum of Understanding between
the Unified Government of Wyandotte County/Kansas City, Kansas, and the
Construction and General Laborers Local No. 1290, for the period from January 1, 2025
through December 31, 2027.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS ____ DAY OF _____, 2025.**

Tyrone Garner, Mayor/CEO

ATTEST:

Unified Government Clerk

Approved as to Form:

**Angela Lawson
Acting Chief Counsel**

MEMORANDUM OF UNDERSTANDING

BETWEEN

**THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS**

AND

**THE CONSTRUCTION AND GENERAL LABORERS
LOCAL NO. 1290**

JANUARY 1, 2025 – DECEMBER 31, 2027

MEMORANDUM OF UNDERSTANDING

ARTICLE I – INTENT AND PURPOSE.

THIS MEMORANDUM OF UNDERSTANDING by and between the Unified Government of Wyandotte County/Kansas City, Kansas, and Laborers' Local No. 1290 of the Missouri and Kansas Laborers' District Council of the Laborers' International Union of North America, AFL-CIO, is entered into for the purpose of establishing rates and wages and specified working conditions. The Local Working Agreement or "Agreement" (Joint Agreement between Builders' Association of Missouri and the Union, marked Exhibit "A" and attached hereto) shall be recognized except as amended, deleted, modified or supplemented by the provisions of this Memorandum.

ARTICLE II – RECOGNITION.

The Unified Government of Wyandotte County/Kansas City, Kansas (hereinafter the "UG") recognizes and acknowledges the above-stated Laborers' Local 1290 District Council (hereinafter the "Union") as the exclusive bargaining representative pursuant to the Public Employee Relations Act for all persons defined by said UG as laborers and employed by the Building and Logistics Department of said Unified Government.

ARTICLE III – EMPLOYER'S RESPONSIBILITY.

Section 1. Except as specifically set out herein, nothing in this Memorandum shall be construed as divesting the Employer of any of its management rights vested by the Kansas Public Employee Relations Act or as delegating to others the authority conferred by law on the Employer, or in any way abridging or reducing such authority.

Section 2. The right to hire, promote, layoff, assign, transfer, discharge or discipline for cause and to maintain discipline and efficiency of employees is the sole responsibility of the Unified Government, except that Union members shall not be discriminated against due to their Union membership. Persons subject to this agreement shall be considered as employees of the UG and subject to all policies, orders and directives, written or oral, or the Unified Government of Wyandotte County/Kansas City, Kansas, the Commission, the UG Administrator and such other persons designated as supervisors of said employees except as modified or provided elsewhere herein. In the case of promotion, the UG agrees to recognize qualifications (including training, education, experience, ability and past performance) of the affected employee and then recognize standard seniority rules and practices. In the case of layoff, the Unified Government shall use seniority as the determining factor in selecting the employees to be laid off.

Section 3. The Unified Government may adopt additional reasonable rules and regulations and amend the Human Resources Guide and other policies, orders and directives from time to time, and the Unified Government and the Union will agree that any such changes, additions or amendments not in conflict with this Memorandum of Understanding shall be in full force and effect. Disputes concerning the applications or interpretation of any changes, additions or amendments as provided in this section may be submitted by the Union to arbitration as provided

hereunder. To the extent practical, the Unified Government will give prior notification of such rules and regulations to the Union.

Section 4. This Memorandum shall be construed as requiring the employees to follow the provisions herein in the exercise of the authority conferred upon the Unified Government by law.

ARTICLE IV. WAGES.

Section 1. The hourly rate for employees during the term of this Memorandum shall be as follows: 3% increase January 1, 2025, 3% increase January 1, 2026, and 3% increase January 1, 2027. However, \$0.25/hr shall be deducted by Employer from each annual increase and paid into the employee's Smart Fund (Annuity).

	1/1/25	1/1/26	1/1/27
Wage Rate	\$29.72	\$30.61	\$31.22

Section 2. In addition to the wage rate above, Employer will pay for the entire term of this Memorandum of Understanding one hundred percent (100%) of the fringe benefits specified in the Agreement, with the exclusion of the following: administrative account, and industry advancement. The employer shall contribute to the training fund at the rate of \$0.25/hr. The health and welfare rate shall be \$7.90 per hour. Any contributions to the health and welfare fund that exceed this rate shall be borne by the employee. The employer's obligation to make payments for the health and welfare fund is contingent upon such fund's qualification under the Affordable Care Act. Bargaining unit employees are not eligible to participate in the Unified Government's Dental and/or Vision plans.

Section 3. As wage rates and fringe benefits change under the Agreement, the craft shall obtain from the contracting association a written statement of the changes and the effective date thereof, and upon written notice sent by registered mail, to the Director of Building and Logistics, Human Resources Director and the County Chief Legal Counsel, the UG will adjust the basic rates of pay and fringe benefits to conform to the changes in the Agreement provided the notice of the change is received within forty-five (45) days of the effective date of the pay and fringe benefit change. Any increases to the Health/Welfare and/or Pension plans after January 1, 2025, are to be paid out of each bargaining unit employee's wages.

Section 4. No person subject to this Memorandum shall be eligible to purchase, receive or participate in any health insurance contract, program or benefit provided to other UG employees, including all preferred provider organizations, health maintenance organizations or indemnity policies and coverage unless said person bears the cost of said insurance or coverage without any Unified Government contribution. Bargaining unit employees are not eligible to participate in the Unified Government's Dental and/or Vision plans.

Section 5. Any employee subject to the terms of this Memorandum of Understanding may not suffer a reduction in wages, but may be required to forego future increases or a portion thereof

to bring a balance in equity or as part of a city-wide austerity or comprehensive cost-cutting measure.

ARTICLE V – WORKING CONDITIONS.

All working conditions including vacations, paid holidays, sick leave, jury duty, maternity leave, jury leave, discharge, discipline and all other matters constituting working conditions shall be subject to and regulated by the policies of the Unified Government as expressed in the Human Resources Guide, and amendments thereto except as may be inconsistent with the terms of this Memorandum of Understanding.

ARTICLE VI – STRIKES AND LOCKOUTS.

Section 1. There shall be no stoppage of work either by Strike or Lockout because of any dispute over matters relating to this Memorandum.

Section 2. There shall be no work stoppage in the event of any construction industry strike or problems or lockouts.

ARTICLE VII. UNION SECURITY.

Notwithstanding any provisions of the attached Agreement and specifically Article I of said agreement, to the contrary, the Union recognizes and acknowledges that the Kansas Constitution at Article 15, Section 12, and K.S.A. 75-4324 provide and guarantee an employee the right to work regardless of union membership or affiliations and the parties hereto are bound thereby. Under the provisions of said law, the Union recognizes that the Unified Government cannot require as a condition of employment that all employees of the Employer covered by the attached Agreement will be members of the Union in good standing while so employed by the UG.

ARTICLE VIII – FRINGE BENEFIT PROGRAM.

If it is held by a Court of competent jurisdiction that the UG is prohibited from entering into or becoming a party to the provided trust agreements or funds set out in the Agreement at Article VIII, then the UG's obligation to continue its commitments hereunder shall cease.

ARTICLE IX – WORKING REGULATION.

Section 1 of Article VI of the Agreement is deleted and the subjects expressed therein shall be governed by the provisions of the Human Resources Guide. Sections four (4) through thirteen (13), and seventeen (17) through twenty-one (21) are deleted, as the same are inapplicable to the Unified Government's physical plant and/or operation.

ARTICLE X – PAY DAY AND PAYROLL CHECKS.

Article VII of the Agreement is deleted. Employees subject to this Memorandum of Understanding shall be paid bi-weekly in the same manner as any other UG employee is paid bi-weekly.

ARTICLE XI – NEW EMPLOYEES.

Article IX of the Agreement was deleted. The parties agree that in the event that a current bargaining unit member is no longer employed by Employer, the contract will be reopened.

ARTICLE XII – TERM.

Article XIX of the Agreement was deleted as alternative provisions on that subject are provided in Article XVI herein.

ARTICLE XIII – ANNEX A STIPULATION.

The UG did not agree to execute the proposed Addendum 1 stipulation.

ARTICLE XIV – GRIEVANCE AND ARBITRATION PROCEDURE.

In the event of any dispute or grievance arising under the terms and provisions of this Memorandum or of any difference between the parties as to the interpretation or application of this Memorandum, it shall be processed through the grievance procedure. The parties shall make sincere and determined efforts to settle meritorious grievances and the voluntary steps of the grievance procedure and to keep the procedure free from unmeritorious grievance. A union representative may be present during any step of the grievance procedure.

Step 1. Within ten (10) days of the occurrence or events giving rises to the grievance or dispute, or within ten (10) days of when the affected employee or employees became aware of such occurrences or events, whichever is longer, the matter must be taken up between the involved employee or employees and their supervisor. First, the employee shall verbally explain to his supervisor the nature of the grievance. The supervisor must communicate his decision to the grievant verbally within five (5) days of the Step 1 meeting.

Step 2. If the grievance is not satisfactorily adjusted under Step 1, a written grievance shall be submitted to the employee's supervisor within five (5) days after the supervisor has provided his verbal decision pursuant to Step 1. Within five (5) days thereafter, the supervisor must submit a written answer to the grievance.

Step 3. If the supervisor's written answer does not resolve the matter, a written appeal shall be made to the division head within five (5) days after the Employer receives the supervisor's written report pursuant to Step 2. The division head shall attempt to resolve the matter, and shall give a written answer within five (5) days after receiving the written appeal.

Step 4. If the division head's written answer does not resolve the grievance, a written appeal shall be taken to the department head within five (5) days after receipt of the division head's

written response. The department head shall attempt to resolve the matter in a meeting of the concerned parties, and shall give a written answer within five (5) days after receipt of the written appeal of the division head's decision.

Step 5. If the matter has not been resolved in Steps 1-4, it may be submitted to the County Administrator within five (5) working days after receipt of the department head's written decision. The County Administrator shall render a decision in writing within ten (10) days thereafter.

Step 6. If the County Administrator's decision is not satisfactory to the Union, or if the parties are otherwise unable to satisfactorily resolve the dispute, arbitration may be requested by the City or the Union, in the following manner:

- (a) Notice in writing of intent to arbitrate shall be delivered by the party seeking arbitration to the opposing party within fifteen (15) calendar days following the decision of Step 5.
- (b) Within fifteen (15) calendar days after the notice is delivered, the parties will mutually agree upon an arbitrator or jointly obtain a list of seven (7) arbitrators from the Federal Mediation and Conciliation Service (FMCS), and the parties will alternately and independently strike unacceptable arbitrators from such a list with the last remaining arbitrator being selected. If the party upon whom a properly executed FMCS panel request is served fails to execute and send such request within fifteen (15) calendar days of service thereof, then the grievance shall be found in favor of the non-defaulting party.
- (c) The arbitrator shall have the authority to determine the procedural rules of arbitration, and shall have the ability to make such binding orders as are necessary to enable him to act effectively. He shall observe the rules of evidence, and his decision shall be final and binding on all parties.
- (d) Once an arbitrator has been selected by the parties, the parties shall act with all deliberate speed to schedule a hearing date for the arbitrator.
- (e) The arbitrator shall have no power to add to, subtract from or modify any of the terms of this Memorandum.
- (f) The cost of the arbitrator shall be shared equally by the Unified Government and the Union.

ARTICLE XV – SUBCONTRACTING.

Article V of the Agreement related to subcontracting was deleted.

ARTICLE XVI – DURATON.

This Memorandum shall be in full force and effect from January 1, 2025, (effective date), to and including December 31, 2027, (expiration date), and shall continue from year to year thereafter unless written notice of desire to cancel or terminate the Memorandum is served by either party upon the other not less than thirty (30) days and not more than ninety (90) days prior to December 31, 2027 (expiration date) or January 1 of any subsequent contract year. The attached agreement shall be deemed a part of this Agreement. Except as to wages and fringe benefits, subsequent amendment or supplemental agreement between the Union and contracting association shall be deemed included herein.

When no such cancellation or termination notice is served and the parties desire to continue said Memorandum, but also desires to negotiate changes or revisions in this Memorandum, either party may serve upon the other a written notice not less than thirty (30) days and not more than ninety (90) days prior to December 31, 2027, (expiration date) or January 1 of any subsequent contract year, advising that such party desires to revise or change terms and conditions of such Memorandum.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals below.

EMPLOYER

UNION

THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/
KANSAS CITY, KANSAS

LABORERS' LOCAL #1290

By: _____
David Johnston
County Administrator

By: _____
Jeff Philgreen
Business Manager

Date: _____

Date: 3/31/25

By: _____
John Kelly
Building & Logistics

Date: _____

Renee Ramirez
Director of Human Resources

Approved as to form:

Angela Lawson
Interim Chief Counsel

ATTEST:

Unified Government Clerk



Report to Planning & Zoning / Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	J. Renee Ramirez, Director rramirez@wycokck.org x5665	Human Resources
AGENDA ITEM #12.6.		
RESOLUTION: MEMORANDUM OF UNDERSTANDING WITH TEAMSTERS LOCAL NO. 955		
BACKGROUND		
Adoption of a resolution Memorandum of Understanding Between Unified Government of Wyandotte County/Kansas City, Kansas, and Teamsters Local No. 955 for the period January 1, 2025 through December 31, 2027.		
RECOMMENDATION		
Approve		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		
Teamsters MOU Reso 5.13.25, Teamsters MOU 2025-2027		

Approved by Administrator to add to agenda.

RESOLUTION NO. R-____-25

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

That the County Administrator of the Unified Government of Wyandotte County/Kansas City, Kansas is hereby authorized and directed to execute in the name of the Unified Government of Wyandotte County/Kansas City, Kansas, and the Unified Government Clerk is hereby authorized and directed to attest the signature of said County Administrator and to attach the seal of the Unified Government thereto as the voluntary act of the Unified Government to the following:

- (1) Memorandum of Understanding Between Unified Government of Wyandotte County/Kansas City, Kansas, and Teamsters Local No. 955 for the period January 1, 2025 through December 31, 2027.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS THIS ____ DAY
OF _____, 2025.

UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS

By: _____
Tyrone A. Garner, Mayor CEO

ATTEST

Unified Government Clerk

MEMORANDUM OF UNDERSTANDING

BETWEEN

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/

KANSAS CITY, KANSAS

THE WYANDOTTE COUNTY SHERIFF'S DEPARTMENT

AND

TEAMSTERS LOCAL NO. 955

January 1, 2025 - December 31, 2027

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DEFINITIONS

Administrator	Administrator of the Unified Government of Wyandotte County/Kansas City, Kansas
County	The County of Wyandotte County, Kansas
Department	The Wyandotte County Sheriff's Department
Gender	The male shall include the female and the female shall include the male
Immediate Supervisor	The person directly above the employee in supervision
Memorandum	The Memorandum of Understanding
Sheriff	Sheriff of Wyandotte County, Kansas
Employee	An employee of the Unified Government of Wyandotte County/Kansas City, Kansas, and the Sheriff's Department within the bargaining unit
Employer	Wyandotte County Sheriff's Department and/or the Unified Government of Wyandotte County/Kansas City, Kansas
Unified Government ("UG")	The Unified Government of Wyandotte County/Kansas City, Kansas
Union	Teamsters Local No. 955

MEMORANDUM OF UNDERSTANDING

WHEREAS, the parties hereto desire to maintain a harmonious relationship, to advance mutual interests in the provision of services to the public and to preserve public safety, law and order, to promote standards and conditions of employment for all employees of the Wyandotte County, Kansas Sheriff's Department employed within the bargaining unit, as set forth herein; to achieve harmonious and peaceful adjustment of differences which may arise; and to establish standards of wages, hours, benefits and other conditions of employment.

NOW, THEREFORE, in consideration of mutual covenants and agreements hereinafter contained, the County, the Department and the Union hereby agree as follows:

ARTICLE 1: RECOGNITION

The Unified Government of Wyandotte County/Kansas City, Kansas (hereinafter the "UG") and the Sheriff's Department of the County (hereinafter the "Department") recognize and acknowledge the Teamsters Local No. 955 (hereinafter the "Union") as the exclusive bargaining representative for all Wyandotte County Sheriff's employees as set forth in Kansas Public Employer-Employee Relations Board Unit Determination Case No. 75-UDC-3-1992, dated February 7, 1994, as amended, or as otherwise agreed by the parties, employed by the Department for the purpose of negotiating collectively with the UG and Department pursuant to the Public Employer-Employee Relations Act of the State of Kansas, with respect to conditions of employment, as defined by that Act. The recognition herein afforded extends only to those classifications of Clerk, Program Assistant, Classification Tech, Warrants Clerk, and Utility Clerk. Excluded from the representation herein afforded are the Administrative Assistant to the Sheriff, Administrative Assistant to the Jail Administrator, Purchasing Agent, the Programs Coordinator, Administrative Assistant to the Office of Professional Standards, the Planning and Research Coordinator and all confidential and supervisory employees and all other UG or Department employees not listed.

ARTICLE 2: PAYROLL DEDUCTION OF UNION DUES

The UG agrees to deduct, once each month, dues in an amount certified by the Union and authorized in writing by the employees who individually request (Dues Deduction Authorization Form), that such deductions be made. Employees may revoke the authorization by giving thirty (30) days written notice of such termination or revocation. The total amount of such authorized deductions shall be remitted by the Employer to the Treasurer of the Union.

ARTICLE 3: UNION STEWARDS

Section 3.1 Union Stewards. Employees selected by the Union to act as employee representatives shall be known as "Stewards." The names of employees selected as Stewards who may represent employees shall be provided to the UG and the Department every six (6) months (January 1 and

July 1) by the Union. The UG and the Department shall be notified, in writing, of any changes in the above names that may occur.

Section 3.2 Number of Stewards. There may not be more than one (1) Steward and one alternate Steward.

Section 3.3 Prohibited Conduct of Union Officers or Stewards. The Stewards have no authority to encourage, incite, or condone work action against the Department or UG. In the event of such action by any Steward, he/she shall be subject to immediate discipline.

Section 3.4 Union Business Leave. Bargaining unit members designed by the Union may be entitled, in accordance with the provisions herein stated, to draw upon a bank of fifty (50) work hours with pay, per calendar year, for the purpose of conducting business of the Union, including representation of members during the grievance procedure, including mediation and arbitration hearings when held during regular scheduled working hours, but not including time spent in formal negotiations for revisions to this Memorandum of Understanding.

The Department must have adequate manpower to provide the services of the affected employees' division, department or unit in their absence in order to allow the employees to be absent for this purpose. The approval of the Sheriff shall not be unreasonably withheld.

ARTICLE 4: UNION COOPERATION – MANAGEMENT RIGHTS

Section 4.1 Union Cooperation. The Union, UG and the Department have entered into this Memorandum for the purpose of facilitating the peaceful adjustments of differences that may arise from time to time and to promote harmony and efficiency and to the end that the bargaining unit employees, UG, the Department and the general public may mutually benefit. Consistent with this general purpose, the Union recognizes that an obligation rests upon each bargaining unit employee to render honest, efficient and courteous service to UG and its citizens. The Union agrees to cooperate with UG in its efforts to strengthen the good will between the Sheriff's Department, UG, and the general public.

The Union recognizes the need for improved methods in providing law enforcement services to the citizens of UG and agrees to cooperate with UG and Department in the installation of such methods, in suggesting improved methods, in the education of its members and the necessity for such changes and improvements.

Section 4.2 Management Rights. It is the intention of the parties hereto that the Employer retain each and every right and privilege it ever had except insofar as it has, by this Memorandum, agreed to specific limitations for full time clerks. Excluded are temporary and part time employees.

The exclusive rights of the Employer shall include, but are not limited to its right to determine the qualifications of its employees: to establish or continue policies, practices and procedures for the conduct of the Employer and to change or abolish such policies, practices or

procedures; to introduce new or improved methods, equipment or facilities, to discontinue processes or operations or to discontinue their performance by employees; to select, determine and schedule the number and type of employees required; to assign work to such employees in accordance with the requirements determined by the Employer; to establish and change work schedules; to determine the facts of lack of work; to direct the work of its employees; to hire, promote, demote, transfer, assign and retain employees in positions within the public agency; to discipline, suspend or discharge employees for just cause; to maintain the efficiency of the governmental operation; to lay off or furlough employees; to take actions as may be necessary to carry out the mission of the Employer in emergencies; to determine the methods, means and personnel by which operations are to be carried on; to develop Standard Operating Procedures, Rules of Discipline and Rules and Regulations not in conflict with this Memorandum; to establish and maintain reasonable gender appropriate standards for wearing apparel and personal grooming and all other prerogatives and responsibilities normally inherent in management of the Employer which are not in conflict with the specific provisions of this Memorandum.

All management rights, powers, authority and functions other than those relinquished by the Employer in this Memorandum shall remain vested exclusively in the Employer.

ARTICLE 5: PROBATIONARY EMPLOYEES

New bargaining unit employees shall be considered Probationary Employees for the first six (6) months of their employment. Any interruption of employment (leave, sickness, injury, etc.) during the probationary period in excess of five (5) working days shall not be counted as part of such probationary period. Probationary Employees may be discharged or disciplined at the sole discretion of the Employer without recourse to the provisions of this Memorandum.

Probationary Employees shall not accrue seniority until the completion of their probationary period. Upon the completion of the probationary period, the employees' seniority date will be measured from their date of hire as provided in Article 6.

ARTICLE 6: SENIORITY

Section 6.1 General. Seniority shall be measured by continuous service as an employee of the Wyandotte County Sheriff's Department in the bargaining unit represented by Teamsters Local 955 from the date of last hire, unbroken by other than vacation, military leave or other authorized leaves of absence of not to exceed ninety (90) days, and lay-off not in excess of two (2) years. Seniority shall be broken by discharge, resignation, retirement, lay-off in excess of two (2) years, permanent disability, or if the employee is called back to work from layoff and does not report for work within fourteen (14) calendar days of receipt of written notice by certified mail. In cases of disputes concerning seniority, the Department's records shall govern. Temporary or part-time employees shall not accumulate nor exercise any seniority rights. Department seniority shall be utilized as indicated in this Memorandum.

Section 6.2 Seniority Roster. The Employer will maintain an up-to-date seniority roster containing names and length of service of employees. Such rosters will be available to the Union Stewards and notice will be given when new hires are added.

Section 6.3 Utility Clerk.

- a. If the Unified Government elects to fill the position of Utility Clerk, the position shall be filled in accordance with the existing terms and conditions of this Memorandum of Understanding.
- b. The Utility Clerk shall be responsible for supporting all clerical positions within the bargaining unit including civil clerks, warrant clerks, tax sale clerk, mailroom clerks and any similar position. The Utility Clerk shall be responsible for and have knowledge of the duties and functions of each position and have capacity to fill that position as directed when vacated permanently or temporarily for any reason as directed by the Sheriff or his designated supervisor. The Utility Clerk shall train new employees and current employees moving to a new position within the bargaining unit as to the duties and functions of each position. The Utility Clerk shall be available to work varying hours, shifts and days when a need exists for coverage outside the regular schedule for this position on Monday through Friday from 8:00 a.m. through 5:00 p.m. The Utility Clerk shall receive such benefits the same as other members of the bargaining unit as provided in this Memorandum of Understanding.
- c. Compensation for the position shall be as provided within this Memorandum of Understanding.

ARTICLE 7: WORK PERIODS

Section 7.1 General. The Employer has the management right to change the hours of work shifts or work periods and to institute new work shifts or periods or discontinue existing work shifts or periods. The employer shall give reasonable notice, not less than five (5) working days, in advance of permanent modifications of employees work shifts or work periods. The employer shall make all reasonable efforts to give employees notice of permanent modifications as soon as practicable after determining that such modifications are necessary.

Section 7.2 Standard Work Week. The standard work week shall be forty (40) hours, except during shift or job change periods, and normally consist of five (5) consecutive days of work with two (2) consecutive days off. Employees will not be forced to work more than nine (9) consecutive calendar days without being offered a day off. Employees' standard work week may consist of four (4) consecutive ten (10) hour work days, with three (3) consecutive days off, or other variations, but still containing forty (40) hours. The standard work week and work day for a Utility Clerk includes varying hours, shifts and days when a need exists for coverage outside the regular

schedule for this position on Monday through Friday from 8:00 a.m. through 5:00 p.m.

Section 7.3 Standard Work Day. Except during shift or job change periods, a standard work day shall consist of eight (8) consecutive hours in a twenty-four (24) hour period, or may consist of ten (10) consecutive hours in a twenty-four (24) hours period, except for an intermission for lunch as provided in Sec. 7.4.

Section 7.4 Communications Outside of Work Day. When an Employee is contacted by a Supervisor outside of their Standard Work Day and has a telephone conversation related to the Employee's job duties and responsibilities, the Employee shall be compensated a minimum of fifteen (15) minutes for such conversation. If the conversation last longer than 15 minutes, then the Employee shall be compensated for their time actually worked in 15 minute increments as may be rounded up or down.

Section 7.5 Meal Period. Each employee shall be entitled to a thirty (30) minute meal period or sixty (60) minute meal period at a time during his regular work day designated by the employee's work schedule and the needs of the Department. If an employee is required to work through their meal period, they shall be compensated for such meal period.

Section 7.6 Breaks. Each employee working eight (8) consecutive hours shall be entitled to two (2) fifteen (15) minute breaks. Employees working ten (10) consecutive hours shall be entitled to three (3) fifteen (15) minute breaks. Breaks may occur during the employee's regular work day and designated by the employee's supervisor.

ARTICLE 8: OVERTIME

Section 8.1 Overtime. All employees shall receive one and one-half (1 ½) times their actual hourly rate of pay or compensatory time, up to a maximum of two hundred forty (240) accumulated compensatory hours, for work performed in excess of forty (40) hours in a given work week. (Provided, that, no employee shall have accumulated more compensatory hours on the books than that allowed by Federal law and/or regulation which hours have been accumulated subsequent to April 15, 1986). Compensatory time may be earned in lieu of overtime payment if the employee so elects. For purposes of overtime calculations, the hours taken by an employee as a holiday, vacation, compensatory time, unspecified paid leave described in Article 16.2 and jury duty, shall be considered as hours worked. An employee shall be given a fifteen (15) minutes paid break period for every four (4) hours worked after eight (8) hours in any workday.

Section 8.2 Duty to Perform. Employees are required to work reasonable amounts of overtime when requested by the employer. In cases of emergency, as determined by the Sheriff, Undersheriff, Jail Administrator, or UG Administrator, employees are required to work overtime as requested and are subject to discipline for any refusal to so work. Bargaining unit members may volunteer for additional overtime.

There shall be no limits on voluntary or forced overtime.

Section 8.3 Overtime Distribution. When the employer determines that overtime work is necessary then the overtime shall be offered in the following fashion:

Offered first to qualified employees within the Division where the overtime works occurs by seniority as set forth in Article 6. Any Employee called to work voluntary overtime by seniority who does not answer the overtime call has five (5) minutes to return the call and accept the offered overtime before it is offered to next in seniority employee.

If there are not enough qualified employees who accept the overtime work requests by seniority within the Division where the work occurs, then the overtime work shall be offered to qualified Bargaining Unit employees outside the Division by seniority as set forth in Article 6.

If there are not enough qualified employees who accept the overtime work requests, as set forth in paragraphs (a) and (b) above, then the Unified Government may force the least senior qualified employees within the Division where the overtime work occurs to work that overtime.

Any regular full-time employee who reports to work overtime as scheduled shall be guaranteed two (2) hours paid work for such day.

Section 8.4 Holidays. When an employee is required to work on a designated holiday (See Article XII), at the direction of the employee's supervisor and such holiday is not a regularly scheduled work day for that employee, the employee shall be paid at one and one-half (1 ½) times his regular hourly base rate for the hours actually worked. These overtime hours shall not be pyramided for pay purposes.

ARTICLE 9: DISCIPLINE

Section 9.1 Authority to Discipline. The Union recognizes that the Employer has the responsibility for maintaining discipline and the efficient and orderly operation of the Department. Accordingly, the authority to discipline employees is vested exclusively in the Employer or its designees. Employees, excluding probationary employees, shall only be disciplined or discharged for just cause. Discipline or discharge for just cause shall include, but not be limited to, discipline or discharge for violation of the Department's or UG's Rules and Regulations, General and Special Orders, and Standard Operating Procedures. The Department's or UG's Rules and Regulations, General and Special Orders, and Standard Operating Procedures may be modified from time to time by the Department unilaterally.

Section 9.2 Imposing Discipline. The severity of the discipline imposed shall be consistent with the offense committed. Discipline may be preceded by counseling or warning. Discipline may include the following:

1. Verbal Warning
2. Written Warning
3. Suspension
4. Discharge

Whenever it is recommended that an employee is to receive a formal counseling, disciplinary suspension or is to be discharged, that employee shall be provided notice of such recommendation and shall be provided an opportunity to show cause why they should not be disciplined. The employee may be entitled to a union representative at the show cause stage. As a result of the show cause proceeding, a recommendation to issue or not issue discipline shall be made to the appropriate supervisor. If a disciplinary suspension or discharge is issued, then the disciplined or discharged employee shall have the right, within fourteen (14) calendar days of the issuance of the discipline, to grieve the discipline commencing the process at step two of the grievance procedure set forth in Article Ten (10) herein.

Section 9.3 Forfeiture of Benefits and Rights. Employees who are terminated for just cause shall forfeit all employment benefits and rights, except accumulated compensatory time, vacation days, sick days as provided in UG Human Resources Guide, retirement benefits in accordance with applicable law and any accrued wages. UG shall provide a copy of the UG Human Resources Guide to the Union's business representative.

Section 9.4 On-the-Job Injury. An employee who fails to report to his superior any on-the-job injury within forty-eight (48) hours of knowledge of such injury may be disciplined. On the job injuries shall be governed by the Human Resources Guide concerning workers compensation policies and benefits.

Section 9.5 Separation from Employment. Upon separation from employment within the Unified Government, the Department, all Unified Government and Department equipment or materials provided the employee by the Unified Government or Department shall be returned. Failure to do so shall result in the employee's final paycheck(s) being reduced by the amount of seventy-five percent (75%) of the replacement cost of all missing items which have not been returned or replaced by the employee. Such withholding shall not be in violation of federal or state law and shall in no event reduce the employee's earnings to a pay rate under either the State or Federal minimum wage.

ARTICLE 10: GRIEVANCE PROCEDURE

Section 10.1 General. The term "grievances" as used in this Memorandum shall be any dispute, disagreement, or difference between one or more employees and the Employer as to the meaning of any terms and provisions of this Memorandum. Any impasse in any negotiations for any Memorandum of Understanding or Agreement shall not constitute a grievance. Where a matter within the scope of this grievance procedure is alleged to be both a grievance and prohibited practice under the jurisdiction of Public Employer-Employee Relations Board, the employee involved may elect to pursue the matter under either the grievance procedure herein provided or

by action before the Public Employer-Employee Relations Board. If a grievance is processed beyond Step 2 of the grievance procedure, the employee(s) and the Union shall be deemed to have waived any action or right to file or proceed with such action before Public Employer-Employee Relations Board.

Section 10.2 Grievance Procedure. Grievances by an employee or a group of employees shall be handled in the following manner:

- A. Time Limits. Management and Union representatives agree to make every effort to meet and settle grievances within the prescribed time limits. Any failure to comply with the time limits specified herein shall result in the grievance being disposed of in favor of the party not in default, i.e. if the employee and/or Union fail to meet the grievance procedure time limits, the employee's grievance is dropped in the Employer's favor and if the Employer fails to meet the grievance procedure time limits, the grievance shall be found in the employee's favor. Provided, the parties may extend any and/or all of the time limits prescribed herein by mutual written agreement.
- B. Commencing Grievance Procedure. This grievance procedure must be commenced within fourteen (14) calendar days from the time that the event giving rise to the grievance occurred or became known, or reasonably should have been known. Otherwise, it need not be considered.
- C. Appeals and Responses.
 - 1) If a grievance is not settled at any step as herein outlined, the decision may be appealed to the next higher step in the grievance procedure.
 - 2) All appeals must be in writing, either on a regular grievance form or otherwise suitably and clearly stated.
 - 3) All written answers on grievances shall be given to the employee and the appropriate Union Steward.
 - 4) All appeals by employees shall be delivered by hand or by mail; and if delivered by mail, shall be considered delivered on the date of the postmark, if mailed to the proper party at his regular office address.
 - 5) Answers and appeals may be delivered by hand or by mail; and if delivered by mail, shall be considered delivered on the date of the postmark, if mailed to the proper party at his regular office address.
 - 6) If a grievance cannot be answered within a specified time in any step because of circumstances beyond the Employer's or the Union's control, a time extension may be granted by mutual agreement.

D. Grievance Procedure Steps. The steps in the grievance procedure are as follows:

Step 1: All employee grievances, except those relating to discipline or discharge, first shall be presented in writing by the employee or employees concerned to the immediate supervisor within the time limits set forth in Section 10.2(B) of this Article. The supervisor shall give his answer in writing to the employee or employees not later than the fourteenth (14th) calendar day after the day on which the grievance was so presented.

Step 2: If a mutually satisfactory settlement of the grievance is not reached in the first step, an appeal may be taken to the second step. In such appeal, the grievance shall be stated in writing and shall be delivered to the Undersheriff or his designee within fourteen (14) calendar days after the supervisor's response to Step 1. The appeal shall set forth the place, date, time and nature of the occurrence upon which the grievance is based and shall set out the particular portions of the Memorandum it is alleged were violated or misinterpreted or the discipline being grieved.

Grievances appealed to the second step shall be discussed within fourteen (14) calendar days of the appeal. At such meeting, the Employer will be represented by the Undersheriff and/or his designee and the employee or employees will be represented by the appropriate Union Representative and Union Steward and the grievant. All employee grievances relating to discipline and discharge of an employee will originate at the second step. The Employer will answer the grievance in writing after the second step within fourteen (14) calendar days, unless such time is extended.

Step 3:

Arbitration: If no settlement is reached by the procedure outlined, through Step 2, either party may request arbitration. Any request for arbitration must be made as follows:

- (1) Notice in writing of intent to arbitrate shall be delivered by the party seeking arbitration to the opposing party within fourteen (14) calendar days of the Undersheriff's decision. The notice shall set forth the place, date, time and nature of the occurrence upon which the grievance is based and shall set out the particular portions of the Memorandum which it is alleged were violated or misinterpreted or the discipline being grieved. If notice of intent to arbitrate is not delivered within fourteen (14) calendar days of the Undersheriff's decision, the issue shall be deemed abandoned.
- (2) Within fourteen (14) calendar days after the above notice is delivered, the parties will mutually agree upon an arbitrator or jointly obtain a list of seven (7) arbitrators from the Federal Mediation and Conciliation Service, and the parties will alternately and

independently strike unacceptable arbitrators from a list with the last remaining arbitrator being selected.

- (3) Employees shall not be paid for time spent in attending arbitration proceedings other than as a witness on behalf of the Employer.
- (4) The jurisdiction and authority of the arbitrator shall be governed by the following:
 - (a) The arbitrator shall have authority to determine the procedural rules or arbitration and shall have the authority to make such binding orders as are necessary to enable him to act effectively. He shall observe the rules of evidence and his decision shall be final and binding on both parties.
 - (b) The arbitrator shall have no power to add to, subtract from or modify any of the terms of this Memorandum.
 - (c) In the resolution of disputes between the parties to this Memorandum, the arbitrator shall give no weight or consideration to any matter except the specific language of this Memorandum.
 - (d) The cost of the arbitrator shall be shared equally by both parties.
 - (e) The arbitrator shall tape record the proceedings and make a copy of the tape available to both the Employer and the Union, upon request.

ARTICLE 11: STRIKES

The Union, on behalf of its membership, recognizes that the protection of the public health, safety and welfare are of paramount importance to itself and the Employer. Therefore, during the life of this Memorandum, the Union will not condone nor encourage nor instigate any work slowdowns, stoppages or strikes, or any actions that are detrimental to the operations of the Employer.

Any violation of this Article may be the subject of disciplinary action, including discharge. The Union shall, within twenty-four (24) hours of the commencement of any of the acts prohibited herein, take all reasonable affirmative action to terminate such conduct.

ARTICLE 12: VACATIONS – HOLIDAYS – PERSONAL DAYS – FUNERAL LEAVE – MILITARY LEAVE – JURY DUTY – LEAVE OF ABSENCE – SICK LEAVE – MATERNITY LEAVE – FAMILY MEDICAL LEAVE

Each employee shall be entitled to vacations, holidays, personal days, funeral leave, military leave and jury duty leave, leave of absences, sick leave, maternity leave and family medical leave in accordance with the Human Resources Guide of UG, as amended from time to time. Provided that, the applicable benefits provided in the Human Resources Guide may not be

diminished without discussions and written agreement with the Union. For purposes of determination of employees' rights with respect to vacation and sick leave under the Human Resources Guide, bargaining unit employees hired before January 1, 2016 shall be deemed to be "Category 1" employees and employees hired on or after January 1, 2016 shall be deemed to be "Category 2" employees. Each employee shall be entitled to five (5) personal days. Category 1 and Category 2 employees shall accrue vacation on a monthly basis provided they work the required minimum month (96 hours full-time employees and 48 hours for part-time employees). The employee's bank will be credited on the first of the month following the month vacation has been earned.

Section 12.1 – Sick Leave. Employees' sick leave allowances and restrictions upon use shall be as provided within the Human Resources Guide of the UG except as modified herein:

1. An Employee calling in sick is required to notify his or her supervisor at least one (1) hour prior to the commencement of the Employee's shift.

Section 12.2—Sick Leave Donation Bank. Employees may donate to and use the sick leave bank as provided within the Human Resources Guide of the UG.

Section 12.3 – Holiday Buy-Back. Employees who work on a day designated as a holiday by the UG may take an alternate day off within one year of the date of the holiday. Upon an employee's request, the UG shall buy back up to 11 unused holiday days per year of an employee covered by this MOU. The UG shall pay the employee for any accrued but unused holiday hours twice per year: in the first pay period in July for holiday hours accrued but unused as of June 30th of that year, and in the first pay period in December for holiday hours accrued but unused as of November 30th of that year. The Holiday Buy Back process shall be completed as follows:

1. Human Resources shall provide a holiday bank balance report to the department twice per year in June and November.
2. This report will be sent to the Union president, who shall distribute it to employees covered by this MOU.
3. Employees shall determine and sign off on the number of accrued but unused holiday hours that they would like to sell back to the UG. For the July buy-back, employees may request that the UG buy back up to six (6) holidays. For the December buy-back, employees may request that the UG buy back up to five (5) holidays.
4. The requested holiday buy-back hours will be returned to Human Resources at least one week before the first pay period in July and December.
5. The holiday buy-back will be completed in the first pay period in July and December.

ARTICLE 13: SAFETY

The Sheriff, Union and Unified Government support implementing such reasonable measures as to protect the safety and health of the employee. Without precluding or limiting the rights of management, the Sheriff agrees that employees desiring a telephone headset may have one for use in their job upon written request. The Unified Government agrees to provide adequate parking spaces near or adjacent to the primary jail entrance of the parking facility for employees of the bargaining unit that work between the hours of 3:00 p.m. and 7:00 a.m. Nothing herein shall constitute a guarantee by the Sheriff or the Unified Government of the safety or benefits to any employee beyond or in addition to that required by State or Federal law or this Memorandum. The parties agree to meet and confer about issues of safety as may be needed from time-to-time. Bargaining unit members shall not be required or permitted to escort prisoners. The Unified Government shall provide safety training to employees who are in direct contact with prisoners.

ARTICLE 14: LAYOFF / RECALL

Section 14.1 Layoffs. Layoffs are involuntary separations made because of lack of work or reduction in force. Layoffs shall be made in the inverse order of seniority within the Department.

An employee shall maintain his recall rights for two (2) years from the date of his layoff. When employees are recalled, they must be recalled in the order of seniority, i.e. the most senior laid off employee must be recalled first.

Section 14.2 Recall. The term recall shall apply only to employees who were separated from Unified Government employment by layoff. Re-employment after resignation, discharge or two (2) years after the layoff date shall not be considered a recall.

The Human Resources Department shall have the prime responsibility for administering the recall policy. The Department shall have the responsibility for maintaining its recall file.

Accepting any Department position within two (2) years constitutes a recall and automatically removes the laid-off employee's name from the recall file.

If the Department calls employees back, the call back shall be in the inverse order of the layoff. An employee recalled to a Department position shall report to work within fourteen (14) calendar days of notice of his recall or he shall forfeit all seniority rights and all future recall rights. Notice of recall shall be provided by certified mail, return receipt requested, to the employee's last address furnished to the Employer.

Section 14.3 Furloughs. If management determines that furloughs are necessary, the parties shall meet and confer regarding implementation of such furloughs.

ARTICLE 15: PROMOTIONS AND BIDDING

Section 15.1 General.

- A. It is understood and agreed that it is the responsibility of the employer to determine the size of the work force, to declare job opportunities available and to determine relative qualifications, including ability, education, experience, and performance of bidding employees for a vacant position.
- B. In order to qualify for a permanent promotion, an employee must be able to perform the job and must have been properly tested or certified where necessary.
- C. Any change in the job description of any bargaining unit position shall be in writing and notice given to the Union Stewards and the person or persons holding the job.

Section 15.2 Permanent Vacancies.

- A. When any permanent job vacancy exists in a bargaining unit position, the Employer may determine within ninety (90) days from the declaration of the vacancy by the Employer, whether such position shall be filled. If it is determined that the position is to be filled, it shall be posted within sixty (60) working days from the determination to fill it or within a reasonable time thereafter. However, even if the Employer initially determines not to fill a position, the Employer expressly reserves the right, at any later time, to determine that such position should be permanently filled and may then post the same for bid.
- B. If the Employer determines that a position is to be permanently filled, the following procedure shall govern:
 - 1) Such job vacancies shall be posted internally not less than seven (7) calendar days along with information relating to the qualifications required for the position. The Department is not required to internally post entry level records clerk vacancies before soliciting applicants for such positions who are not then employed by the Unified Government.
 - 2) Employees desiring to apply for a job vacancy may do so by being qualified and/or certified and by submitting a letter of interest with any supporting documentation as required by the Employer and submitting same to the Undersheriff within the job posting period. No employee shall be required to submit an application for employment as required for new employees.
 - 3) Such vacancies shall be awarded to the best qualified applicant considering the applicant's training, education, experience, performance and ability as long as such selection does not contravene any affirmative legal responsibility placed upon the

Employer, and if all qualifications are equal, then Department seniority shall control in selection of the employee to fill the job vacancy.

Section 15.3 Filling Vacancies. Nothing herein shall prohibit the Employer from advertising for applicants for bargaining unit positions, which positions, within the Employer's determination, require special education, training, ability, experience or certification, or for positions which have been posted and remain unfilled due to lack of bidders or lack of qualified bidders.

ARTICLE 16: MEDICAL INSURANCE

During the term of this Memorandum, the UG agrees to offer the employees of the bargaining unit the same medical plans which are made available to the UG's employees generally. For these purposes, "medical plan" includes medical, dental and vision coverage.

A. Employee Premium.

Each covered employee shall make monthly medical plan premium payments for either Single or Family coverage elected according to the following schedule, provided that the following monthly premium contribution amounts shall be annually adjusted at the same percentage increase or decrease as would be applicable to any adjustment to the dependent coverage premium for Family coverage during any plan year:

Annual Base Pay	Monthly Premium Contribution
\$30,000 or less	\$10.30 per month
\$30,001 - \$60,000	\$20.60 per month
\$60,001 or more	\$30.90 per month

For purposes of the foregoing schedule, "Base Pay" is calculated solely upon an employee's then applicable hourly rate of pay or monthly salary as projected over the course of a year assuming full time employment. "Base Pay" shall not include any overtime, out of class, longevity or interpreter's pay. The Unified Government shall pay the remainder of each covered employee's monthly medical plan premium that is also adjusted annually based on an equal percentage as for employee premiums for the least expensive medical plan provided or administered by a major reputable carrier recommended by the Joint Committee and approved by the Unified Government Administrator.

B. Family Premium.

Employees electing to obtain dependent coverage under a Family coverage election under the medical plan(s) will pay 25% of the premium cost of the dependent portion of Family coverage in addition to any applicable employee premium cost discussed in subsection A above, and the

Unified Government shall pay the remaining contribution cost for the least expensive medical plan provided or administered by a major reputable carrier recommended by the Joint Committee and approved by the Unified Government Administrator.

C. Election of More Expensive Plans.

Should the UG offer a more expensive medical plan and an employee(s) should select to be covered by the same, then the employee shall be responsible to pay any and all additional premiums.

D. Plan Modification.

The plan and coverage may be modified by the Unified Government in order to keep costs of the medical plan lower.

ARTICLE 17: COMPENSATION

Section 17.1 Wages. Employees shall be entitled to receive the compensation as set forth in in the tables below for the calendar years 2025, 2026, and 2027. The wages listed below reflect yearly salary increases of 4% from 2024 to 2025, 2.5% from 2025 to 2026, and 2.5% from 2026 to 2027.

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS Monthly and Annual Base Scales for Teamsters #955

Effective through January 1, 2025 through December 31, 2025:

		Union Code 63					
		Step 1	Step 2	Step 3	Step 4	Step 5	
		Entry	5 years	10 years	15 years	20 years	
	RANGE 01						
0115	Clerk	\$20.42	\$20.82	\$21.23	\$22.84	\$25.33	<i>Hourly</i>
							<i>Bi-weekly</i>
		\$42,473.60	\$43,305.60	\$44,158.40	\$47,507.20	\$52,686.40	<i>Annual</i>
	RANGE 02						
1402	Program Assistant	\$20.68	\$21.76	\$22.09	\$23.68	\$26.31	<i>Hourly</i>
							<i>Bi-weekly</i>
		\$43,014.40	\$45,260.80	\$45,947.20	\$49,254.40	\$54,724.80	<i>Annual</i>
	RANGE 03						

5307	Classification Tech	\$21.20	\$22.29	\$22.62	\$24.19	\$26.85	Hourly
0114	Warrants Clerk						Bi-weekly
		\$44,096.00	\$46,363.20	\$47,049.60	\$50,315.20	\$55,848.00	Annual
	RANGE 04						
0116	Utility Clerk	\$22.62	\$23.45	\$23.95	\$26.25	\$29.13	Hourly
							Bi-weekly
		\$47,049.60	\$48,776.00	\$49,816.00	\$54,600.00	\$60,590.40	Annual

Effective January 1, 2026 through December 31, 2026:

		Union Code 63					
		Step 1	Step 2	Step 3	Step 4	Step 5	
		Entry	5 years	10 years	15 years	20 years	
	RANGE 01						
0115	Clerk	\$20.93	\$21.34	\$21.76	\$23.41	\$25.96	Hourly
							Bi-weekly
		\$43,534.40	\$44,387.20	\$45,260.80	\$48,692.80	\$53,996.80	Annual
	RANGE 02						
1402	Program Assistant	\$21.20	\$22.30	\$22.64	\$24.27	\$26.97	Hourly
							Bi-weekly
		\$44,096.00	\$46,384.00	\$47,091.20	\$50,481.60	\$56,097.60	Annual
	RANGE 03						
5307	Classification Tech	\$21.73	\$22.85	\$23.19	\$24.79	\$27.52	Hourly
0114	Warrants Clerk						Bi-weekly
		\$45,198.40	\$47,528.00	\$48,235.20	\$51,563.20	\$57,241.60	Annual
	RANGE 04						
0116	Utility Clerk	\$23.19	\$24.04	\$24.55	\$26.91	\$29.86	Hourly
							Bi-weekly
		\$48,235.20	\$50,003.20	\$51,064.00	\$55,972.80	\$62,108.80	Annual

Effective January 1, 2027 through December 31, 2027:

	Union Code 63
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		Step 1	Step 2	Step 3	Step 4	Step 5	
		Entry	5 years	10 years	15 years	20 years	
	RANGE 01						
0115	Clerk	\$ 21.45	\$21.87	\$22.30	\$24.00	\$26.61	<i>Hourly</i>
							<i>Bi-weekly</i>
		\$44,616.00	\$45,489.60	\$46,384.00	\$49,920.00	\$55,348.80	<i>Annual</i>
	RANGE 02						
1402	Program Assistant	\$21.73	\$22.86	\$23.21	\$24.88	\$27.64	<i>Hourly</i>
							<i>Bi-weekly</i>
		\$45,198.40	\$47,548.80	\$48,276.80	\$51,750.40	\$57,491.20	<i>Annual</i>
	RANGE 03						
5307	Classification Tech	\$22.27	\$23.42	\$23.77	\$25.41	\$28.21	<i>Hourly</i>
0114	Warrants Clerk						<i>Bi-weekly</i>
		\$46,321.60	\$48,713.60	\$49,441.60	\$52,852.80	\$58,676.80	<i>Annual</i>
	RANGE 04						
0116	Utility Clerk	\$23.77	\$24.64	\$25.16	\$27.58	\$30.61	<i>Hourly</i>
							<i>Bi-weekly</i>
		\$49,441.60	\$51,251.20	\$52,332.80	\$57,366.40	\$63,668.80	<i>Annual</i>

Section 17.2 Step increases shall accrue to bargaining unit members on the fifth (5th), tenth (10th), fifteenth (15th) and twentieth (20th) year anniversaries of the employee's date of hire as provided in Appendix "A." No employee shall receive any additional compensation including longevity pay, except as provided herein.

Section 17.3 Bilingual Employee Certification. Employees may be selected to serve as Certified Bilingual Employees by the Sheriff. There shall be six (6) Certified Bilingual Employees from the bargaining unit who will receive a monthly special duty pay of one hundred dollars (\$100.00) per month for the full year. The Department shall choose the specific language it determines is needed and number of needed employees for each language that is chosen. The Department shall reimburse employees a one-time certification fee upon proof of the successful completion of the certification process and confirmation by the Kansas City Kansas Community College, up to a maximum one-hundred twenty-five dollars (\$125.00). Although the Department shall pay those employees selected as Certified Bilingual Employees, any use of Certified Bilingual Employees will be at the discretion of the Department. If a Certified Bilingual Employee declines a request to assist, then that employee may be removed from eligibility as a Certified Bilingual Employee and

shall not be paid or allowed to be on any Department list as such. If the Department determines that an off duty Certified Bilingual Employee is needed for duty, Certified Bilingual Employees shall be offered the assignment in the order of their seniority. If insufficient off duty employees are obtained, the Department may force an employee for the specific language needed, in reverse order of seniority. This list shall not be affected by employees who were first assigned for such use on duty. If an off duty, paid, Certified Bilingual Employee, not on an approved leave, declines to be called in for duty three

(3) or more times in any consecutive twelve (12) month period, not including approved leave periods, then that employee may be removed from eligibility as a Certified Bilingual Employee for a period of time not to exceed twelve (12) months.

Section 17.4 Shift 3 Shift Differential Pay. Employees working on Shift 3 (with hours currently set at 10 p.m. to 8 a.m. however subject to change) who have at least two (2) years of bargaining unit experience who expresses a preference to work and are actually assigned to work Shift 3 shall receive an additional \$1.50 per hour in shift differential pay.

Section 17.5 Underpayment of Payroll. If an employee's regular pay is short in an amount that exceeds one hundred fifty dollars (\$150.00), the employee shall be issued a separate check or direct deposit for that regular pay within three (3) working days of the pay period and notification of the error. If the amount is less than one hundred fifty dollars (\$150.00) then the sum shall be paid in the employee's next regular payroll.

ARTICLE 18 – ALCOHOL AND DRUG FREE WORKPLACE TESTING

18.1 General. "All employees" shall be subject to the provisions of the Drug-Free Workplace Act of 1988, as amended, and subject to the Unified Government Human Resources Guide on Substance Abuse and Drug and Alcohol Testing as amended from time to time.

ARTICLE 19 – SMOKE-FREE WORKPLACE

19.1 General. The Union and UG agree to be governed by policies and procedures concerning the Smoke-Free Workplace. Smoking by employees upon the Department's or UG's premises or in a Department or UG owned, operated and controlled vehicle is prohibited, except in listed designated smoking areas. Any violations may subject employees to discipline.

ARTICLE 20 – CLOTHING

20.1 General. All employees upon hire will receive \$0.24 cents allowance added per hour for the purchase of clothing as listed in this section to be worn by the employee while working as an employee of the Sheriff's Office. On a daily basis, employees shall dress in business casual attire. Appropriate business casual attire shall consist of: slacks, khakis, or jeans without holes; dresses; skirts; capris; collared shirts; blouses; and sweaters. Employees shall wear closed-toed shoes when they enter any detention area.

ARTICLE 21: ENTIRE MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding supersedes and cancels all previous agreements and all existing unwritten practices between UG or Department and the members of the bargaining unit and constitutes the entire Memorandum between the parties, except as to those areas of employment not covered herein which are subject to UG Policies or Resolutions. The parties expressly acknowledge that this contract supersedes and cancels the prior Memorandum of Understanding entered into by the parties. Any conflict which may exist between existing or future UG Policies or Resolutions and provisions of this Memorandum of Understanding shall be determined in favor of this Memorandum of Understanding. Any amendment or agreement supplemental hereto shall not be binding upon either party unless executed in writing by the parties hereto. The parties further acknowledge that during the negotiations which resulted in this Memorandum each had the unlimited right and opportunity to make demands and proposals with respect to any subject or matter not removed by law from the area of collective meeting and conferring and that the understandings and agreements arrived at by the parties after the exercise of that right and opportunity are set forth in this Memorandum.

Therefore, UG, Department and the Union for the life of this Memorandum, agree that the other shall not be obligated to negotiate collectively, but may, if mutually agreeable with respect to any subject or matter referred to or not specifically referred to or covered in this Memorandum. Waiver of any breach of this Memorandum by either party shall not constitute a waiver of any further breach of this Memorandum.

ARTICLE 22: SAVINGS CLAUSE

Should any term or provision of this Memorandum be in conflict with any State or Federal statute or other applicable law or regulation binding upon UG or the Wyandotte County Sheriff, except UG Ordinances and Resolutions, such law or regulation shall prevail. In such event, however, the remaining terms and provisions of this Memorandum will continue in full force and effect.

If any article or section of this Memorandum shall be held invalid by operation of law or by any tribunal of competent jurisdiction, or if compliance with or enforcement of any article or section shall be restrained by such tribunal, the remainder of the Memorandum shall not be affected thereby. The parties shall then enter into immediate collective negotiations for the purpose of arriving at a mutually satisfactory replacement for such article or section.

ARTICLE 23: DURATION AND REOPENER

This agreement shall become effective on January 1, 2025 and shall terminate at the close of business on December 31, 2027. The UG and the Union agree they will attempt to begin discussions on or about October 1, 2027 to attempt to arrive at a new Memorandum of agreement

to be effective January 1, 2028.

This agreement, and any written amendments made and annexed hereto, shall continue in full force and effect until midnight, December 31, 2027.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals below.

For the Unified Government of
Wyandotte County / Kansas City Kansas

For the Teamsters Local No. 955

David Johnston, County Administrator

Jerry Wood, President

Daniel Soptic, Head of UG Sheriff's Department

Renee Ramirez, Director of Human Resources

Approved as to form:

Angela Lawson, Acting Chief Counsel

ATTEST:

Unified Government Clerk



Report to Planning & Zoning / Board of Commissioners

MEETING DATE	PRESENTER	DEPARTMENT
	Jud Knapp, Land Bank Manager jknapp@wycokck.org x5472	Land Bank Approvals
AGENDA ITEM #14.1.		
RESOLUTION: ADOPTING REVISION TO THE LAND BANK POLICY		
BACKGROUND		
Revisions to Section 8 of the Wyandotte County Land Bank Policy regarding options.		
RECOMMENDATION		
Approve		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
n/a		
LEGAL CONSIDERATIONS		
ATTACHMENTS		
Resolution_Approve Revision to Sec 8 of Policy, WCLB Policy Rewrite_v12_redlined, WCLB Policy Rewrite_v12_clean		

Approved by Administrator to add to agenda.

RESOLUTION NO. _____

**A RESOLUTION ADOPTING A REVISION TO THE LAND BANK POLICY
REGARDING THE OPTION PROGRAM**

WHEREAS, the State of Kansas has provided that a county may establish a Land Bank in K.S.A. 19-26,104; and

WHEREAS, K.S.A. 19-26,104 further mandates that the county land bank is to be governed by a Board of Trustees; and

WHEREAS, Unified Government of Wyandotte County/Kansas City, Kansas Ordinance 2-173 established the Wyandotte County Land Bank as well as the Land Bank Board of Trustees which consists of the Mayor/CEO and the Commissioners of the Unified Government; and

WHEREAS, the Board of Trustees requires a policy to provide guidance to the Land Bank Manager as well as the Land Bank staff and employees appointed by the Board of Trustees.

**NOW, THEREFORE BE IT RESOLVED BY THE WYANDOTTE COUNTY
LAND BANK BOARD OF TRUSTEES:**

1. The proposed revisions to Section 8 of the Wyandotte County Land Bank Policy regarding Options are hereby adopted.

2. The Mayor, the County Administrator, and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments, as may be necessary or desirable to carry out and comply with the intent of this Resolution.

3. This Resolution shall become effective upon passage by the Wyandotte County Land Bank Board of Trustees.

**ADOPTED BY THE WYANDOTTE COUNTY LAND BANK BOARD OF
TRUSTEES, THIS ____ DAY OF _____ 2025.**

Tyrone Garner
Mayor/CEO

Approved as to form:

/s/ Wendy M. Green
Wendy M. Green
Deputy Chief Counsel

WYANDOTTE COUNTY LAND BANK (WCLB)

ADMINISTRATIVE POLICY

UPDATED TBD 2024

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Wyandotte County Land Bank
Administrative Policy and Procedure Guidelines
As approved and adopted by the Board of Trustees
on xxxx xx, 202x.

These policy and procedure guidelines are a consolidation and codification of all prior policies and procedures of the Wyandotte County Land Bank (WCLB) and supersede all such prior policies and procedures.

Section 1. Purpose

1.1 Neighborhood and Land Use Planning Conformance.

The WCLB's purpose is to return tax delinquent, distressed and unwanted property to productive use that benefits the community. In doing so, the WCLB will prioritize the following:

- a. Encourage the development and reuse of vacant properties consistent with the WCLB goals, and any City adopted Master Plan.
- b. Strengthen the County's tax base by returning property to a productive tax paying status.
- c. Support and preserve open space, stormwater management, environmental remediation, community gardens, urban farming, and other agricultural production.
- d. Convey land through a predictable, timely and transparent process.
- e. Encourage timely development and discourage real estate speculation.
- f. Assemble land for economic development.

1.2 Guiding Principles.

This policy is intended to create a unified and consistent approach to the disposition of real property owned by the WCLB.

In the interest of providing predictability and transparency to the sale and reuse of property, this policy will provide guidance to the WCLB in all transactions involving property as well as information to individuals and organizations considering the acquisition of property owned by the WCLB.

The goals of this policy and the disposition of WCLB owned property are to:

- a. Preserve existing stable and viable neighborhoods.
- b. Engage with neighborhoods that have historically and/or are currently experiencing rapid decline or deterioration to support community development and revitalization efforts.

- c. Utilize strategic planning as well as long term planning in the disposition of property.
- d. Maintain flexibility and transparency in all transactions.
- e. Comply with and support the implementation of the Citywide Comprehensive Master Plan, Area Plans, Corridor Plans, and other Community Plans; specifically, recognizing that the majority of the WCLB parcels are located in the Northeast area of the county, the WCLB will make every effort to abide by the Northeast Area Master Plan
- f. Eliminate blight and revitalize neighborhoods.
- g. Prevent speculation.
- h. Ultimately dispose of all WCLB parcels.

The WCLB will aspire to meet these goals when making decisions regarding the disposition of its property.

The WCLB will remain responsible for its own decision-making and adherence to this policy during the disposition process. The WCLB will make available to the public all property in its inventory; however, properties which are being used by the Unified Government for public purposes or being reserved for City-desired programs or projects, will be identified as unavailable for disposition by the Land Bank Manager in coordination with staff from the Unified Government.

Section 2. Authority and Role

2.1 Establishment.

The Wyandotte County Land Bank (WCLB) was established by the Unified Government of Wyandotte County/Kansas City, Kansas (UG) by the power vested in it by K.S.A. 19-26,103 et. seq.

2.2 Governance.

The WCLB is governed by a Board of Trustees comprised of the Mayor/Chief Executive and the UG's Board of Commissioners (BoC). The Wyandotte County Land Bank Manager is charged with its administration.

2.3 Review of Proposed Land Bank Transactions.

All proposed WCLB transactions shall be submitted by the Land Bank Manager to the Staff Advisory Team, the Land Bank Advisory Board and WCLB Board of Trustees for review, consideration, and recommendation.

The Staff Advisory Team is composed of the Director/Manager and/or designee from the following UG Departments: *Administration, Community Development, General Services, Economic Development, GeoSpatial Services, Neighborhood Resource Center, Public Works, Treasury, Planning and Urban Design, and a representative from the Kansas City, Kansas Police Department.* The Staff Advisory Team shall evaluate applications based on UG policies and priorities, and future infrastructure and development plans. The Staff Advisory Team shall serve solely in an advisory capacity.

The membership of the Land Bank Advisory Board shall consist of representatives from each Neighborhood Business Revitalization organizations (NBR), two (2) representatives from the Executive Board of the Livable Neighborhoods Task Force, who shall be chosen by the representatives from the Executive Board of the Livable Neighborhoods Task Force, and an additional member which shall be a registered Neighborhood Association President or a development corporation within the NBR area containing the most WCLB parcels, who shall also be chosen by the registered neighborhood groups within the area containing of the most WCLB parcels. This additional member is subject to change with the disposition of WCLB property and shall be recalculated on a biannual basis. The Land Bank Advisory Board shall serve solely in an advisory capacity.

The Staff Advisory Team and Land Bank Advisory Board shall review all application(s) presented by the Land Bank Manager for consideration. Any application(s) that needs further investigation will be referred to the Land Bank Manager until all necessary information has been provided, at which time it will be brought to the Staff Advisory Team and Land Bank Advisory Board for further review.

The recommendations of the Staff Advisory Team and the Land Bank Advisory Board will be presented at the BoC's Neighborhood and Community Development Standing Committee where the Committee will make a recommendation to approve the applications that will advance to the WCLB Board of Trustees for final approval.

2.4 Governing Authority.

The core governing documents of the WCLB are the applicable state statutes and the Unified Government Code of Ordinances. The policies and procedures set out in this document constitute guidelines only and the Board of Trustees reserves discretion to deviate therefrom when it deems appropriate.

2.5 WCLB Board of Trustees Approval.

Under the applicable State law, the conveyance of property by the WCLB, must be approved by the WCLB Board of Trustees before the property can be conveyed.

2.6 WCLB Right to Accept or Reject.

The WCLB reserves the absolute right to accept or reject any and all applications and offers for purchase. In case of multiple applications for the same properties, the WCLB will give precedence to the application submitted first and, should this application not be accepted, the next application submitted will be brought before the WCLB Board of Trustees

2.7 Role of Land Bank Manager.

The Land Bank Manager shall have the following responsibilities:

- a. Help applicants with where and what they want to build;
- b. Help applicants communicate with neighborhood associations and neighborhood groups by sharing contact information;
- b. Administer the Land Bank process including public notification by contacting all neighborhood groups in affected areas and Livable Neighborhoods;
- c. Identify which properties are available for disposition;
- d. Determine when an application is ready to be submitted to the WCLB Board of Trustees;
- e. Engage and educate the community on Land Bank opportunities;
- f. Be a resource for the community;
- g. Set protocols for Land Bank procedures;
- h. Work with the WCLB Board of Trustees on a strategy for disposition of Land Bank properties; and
- i. At a meeting of the BoC's Neighborhood and Community Development Standing Committee in the Spring of every year, provide an update on the progress of approved option agreements, extensions, and hold areas showing how many option agreements were successful, how many failed and the status of any hold areas beginning the development process.

2.8 Staffing.

In addition to the Land Bank Manager, it is recommended that there is at least one staff member for every 1,000 parcels in the Land Bank inventory.

Section 3. Priorities for Transfer of Land Bank Properties.

3.1 Priority Transfers.

Except where limited by the terms of the acquisition of a property, the WCLB may, at its discretion, give priority to:

- a. Government entities;
- b. Individuals, entities, and non-profits seeking to obtain the property for housing or commercial development;
- c. Entities that are a partnership, limited liability corporation or joint venture comprised of a private non-profit corporation and a private for-profit entity;
- d. Individuals who own residential property that qualify for the Yard Extension Disposition Program; and
- e. Non-profit institutions such as academic and religious institutions.

3.2 Transferee Qualifications.

All applicants seeking to acquire property from the WCLB, or to enter into transaction agreements with the WCLB, are required to provide as part of their application information regarding, but not limited to:

- a. The legal status of the applicant, its organizational and financial structure;
- b. Its prior experience in developing and managing housing;
- c. The financial health and resources of the applicant;
- d. Sufficient plans for development; and/or
- e. Proof that the applicant is current on their property taxes and has no outstanding code violations on any property within the County.

Section 4. Conveyances to the WCLB

4.1 Sources of Property Inventory.

Sources of real property inventory of the WCLB include, but are not limited to, the following:

- a. Transfers from local governments;
- b. Acquisitions at tax foreclosure sales;
- c. Donations; and
- d. Market purchases.

4.2 Policies Governing the Acquisition of Properties.

In determining which, if any, properties might be acquired, the WCLB may consider the following circumstances and factors:

- a. Proposals and requests by individuals or entities in which specific properties are identified for ultimate acquisition and redevelopment;
- b. Residential properties that are available for immediate occupancy without need for substantial rehabilitation;

- c. Improved properties that are the subject of an existing order for demolition of the improvements and/or meet the criteria for demolition of improvements to determine if the property can be put into the rehab program described in Section 7;
- d. Vacant properties that are appropriate for the yard extension disposition program;
- e. Properties for which reutilization would be in support of adopted plans;
- f. Properties that would form a part of a land assemblage development plan; and
- g. Properties that would allow for the creation or expansion of community gardens, urban farming, environmental remediation, stormwater management, and/or open space preservation.

4.3 Donations to WCLB.

WCLB reserves the absolute right to accept or reject any and all donation requests. The WCLB will only accept donated property(ies) that will advance the goals of the WCLB. The WCLB will only present requests to the Board of Trustees, for approval, when at least one or more of the following conditions are met:

- a. The property owner does not have the resources to properly care for the property or to comply with orders to correct code violations that are present, and evidence of the hardship has been presented;
- b. The property is located in an area targeted for redevelopment efforts or in a neighborhood with a large number of existing WCLB property;
- c. The property is a candidate for the WCLB Rehab Program without any conditions that would prohibit a donation;
- d. The property could be utilized for the WCLB garden program; and
- e. The property could be used for UG purposes.

Property(ies) with adverse environmental conditions or maintenance requirements will not be accepted without a satisfactory plan and funding in place for remediation, as determined by the UG. Regarding additional requirements for donations of property to the WCLB:

- a. WCLB requires that donated property(ies) be conveyed with clear and marketable title;
- b. Property(ies) that are occupied may not be accepted as donations;

- c. WCLB shall not determine donation value for the purpose of tax benefits; and
- d. Any exceptions to the provisions of the above must come before the Board of Trustees.

Any property that is conveyed by donation to the WCLB will not be available for sale/transfer until the meeting following the approval of the donation by Board of Trustees.

Any property that is rejected for donation but is tax sale eligible, will be referred for an upcoming tax sale by the WCLB. The WCLB will send a letter to the requestor with that information.

Nothing in this section precludes acceptance of a donation of a tax sale eligible property.

4.4 Transaction Agreements.

In most cases, a transaction agreement must be approved in advance by the Board of Trustees and executed by the WCLB and the grantor of the property. These transaction agreements shall be in form and content as deemed by the WCLB Manager to be in the best interest of the WCLB and shall include to the extent feasible specification of all documents and instruments contemplated by the transaction as well as the rights, duties and obligations of the parties.

4.5 Environmental Concerns.

The WCLB reserves full and complete discretion to require that satisfactory evidence or assurances be provided that the property is not affected by or subject to environmental contamination. The WCLB makes no representation or warranty as to the status of the property regarding the physical and environmental condition of the lot or its fitness for any use.

4.6 State of Kansas Set Off Program.

Property that has been placed in the State of Kansas Set Off Program may be deemed ineligible for conveyance to the WCLB.

4.7 Timing.

Any property that is conveyed in or out of the WCLB will not be available for sale/transfer until approved by the Board of Trustees.

The Land Bank Manager is authorized to accept property conveyed from the UG that is a result of property being obtained from a recent

County Tax Sale. The Land Bank Manager will then report the conveyance(s) at the next BoC Neighborhood and Community Development Standing Committee meeting.

Section 5. Conveyances from the WCLB

5.1 Covenants, Conditions and Restrictions.

All conveyances by the WCLB to third parties shall include such covenants, conditions and restrictions as the WCLB deems, in its sole discretion, necessary and appropriate to ensure the use, rehabilitation and redevelopment of the property in a manner consistent with the public purposes of the WCLB.

5.2 Deed Without Warranty.

All conveyances by the WCLB to third parties shall be by quitclaim deed.

5.3 Conveyances requiring Board of Trustees Approval.

All transfers of WCLB property shall require the approval of the Board of Trustees.

5.4 Conveyances pursuant to WCLB Rehab Program.

The Land Bank Manager shall seek prior approval from the WCLB Board of Trustees for all properties entering and exiting the WCLB Rehab Program.

5.5 Conveyance Time Allowance.

All undeveloped Land Bank property shall be conveyed, and deed recorded within 180 days of Award and approval of the Land Bank Board of Trustees. Any property not conveyed within the above time period, and without a written extension from the Land Bank Manager, will have Award voided and property returned to the Land Bank Inventory. For any property awarded pursuant to a development/rehab agreement, the terms of said agreement shall control when such property will be conveyed.

5.6 Appropriate and Timely Development of Properties.

The WCLB expects that properties will be developed in a timely manner according to a written agreement or as specified in the deed of conveyance. Generally, construction should commence within three (3) months from the date of conveyance and should be completed as defined by the agreement or contained in the deed. To ensure that these expectations are met, the WCLB will place conditions or restrictions on property it conveys to achieve the agreed upon outcome and will monitor these agreements until construction is complete. Proposed uses must be consistent with the UG's Master Plans, Zoning,

Code, and other approved and accepted policy or be able to obtain the necessary land entitlements within the option term. All new owners are required to comply with all State, City and Federal codes, regulations, and statutes.

5.7 Holds.

Holds for economic development projects are allowed pending the approval of the Wyandotte County Land Bank Board of Trustees. Each year that land bank parcels are in a hold, an update must be provided by the awardee regarding the status of the economic development project to the Neighborhood and Community Development Standing Committee. The WCLB will require the awardee to keep the property clear of any trash/debris, the grass mowed/maintained in compliance with the appropriate City code provisions, and the sidewalk space must be maintained including snow removal.

5.8 Pricing.

The WCLB will generally price vacant land by the greater of:

- a. The Appraised Value of property set by County Appraiser as of January 1st of current year or
- b. The value of the property's frontage times \$10.00.

The WCLB has the right to determine the asking price for each property and further has the right to decline any counteroffer.

Section 6. Yard Extension and Commercial Lot Extension Program

6.1 Application.

Yard Extensions shall only be applied for by abutting homeowners.

Commercial Lot Extensions shall only be applied for by abutting commercial property owners.

6.2 Qualifications.

An applicant for a yard extension must be the owner of the abutting property and must be using that property as their primary residence at the time of application. An applicant for a commercial lot extension must be the owner of abutting commercial property and must be using that property as a legally operating business. Further, the applicants for both types of extensions must be current on all property taxes and not have any active code violations. The property to be acquired must share a common boundary at either side of the applicant's property and share the same street name and/or be a contiguous land locked parcel. The property sought to be acquired for a yard or commercial lot

extension must be a vacant lot; properties with permanent structures are not eligible for this program.

6.3 Limitations.

Applicants can only acquire one (1) property for a yard extension from the WCLB for each home they own as their primary residence and only one primary lot can seek a yard extension, except if there are contiguous undevelopable parcels that can be obtained. Applicants can only acquire one (1) property for a commercial lot extension from the WCLB, except if there are contiguous undevelopable parcels that can be obtained. The WCLB property must be consolidated with the applicant's property after acquisition into a single parcel. The Land Bank Manager will track such extension acquisitions to ensure these limitations are adhered to in perpetuity.

6.4 Pricing.

The price of any yard extension shall be \$0.10 per square foot.

The price of any commercial lot extension shall be \$0.25 per square foot.

Section 7. Land Bank Rehab Program

7.1 Purpose.

The WCLB Rehab Program provides Qualified Rehabbers access to a pipeline of distressed properties in the Wyandotte County area. The WCLB may facilitate the sale of property at a reduced price to selected qualified rehabbers. This program allows the purchase of vacant, blighted homes once they are available in the WCLB inventory.

7.2 Goals.

The WCLB Rehab Program supports efforts to stabilize and strengthen neighborhoods through collaboration between public, private and nonprofit development partners. Through the program and working with development partners to rehabilitate blighted property, the WCLB will:

- a. Save existing housing stock from demolition and return the property to the tax roles;
- b. Create affordable ownership opportunities to stabilize neighborhoods; and
- c. Improve the health, safety, durability, and energy efficiency of rehabilitated properties.

7.3 Qualified Rehabber.

A Qualified Rehabber is defined as an individual or organization who must not:

- a. Own any real property that is subject to any violations of State and/or local laws, codes or ordinances;
- b. Own any real property that is tax delinquent;
- c. Be barred from transactions with local government entities;
- d. Have demonstrated lack of capacity to perform in accordance with the requirements of the WCLB;
- e. Have defaulted in prior agreements with the WCLB; and
- f. Currently be banned from bidding at the tax sale.

All Qualified Rehabbers must submit their intended use for the property(ies) as required by the WCLB. Failure to submit intended usage or to provide accurate information in the form requested may result in the denial of the application.

7.4 Qualified Offer.

A Qualified Offer is an application that:

- a. Adequately describes the purchaser's plans for the property (i.e. intended use) and is aligned with the purpose of the WCLB;
- b. The intended use must be consistent with applicable WCLB goals and all Master Plans, Zoning Ordinances, and/or other policy, or be able to obtain the appropriate land entitlements; and
- c. The applicant must demonstrate financial and operational capacity to carry out the plans.

Plans that require various land entitlements may be processed as a Qualified Offer, only if the underlying project proposal is supported by the city it is in. The detail required of the applicant will be different depending on the proposed use, as defined later in this document under various usages.

7.5 Housing Stock.

All residential property with improvements that are transferred to the WCLB will be boarded, secured, and inspected to identify its place in the program. There are two (2) recommendations that these properties will fall under:

- a. Rehabilitation – properties that show rehab potential will be made available to qualified rehabbers in the program; or
- b. Demolition – properties that are a danger to the public will be recommended to the UG Demo Department to be razed.

7.6 Commercial Property.

Any commercial property received by WCLB will be evaluated in the same manner as in Section 7.5.

7.7 Rehabber Qualifications.

All interested rehabbers must go through a qualification process that includes submission of WCLB Rehab Program Application. The program will have two (2) Tiers of qualified rehabbers:

- a. Tier I – rehabber must be a formed company/corporation or identify as an investor. In order to qualify as a Tier 1 rehabber, the following must be provided:
 1. Copy of their current year Occupational Tax Receipt from the Unified Government of Wyandotte County / Kansas City, Kansas Business License Department
 2. Must carry the appropriate amount of Insurance coverage, as outlined in the application, from a licensed Insurance provider and have the Wyandotte County Land Bank named as a Certificate Holder.
- b. Tier II – if a rehabber cannot provide the requirements for a Tier I rehabber, then they must sign a Hold Harmless Waiver and must show proof of funding for the rehab to qualify for a house to rehab.

7.8 Availability for Rehabbers.

Any house that is identified as a rehab will be made available for all Tier I rehabbers. The WCLB will schedule open houses for the rehabbers to attend to assess each property identified. All rehabbers will be sent offer packets with house information and a deadline to submit their offer. Any house that does not have an offer submitted by the deadline by a Tier I rehabber will then be offered to the Tier II group.

Any house that does not have an offer submitted by either group will be available for a later offer or any new Tier I or Tier II qualified rehabber.

7.9 Rehab Agreements.

The WCLB will review all offers received based on criteria maintained by the Land Bank Manager to determine the highest and best offer. The WCLB will negotiate with the offeror and put an agreement together. If approved, the awarded offeror will be sent an award letter and any non-offerors will be sent a non-award letter.

7.10 Filings.

A Sale Contract with Land Use Restrictions detailing the terms of the rehab agreement will be recorded with the Wyandotte County Register of Deeds office. The house will stay in the name of the WCLB until the passing of the final inspection from the Land Bank Manager.

7.11 Inspections and Permits.

The WCLB will require copies of all inspections conducted by the UG Building Inspection Department, which will perform progress inspections throughout the rehab.

Any Tier I rehab will consist of four (4) inspections:

- a. Initial Inspection – house is cleared of debris and any demo is complete prior to any repairs or rehab starts;
- b. Rough-In – staff has received an approved Building Inspection rough-in slip and any other pulled permits (Mechanical/Electrical/Plumbing);
- c. Progress – drywall is hung, and all other repairs are completed; and
- d. Final - house has passed all final inspections and copies have been received by the WCLB, the Land Bank Manager will do the final walk thru.

Any Tier II rehab will consist of monthly inspections done by Land Bank Manager (or designee) and will incorporate the Tier I inspections but also allow the WCLB to closely monitor the progress.

When the Land Bank Manager has verified the house has passed WCLB final inspection, a Quit Claim Deed (QCD) will be filed with the Register of Deeds office.

All applicants who have successfully purchased WCLB-owned property must fulfill their commitments to the WCLB and to their neighbors, which includes paying property taxes and maintaining properties in accordance with all municipal codes and ordinances.

7.12 Extensions and Penalties.

If the rehab completion date stipulated in the agreement cannot be met, the rehabber may request an extension of the completion date. Extensions of time to complete the rehab are at the Land Bank Manager's discretion and, if granted, will be under the following guidelines:

- a. The request for extension must be made to the Land Bank Manager in writing. The request must include the cause of the delay and plan to complete the rehab within the time requested.
- b. The request for extension must be received by the Land Bank Manager no later than five (5) calendar days prior to the expiration date of the WCLB Rehab Program Extension Request Form given at the beginning of the project.
- c. The extension will be granted for a maximum of 90 calendar days.
- d. The granting of an initial extension period does not obligate the WCLB to grant additional extensions.

7.13 Tier I Rehabber Threshold.

Any Tier I rehabber may make no more than three (3) offers on any newly acquired rehab houses. The maximum number of houses a Tier I may be rehabbing at any given time is six (6). If a Tier I rehabber has 6 open rehabs and submits an offer for new houses, their offer will not be accepted. A Tier 1 rehabber may make the proper number of offers that could reach this threshold.

Section 8. Option Agreements

8.1 Site Control: Options and Property Reservations.

The WCLB recognizes that developers often require legally recognizable site control as part of the development process. The WCLB may execute property option agreements to allow developers to pursue financing and other approvals necessary for development.

Agreements for this purpose must meet the following conditions:

- a. The applicant must be a Qualified Applicant, which has the same requirements as in Section 7.3.
- b. The Option Agreement must be executed by the applicant within forty-five (45) days of approval by the WCLB Board of Trustees.
- c. For each proposed project, the WCLB will allow one (1) year for that agreement, which begins on the date of approval by the WCLB Board of Trustees and may renew the agreement for up to two (2) years at the Land Bank Manager's discretion. Any further extensions must be approved by the WCLB Board of Trustees.
- d. The applicant may not occupy or use the property unless approved in writing by the WCLB.
- e. A fee will be due upon execution and an additional fee will be imposed for extension of the agreement or contract. This fee is non-refundable.
- f. A first-time applicant will be charged an additional fee which will be held in escrow during the term of the Option Agreement and will be refunded upon disposition of the property.
- g. The WCLB will require the requestor to keep the property clear of any trash/debris, the grass mowed/maintained in compliance with the appropriate City code and the sidewalk space must be maintained including snow removal.
- h. The WCLB shall provide written notice of its intent to terminate the agreement to the applicant within thirty (30) days of said termination.
- i. Applicants seeking to acquire property from the WCLB shall make every effort to consult with the neighborhood

association(s) and neighborhood group(s) operating in the geographical area of the property.

- j. Applicants must do their due diligence to become aware of whether or not there are existing homeowners associations with declarations and restrictions that are applicable to the property for which they have applied.

Option Agreements will be issued only for those projects which the WCLB deems feasible and which the WCLB can recommend for approval by WCLB Board of Trustees after the developer secures the necessary entitlements, financing, tenants and/or approvals.

All WCLB Option Agreements must be approved by the WCLB Board of Trustees.

All applicants are encouraged to utilize local, minority and women owned businesses as contractors.

8.2 Disposition.

Upon the applicant providing proof of funding for their proposed development and acquisition of all required land entitlements and permits, the WCLB shall convey the property.

8.3 Updates.

In the Spring of every year, the Land Bank Manager shall submit a Land Option Extension memo to the WCLB Board of Trustees. The memo shall include the following:

- a. The number of Land Bank Options that received extensions;
- b. How long each Option was extended; and
- c. A general summary on the progress of the extended Land Bank Options.

All incomplete Land Bank Options that receive an extension and have no expenses beyond applying for the Land Bank lot can be revoked by an action taken by the WCLB Board of Trustees during the extension period granted by the Land Bank Manager.

Section 9. WCLB Garden Program

9.1 Community Gardens and Community-Managed Open Spaces.

The WCLB recognizes that community gardens encourage the productive use of vacant land, provide spaces for community building, socialization, educational, recreation and food production activities. The WCLB will support existing and established gardens that have the capacity to sustain and maintain the land to ensure its viability.

A community garden is defined as one or more properties managed and maintained by a group of individuals to grow and harvest food or non-food items (such as flowers) for personal or group consumption, for donation, or for sale that is incidental in nature (i.e. not an Urban Farm). A community garden area may be divided into separate garden plots or orchard areas for cultivation by one or more individuals or may be farmed collectively by members of the group. A community garden may include common areas (such as hand tool storage sheds) maintained and used by the group. Community gardens may be used for recreational purposes, and improvements to facilitate such purposes may be allowed on a case-by-case basis upon review by the Land Bank Manager and with community support. Community-managed open spaces are spaces available to the public and may be used for recreational purposes or passive activities. All necessary entitlements must still be obtained in accordance with the Unified Government Code of Ordinances as well as the ordinances for the Cities of Bonner Springs and Edwardsville.

Gardens and Open Space requests must demonstrate how their project supports the public priorities of:

- a. Eliminating blight; and/or
- b. Fostering neighborhood cohesion and a sense of community.

Upon approval by the WCLB Board of Trustees, the property shall be conveyed to the applicant by deed with restrictions requiring the adherence of the criteria contained in Section 9.2. An applicant shall be given an option agreement as needed for any requisite permits or land entitlements to be obtained. If an option agreement is required, at the end of one year, either the agreement will be extended, or the property will be conveyed by deed with restrictions as set forth above if all guidelines have been met. If an extension of the option agreement is required, the procedure for an extension set out in Section 8.1 (c) above shall be followed.

The WCLB makes no representation or warranty as to the status of the property regarding the physical and environmental condition of the lot or its fitness for any use. Users are encouraged to reference federal and state requirements for contaminants in the soil before growing or consuming produce grown on site.

9.2 Requirements for Community Gardens.

All WCLB property approved for a community garden must adhere to the following criteria:

- a. Entity must work with the WCLB and Staff Advisory Team to determine where the garden will be located within the boundaries of a neighborhood;
- b. Entity must provide a site plan;
- c. Entity must provide a maintenance and use plan which demonstrates its obligation to maintain the lot in a clean, safe, secure and sanitary condition, free of weeds, trash, debris, garbage, and vermin;
- d. Entity must comply with all existing codes and rules regarding vacant lots;
- e. Entity must obtain and pay for any and all permits and approvals required by all relevant agencies to construct or operate the site;
- f. Lot cannot be used to park, keep or store any motor vehicle, trailer, or boat at any time;
- g. Entity must comply with all State and/or local laws, codes or ordinances;
- h. Entity must maintain the area within the public right-of-way, including both snow removal and removal of trash and debris to allow for passable sidewalks;
- i. Entity must agree not to grow any plants regulated or prohibited by federal laws on the lot;
- j. Entities must agree to use the property at their own risk and accept the property “as-is”; and
- k. Report on the performance of the community garden, including any code violations, how close they are to other gardens and overall contribution to the wellbeing of the neighborhood.

9.3 Urban Farm.

An urban farm is the cultivation of land for the purpose of income creation related to urban agriculture.

An applicant for a parcel(s) to be used as an urban farm must provide proof of relevant education, certification or comparable relevant experience that proves they have the ability to operate and maintain a successful urban farm. Applicants must meet all the requirements of a Community Garden listed in Section 9.2 above. Upon approval by the Land Bank Board of Trustees, the property shall be conveyed to the applicant by deed with restrictions requiring the adherence of the criteria contained in Section 9.2. An applicant shall be given an option agreement as needed for any requisite permits or land entitlements to be obtained. If an option agreement is required, at the end of one year, either the agreement will be extended, or the property will be conveyed if all guidelines have been met. If an extension of the option agreement is required, the procedure for an extension set out in Section 8.1 (c) above shall be followed.

WYANDOTTE COUNTY LAND BANK (WCLB)

ADMINISTRATIVE POLICY

UPDATED TBD 2024

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Wyandotte County Land Bank
Administrative Policy and Procedure Guidelines
As approved and adopted by the Board of Trustees
on xxxx xx, 202x.

These policy and procedure guidelines are a consolidation and codification of all prior policies and procedures of the Wyandotte County Land Bank (WCLB) and supersede all such prior policies and procedures.

Section 1. Purpose

1.1 Neighborhood and Land Use Planning Conformance.

The WCLB's purpose is to return tax delinquent, distressed and unwanted property to productive use that benefits the community. In doing so, the WCLB will prioritize the following:

- a. Encourage the development and reuse of vacant properties consistent with the WCLB goals, and any City adopted Master Plan.
- b. Strengthen the County's tax base by returning property to a productive tax paying status.
- c. Support and preserve open space, stormwater management, environmental remediation, community gardens, urban farming, and other agricultural production.
- d. Convey land through a predictable, timely and transparent process.
- e. Encourage timely development and discourage real estate speculation.
- f. Assemble land for economic development.

1.2 Guiding Principles.

This policy is intended to create a unified and consistent approach to the disposition of real property owned by the WCLB.

In the interest of providing predictability and transparency to the sale and reuse of property, this policy will provide guidance to the WCLB in all transactions involving property as well as information to individuals and organizations considering the acquisition of property owned by the WCLB.

The goals of this policy and the disposition of WCLB owned property are to:

- a. Preserve existing stable and viable neighborhoods.
- b. Engage with neighborhoods that have historically and/or are currently experiencing rapid decline or deterioration to support community development and revitalization efforts.

- c. Utilize strategic planning as well as long term planning in the disposition of property.
- d. Maintain flexibility and transparency in all transactions.
- e. Comply with and support the implementation of the Citywide Comprehensive Master Plan, Area Plans, Corridor Plans, and other Community Plans; specifically, recognizing that the majority of the WCLB parcels are located in the Northeast area of the county, the WCLB will make every effort to abide by the Northeast Area Master Plan
- f. Eliminate blight and revitalize neighborhoods.
- g. Prevent speculation.
- h. Ultimately dispose of all WCLB parcels.

The WCLB will aspire to meet these goals when making decisions regarding the disposition of its property.

The WCLB will remain responsible for its own decision-making and adherence to this policy during the disposition process. The WCLB will make available to the public all property in its inventory; however, properties which are being used by the Unified Government for public purposes or being reserved for City-desired programs or projects, will be identified as unavailable for disposition by the Land Bank Manager in coordination with staff from the Unified Government.

Section 2. Authority and Role

2.1 Establishment.

The Wyandotte County Land Bank (WCLB) was established by the Unified Government of Wyandotte County/Kansas City, Kansas (UG) by the power vested in it by K.S.A. 19-26,103 et. seq.

2.2 Governance.

The WCLB is governed by a Board of Trustees comprised of the Mayor/Chief Executive and the UG's Board of Commissioners (BoC). The Wyandotte County Land Bank Manager is charged with its administration.

2.3 Review of Proposed Land Bank Transactions.

All proposed WCLB transactions shall be submitted by the Land Bank Manager to the Staff Advisory Team, the Land Bank Advisory Board and WCLB Board of Trustees for review, consideration, and recommendation.

The Staff Advisory Team is composed of the Director/Manager and/or designee from the following UG Departments: *Administration, Community Development, General Services, Economic Development, GeoSpatial Services, Neighborhood Resource Center, Public Works, Treasury, Planning and Urban Design, and a representative from the Kansas City, Kansas Police Department.* The Staff Advisory Team shall evaluate applications based on UG policies and priorities, and future infrastructure and development plans. The Staff Advisory Team shall serve solely in an advisory capacity.

The membership of the Land Bank Advisory Board shall consist of representatives from each Neighborhood Business Revitalization organizations (NBR), two (2) representatives from the Executive Board of the Livable Neighborhoods Task Force, who shall be chosen by the representatives from the Executive Board of the Livable Neighborhoods Task Force, and an additional member which shall be a registered Neighborhood Association President or a development corporation within the NBR area containing the most WCLB parcels, who shall also be chosen by the registered neighborhood groups within the area containing of the most WCLB parcels. This additional member is subject to change with the disposition of WCLB property and shall be recalculated on a biannual basis. The Land Bank Advisory Board shall serve solely in an advisory capacity.

The Staff Advisory Team and Land Bank Advisory Board shall review all application(s) presented by the Land Bank Manager for consideration. Any application(s) that needs further investigation will be referred to the Land Bank Manager until all necessary information has been provided, at which time it will be brought to the Staff Advisory Team and Land Bank Advisory Board for further review.

The recommendations of the Staff Advisory Team and the Land Bank Advisory Board will be presented at the BoC's Neighborhood and Community Development Standing Committee where the Committee will make a recommendation to approve the applications that will advance to the WCLB Board of Trustees for final approval.

2.4 Governing Authority.

The core governing documents of the WCLB are the applicable state statutes and the Unified Government Code of Ordinances. The policies and procedures set out in this document constitute guidelines only and the Board of Trustees reserves discretion to deviate therefrom when it deems appropriate.

2.5 WCLB Board of Trustees Approval.

Under the applicable State law, the conveyance of property by the WCLB, must be approved by the WCLB Board of Trustees before the property can be conveyed.

2.6 WCLB Right to Accept or Reject.

The WCLB reserves the absolute right to accept or reject any and all applications and offers for purchase. In case of multiple applications for the same properties, the WCLB will give precedence to the application submitted first and, should this application not be accepted, the next application submitted will be brought before the WCLB Board of Trustees

2.7 Role of Land Bank Manager.

The Land Bank Manager shall have the following responsibilities:

- a. Help applicants with where and what they want to build;
- b. Help applicants communicate with neighborhood associations and neighborhood groups by sharing contact information;
- b. Administer the Land Bank process including public notification by contacting all neighborhood groups in affected areas and Livable Neighborhoods;
- c. Identify which properties are available for disposition;
- d. Determine when an application is ready to be submitted to the WCLB Board of Trustees;
- e. Engage and educate the community on Land Bank opportunities;
- f. Be a resource for the community;
- g. Set protocols for Land Bank procedures;
- h. Work with the WCLB Board of Trustees on a strategy for disposition of Land Bank properties; and
- i. At a meeting of the BoC's Neighborhood and Community Development Standing Committee in the Spring of every year, provide an update on the progress of approved option agreements, extensions, and hold areas showing how many option agreements were successful, how many failed and the status of any hold areas beginning the development process.

2.8 Staffing.

In addition to the Land Bank Manager, it is recommended that there is at least one staff member for every 1,000 parcels in the Land Bank inventory.

Section 3. Priorities for Transfer of Land Bank Properties.

3.1 Priority Transfers.

Except where limited by the terms of the acquisition of a property, the WCLB may, at its discretion, give priority to:

- a. Government entities;
- b. Individuals, entities, and non-profits seeking to obtain the property for housing or commercial development;
- c. Entities that are a partnership, limited liability corporation or joint venture comprised of a private non-profit corporation and a private for-profit entity;
- d. Individuals who own residential property that qualify for the Yard Extension Disposition Program; and
- e. Non-profit institutions such as academic and religious institutions.

3.2 Transferee Qualifications.

All applicants seeking to acquire property from the WCLB, or to enter into transaction agreements with the WCLB, are required to provide as part of their application information regarding, but not limited to:

- a. The legal status of the applicant, its organizational and financial structure;
- b. Its prior experience in developing and managing housing;
- c. The financial health and resources of the applicant;
- d. Sufficient plans for development; and/or
- e. Proof that the applicant is current on their property taxes and has no outstanding code violations on any property within the County.

Section 4. Conveyances to the WCLB

4.1 Sources of Property Inventory.

Sources of real property inventory of the WCLB include, but are not limited to, the following:

- a. Transfers from local governments;
- b. Acquisitions at tax foreclosure sales;
- c. Donations; and
- d. Market purchases.

4.2 Policies Governing the Acquisition of Properties.

In determining which, if any, properties might be acquired, the WCLB may consider the following circumstances and factors:

- a. Proposals and requests by individuals or entities in which specific properties are identified for ultimate acquisition and redevelopment;
- b. Residential properties that are available for immediate occupancy without need for substantial rehabilitation;

- c. Improved properties that are the subject of an existing order for demolition of the improvements and/or meet the criteria for demolition of improvements to determine if the property can be put into the rehab program described in Section 7;
- d. Vacant properties that are appropriate for the yard extension disposition program;
- e. Properties for which reutilization would be in support of adopted plans;
- f. Properties that would form a part of a land assemblage development plan; and
- g. Properties that would allow for the creation or expansion of community gardens, urban farming, environmental remediation, stormwater management, and/or open space preservation.

4.3 Donations to WCLB.

WCLB reserves the absolute right to accept or reject any and all donation requests. The WCLB will only accept donated property(ies) that will advance the goals of the WCLB. The WCLB will only present requests to the Board of Trustees, for approval, when at least one or more of the following conditions are met:

- a. The property owner does not have the resources to properly care for the property or to comply with orders to correct code violations that are present, and evidence of the hardship has been presented;
- b. The property is located in an area targeted for redevelopment efforts or in a neighborhood with a large number of existing WCLB property;
- c. The property is a candidate for the WCLB Rehab Program without any conditions that would prohibit a donation;
- d. The property could be utilized for the WCLB garden program; and
- e. The property could be used for UG purposes.

Property(ies) with adverse environmental conditions or maintenance requirements will not be accepted without a satisfactory plan and funding in place for remediation, as determined by the UG. Regarding additional requirements for donations of property to the WCLB:

- a. WCLB requires that donated property(ies) be conveyed with clear and marketable title;
- b. Property(ies) that are occupied may not be accepted as donations;

- c. WCLB shall not determine donation value for the purpose of tax benefits; and
- d. Any exceptions to the provisions of the above must come before the Board of Trustees.

Any property that is conveyed by donation to the WCLB will not be available for sale/transfer until the meeting following the approval of the donation by Board of Trustees.

Any property that is rejected for donation but is tax sale eligible, will be referred for an upcoming tax sale by the WCLB. The WCLB will send a letter to the requestor with that information.

Nothing in this section precludes acceptance of a donation of a tax sale eligible property.

4.4 Transaction Agreements.

In most cases, a transaction agreement must be approved in advance by the Board of Trustees and executed by the WCLB and the grantor of the property. These transaction agreements shall be in form and content as deemed by the WCLB Manager to be in the best interest of the WCLB and shall include to the extent feasible specification of all documents and instruments contemplated by the transaction as well as the rights, duties and obligations of the parties.

4.5 Environmental Concerns.

The WCLB reserves full and complete discretion to require that satisfactory evidence or assurances be provided that the property is not affected by or subject to environmental contamination. The WCLB makes no representation or warranty as to the status of the property regarding the physical and environmental condition of the lot or its fitness for any use.

4.6 State of Kansas Set Off Program.

Property that has been placed in the State of Kansas Set Off Program may be deemed ineligible for conveyance to the WCLB.

4.7 Timing.

Any property that is conveyed in or out of the WCLB will not be available for sale/transfer until approved by the Board of Trustees.

The Land Bank Manager is authorized to accept property conveyed from the UG that is a result of property being obtained from a recent

County Tax Sale. The Land Bank Manager will then report the conveyance(s) at the next BoC Neighborhood and Community Development Standing Committee meeting.

Section 5. Conveyances from the WCLB

5.1 Covenants, Conditions and Restrictions.

All conveyances by the WCLB to third parties shall include such covenants, conditions and restrictions as the WCLB deems, in its sole discretion, necessary and appropriate to ensure the use, rehabilitation and redevelopment of the property in a manner consistent with the public purposes of the WCLB.

5.2 Deed Without Warranty.

All conveyances by the WCLB to third parties shall be by quitclaim deed.

5.3 Conveyances requiring Board of Trustees Approval.

All transfers of WCLB property shall require the approval of the Board of Trustees.

5.4 Conveyances pursuant to WCLB Rehab Program.

The Land Bank Manager shall seek prior approval from the WCLB Board of Trustees for all properties entering and exiting the WCLB Rehab Program.

5.5 Conveyance Time Allowance.

All undeveloped Land Bank property shall be conveyed, and deed recorded within 180 days of Award and approval of the Land Bank Board of Trustees. Any property not conveyed within the above time period, and without a written extension from the Land Bank Manager, will have Award voided and property returned to the Land Bank Inventory. For any property awarded pursuant to a development/rehab agreement, the terms of said agreement shall control when such property will be conveyed.

5.6 Appropriate and Timely Development of Properties.

The WCLB expects that properties will be developed in a timely manner according to a written agreement or as specified in the deed of conveyance. Generally, construction should commence within three (3) months from the date of conveyance and should be completed as defined by the agreement or contained in the deed. To ensure that these expectations are met, the WCLB will place conditions or restrictions on property it conveys to achieve the agreed upon outcome and will monitor these agreements until construction is complete. Proposed uses must be consistent with the UG's Master Plans, Zoning,

Code, and other approved and accepted policy or be able to obtain the necessary land entitlements within the option term. All new owners are required to comply with all State, City and Federal codes, regulations, and statutes.

5.7 Holds.

Holds for economic development projects are allowed pending the approval of the Wyandotte County Land Bank Board of Trustees. Each year that land bank parcels are in a hold, an update must be provided by the awardee regarding the status of the economic development project to the Neighborhood and Community Development Standing Committee. The WCLB will require the awardee to keep the property clear of any trash/debris, the grass mowed/maintained in compliance with the appropriate City code provisions, and the sidewalk space must be maintained including snow removal.

5.8 Pricing.

The WCLB will generally price vacant land by the greater of:

- a. The Appraised Value of property set by County Appraiser as of January 1st of current year or
- b. The value of the property's frontage times \$10.00.

The WCLB has the right to determine the asking price for each property and further has the right to decline any counteroffer.

Section 6. Yard Extension and Commercial Lot Extension Program

6.1 Application.

Yard Extensions shall only be applied for by abutting homeowners.

Commercial Lot Extensions shall only be applied for by abutting commercial property owners.

6.2 Qualifications.

An applicant for a yard extension must be the owner of the abutting property and must be using that property as their primary residence at the time of application. An applicant for a commercial lot extension must be the owner of abutting commercial property and must be using that property as a legally operating business. Further, the applicants for both types of extensions must be current on all property taxes and not have any active code violations. The property to be acquired must share a common boundary at either side of the applicant's property and share the same street name and/or be a contiguous land locked parcel. The property sought to be acquired for a yard or commercial lot

extension must be a vacant lot; properties with permanent structures are not eligible for this program.

6.3 Limitations.

Applicants can only acquire one (1) property for a yard extension from the WCLB for each home they own as their primary residence and only one primary lot can seek a yard extension, except if there are contiguous undevelopable parcels that can be obtained. Applicants can only acquire one (1) property for a commercial lot extension from the WCLB, except if there are contiguous undevelopable parcels that can be obtained. The WCLB property must be consolidated with the applicant's property after acquisition into a single parcel. The Land Bank Manager will track such extension acquisitions to ensure these limitations are adhered to in perpetuity.

6.4 Pricing.

The price of any yard extension shall be \$0.10 per square foot.

The price of any commercial lot extension shall be \$0.25 per square foot.

Section 7. Land Bank Rehab Program

7.1 Purpose.

The WCLB Rehab Program provides Qualified Rehabbers access to a pipeline of distressed properties in the Wyandotte County area. The WCLB may facilitate the sale of property at a reduced price to selected qualified rehabbers. This program allows the purchase of vacant, blighted homes once they are available in the WCLB inventory.

7.2 Goals.

The WCLB Rehab Program supports efforts to stabilize and strengthen neighborhoods through collaboration between public, private and nonprofit development partners. Through the program and working with development partners to rehabilitate blighted property, the WCLB will:

- a. Save existing housing stock from demolition and return the property to the tax roles;
- b. Create affordable ownership opportunities to stabilize neighborhoods; and
- c. Improve the health, safety, durability, and energy efficiency of rehabilitated properties.

7.3 Qualified Rehabber.

A Qualified Rehabber is defined as an individual or organization who must not:

- a. Own any real property that is subject to any violations of State and/or local laws, codes or ordinances;
- b. Own any real property that is tax delinquent;
- c. Be barred from transactions with local government entities;
- d. Have demonstrated lack of capacity to perform in accordance with the requirements of the WCLB;
- e. Have defaulted in prior agreements with the WCLB; and
- f. Currently be banned from bidding at the tax sale.

All Qualified Rehabbers must submit their intended use for the property(ies) as required by the WCLB. Failure to submit intended usage or to provide accurate information in the form requested may result in the denial of the application.

7.4 Qualified Offer.

A Qualified Offer is an application that:

- a. Adequately describes the purchaser's plans for the property (i.e. intended use) and is aligned with the purpose of the WCLB;
- b. The intended use must be consistent with applicable WCLB goals and all Master Plans, Zoning Ordinances, and/or other policy, or be able to obtain the appropriate land entitlements; and
- c. The applicant must demonstrate financial and operational capacity to carry out the plans.

Plans that require various land entitlements may be processed as a Qualified Offer, only if the underlying project proposal is supported by the city it is in. The detail required of the applicant will be different depending on the proposed use, as defined later in this document under various usages.

7.5 Housing Stock.

All residential property with improvements that are transferred to the WCLB will be boarded, secured, and inspected to identify its place in the program. There are two (2) recommendations that these properties will fall under:

- a. Rehabilitation – properties that show rehab potential will be made available to qualified rehabbers in the program; or
- b. Demolition – properties that are a danger to the public will be recommended to the UG Demo Department to be razed.

7.6 Commercial Property.

Any commercial property received by WCLB will be evaluated in the same manner as in Section 7.5.

7.7 Rehabber Qualifications.

All interested rehabbers must go through a qualification process that includes submission of WCLB Rehab Program Application. The program will have two (2) Tiers of qualified rehabbers:

- a. Tier I – rehabber must be a formed company/corporation or identify as an investor. In order to qualify as a Tier 1 rehabber, the following must be provided:
 1. Copy of their current year Occupational Tax Receipt from the Unified Government of Wyandotte County / Kansas City, Kansas Business License Department
 2. Must carry the appropriate amount of Insurance coverage, as outlined in the application, from a licensed Insurance provider and have the Wyandotte County Land Bank named as a Certificate Holder.
- b. Tier II – if a rehabber cannot provide the requirements for a Tier I rehabber, then they must sign a Hold Harmless Waiver and must show proof of funding for the rehab to qualify for a house to rehab.

7.8 Availability for Rehabbers.

Any house that is identified as a rehab will be made available for all Tier I rehabbers. The WCLB will schedule open houses for the rehabbers to attend to assess each property identified. All rehabbers will be sent offer packets with house information and a deadline to submit their offer. Any house that does not have an offer submitted by the deadline by a Tier I rehabber will then be offered to the Tier II group.

Any house that does not have an offer submitted by either group will be available for a later offer or any new Tier I or Tier II qualified rehabber.

7.9 Rehab Agreements.

The WCLB will review all offers received based on criteria maintained by the Land Bank Manager to determine the highest and best offer. The WCLB will negotiate with the offeror and put an agreement together. If approved, the awarded offeror will be sent an award letter and any non-offerors will be sent a non-award letter.

7.10 Filings.

A Sale Contract with Land Use Restrictions detailing the terms of the rehab agreement will be recorded with the Wyandotte County Register of Deeds office. The house will stay in the name of the WCLB until the passing of the final inspection from the Land Bank Manager.

7.11 Inspections and Permits.

The WCLB will require copies of all inspections conducted by the UG Building Inspection Department, which will perform progress inspections throughout the rehab.

Any Tier I rehab will consist of four (4) inspections:

- a. Initial Inspection – house is cleared of debris and any demo is complete prior to any repairs or rehab starts;
- b. Rough-In – staff has received an approved Building Inspection rough-in slip and any other pulled permits (Mechanical/Electrical/Plumbing);
- c. Progress – drywall is hung, and all other repairs are completed; and
- d. Final - house has passed all final inspections and copies have been received by the WCLB, the Land Bank Manager will do the final walk thru.

Any Tier II rehab will consist of monthly inspections done by Land Bank Manager (or designee) and will incorporate the Tier I inspections but also allow the WCLB to closely monitor the progress.

When the Land Bank Manager has verified the house has passed WCLB final inspection, a Quit Claim Deed (QCD) will be filed with the Register of Deeds office.

All applicants who have successfully purchased WCLB-owned property must fulfill their commitments to the WCLB and to their neighbors, which includes paying property taxes and maintaining properties in accordance with all municipal codes and ordinances.

7.12 Extensions and Penalties.

If the rehab completion date stipulated in the agreement cannot be met, the rehabber may request an extension of the completion date. Extensions of time to complete the rehab are at the Land Bank Manager's discretion and, if granted, will be under the following guidelines:

- a. The request for extension must be made to the Land Bank Manager in writing. The request must include the cause of the delay and plan to complete the rehab within the time requested.
- b. The request for extension must be received by the Land Bank Manager no later than five (5) calendar days prior to the expiration date of the WCLB Rehab Program Extension Request Form given at the beginning of the project.
- c. The extension will be granted for a maximum of 90 calendar days.
- d. The granting of an initial extension period does not obligate the WCLB to grant additional extensions.

7.13 Tier I Rehabber Threshold.

Any Tier I rehabber may make no more than three (3) offers on any newly acquired rehab houses. The maximum number of houses a Tier I may be rehabbing at any given time is six (6). If a Tier I rehabber has 6 open rehabs and submits an offer for new houses, their offer will not be accepted. A Tier 1 rehabber may make the proper number of offers that could reach this threshold.

Section 8. Option Agreements

8.1 Site Control: Options and Property Reservations.

The WCLB recognizes that developers often require legally recognizable site control as part of the development process. The WCLB may execute property option agreements to allow developers to pursue financing and other approvals necessary for development.

Agreements for this purpose must meet the following conditions:

- a. The applicant must be a Qualified Applicant, which has the same requirements as in Section 7.3.
- b. The Option Agreement must be executed by the applicant within forty-five (45) days of approval by the WCLB Board of Trustees.
- c. For each proposed project, the WCLB will allow one (1) year for that agreement, which begins on the date of approval by the WCLB Board of Trustees and may renew the agreement for up to two (2) years at the Land Bank Manager's discretion. Any further extensions must be approved by the WCLB Board of Trustees.
- d. The applicant may not occupy or use the property unless approved in writing by the WCLB.
- e. A fee will be due upon execution and an additional fee will be imposed for extension of the agreement or contract. This fee is non-refundable.
- f. A first-time applicant will be charged an additional fee which will be held in escrow during the term of the Option Agreement and will be refunded upon disposition of the property.
- g. The WCLB will require the requestor to keep the property clear of any trash/debris, the grass mowed/maintained in compliance with the appropriate City code and the sidewalk space must be maintained including snow removal.
- h. The WCLB shall provide written notice of its intent to terminate the agreement to the applicant within thirty (30) days of said termination.
- i. Applicants seeking to acquire property from the WCLB shall make every effort to consult with the neighborhood

association(s) and neighborhood group(s) operating in the geographical area of the property.

- j. Applicants must do their due diligence to become aware of whether or not there are existing homeowners associations with declarations and restrictions that are applicable to the property for which they have applied.

Option Agreements will be issued only for those projects which the WCLB deems feasible and which the WCLB can recommend for approval by WCLB Board of Trustees after the developer secures the necessary entitlements, financing, tenants and/or approvals.

All WCLB Option Agreements must be approved by the WCLB Board of Trustees.

All applicants are encouraged to utilize local, minority and women owned businesses as contractors.

8.2 Disposition.

Upon the applicant providing proof of funding for their proposed development and acquisition of all required land entitlements and permits, the WCLB shall convey the property.

8.3 Updates.

In the Spring of every year, the Land Bank Manager shall submit a Land Option Extension memo to the WCLB Board of Trustees. The memo shall include the following:

- a. The number of Land Bank Options that received extensions;
- b. How long each Option was extended; and
- c. A general summary on the progress of the extended Land Bank Options.

All incomplete Land Bank Options that receive an extension and have no expenses beyond applying for the Land Bank lot can be revoked by an action taken by the WCLB Board of Trustees during the extension period granted by the Land Bank Manager.

Section 9. WCLB Garden Program

9.1 Community Gardens and Community-Managed Open Spaces.

The WCLB recognizes that community gardens encourage the productive use of vacant land, provide spaces for community building, socialization, educational, recreation and food production activities. The WCLB will support existing and established gardens that have the capacity to sustain and maintain the land to ensure its viability.

A community garden is defined as one or more properties managed and maintained by a group of individuals to grow and harvest food or non-food items (such as flowers) for personal or group consumption, for donation, or for sale that is incidental in nature (i.e. not an Urban Farm). A community garden area may be divided into separate garden plots or orchard areas for cultivation by one or more individuals or may be farmed collectively by members of the group. A community garden may include common areas (such as hand tool storage sheds) maintained and used by the group. Community gardens may be used for recreational purposes, and improvements to facilitate such purposes may be allowed on a case-by-case basis upon review by the Land Bank Manager and with community support. Community-managed open spaces are spaces available to the public and may be used for recreational purposes or passive activities. All necessary entitlements must still be obtained in accordance with the Unified Government Code of Ordinances as well as the ordinances for the Cities of Bonner Springs and Edwardsville.

Gardens and Open Space requests must demonstrate how their project supports the public priorities of:

- a. Eliminating blight; and/or
- b. Fostering neighborhood cohesion and a sense of community.

Upon approval by the WCLB Board of Trustees, the property shall be conveyed to the applicant by deed with restrictions requiring the adherence of the criteria contained in Section 9.2. An applicant shall be given an option agreement as needed for any requisite permits or land entitlements to be obtained. If an option agreement is required, at the end of one year, either the agreement will be extended, or the property will be conveyed by deed with restrictions as set forth above if all guidelines have been met. If an extension of the option agreement is required, the procedure for an extension set out in Section 8.1 (c) above shall be followed.

The WCLB makes no representation or warranty as to the status of the property regarding the physical and environmental condition of the lot or its fitness for any use. Users are encouraged to reference federal and state requirements for contaminants in the soil before growing or consuming produce grown on site.

9.2 Requirements for Community Gardens.

All WCLB property approved for a community garden must adhere to the following criteria:

- a. Entity must work with the WCLB and Staff Advisory Team to determine where the garden will be located within the boundaries of a neighborhood;
- b. Entity must provide a site plan;
- c. Entity must provide a maintenance and use plan which demonstrates its obligation to maintain the lot in a clean, safe, secure and sanitary condition, free of weeds, trash, debris, garbage, and vermin;
- d. Entity must comply with all existing codes and rules regarding vacant lots;
- e. Entity must obtain and pay for any and all permits and approvals required by all relevant agencies to construct or operate the site;
- f. Lot cannot be used to park, keep or store any motor vehicle, trailer, or boat at any time;
- g. Entity must comply with all State and/or local laws, codes or ordinances;
- h. Entity must maintain the area within the public right-of-way, including both snow removal and removal of trash and debris to allow for passable sidewalks;
- i. Entity must agree not to grow any plants regulated or prohibited by federal laws on the lot;
- j. Entities must agree to use the property at their own risk and accept the property “as-is”; and
- k. Report on the performance of the community garden, including any code violations, how close they are to other gardens and overall contribution to the wellbeing of the neighborhood.

9.3 Urban Farm.

An urban farm is the cultivation of land for the purpose of income creation related to urban agriculture.

An applicant for a parcel(s) to be used as an urban farm must provide proof of relevant education, certification or comparable relevant experience that proves they have the ability to operate and maintain a successful urban farm. Applicants must meet all the requirements of a Community Garden listed in Section 9.2 above. Upon approval by the Land Bank Board of Trustees, the property shall be conveyed to the applicant by deed with restrictions requiring the adherence of the criteria contained in Section 9.2. An applicant shall be given an option agreement as needed for any requisite permits or land entitlements to be obtained. If an option agreement is required, at the end of one year, either the agreement will be extended, or the property will be conveyed if all guidelines have been met. If an extension of the option agreement is required, the procedure for an extension set out in Section 8.1 (c) above shall be followed.



Report to

Tracking ID: 21140

MEETING DATE	PRESENTER	DEPARTMENT
MAR 03 2025	Jud Knapp, Acting Land Bank Manager jknapp@wycokck.org x5472	Land Bank Approvals
AGENDA ITEM #		
RESOLUTION: LAND BANK Hold USD 500		
BACKGROUND		
RECOMMENDATION		
Approve		
Request consideration of the following Land Bank hold for USD 500 :		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
IT/POLICY CONSIDERATIONS		
PROCUREMENT CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		
Resolution for Hold for USD 500 for Sumner Academy		

Approved by Mayor and/or Chair and Administrator to add to agenda.

Handwritten signature and date: 2/26/2025

Approved: J. You A. Am

RESOLUTION NO. R-____-25

**A RESOLUTION
AUTHORIZING THE WYANDOTTE COUNTY LAND BANK TO HOLD
SPECIFIED PROPERTIES FOR THE ACQUISITION BY U.S.D. 500**

WHEREAS, the Unified Board of Commissioners of Wyandotte County/Kansas City, Kansas, by way of Resolution No. R-21-99, established the Wyandotte County Land Bank and provided that it would be guided in its affairs by a Board of Trustees consisting of the Mayor/Chief Executive and the Commissioners of the Unified Government of Wyandotte County/Kansas City, Kansas; and

WHEREAS, the Wyandotte County Land Bank Board of Trustees is solely authorized, pursuant to K.S.A. 19-26,110 and Sec. 2-173 of the Unified Government Ordinances, to sell or dispose of any property acquired by the Wyandotte County Land Bank; and

WHEREAS, a purpose of the Wyandotte County Land Bank is to return blighted and vacant properties to a productive use; and

WHEREAS, U.S.D. 500 has plans for the expansion of its current holdings that would require the acquisition of certain parcels currently part of the Wyandotte County Land Bank.

NOW, THEREFORE, be it resolved by the Wyandotte County Land Bank Board of Trustees that:

1. The Wyandotte County Land Bank shall hold all properties held by it within the boundaries of New Jersey Avenue to the North, the parcel owned by U.S.D. 500 for Sumner Academy to the East, Oakland Avenue to the South and 9th Street to the West (as depicted on the map attached hereto as Exhibit A) for the future acquisition by U.S.D. 500 subject to Section 5.7 of the Wyandotte County Land Bank Policy.

2. This Resolution shall become effective upon passage by the Wyandotte County Land Bank Board of Trustees.

ADOPTED BY THE WYANDOTTE COUNTY LAND BANK BOARD OF TRUSTEES THIS
____ DAY OF _____ 2025.

Tyrone Garner
Mayor/Chief Executive Officer

ATTEST:

APPROVED AS TO FORM:

UNIFIED GOVERNMENT CLERK

Wendy M. Green, Deputy Chief Counsel

EXHIBIT A





Wyandotte County Land Bank
Economic Development Department
Jud Knapp, Manager

701 North 7th St., 4th Floor
Kansas City, Kansas 66101

Phone: (913) 573-5472
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M E M O R A N D U M

TO: Full Commission

FROM: Jud Knapp, Land Bank Manager

DATE: May 29, 2025

SUBJECT: Option applications for consideration

The following **option application(s)** will be presented at the 04/28/2025 meeting:

Please visit the new site to review the applications below

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

A. Single Family Homes – 264 Single Family Homes

1. Arturo Ayala Luna – 1 home
 - i. 2014 N 38th St – 108110
2. RA Engineering Corp – 3 homes
 - i. 1237 Armstrong Ave – 080917
 - ii. 1235 Armstrong Ave – 080916
 - iii. 1231 Armstrong Ave – 080915
 - iv. 1243 Armstrong Ave – 080918
3. Pillar KC LLC – 2 homes
 - i. 2840 S 9th St – 136561
 - ii. 2842 S 9th St – 136548
4. T&M General Construction – 1 home
 - i. 1131 S 49th Dr – 051895
5. Ryan Barr – 1 home
 - i. 1203 Ann Ave – 080936
8. Luis A Matos – 3 homes
 - i. 27 S Mill St – 121119
 - ii. 29 S Mill St – 121118
 - iii. 31 S Mill St – 121117
 - iv. 37 S Mill St – 121116
 - v. 39 S Mill St – 121115
10. Aurion Taylor-Burks – 1 home
 - i. 1512 N 22nd St – 065738
12. Camealia Murray – 5 homes
 - ii. 3002 Hutchins St – 158549
 - iii. 3014 Hutchins St - 158546
 - iv. 3020 Hutchins St – 158543
 - v. 3036 Hutchins St – 158540

- vi. 3040 Hutchins St – 158538
- 14. CJR Construction Project – 250 homes
 - vii. 12th St to Hiawatha St, North of Quindaro Blvd to KS Hwy
 - viii. Sherman St to Allis St from Quindaro Blvd north to Manorcrest Dr
 - ix. 220 Single Family Homes
 - x. 30 Duplexes

B. Multi-family – 17 units

- 2. RA Engineering Corp – 2 Units
 - i. 5237 Nebraska Ave – 918030
- 3. Rajan Bhatia – 2 Units
 - ii. 700 N 75th St – 928942
- 4. Latoya Wilson – 13 Units
 - iii. 2116 N 22nd St - 159822
 - iv. 2112 N 22nd St - 159823
 - v. 2108 N 22nd St - 159824
 - vi. 2104 N 22nd St - 159825
 - vii. 2100 N 22nd St - 159826

C. Commercial – 3 Units

- 1. LS Commercial Real Estate Services, Inc – 3 Units
 - i. 1915 Sloan Ave – 124413
 - ii. 1918 Parkview Ave – 124425
 - iii. 1916 Parkview Ave – 124424 – UG owned