

Unified Government of Wyandotte County and Kansas City, Kansas



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

MINUTES

Thursday, May 30, 2024

7:36 PM-10:04 PM

Attendance:

Commissioners Present:

- Mayor Tyrone Garner
- Commissioner Bynum
- Commissioner Davis
- Commissioner Stites
- Commissioner Lopez
- Commissioner Kane
- Commissioner Hill
- Commissioner Ramirez
- Commissioner Burns

Commissioners Absent:

- Commissioner Burroughs (Absence memo provided)
- Commissioner Townsend (Absence memo provided)

Staff Present:

- Monica L. Sparks (Unified Government Clerk)
- David Johnston (County Administrator)

- Angela Lawson (Acting Chief Counsel)
- James Molloy (Urban Planning & Design)
- Jeff Conway (Senior Counsel)
- Ross Stewart (Legal Counsel)

I. Call to Order

Mayor Pro Tem Burroughs called the meeting to order at 7:36 PM. Reverend Fannie Hill led the invocation, followed by the Pledge of Allegiance.

V. Revisions to Agenda (Discussion Begins 5:55)

The Clerk reported there was an agenda update issued removing Item No. 2 and adding Item No. 10 to the Mayor's Agenda.

VII. Mayor's Agenda (Discussion Begins 6:14)

Item No. 1 – Presentation: Week of Kindness – Contributions to Park Foundation

Mayor Garner presented a check for \$410 to the Wyandotte County Parks Foundation from proceeds of the candy gram sales during the Seven Days of Kindness initiative. Angel Ferrara, Director of Unified Government Parks and Recreation, Dr. Jane Philbrook, Vice Chair of the Parks Foundation, and Pat Gates, Secretary of the Parks Foundation, accepted the check.

This item was for information only, and no commission action was required.

Item No. 2 – Presentation: Dotte Card Introduction (Removed Per Agenda Update)

The item was removed from the agenda per the Agenda Update

Item No. 3 – Proclamation proclaiming May 4, 2024, as J.R. Hoodstar Day (Discussion Begins 11:55)

This item was read into the record of the meeting, and no commission action was required.

Item No.4 – Proclamation proclaiming May 5-11, 2024, as National Correctional Officers and Employees Week (Discussion Begins 21:42)

This item was read into the record of the meeting, and no commission action was required.

Item No. 5 – Proclamation proclaiming May 10, 2024, as Alpha Kappa Alpha Sorority Day (Discussion Begins 22:05)

This item was read into the record of the meeting, and no commission action was required.

Item No. 6 – Proclamation proclaiming May 12-18, 2024, as Kansas City, Kansas Police Department Week (Discussion Begins 22:24)

This item was read into the record of the meeting, and no commission action was required.

Item No. 7 – Proclamation proclaiming May 19, 2024, as Saturnino Family Educational Equity Day (Discussion Begins 22:46)

This item was read into the record of the meeting, and no commission action was required.

Item No. 8 – Proclamation proclaiming May 21-27, 2024, as Emergency Medical Services Week (Discussion Begins 15:35)

This item was read into the record of the meeting, and no commission action was required.

Item No. 9 – Proclamation proclaiming the month of May 2024, as Older Americans Month (Discussion Begins 23:03)

This item was read into the record of the meeting, and no commission action was required.

The Commission went into recess at 8:00 PM.

The meeting was reconvened at 8:02 PM.

Item No. 10 – Resolution: First Amendment to the Downtown Campus Development Agreement (Added Per Agenda Update)(Discussion Begins 25:10)

Angela Lawson, Acting Chief Counsel, and Jeff Conway, legal department, presented the First Amendment to the Downtown Campus Development Agreement. Todd LaSala, Stinson LLP, was also present and provided additional context about the agreement's negotiation process.

Key Points

- The amendment changes how pursuit costs and pre-development costs can be accessed by the developer.
- Previously, 37% of costs were accessible upon closing, with additional percentages accessible at different construction milestones, and the rest of the balance later in the construction cycle.
- The new amendment would push all pursuit costs to be accessible only upon project completion.

- There are conforming amendments to sections 4.1, 4.2, 4.5, 4.7, and 4.8 of the original development agreement.
- The amendment adds a provision that the developer can use no more than 50% of Unified Government funds for demolition costs.
- Todd LaSala noted this was unusual, as typically both parties would negotiate and agree before bringing the amendment forward.
- The developer (Mr. Lanier) had not yet seen or reviewed this proposed amendment at the time of the meeting.

Commissioner Burns made a motion to adopt the resolution. The motion was seconded by Commissioner Lopez.

Vote: Motion fails 2/6

- Ayes: Burns, Lopez
- Nays: Kane, Stites, Davis, Bynum, Ramirez, Hill
- Absent: Burroughs, Townsend

VI. Clerk's Statement (Statement Read 59:35)

VIII. Planning and Zoning Consent Agenda (Discussion Begins 1:13:29)

A. CHANGE OF ZONE APPLICATIONS

2. COZ2024-003 - DANA BLAY WITH DBL ARCHITECTURE
3. COZ2024-007 - JAKE YOUNG
4. COZ2024-008 - JOSE PEREZ CARDENAS
6. COZ2024-011 - CASSANDRA PATRICK WITH SMH CONSULTANTS

B. SPECIAL USE PERMIT APPLICATIONS

2. SP2024-002 - ANDY JARRETT (DENIAL)
3. SP2024-015 - GEOFFREY KIGENYI
5. SP2024-017 - CHAD WOLFE
6. SP2024-019 - ARIN J. WOODSON
7. SP2024-020 - AARON MARCH
8. SP2024-022 - AARON MARCH

C. VACATION APPLICATION

1. VAC2024-002 - GARY CALVERT SR. WITH CALVERT EXPRESS REAL ESTATE

D. PLAN REVIEW APPLICATION

1. PR2024-005 - WILLIE BRANTLEY JR.

E. MASTER PLAN AMENDMENTS

1. MPL2024-002 - DANA BLAY WITH DBL ARCHITECTURE
2. MPL2024-003 - HOUSTON DEFOE WITH BLUE PALM LLC
4. MPL2024-006 - CASSANDRA PATRICK WITH SMH CONSULTANTS

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

1. AN ORDINANCE rezoning property at 1198 -1200 North 134th Street
2. AN ORDINANCE rezoning property at 9400 State Avenue
3. AN ORDINANCE authorizing a Special Use Permit (SP2024-003) to continue operation of transitional housing for youth at 3535 Wood Avenue
4. AN ORDINANCE authorizing a Special Use Permit (SP2024-008) for a group dwelling for up to 14 veterans at 1026 Ann Avenue
5. AN ORDINANCE authorizing a Special Use Permit (SP2024-010) for a Short-Term Rental at 2614 South 27th Street
6. AN ORDINANCE rezoning property at 804 South 89th Street (COZ2024-005) from A-G Agriculture District to R-1 Single Family District
7. AN ORDINANCE authorizing a Special Use Permit (SP2024-011) to operate an automotive dealership at 401 Kansas Avenue

Commissioner Stites recused himself from voting on Planning & Zoning Consent items not set aside due to a conflict of interest.

Commissioner Kane made a motion to approve all items on the Planning and Zoning Consent Agenda as submitted, except Item A.1, A.5, B.1, B.4, and E.3. The motion was seconded by Commissioner Ramirez.

Vote: Motion carries 7/0

- Ayes: Davis, Bynum, Burns, Ramirez, Hill, Kane, Lopez
- Nays: None
- Absent: Burroughs, Townsend
- Abstain: Stites

A request was made by Ryan Denk to set aside Item A.1 and Item B.1 (Discussion Begins 1:15:02)

A.1 COZ2023-035 – RYAN DENK

B.1 SP2023-117- RYAN DENK

Staff and the Applicant presented opening comments.

The Mayor opened the public hearing. No comments were received. The public hearing was closed.

Commissioner Kane made a motion to return item A.1 back to the July Planning Commission for further clarification. The motion was seconded by Commissioner Ramirez.

Vote: Motion carries 8/0

- Ayes: Stites, Davis, Bynum, Burns, Ramirez, Hill, Kane, Lopez
- Nays: None
- Absent: Burroughs, Townsend

Commissioner Kane made a motion to return item B.1 back to the July Planning Commission for further clarification. The motion was seconded by Commissioner Ramirez.

Vote: Motion carries 8/0

- Ayes: Stites, Davis, Bynum, Burns, Ramirez, Hill, Kane, Lopez
- Nays: None
- Absent: Burroughs, Townsend

A request was made by staff to set aside Item A.5, Item E.3 and Item B.4 (Discussion Begins 1:22:12)

A.5 COZ2024-010 ALICIA VANN WITH ALTAR SUPPORT

E.3 MPL 2024-005 ALICIA VANN WITH ALTAR SUPPORT

B.4 SP2024-016 - ALICIA VANN WITH ALTAR SUPPORT

Staff and the Applicant presented opening comments.

The Mayor opened the public hearing. No comments were received. The public hearing was closed.

Commissioner Bynum made a motion to approve item A.5. The motion was seconded by Commissioner Kane.

Vote: Motion carries 8/0

- Ayes: Stites, Davis, Bynum, Burns, Ramirez, Hill, Kane, Lopez
- Nays: None
- Absent: Burroughs, Townsend

Commissioner Bynum made a motion to approve item E.3. The motion was seconded by Commissioner Ramirez.

Vote: Motion carries 8/0

- Ayes: Stites, Davis, Bynum, Burns, Ramirez, Hill, Kane, Lopez
- Nays: None
- Absent: Burroughs, Townsend

Applicant withdrew Item B.4 SP2024-016.

IX. Planning and Zoning Non-Consent Agenda

A. CHANGE OF ZONE APPLICATIONS

COZ2024-004 – FRED DEL TORO (**Discussion Begins 1:33:27**)

Applicant requested that the matter be held over to the next meeting.

The Mayor opened the public hearing. No comments were received. The public hearing was closed.

Commissioner Bynum made a motion to set the matter over for 30 days to the next Planning & Zoning meeting in June. The motion was seconded by Commissioner Ramirez.

Vote: Motion carries 8/0

- Ayes: Stites, Davis, Bynum, Burns, Ramirez, Hill, Kane, Lopez
- Nays: None
- Absent: Burroughs, Townsend

B. SPECIAL USE PERMIT APPLICATIONS

SP2023-122 – ANDREW MALL (Discussion Begins 1:35:34)

Staff and the Applicant presented opening comments.

The Mayor opened the public hearing. No comments were received. The public hearing was closed.

Commissioner Bynum made a motion to approve item B.1 for a period of one year. The motion was seconded by Commissioner Kane.

Vote: Motion carries 6/3

- Ayes: Stites, Davis, Bynum, Ramirez, Kane, Garner
- Nays: Lopez, Burns, Hill
- Absent: Burroughs, Townsend

SP2024-013 – MYLES MCMILLON WITH THE AUTOMOTIVE GAME CHANGERS (Discussion Begins 1:47:28)

Staff presented opening comments. The applicant failed to appear.

The Mayor opened the public hearing. No comments were received. The public hearing was closed.

Commissioner Kane made a motion to approve item B.2 with the staff recommendations. The motion was seconded by Commissioner Davis.

Vote: Motion carries 8/1

2. Ayes: Stites, Davis, Lopez, Bynum, Ramirez, Hill, Kane, Garner
3. Nays: Burns
4. Absent: Burroughs, Townsend

X. Regular Consent Agenda (Discussion Begins 1:54:44)

Item No. 1 – RESOLUTION: KAW RIVER BRIDGE COOPERATIVE AND DEVELOPMENT AGREEMENT THIRD AMENDMENT

Item No. 2 - RESOLUTION: KAW RIVER BRIDGE COMMUNITY DEVELOPMENT IMPROVEMENT DISTRICT

Item No. 3 - RESOLUTION: ROCK ISLAND BRIDGE IRB AMENDMENT

Item No. 4 - RESOLUTION/ORDINANCE: ROCK ISLAND BRIDGE COMMON
CONSUMPTION AREA

Commissioner Ramirez made a motion to approve all items on the Consent Agenda. The motion was seconded by Commissioner Burns.

Vote: Motion carries 8/0

- Ayes: Stites, Davis, Bynum, Burns, Ramirez, Hill, Kane, Lopez
- Nays: None
- Absent: Burroughs, Townsend

XII. Standing Committees' Agenda (Discussion Begins 1:55:24)

**Item No. 1 – ORDINANCE: APPROVING CHANGES RELATED TO MOBILE
VENDING OPERATIONS**

Commissioner Davis emphasized that the mobile vending ordinance changes were a compromise and not an ideal legislative process. He noted they spent about three hours trying to hammer out a policy that could get a majority's support. Commissioner Davis stressed that everyone tried to find a compromise, and this was just a beginning, not necessarily the final version of the ordinance. He viewed it as a starting point that expands mobile vendors' hours of operation with potential for future refinements.

Ross Stewart from the Legal Department presented the changes to mobile vending operations.

Key Points:

- Extended Hours of Operation:
 - A. 8am to 11pm Sunday through Thursday
 - B. 8am to midnight on Friday and Saturday
- Proximity Restrictions:
 - A. 100-foot ban from brick-and-mortar establishment parcel lines
 - B. No vending within 100 feet of existing food establishments
- Parking and Location Restrictions:
 - A. Cannot park in fire lanes
 - B. Cannot park in electrical charging stations (unless charging an electric vehicle)
 - C. Maximum 8-hour parking in one spot
 - D. Cannot leave vehicle overnight in public right-of-way
- Sound and Noise Restrictions:

- A. Initially proposed complete ban on amplified sound/music
- B. Ultimately removed the music ban, relying on existing noise ordinances
- Additional Regulations:
 - A. Must display fire inspection approval
 - B. Increased fines for illegal dumping of food waste/cooking oil
 - C. Raised potential jail time for violations

Commissioner Lopez stated I want to be on the record that I'm for these food trucks, as long as they play by the rules. I'm a small business owner. I get it. I know what it's like to earn and keep. I started out with nothing. I used to be an electro-lineman for Power Electric. I started out with a lineman paycheck. I asked the bank for 20 grand, and wouldn't give it to me. So I said, "Screw it. I'm gonna do it myself", and I've built something really big that I've done by myself. So I know where you're at now. I think the reason why we're here tonight is because some others has ruined it, playing music till three o'clock in the morning, being open. I've gotten emails from, just like Commissioner Burns has gotten emails from, people that are like, "dude, what is going on? We are trying to sleep." There's crazy. They're up until three o'clock in the morning, sometimes later. And then there's nothing good going on at three o'clock in the morning at all, but crime at that late. But I understand, you know, we got to, we got to have different hours. Because the hours is like, Okay, this doesn't make sense. You know, these guys need to make some money. I get it. You guys are working hard. I've been there. I'm still there. I know where you guys are at, but as long as they play by the rules. But we need, you know, I agree. We need to know the hours, is what I was reading is. I think it's respectable, but not no three, four o'clock in the morning, that's out of line. You know, there's people trying to sleep. But again, I think the reason why we're here is they were, I mean, there's music being played. Boom, boom, boom, boom, and people are trying to sleep. And if it wasn't for that, I don't think we'd even be here about the whole spiel, and then all the grease being dumped, and then I'm sure there's food owners here that are respectful, that they're just like, hey, we're playing by the rules. We're just doing what we need to do. And I get that. But, yeah, I'm all for, you know, these hours, they're actually respectable. That's, you know. But at the same time, are you paying? You know, pay your sales tax and pay your business license fees, and whatever fees you got to pay. I got to pay them in my business, I have to pay them. So that's all I want to say. Thanks.

Commissioner Davis made a motion to adopt the ordinance with strikeout of Section 4-J for the music/sound from mobile vehicle. The motion was seconded by Commissioner Bynum.

Vote: Motion carries 7/1

- Ayes: Stites, Davis, Bynum, Ramirez, Hill, Kane, Lopez
- Nays: Burns
- Absent: Burroughs, Townsend

Commissioner Bynum made a motion to adjourn and reconvene as the Land Bank Board of Trustees. The motion was seconded by Commissioner Davis. (Discussion Begins 2:28:59)

Vote: Motion carries 8/0

2. Ayes: Stites, Davis, Bynum, Ramirez, Burns, Hill, Kane, Lopez
3. Nays: None
4. Absent: Burroughs, Townsend

XV. Land Bank Board of Trustee's Consent Agenda (Discussion Begins 2:29:36)

Item No. 1 - LAND BANK OPTIONS

Item No. 2 - LAND BANK PROPERTY TRANSFERS

Commissioner Davis made a motion to approve all items on the Consent Agenda. The motion was seconded by Commissioner Kane.

Vote: Motion carries 8/0

- Ayes: Stites, Davis, Bynum, Burns, Ramirez, Hill, Kane, Lopez
- Nays: None
- Absent: Burroughs, Townsend

Adjournment: (Discussion Begins 2:30:12)

Commissioner Kane moved to adjourn the meeting. The motion was seconded by Commissioner Ramirez.

Vote: Motion carries 8/0

- Ayes: Stites, Davis, Bynum, Burns, Ramirez, Hill, Kane, Lopez
- Nays: None
- Absent: Burroughs, Townsend

MAYOR GARNER

ADJOURNED THE MEETING AT 10:04 P.M.

May 30, 2024

Monica L. Sparks, CMC

Unified Government Clerk