

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, April 25, 2024

7:12 PM-10:48 PM

Attendance:

Commissioner's Present:

- Commissioner Burroughs (Mayor Pro Tem)
- Commissioner Bynum
- Commissioner Davis
- Commissioner Stites
- Commissioner Lopez
- Commissioner Hill
- Commissioner Townsend

Commissioner's Absent:

- Mayor Tyrone Garner
- Commissioner Kane (Absence memo provided)
- Commissioner Burns (Absence memo provided)

Staff Present:

- Monica L. Sparks (Interim Unified Government Clerk)
- David Johnston (County Administrator)
- Angela Lawson (Acting Chief Counsel)
- Gunnar Hand (Director, Urban Planning & Design)

I. Call to Order

Mayor Pro Tem Burroughs called the meeting to order at 7:12 PM. Sister Therese Bangert, Our Lady Saint Rose Catholic Church, led the invocation, followed by the Pledge of Allegiance.

V. Revisions to Agenda

No revisions to the agenda were reported.

VI. Clerk's Statement (Statement Read 00:05)**VII. Planning and Zoning Consent Agenda (Discussion Begins 5:49)****A. CHANGE OF ZONE APPLICATIONS**

1. COZ2023-034 GERALD MENEFEE WITH KAM DESIGN GROUP
2. COZ2024-002 AUSTIN THOMPSON WITH ATLAS LAND CONSULTING
3. COZ2024-005 AUSTIN THOMPSON WITH ATLAS LAND CONSULTING
4. COZ2024-006 BRANDON CARLSON WITH THE PROPERTY BR COMPANIES AND/OR AFFILIATES

B. SPECIAL USE PERMIT APPLICATIONS

1. SP2023-110 MARK CARNESECCA WITH PICK N PULL
2. SP2024-006 ATTIF ABBAS
3. SP2024-007 SAMIA GUESS
4. SP2024-008 MEGAN PAINTER WITH CHWC HOLDING CORPORATION
5. SP2024-010 RODERICK SIMMONS, JR.
6. SP2024-011 JUAN RAMIREZ
7. SP2024-012 NADIA GRIFFITT

D. PLAN REVIEW APPLICATION

1. PR2024-006 DAVID LUTZ

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

2. AN ORDINANCE authorizing a Special Use Permit (SP2023-119) for a Short-Term Rental (on the second floor) at 204 Orchard Street
3. AN ORDINANCE authorizing a Special Use Permit (SP2023-120) for a drinking establishment (on the first floor) at 204 Orchard Street.
4. AN ORDINANCE vacating utility easement (VAC2024-001) at 11471 Webster Avenue.

Commissioner Ramirez made a motion to approve all items on the Planning and Zoning Consent Agenda as submitted, except Item No. C.1 and E.1. The motion was seconded by Commissioner Bynum.

Vote: Motion carries 6/1

- Ayes: Stites, Davis, Bynum, Townsend, Hill, Ramirez
- Nays: Lopez
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

Set Aside Items:

A request was made by Louise Lynch (Kansas City, Kansas), to set aside short-term rental items. After legal clarification that only one item could be removed per person, Item No. E.1 was set aside (Discussion Begins 21:10)

E. MISCELLANEOUS - ORDINANCES

1 AN ORDINANCE authorizing a Special Use Permit (SP2023-109) for a non-owner-occupied Short-Term Rental at 3059-3065 Francis Street.

Staff presented opening comments. The Applicant was not present.

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

Commissioner Ramirez made a motion to approve Item No. E.1, Ordinance. The motion was seconded by Commissioner Bynum.

Vote: Motion carries 6/1

- Ayes: Stites, Davis, Bynum, Townsend, Hill, Ramirez
- Nays: Lopez
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

A request was made by Nanette Hobbs to set aside Item No. C.1, (Discussion Begins 25:30)

C. MASTER PLAN AMENDMENT APPLICATION

1.MPL2023-019 GERALD MENEFEE WITH KAM DESIGN GROUP

Staff presented opening comments. The Applicant was not present.

The Mayor Pro Tem opened the public hearing. Public comment opposing the item:

- **Nanette Hobbs (Comment Begins 32:38) TECHNICAL DIFFICULTY, NO AUDIO**

The public hearing was closed.

Commissioner Bynum made a motion to approve the Planning Commission's denial of the item. The motion was seconded by Commissioner Stites.

Vote: Motion carries 7/0

- Ayes: Stites, Davis, Bynum, Townsend, Hill, Lopez, Ramirez
- Nays: None
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

IX. Planning and Zoning Non-Consent Agenda

A. CHANGE OF ZONE APPLICATIONS

Item A.1. COZ2023-024 – CHRIS ELSEY WITH THE PRIME COMPANY

Item No. C.1 MPL2023-012- CHRIS ELSEY WITH THE PRIME COMPANY (Discussion Begins 36:20)

Legal counsel clarified that due to the protest petition on COZ2023-024, nine votes would be required for approval. With only eight commissioners present, the commission discussed options to hold items over to the next meeting.

Staff and the Applicant presented opening comments.

The Mayor opened the public hearing. The following individuals offered comment in opposition to the project:

- **Frenchy Hooks (Comments Begin: 47:25)**
- **Claudine Horton (Comments Begin: 50:45)**
- **Wilbert Horton (Comments Begin: 52:27)**
- **William C. Pool (Comments Begin: 53:18)**
- **Margaret Beatrice Clark (Comments Begin: 56:20)**

The public hearing was closed.

Commissioner Davis made a motion to set Item No. A.1, COZ2023-024 over for 30 days to the next Planning & Zoning meeting in May. The motion was seconded by Commissioner Bynum.

Vote: Motion carries 7/0

- Ayes: Stites, Davis, Bynum, Townsend, Ramirez, Hill, Lopez
- Nays: None
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

Commissioner Bynum made a motion to set Item No. C.1, MPL2023-012 over for 30 days to the next Planning & Zoning meeting in May. The motion was seconded by Commissioner Davis.

Vote: Motion carries 7/0

- Ayes: Stites, Davis, Bynum, Townsend, Ramirez, Hill, Lopez
- Nays: None
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

Item A.2. COZ2024-004 – FRED DEL TORO (Discussion Begins 1:01:36)

Staff and the Applicant presented opening comments.

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

Commissioner Townsend made a motion to set the matter over for 30 days to the next Planning & Zoning meeting in May. The motion was seconded by Commissioner Davis.

Vote: Motion carries 7/0

- Ayes: Stites, Davis, Bynum, Townsend, Ramirez, Hill, Lopez
- Nays: None
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

B. SPECIAL USE PERMIT APPLICATIONS

Item No. 1 SP2023-122 – ANDREW MALL (Discussion Begins 1:16:19)

Staff and the Applicant presented opening comments.

The Mayor opened the public hearing. The following individuals offered comment in opposition to the project:

- **Meredith Casares (Comments Begin: 1:22:50)**
- **Alia [NO LAST NAME PROVIDED] (Comments Begin: 1:16:48)**

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 May. The motion was seconded by Townsend.

Vote: Motion carries 6/2

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

C. MASTER PLAN AMENDMENT APPLICATIONS and

D. PLAN REVIEW APPLICATION

Item No. C.2 MPL2024-001 – CURIS PETERSON (Discussion Begins 1:46:00)

Item No. D.1 PR2024-003 – CURIS PETERSON (Discussion Begins 1:45:30)

Staff and the Applicant presented opening comments.

The Mayor opened the public hearing. The following individual offered comment in support of the project:

- **Greg Kindle (Comments Begin: 2:14:41)**

The following individuals offered comments in opposition to the project:

- **Betsy Rivas (Comments Begin: 2:16:41)**
- **Jean Holland (Comments Begin: 2:19:20)**
- **Jesse Villarreal (Comments Begin: 2:21:28)**
- **Valerie Webb (Comments Begin: 2:24:39)**
- **Vicki Owens (Comments Begin: 2:26:38)**
- **Claudine Horton (Comments Begin: 2:30:18)**

- **Frenchy Hooks (Comments Begin: 2:32:31)**

The public hearing was closed.

Commissioner Davis made a motion to deny Item No. D.1, Master Plan PR2024-003. The motion was seconded by Commissioner Ramirez.

Vote: Motion fails 7/1 (8 votes needed to override Planning Commission recommendation)

- Ayes: Hill, Lopez, Stites, Davis, Townsend, Ramirez, Burroughs
- Nays: Bynum
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

Commissioner Bynum made a motion to set Item No.D.1, PR2024-003, over for 30 days to the next Planning & Zoning meeting in May. The motion was seconded by Davis.

Vote: Motion carries 6/1

- Ayes: Stites, Davis, Bynum, Townsend, Ramirez, Hill
- Nays: Lopez
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

Commissioner Bynum made a motion to set Item No.C.2, MPL 2024-001, over for 30 days to the next Planning & Zoning meeting in May. The motion was seconded by Townsend.

Vote: Motion carries 6/1

- Ayes: Stites, Davis, Bynum, Townsend, Ramirez, Hill
- Nays: Lopez
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

IX. Mayor's Agenda

Item No. 1 - Proclamation proclaiming May 5-11, 2024, as Professional Municipal Clerks Week. (Discussion Begins 3:24:09)

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

Item No. 2 - Proclamation proclaiming April 26, 2024, as Arbor Day. (Discussion Begins 3:24:29)

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

X. Regular Consent Agenda (Discussion Begins 3:24:49)

Item No. 1 – RESOLUTION: AUTHORIZING AMENDMENT TO 2024 MASTER EQUIPMENT LEASE PURCHASE

Item No. 2 – RESOLUTION: ADOPTING THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR VILLAGE WEST APARTMENTS III

Item No. 3 – NOMINATIONS: BOARDS AND COMMISSIONS

Item No. 4 - MINUTES

Item No. 5 – WEEKLY BUSINESS

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

Vote: Motion carries 7/0

- Ayes: Stites, Davis, Bynum, Townsend, Ramirez, Hill, Lopez
- Nays: None
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

XII. Standing Committees' Agenda

Item No. 1 APPROVAL: FY25 ADULT COMMUNITY CORRECTIONS KANSAS DEPARTMENT OF CORRECTIONS GRANT (Discussion Begins 3:25:32)

The FY25 Adult Community Corrections item was presented by Mayor Pro Tem Burroughs during the meeting.

Key Points

- It is a non-participatory grant from the Kansas Department of Corrections, requiring no funds from the Unified Government.
- The grant is for adult community corrections programs.
- The exact funding amount will be set by the legislature and is expected to be approximately \$2 million or slightly more.

Commissioner Bynum made a motion to approve. The motion was seconded by Commissioner Townsend.

Vote: Motion carries 7/0

- Ayes: Stites, Davis, Bynum, Townsend, Ramirez, Hill, Lopez
- Nays: None
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

Item No.2 APPROVAL: FY25 JUVENILE COMMUNITY CORRECTIONS KANSAS DEPARTMENT OF CORRECTIONS GRANT (Discussion Begins 3:26:42)

The FY25 Juvenile Community Corrections item was presented by Mayor Pro Tem Burroughs during the meeting.

Key Points

- It is a non-participatory grant from the Kansas Department of Corrections, requiring no local funds from the Unified Government.
- The grant supports juvenile community corrections programs.
- The expected grant amount is approximately \$1.5 million, pending final legislative approval.

Commissioner Bynum made a motion to approve. The motion was seconded by Commissioner Townsend.

Vote: Motion carries 7/0

- Ayes: Stites, Davis, Bynum, Townsend, Ramirez, Hill, Lopez
- Nays: None
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

XIII. Administrator's Agenda

Item No. 1 REACH FOUNDATION BOARD APPOINTMENTS (Discussion Begins 3:27:20)

The Reach Foundation Board Appointment item was presented by Mayor Pro Tem Burroughs during the meeting.

Key Points

- The commission considered the reappointment of Octavio Estrella to the Reach Healthcare Foundation's Board of Directors.

Commissioner Bynum made a motion to approve. The motion was seconded by Commissioner Townsend.

Vote: Motion carries 7/0

- Ayes: Stites, Davis, Bynum, Townsend, Ramirez, Hill, Lopez
- Nays: None
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

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 3:28:01)

Vote: Motion carries 7/0

- Ayes: Stites, Davis, Bynum, Townsend, Ramirez, Hill, Lopez
- Nays: None
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

XV. Land Bank Board of Trustee's Consent Agenda (Discussion Begins 3:29:10)

Item No. 1 - LAND BANK OPTIONS

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

Vote: Motion carries 7/0

- Ayes: Stites, Davis, Bynum, Townsend, Ramirez, Hill, Lopez
- Nays: None
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

Adjournment: (Discussion Begins 3:29:51)

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

Vote: Motion carries 7/0

- Ayes: Stites, Davis, Bynum, Townsend, Ramirez, Hill, Lopez
- Nays: None
- Absent: Kane, Burns, Garner
- Not Voting: Burroughs as Mayor Pro Tem

MAYOR PRO TEM BURROUGHS
ADJOURNED THE MEETING AT 10:48 PM
APRIL 25, 2024

Monica L. Sparks, CMC
Unified Government Clerk

ML