STATE OF KANSAS) REGULAR SESSION
WYANDOTTE COUNTY)) SS THURSDAY, MAY 11, 2017
CITY OF KANSAS CITY, KS)

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, May 11, 2017, with ten members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; and Holland, Mayor/CEO, presiding. Philbrook, Commissioner Eighth District, was absent. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell and Joe Connor, Assistant County Administrators; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Emerick Cross, Commission Liaison; Lindsay Behgam, Assistant to Mayor; Misty Brown, Deputy Chief Counsel; Ryan Haga and Susan Alig, Assistant Counsels; Jon Stephens, Interim Director of Economic Development; Chris Slaughter, Land Bank Manager; Angela Harshbarger, Economic Development; and Captain Shane Turner, Sergeant-at-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Bynum, Walker, Holland.

INVOCATION was given by Reverend Cynthia Smart of Mason Memorial United Methodist Church.

Mayor Holland said I'd like to ask the Clerk if there are any revisions to tonight's agenda. **Bridgette Cobbins, UG Clerk,** said a blue has been distributed. Under Consent Agenda, Item No. 2 is being removed. It's recommended for the Neighborhood Revitalization Strategy Area. Additional steps may be taken prior to full commission action; therefore, this item is asked to be removed. **Mayor Holland** said thank you that item is removed.

CONSENT AGENDA

Mayor Holland said that brings us tonight to our Consent Agenda. Does any member of the commission staff or citizen in attendance tonight wish to set aside any item from tonight's Consent Agenda? If you'd like to, please step forward to the microphone at this time. Any item not set aside will remain on the Consent Agenda and be voted on by a single vote.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the Consent Agenda**.

Mayor Holland said let the record show no one is moving to remove an item. It is properly before us.

Roll call was taken and there were eight "Ayes," Townsend, McKiernan, Johnson, Kane, Markley, Walters, Bynum, Walker.

(Commissioner Murguia left the meeting at 7:03 p.m. and returned at 7:05 p.m.)

Mayor Holland said as part of that Consent Agenda, we would like to congratulate Katherine Briney, our County Appraiser, for a four-year term. You're doing an excellent, professional job with the office and we appreciate it very much.

ITEM NO. 1 – 171080…GRANT: SEXUAL HEALTH ADOLESCENT RELATIONSHIP PROGRAM (SHARP)

SYNOPSIS: A grant application has been submitted to the Federal Government Office of the Assistant Secretary for Health, for a three year, $1.5M Teen Pregnancy Prevention Grant, submitted by Terry Brecheisen, Health Department Director. No match is required. On April 24, 2017, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve.** Roll call was taken and there were eight "Ayes," Townsend, McKiernan, Johnson, Kane, Markley, Walters, Bynum, Walker.

ITEM NO. 2 – 171086…RECOMMENDATION: NEIGHBORHOOD REVITALIZATON STRATEGY AREA (SOAR)

SYNOPSIS: Recommend Census Tract 422 (18th St., I-70 to Central Avenue, west to Grandview Blvd.) be developed as a Neighborhood Revitalization Strategy Area (NRSA) for submission to HUD as part of the revised Five Year Consolidated Plan, submitted by Wilba Miller, Community Development Director. On April 24, 2017, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **Additional steps must be taken prior to full commission; therefore, this item was previously removed per the blue sheet**.

ITEM NO. 3 – 171106…ORDINANCE: TREE BOARD'S DUTIES

SYNOPSIS: An ordinance amending and updating the codes regarding the Tree Board's duties, trees allowed in the public right-of-way, and insurance requirements for tree trimmers, submitted by Ryan Haga, Assistant Counsel. On May 1, 2017, the Neighborhood and Community Development Standing Committee, chaired by Commissioner Walker, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-10-17,** "An ordinance relating to the protection of trees in public rights-of-way; prohibition of certain trees in public right-of-way; the establishment of a Tree Board; and tree trimmer insurance requirements, amending Sections 32-356, 32-358, 32-359, 32-362, 32-365 and 19-162." **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the ordinance.** Roll call was taken and there were eight "Ayes," Townsend, McKiernan, Johnson, Kane, Markley, Walters, Bynum, Walker.

ITEM NO. 4 – 171127…RESOLUTION: SET PUBLIC HEARING FOR ARGENTINE FAST FOOD SHOPS

SYNOPSIS: A resolution setting a public hearing date of June 15, 2017, to consider the amendment to the Metropolitan Redevelopment District and the creation of a community improvement district (CID) for the Argentine Fast Food Shops proposal, submitted by Jon Stephens, Interim Economic Development Director. On May 1, 2017, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-19-17,** "A resolution calling and providing for notice of a public hearing to be held June 15, 2017, on the advisability of adding area to the Metropolitan Avenue Redevelopment District in the Unified Government of Wyandotte County/Kansas City, Kansas, pursuant to K.S.A. 12-1770 ET SEQ." **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were eight "Ayes," Townsend, McKiernan, Johnson, Kane, Markley, Walters, Bynum, Walker.

ITEM NO. 5 – 171129…RESOLUTION: REAPPOINTMENT OF COUNTY APPRAISER

SYNOPSIS: A resolution reappointing Katherine Briney as County Appraiser for a four-year term July 1, 2017, expiring June 30, 2021, submitted by Doug Bach, County Administrator.

Action: **RESOLUTION NO. R-20-17,** "A resolution reappointing Katherine Briney as County Appraiser for a four-year term July 1, 2017, expiring June 30, 2021." **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken and there were eight "Ayes," Townsend, McKiernan, Johnson, Kane, Markley, Walters, Bynum, Walker.

ITEM NO. 6 - MINUTES

SYNOPSIS: Minutes from regular session of April 6, 2017; and special sessions of April 20 and 26, 2017.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve.** Roll call was taken and there were eight "Ayes," Townsend, McKiernan, Johnson, Kane, Markley, Walters, Bynum, Walker.

ITEM NO. 7 – WEEKLY BUSINESS MATERIAL

SYNOPSIS: Weekly business material dated April 27, 2017.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to receive and file.** Roll call was taken and there were eight "Ayes," Townsend, McKiernan, Johnson, Kane, Markley, Walters, Bynum, Walker.

PUBLIC HEARING AGENDA

No items

STANDING COMMITTEES' AGENDA

ITEM NO. 1 – 171097…RESOLUTION: BPU LINES-LEAVENWORTH ROAD, 38TH TO 63RD ST.

SYNOPSIS: A resolution declaring the necessity and authorizing a survey of lands for electrical distribution and transmission lines both above and below ground along Leavenworth Road from 38th St. to 63rd St., submitted by Ryan Haga, Assistant Counsel. On April 24, 2017, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted 5 to 1 to approve and forward to full commission.

Ryan Haga, Assistant Counsel, said this is just a standard resolution survey authorizing condemnation of any easements that might be required for the relocation of any electrical facilities along Leavenworth Road, from 38th to 63rd Street.

Commissioner Kane said I pulled this off because we were talking last week about the CMIP and trying to find money for the cameras and stuff like that. You know the deplorable working conditions that the Fire Department live in and yet we're going to take something that we don't have to do, spend a lot more money than needed to spend to make something look pretty. Therefore, I think this is the absolute wrong way to spend the people's money. We can use it to fix roads, purchase more vehicles and that's why I wanted it pulled off.

Commissioner Bynum said just to clarify, this particular item doesn't deal with the funding portion. I'm asking for clarification, that this item is strictly for the ability to acquire the needed property for the Leavenworth Road major reconstruction project regardless of whether power lines are above or below ground. Correct? **Mr. Haga** said that's correct.

Action: **RESOLUTION NO. R-21-17,** "A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the construction, maintenance, operation, use and repair of electrical distribution and transmission lines both above and below ground along Leavenworth Road from 38th Street to 63rd Street, all in Kansas City, Wyandotte County, Kansas." **Mayor Holland made a motion, seconded by Commissioner Bynum, to adopt the resolution.** Roll call was taken and there were eight "Ayes," Townsend, McKiernan, Murguia, Johnson, Markley, Walters, Bynum, Walker; and one "No."

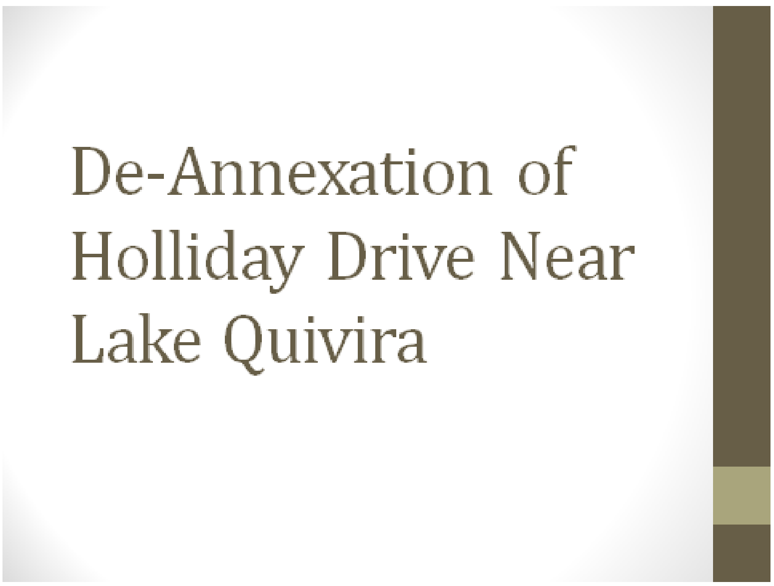
Commissioner Kane asked who made that motion. **Mayor Holland** said I did. Do you have another question? **Commissioner Kane** said no. **Mayor Holland** said Mark Holland made the motion.

ITEM NO. 2 – 171088…RESOLUTION: EXCLUDE A PORTION OF HOLLIDAY DRIVE FROM THE BOUNDARIES OF KCK

SYNOPSIS: A resolution authorizing the filing of a petition to exclude a portion of Holliday Drive from the boundaries of Kansas City, KS, and providing notice that the Planning Commission will hold a public hearing on this matter on June 12, 2017, at 6:30 p.m., submitted by Susan Alig, Assistant Attorney. On April 24, 2017, the Administration and Human

Services Standing Committee, chaired by Commissioner Markley, voted 4 to 1 to approve and forward to full commission.

Doug Bach, County Administrator, said I would like to ask our Legal Department to come forward. This is really—we have a two-part process going forward. This aspect of it is regarding the road and to make sure it is included in kind of a de-annexation or re-annexation process and the cost associated with that. We wanted to make sure it would go forward with that process.



Susan Alig, Assistant Attorney, said just a little bit of background on this project; this is the second part of a de-annexation project that is in the works. The private landowner of three parcels of land near Lake Quivira has filed a petition with the Unified Government requesting that those parcels be de-annexed from the boundaries of Kansas City, KS. That petition is working its way through the process.

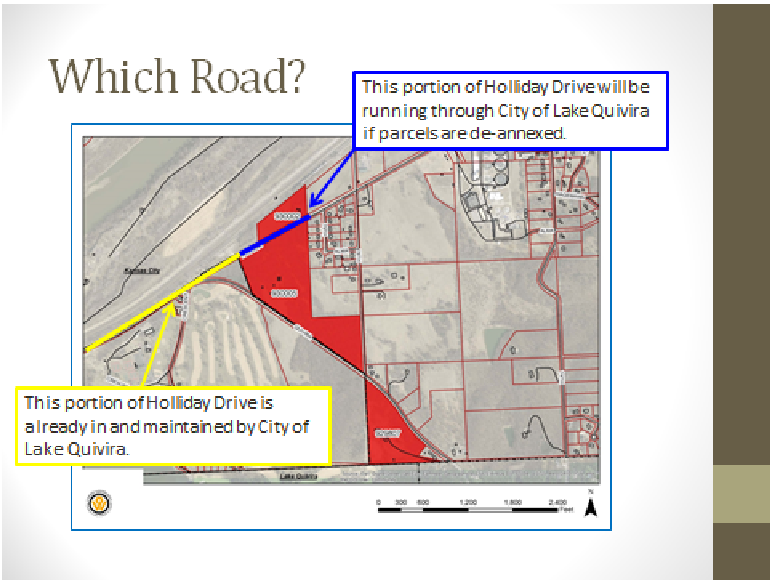
As we were looking at those three parcels, we realized that there is a portion of Holliday Drive that is currently maintained by the city of Kansas City, KS, that if those parcels are ultimately de-annexed from our boundaries and annexed by the city of Lake Quivira, we would have a portion of Holliday Drive that we currently maintain in their city.

This portion of the project, this part two, deals with Holliday Drive and is designed to allow the Commission to ultimately make a decision about whether to de-annex those parcels that are privately held by private landowners and this portion of Holliday Drive all at the same time as a package so that we wouldn't end up with a situation where we had part of our road running through the city of Lake Quivira.

Timeline

Parcels privately owned by Quivira Inc	Holliday Drive
January 26, 2017: Quivira, Inc. files petition to de-annex 3 parcels they own.	
March 13, 2017: Planning Commission conducts a public hearing regarding de-annexation of those 3 parcels	**April 24, 2017:** Standing Committee approves filing petition and setting public hearing to de-annex a portion of Holliday Drive.
May 8, 2017: Planning Commission sets 3 parcels over to June 12, 2017 so decision can be made on parcels and road at the same time	**May 11, 2017:** Full Commission decision about whether to file petition and set public hearing to de-annex a portion of Holliday Drive.
June 12, 2017: Planning Commission public hearing on Holliday Drive and recommendation on whether to de-annex parcels and Holliday Drive	
June 29, 2017: Full Commission meeting on whether to de-annex parcels and Holliday Drive.	

I'll show you. Here's a map of what we're talking about. In red are those three parcels that Quivira, Inc. has asked to have de-annexed from Kansas City, KS. That blue portion of Holliday Drive is currently ours. It's currently in Kansas City, KS, but if those red parcels eventually become part of Lake Quivira, ideally we would want that blue portion of Holliday Drive also to become part of Lake Quivira so that we wouldn't have one of our roads running through their city. The yellow portion of Holliday Drive is already in the city boundaries of Lake Quivira and is currently maintained by them.



To give you an idea of the process that we're going through here, on the left is the procedure that we're following for those parcels that are owned by Quivira, Inc. On the right is the procedure we're following for Holliday Drive. The way we've planned it out, we would like them both to come in front of the Planning Commission together on June 12th and then back in front of you all for an ultimate decision about whether to de-annex on June 29th.

So today what I'm asking the Commission to do is to authorize the filing of a petition to de-annex that portion of Holliday Drive and to set a public hearing in front of the Planning Commission. **Mayor Holland** said I presume we can do that with a single motion. **Ms. Alig** said yes. **Mayor Holland** asked are there any further questions about this.

Action: **RESOLUTION NO. R-22-17,** "A resolution authorizing the filing of a petition to exclude a portion of Holliday Drive from the boundaries of Kansas City, Kansas, and calling and providing for the giving of notice of a public hearing on the petition to be heard by the Planning Commission on June 12, 2017." **Commissioner Markley made a motion, seconded by Commissioner McKiernan, to adopt the resolution.**

Commissioner McKiernan said I just had one question. Right now we maintain the portion of Holliday Drive that is effectively northeast and southwest of the portion that is maintained by Lake Quivira. Correct? **Ms. Alig** said the blue part is in our city and maintained by us right now. **Commissioner McKiernan** said but further north and east than that is ours and further south and west from that is ours. **Ms. Alig** and **Mr. Bach** said yes.

Roll call was taken and there were eight "Ayes," Townsend, McKiernan, Murguia, Johnson, Markley, Walters, Bynum, Walker; and one "No."

ADMINISTRATOR'S AGENDA

ITEM NO. 1 – 171130…RESOLUTION: SET A PUBLIC HEARING FOR AMENDMENTS TO VILLAGE EAST STAR BOND DISTRICT

SYNOPSIS: A resolution setting a public hearing date of June 15, 2017, to consider the proposed second amendment to amended and restated STAR Bond District Plan and proposed STAR Bond Project Plans for Project Areas 2B and 3 of The Village East STAR Bond District, submitted by Angela Harshbarger, Economic Development.

Doug Bach, County Administrator, said we're requesting to set a public hearing for consideration of this item on June 15th which pertains to how we have the STAR Bond District set out in that area. If you'd like to have more information, we can step through it now.

Action: **RESOLUTION NO. R-23-17,** "A resolution establishing the date of June 15, 2017, for a public hearing regarding a proposed second amendment to amended and restated STAR Bond District Plan, a proposed STAR Bond Project Plan for Project Area 2B and a proposed STAR Bond Project Plan for Project Area 3, all within the Village East STAR Bond District in the city of Kansas City, Kansas, and providing for the giving of notice of such public hearing (Village East)." **Commissioner McKiernan made a motion, seconded by Commissioner Murguia, to adopt the resolution.** Roll call was taken and there were nine "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Bynum, Walker.

COMMISSIONERS' AGENDA

No items

Mayor Holland said that brings us now to the Land Bank Board of Trustees. We are now adjourned as the Board of Commissioners and reconvened as the Land Bank Board of Trustees.

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

ITEM NO. 1 – 171103… LAND BANK BUSINESS

SYNOPSIS: Request approval of the following Land Bank applications, transfers and donation, submitted by Chris Slaughter, Land Bank Manager.

Transfers to Land Bank
1718 S. 17th St. from Board of County Commissioners, request from owner of multiple properties in area
7219R Kaw Dr. from UG of WyCo/KCK, transfer for potential sale
7239R Kaw Dr. from UG of WyCo/KCK transfer for potential sale

Applications
1031 Haskell Ave. - Pablo Perez, yard extension
268 N. 35th St. - Rosa Jasso, yard extension
1936 S. 41st St. - Greg Bequette, property acquisition
1930 S. 41st St. - Greg Bequette, property acquisition
1929 S. 42nd St. - Greg Bequette, property acquisition
1919 S. 42nd St. -Greg Bequette, property acquisition
1931 S. 41st St. - Greg Bequette, property acquisition
1915 S. 41st St. - Greg Bequette, property acquisition
1420 Tauromee Ave. - CHWC, Inc., single family construction
(The Land Bank Advisory Board voted to forward the applications for final approval.)

Transfers from Land Bank
645 Minnesota Ave. to UG
655 Minnesota Ave. to UG
907 N. 7th St. Tfwy. to UG
905 N. 7th St. Tfwy. to UG
(Properties transferred from Land Bank to UG for filing of plat.)

Donation to Land Bank
3127 Waverly Ave. from Thomas Devick

On May 1, 2017, the Neighborhood and Community Development Standing Committee, chaired by Commissioner Walker, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Mayor Holland said we have all items on the Consent Agenda. Would anyone in attendance tonight, commissioner or staff like to set an item aside.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve**.

Mayor Holland said any item not set aside would be voted on by a single vote. Let the record show no one moving to set an item aside. It is properly before us.

Roll call was taken and there were nine "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Bynum, Walker.

PUBLIC ANNOUNCEMENTS

No items

MAYOR HOLLAND

ADJOURNED THE MEETING AT 7:16 P.M.

May 11, 2017

Bridgette D. Cobbins
Unified Government Clerk

tpl