

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

REGULAR SESSION
THURSDAY, AUGUST 17, 2017

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, August 17, 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; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO, presiding. Murguia, Commissioner Third District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell, Joe Connor, and Melissa Sieben, Assistant County Administrators; Logan Masenthin (CAO Intern); Ken Moore, Chief Legal Counsel; Maureen Mahoney, Assistant to the Mayor/Chief of Staff; Emerick Cross, Commission Liaison; Bridgette Cobbins, Unified Government Clerk; Chris Slaughter, Land Bank Manager; and Captain Robert Angell, Sergeant-at-Arms.

MAYOR HOLLAND called the meeting to order.

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

INVOCATION was given by Reverend Cedric Rowan of First Baptist Church.

MAYOR'S AGENDA

ITEM NO. 1 – 171244...VOTING DELEGATES: LKM CONFERENCE

Synopsis: Designation of voting delegates for the League of Kansas Municipalities Annual Conference in Wichita, KS.

Mayor Holland said there's room for more delegates. Wichita is beautiful this time of the year so there's an opportunity. I would ask the Clerk if you would announce who the voting delegates

will be.

Bridgett Cobbins, Unified Government Clerk, said it's uncertain who the voting delegates will be. We do have three staff members that plan on attending. I believe it is Melissa Sieben, Mike Taylor and I believe Gordon Criswell. Those are the three staff that will be going.

Action: **Mayor Holland made a motion, seconded by Commissioner McKiernan, to approve the voting delegates.** Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

CONSENT AGENDA

Mayor Holland asked if anyone in the audience tonight would like to set an item aside you're welcome to do so by coming forward to the microphone. Any item not set aside will be voted on by a single vote. **A woman from the audience** asked to set-aside Item #3, minutes of regular session July 6, 2017. **Mayor Holland** said we will set the minutes aside. Let the record show that no one else is moving forward.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the Consent Agenda, excluding the set aside.** Roll call was taken and there were nine "Ayes," Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 1 – 171226... ORDINANCE: BPU/ROSEDALE ELECTRIC SUBSTATION

Synopsis: An ordinance authorizing the Chief Counsel to commence legal proceedings to acquire property required for the Board of Public Utilities' new 161kV Rosedale Electric Substation, submitted by Ryan Haga, Assistant Counsel. This condemnation action does not include any easements that may be required for transmission line.

Action: **ORDINANCE NO. O-20-17, "An Ordinance condemning land for the construction, maintenance, operation, use and repair of the Kansas City Board of**

Public Utilities new 161kV Rosedale Electric Substation.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken and there were nine “Ayes,” Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker, Townsend, McKiernan.

ITEM NO. 2 – 171240... NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

Joan Spero for the Wyandotte/Leavenworth Area Wide Advisory Council on Aging, 8/17/17 to 3/31/20, submitted by Commissioner Markley.

Denise Tomasic for the Kansas City, KS Housing Authority, 8/17/17 to 3/31/18, submitted by Commissioner Philbrook.

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

ITEM NO. 3 – MINUTES

Synopsis: Minutes from regular session of July 6, 2017; and special sessions of July 13, 17, 20, and 24, 2017

Mayor Holland said I’ll ask the member in the audience who set the minutes aside to please come forward to the microphone to address why you set this item aside. **Woman from the audience** said I set July 6th to the side because I want to address the juvenile detention center. That’s why I set it to the side. The construction of it is, if I’m not mistaken, it’s talking about the construction, right and condemning buildings, right? **Mayor Holland** said my understanding is approval of the minutes are only the stating of the items; if there is a misstatement in the minutes of something that happened or didn’t happen that was not recorded properly. We don’t reopen items for discussion or for a new vote based on what’s reflected in the minutes.

I would suggest that if you think that there is something recorded in the minutes that is wrong or inaccurate then we can correct those minutes for the record. We do not take the items that were approved—the meeting that approved them has already passed. These are just the

minutes that recorded what happened. We just need to make sure the recording was correct, but we don't reopen issues for discussion based on their presence in the minutes. Does that make sense? **Woman from the audience** said yes. **Mayor Holland** asked do you have any corrections to the minutes. **Woman from the audience** said no.

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

ITEM NO. 4 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated July 27, August 3 and 10, 2017.

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

Mayor Holland adjourned the meeting as the Board of Commissioners and reconvened as the Land Bank Board of Trustees.

LAND BANK BOARD OF TRUSTEES' AGENDA

ITEM NO. 1 – 171233...LAND BANK BUSINESS

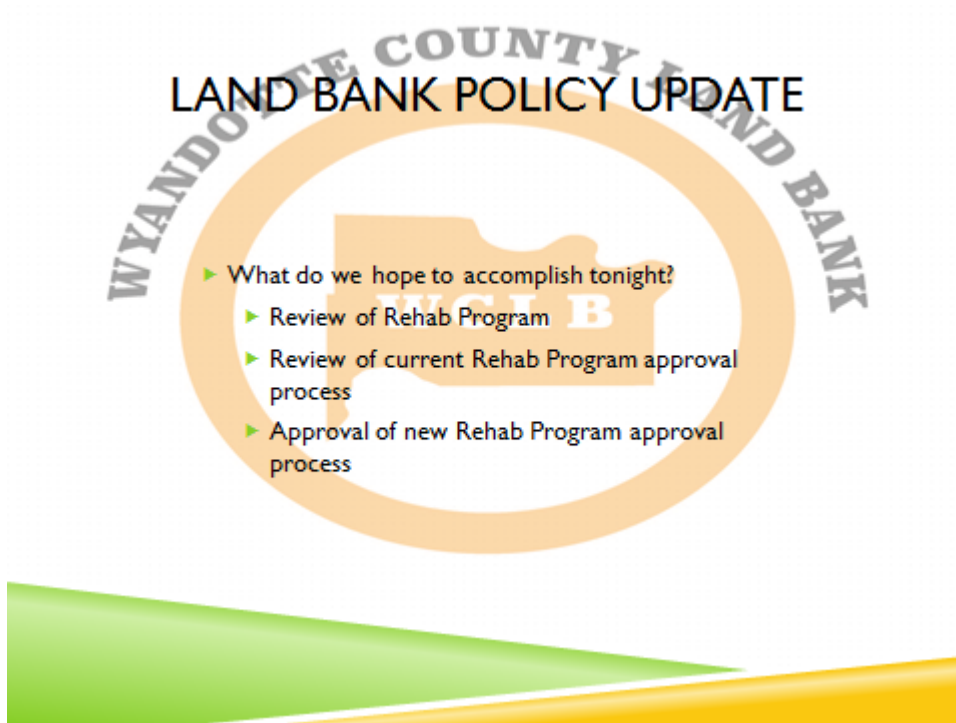
Synopsis: Request approval of the following Land Bank policy updates, submitted by Chris Slaughter, Land Bank Manager.

- Land Bank Policy Update
- Land Bank Rehab Property

Chris Slaughter, Land Bank Manager, said what we did is we met Monday night at the standing committee and we presented some policy recommendation changes, basically the approval process for the houses that are going through our Land Bank Rehab Program. I'll run through the presentation and then if there's any questions, please let me know or we can take questions at the end.

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Also, there will be a recommendation for the Board to approve property that goes into the Rehab Program. I believe the list is in your packet tonight. There are 48 properties.



Again, what we hope to do tonight is we'll go ahead and do a quick review of the Rehab Program, the current Rehab Program approval process, and the proposed new approval process.

LAND BANK REHAB PROGRAM

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- ▶ Property with improvements that will be accepted into the Land Bank
 - ▶ Houses
 - ▶ Commercial properties
 - ▶ Contractor Pool
 - ▶ Only ones who can participate in Rehab Program
 - ▶ Existing rehabbers
 - ▶ Real Estate Investors
 - ▶ Boarding/Securing Property
 - ▶ Offer/Negotiation
 - ▶ Approval Process

As you guys are all aware, we are now taking more than just vacant lots into the Land Bank. Those include houses and commercial properties. We have established a contractor pool. These are qualified rehabbers and investors that have gone through a process to get in the pool. Anybody from the public right now just couldn't come up to us and ask for a house to rehab. They would have to qualify for this pool. Those are the only ones that see the houses and have an opportunity to make an offer.

When we get those, we also board and secure those. Hopefully, some of you have noticed those in your neighborhoods. We paint the doors, we paint the windows, and we tarp the roofs. We put out offers. We have negotiations on the number one ranked offer if there is more than one. Then we turnaround and bring them to standing committee and full commission for approval.

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LAND BANK REHAB PROGRAM

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- ▶ Rehab Program – current process
 - ▶ Offer/Negotiation
 - ▶ N/CD Standing Committee
 - ▶ Commission Meeting (Board of Trustees)
 - ▶ Closing
 - ▶ Start of Rehab
 - ▶ Challenges of current process
 - ▶ Deadlines and established meetings
 - ▶ Time frame from deadlines to meetings
 - ▶ Extra time for our property to be broken into

Again, offer/negotiation, standing committee, this meeting the Board of Commissioners. We then close, we start the rehab and then if it's successful, then we move on to the next property. The challenges that this presents are deadlines that are established and schedule of meetings. Our houses are boarded and secured before we make an offer. So the longer this draws out before we can get someone in there to rehab, the more chances someone can break into that, cause further damage and cause injury to themselves.

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Here's the new process we're proposing. We will still have offers; we will still negotiate with them. Then, at that point, what we're going to do is we're going to recommend that we put the details of the offer in an agreement in a memo to the County Administrator for his approval. Now if he does approve that, then we will go ahead and move to the closing and we will start the rehab. At that time, we will then come back at the next standing committee and commission meeting and we will report on that progress so we can report and say here are the ones that have started, here are the ones that have been completed, here is some information on the before and after type stuff. We can kind of develop that as we move forward.

LAND BANK REHAB PROGRAM

- ▶ Benefits of new approval process
 - ▶ Time
 - ▶ 12 days from RFA deadline to Standing Committee
 - ▶ Average 3 – 17 days from Standing Committee to Commission meeting
 - ▶ 2 to 3 weeks of waiting time rehab could have been started

The benefits of that is, of course, time. From the deadline to submit our RFA, we have 12 days until we get to standing committee. We can average anywhere from 3 days if we fast track to 17 days to go to the commission meeting. That's 2 or 3 weeks of additional time.

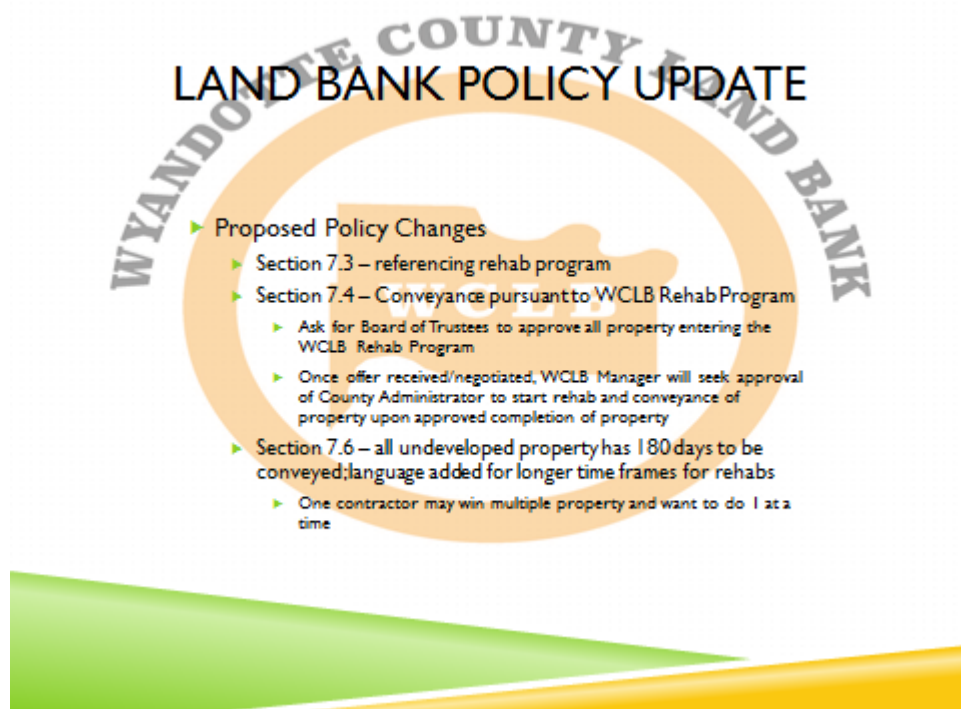
LAND BANK REHAB PROGRAM

- ▶ Benefits of current approval process (example)
 - ▶ Open House – 7 properties on August 18, 2017
 - ▶ Offer deadline – August 25, 2017
 - ▶ Deadline for September N/CD – August 30, 2017
 - ▶ N/CD – September 11, 2017
 - ▶ Commission Meeting – September 14 or 28, 2017
 - ▶ **MAX TOTAL DAYS – 41 days (almost 6 weeks)**

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Just an example, we have 7 open houses tomorrow. We're going to show 7 of our houses. Hopefully we'll get some offers. We usually do a weeks' time before those deadlines are due.

The next available standing committee cycle starts on August 30. We'd have a September 11 standing committee, then either the 14th or the 28th for the commission meeting approval. So that's 41 days maximum total or almost 6 weeks of these houses sitting empty with nobody in there rehabbing. We are starting to discover rehabbers in our pool that will definitely have properties rehabbed in that 41- day period.



What is the policy update changes come out to? In Section 7.3, the policy which you also have, we are referencing the Rehab Program in there. We have asked that the Board of Trustees approve all property entering, which we will get to in a minute. Then, of course, the information authorizing the County Administrator to start that process.

We have also turned around and added language for property that's 180 days to be conveyed. An example of that would be we may get one contractor that's awarded two, three properties but what we'll probably do is say if you can't do two at a time, we'll do one and we'll kind of hold them while you're taking care of cutting the grass and keeping it secured. One hundred eighty days could go by before they actually start so we just wanted to add some language in there that kind of protected those situations.



A little bit of information right now, total number of properties 51. We have 3 under contract and 2 that are going to be under contract once we get the title work figured out and that should be hopefully relatively in the next week or two. Twenty-eight of those 51 have been boarded and secured. We're in the process of finalizing the securing of the remaining 21. Six offers we had due on the 14th, and we're currently evaluating those. Of course, we have the 7 open houses tomorrow.

In your packet, again, there are 48 properties that are from Tax Sale 336, which was last December; 337, that was in April of this year and there is one donation property that we got from Wells Fargo in that list too. Again, we are asking that the Board approve the policy update and the list of rehab property that's been submitted.

Commissioner Walker said this came before the committee and we had a longer discussion about it than anyone would have anticipated. I felt like the results came out pretty good. I think the only—I don't know that it needs to be necessarily codified or written down. Undoubtedly, at some point and sometime in the future universe, there's going to be a commissioner that's going to have a problem with one of these houses being put into the pool for resale. It would be my personal preference, although it won't affect me, that there should be a—I can imagine a house

that has some potential that perhaps administration is not aware of that the elected officials know that business entity or a church or some other organization could use this property to more advantage than it being rehabbed for housing. I would like to see where the commissioner, at least from that district, if not any commissioner had the option to request that something be pulled off that list and be brought before the Commission for other consideration.

My understanding was the commissioners will receive a periodic update of the property so it would be incumbent on the commissioner to do something about it before it goes too far down the road. It seems reasonable to me that they retain some minor element of control over the disposition of this property. If there's a bigger fish to be fried than administration has not been clued in. Am I clear on what I'm trying to say here to all of you?

Commissioner McKiernan said I completely agree with what you are saying, but I think that in our process, that would need to take place a little bit further upstream so to speak. At the time that it is, for example, going into a tax sale, so before it gets to this list, I think there's an opportunity to intervene positively in any of our standing committee meetings where we're considering it the first time. By the time the houses make it to this list, we've done our due diligence on them and notified sufficiently; and we've had an opportunity to look at the list at least once as its come to standing committee would be my understanding. I agree and I think we have the opportunity to do that I think.

Commissioner Walker said well, if everyone is satisfied with that, I have to tell you when you get 400 or 500 pieces of property on a tax sale notice, my eyes glaze over. I don't always have—my more youthful comrades up here may be able to pinpoint in their minds that certain address of a particular piece of property. I can't do that; I'm sorry.

Mayor Holland said I think one of the ways that would be beneficial is when that tax sale list comes, and I think it's increasingly less burdensome to make this request, could it include a map of where those are. The way we do GIS mapping now, it should be. If there is a list of those properties, we should be able to get a map as well then every commissioner could look at the map instead of just the list of properties which would be easier because you can kind of keep your eye out for the location.

Commissioner Walker said I am satisfied if my colleagues here are satisfied that there is an opportunity for them to not be precluded from perhaps, I keep thinking of a church, but it could be anybody. It could be a business, it could be a church, it could be a non-profit and that is

a key piece of property for what they have planned for the future. The commissioner knows about it because there's been discussion with him but it hasn't trickled down to administration. I just don't want to get so far down the road that we can't stop it. That was the whole point. If everyone's satisfied with the tax sale, then I'm okay with it. **Mayor Holland** said I personally appreciate your thinking of the churches, Commissioner. **Commissioner Walker** said I do think of the churches often.

Commissioner Bynum said I appreciate the policy changes and it strikes me that anytime we can streamline a government process, then that's progress so that's appreciated.

I have just a couple of really simple questions. This policy change and update, did it go to the Land Bank Advisory Committee for their review and discussion? **Mr. Slaughter** said no. Really the Advisory Board currently, they're just reviewing really just an application for a yard extension or property acquisition. Maybe if somebody is wanting some property for a new build or something like that. They are aware of the Rehab Program, but we haven't really included them in this. **Commissioner Bynum** said we might want to consider a conversation with them, at least, to make sure everyone involved in Land Bank is on the same page with the processes that we're adopting.

The second question is, in the policy itself, it speaks to, I think, 180 days to register the deed in the Register of Deeds Office. The question is, is there a process in place between your department and the Register of Deeds Office that's making sure that happens? **Mr. Slaughter** said that's me. **Commissioner Bynum** said I was afraid you were going to say that. Is there a hammer if it doesn't happen? What's the penalty if it doesn't happen? **Mr. Slaughter** said if we couldn't get one of these houses conveyed in 180 days? **Commissioner Bynum** said if I take the house and I don't file my deed with the Register of Deeds? **Mr. Slaughter** said, Commissioner, the way the program works is the property stays in the Land Bank's name throughout the rehab. The agreement that we sign with the rehabber is filed, in essence, like a contract for deed. When everything has been satisfied from the rehab standpoint, from the Land Bank's position, our inspectors or anybody else that needs to be involved, then we will deed ourselves off the property. We also ask them before they start the rehab to sign a quick claim deed from them deeding themselves or basically the agreement off if we get to the point where they have to walk away from the project or maybe they have. Instead of us chasing them down, we already have that on file.

We feel we put the precautionary steps in there to make sure that nobody is going to take advantage of conveying something when it shouldn't be. We tell everybody that comes and registers that we want to be your partner during this process. We may not be swinging the hammer and pulling down walls with you, but we're looking to make them successful because we want them to come back and do some more property for us.

Commissioner Philbrook said thank you very much for all that hard work and streamlining and for everybody else's questions. I do agree with Commissioner Walker that it would be nice to know far enough ahead so if there is something special going on with a piece of property. Thank you, Mayor, for suggesting the map, a map I could use. I love maps. It's a lot easier. Since I know we're going to be doing that, great ideas.

Mayor Holland said I want to thank everyone for working on this as well. This is part of our SOAR initiative to stabilize, occupy, and revitalize initiative. It's really not just tearing down properties but getting properties that can be saved back onto the tax rolls and rehabbed. This is something that we've talked about for a long time and we're trying to bring it to scale. This is a big step forward with the SOAR initiative and this is why we're investing \$1.7M of STAR bond money into this SOAR initiative because it's directly benefiting rehabbing properties. To have 51 in the pipeline is very exciting.

The other piece is how do people who would like to get into the contractor pool get in? **Mr. Slaughter** said the easiest way is to contact our office. We do have on our website, there is a link. There's been some issues that hopefully we'll get that link fixed. The easiest way is they can contact us. They can come by our office. We have them printed out and we can email them to them. Of course, once the website is up, they'll have the ability to do it all on the website. **Mayor Holland** said they contact Chris Slaughter. **Mr. Slaughter** said Chris Slaughter or the Land Bank/Economic Development Office at 573-5730. **Mayor Holland** said 573-5730. We'll that's the best phone number in the agency, that's easy to remember. **Mr. Slaughter** said it took me a while to memorize it but, yes, I got it. **Mayor Holland** said nice work, nice work. Thank you very much for your work on this. There's been a lot of effort to get to this point, so thank you and bringing it to scale is our next challenge.

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

Mayor Holland said I’ve been asked by Commissioners Bynum and Townsend just to recognize a moment of silence if you would join together. Obviously, this new terrorist attack in Spain and the loss of police officers: one in Clinton, MO, and two recently in Charlottesville. The whole situation in Charlottesville has our whole nation struggling. We just ask for a prayer for hate groups to change their hearts and also the loss of young people in our own community. There’s just a lot of grief in our nation, our world, and in our community right now. If we would just join together in a moment of silence just to show our unity. I think our unity is often expressed best without words. Let us pray.

MAYOR HOLLAND
ADJOURNED THE MEETING AT 7:24 P.M.
August 17, 2017

mbb

Bridgette D. Cobbins
Unified Government Clerk

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