

**JANUARY 10, 2019 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY AL HENAGER, UNIVERSITY OF KANSAS HOSPITAL
CLINICAL PASTORAL EDUCATION SUPERVISOR**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, JANUARY 10, 2019 AGENDA**
- VI. 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.)
- VII. PLANNING AND ZONING CONSENT AGENDA**
- VIII. PLANNING AND ZONING NON-CONSENT AGENDA**
- IX. MAYOR'S AGENDA**
- X. NON-PLANNING CONSENT AGENDA**
- XI. PUBLIC HEARING AGENDA**
- XII. ADMINISTRATOR'S AGENDA**
- XIII. STANDING COMMITTEES' AGENDA**
- XIV. COMMISSIONERS' AGENDA**
- XV. LAND BANK BOARD OF TRUSTEES' AGENDA**
- XVI. PUBLIC ANNOUNCEMENTS**
- XVII. ADJOURN**

SERGEANT-AT-ARMS: CAPTAIN RONALD SCHUMAKER

PLANNING AND ZONING AGENDA

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATION

1. **#3175 - KELLEY HRABE WITH BOULEVARD LOFTS LP**

Synopsis: Change of Zone from C-1 Limited Business District to RP-5 Planned Apartment District for a mixed-residential development (2 six-plex units and one 38-unit apartment building) at 800 Washington Boulevard, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 18594

B. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2018-83 - RICK ROHLFING WITH BFA, INC.**

Synopsis: Special Use Permit for ten (10) temporary storage containers at 10824 Parallel Parkway, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR DENIAL)**

Tracking #: 18595

2. **#SP-2018-93 - ESTER REED**

Synopsis: Renewal of a Special Use Permit (#SP-2016-75 - expired 10/27/2018) for the Temporary Use of Land to park a dump truck at 1610 North 51st Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 18590

3. **#SP-2018-94 - MARK CARNESECCA WITH PICK-N-PULL AUTO DISMANTLERS**

Synopsis: Renewal of a Special Use Permit (#SP-2016-88 - expired 12/1/2018) for an auto salvage/retail sales operation at 1142 South 12th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 5 YEARS)**

Tracking #: 18591

4. **#SP-2018-95 - STEVEN AND YVONNE FERGUSON**

Synopsis: Renewal of a Special Use Permit (#SP-2016-72 - expired 9/29/2018) for the Temporary Use of Land to park a commercial truck on the property at 226 North 72nd Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 18592

5. **#SP-2018-98 - ADRIAN BERMUDEZ WITH INDIOS CARBONSITOS**

Synopsis: Renewal of a Special Use Permit (#SP-2016-76 - expired 10/27/2018) for the Temporary Use of Land to park a food truck at the residence at 347 North 8th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 18593

D. PLAN REVIEW APPLICATION

1. **#PR-2018-33 - JEFF CARROLL WITH TARTAN RESIDENTIAL**

Synopsis: Preliminary Plan Review for apartments and a clubhouse at 651 North 65th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 18596

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

TAX STATUS REPORT *BOARD OF COMMISSIONERS AGENDA FOR JANUARY 10, 2019*

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2017.

NOTE: This information cannot serve as the basis for approval or denial of an application. It is not among the factors to be considered as set by ordinance or among accepted zoning factors and criteria. However, such information in certain cases might be relevant to evaluating accepted factors or as an accompaniment to other valid purposes and/or factors.

REGULAR AGENDA

IX. MAYOR'S AGENDA

1. UPDATE: 2019 LEGISLATIVE PROGRAM

Synopsis: The Unified Government adopted the 2019 Legislative Program on December 13, 2018, with the exception of a platform regarding The Woodlands reopening as a gaming facility. The proposed language is presented and if adopted, will be added to the 2019 Legislative Program, submitted by Mike Taylor, Director of Public Relations.

X. REGULAR CONSENT AGENDA

1. MINUTES

Synopsis: Minutes from regular session of December 6, 2018; and special session December 6, 2018.

Tracking #: MINUTES

2. WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated December 13, 20, and 27, 2018; and January 3, 2019.

Tracking #: WEEKLY BUSINESS MATERIAL

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

1. RESOLUTION: MEMORANDUM OF UNDERSTANDING (MOU) WITH TEAMSTERS LOCAL NO. 955

Synopsis: A resolution authorizing the County Administrator to execute a Memorandum of Understanding (MOU) with Teamsters Local No. 955, for the period of January 2018, through December 31, 2019, submitted by Ken Moore, Chief Counsel.

Tracking #:1913

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners

From: City Staff

Date: January 10, 2019

Re: Change of Zone Petition #3175

GENERAL INFORMATION

Applicant:
Kelley Hrabe

Status of Applicant:
Representative
Boulevard Lofts LP
770 East 5th Street
Kansas City, MO 64106

Requested Actions:
Change of Zone from
C-1 Limited Business District
and RP-5 Planned Apartment
District to RP-5 Planned
Apartment District.

Date of Application:
October 26, 2018

Purpose:

To develop a multi-family residential development with two six-unit townhouse buildings and a 38-unit apartment building. This application was submitted with zoning variance petition #2306 for number of off-street parking spaces and setbacks (Approved) and an application #CA-2018-22 for a Certificate of Appropriateness with the Landmarks Commission.



Property Location: 800-830 Washington Boulevard, 1304-1312 North 8th Street, 813-851 Everett Avenue, and 1315 North 9th Street

Existing Zoning: RP-5 Planned Apartment District and C-1 Limited Business District.

Surrounding Zoning:

North:	RP-5 Planned Apartment District
South:	RP-5 Planned Apartment District and C-1 Limited Business District
East:	RP-5 Planned Apartment District and C-1 Limited Business District
West:	RP-5 Planned Apartment District

Existing Uses:

North:	Vacant lots, single family house, and a church
South:	Church, single family houses, and a parking lot
East:	Single family house and gas station/convenience store
West:	Single family houses, including Dr. A Porter Davis Residence (Castle Rock), and Douglass Elementary School

Total Tract Size: 3.13 acres

Master Plan Designation: The Northeast Area Master Plan designates this property as Neighborhood Mixed Use and Medium-Higher Density Residential.

Major Street Plan: The City-Wide Master Plan designates Washington Boulevard as a Class B thoroughfare. 8th Street, 9th Street, and Everett Avenue are local streets.

Advertisement: The Wyandotte Echo – Change of Zone - November 15, 2018
Letters to Property Owners – Change of Zone – November 14, 2018 and December 26, 2018; Plat – November 14, 2018

Public Hearings: December 10, 2018 and January 10, 2019

Public Opposition: No one appeared in opposition at the December 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: This application has been submitted to develop a multi-family residential development with two six-unit townhouse buildings and a 38-unit apartment building. This application has been submitted with zoning variance petition #2306 for number of off-street parking spaces and setbacks (Approved) and an application #CA-2018-22 for a certificate of appropriateness with the Landmarks Commission.

City Ordinance Requirements: Article XXII Sections 27-1001 – 27-1419 and Article XXI Sections 27-501 - 27-1000

FACTORS TO BE CONSIDERED

1. Neighborhood character

This property is largely comprised of vacant residential lots. It is adjacent to the downtown district. It is also near Douglass Elementary School and Sumner Academy.

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

The proposed use is expected to be compatible with the surrounding properties.

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

This property is already zoned for apartment use with a portion that is zoned for commercial use. The proposed use is consistent with the existing zoning and the future land use plan, the rezoning will establish a new development plan. The proposed use will not detrimentally affect nearby property.

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

This property is largely comprised of vacant residential lots, many of which have been vacant for over a decade.

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 will provide high quality housing and will not substantially or permanently injure the appropriate use, visual quality or marketability of nearby property.

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 is providing off street parking, and the adjacent streets have significant excess capacity to absorb any increase in traffic or parking demand generated by the proposed use.

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

The proposed use is in conformance with the Northeast Area Master Plan. This property is designated as Neighborhood Mixed Use and Medium-Higher Density Residential. The Neighborhood Mixed Use district is generally designated along corridors and allows apartment buildings. This district calls for wide sidewalks,

landscape buffer areas, and street trees. The medium-higher density residential district also allows apartments up to four stories.

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

This is not foreseen to be an issue with the proposed use.

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

a. *Water service*

Existing

b. *Sanitary sewer service*

Existing

c. *Storm water control*

To meet City Code.

d. *Police*

Police service is provided by East Patrol, District #111

e. *Fire*

Fire service is provided by Fire District #1

f. *Transit*

KCATA Route 107 runs on Washington Boulevard

g. *Schools*

Kansas City, Kansas USD 500

h. *Streets*

See item #6 above

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

The proposed use will increase the population of the northeast and downtown areas and will improve the local economy.

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

The proposed use is capable of meeting applicable ordinance requirements.

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

The proposed use will improve the health, safety, and welfare by providing high quality housing options, increasing the population, and improving the economy.

13. Development of such character that it can be used safely without danger to health, or peril from fire, flood, erosion, excessive noise or other adversity.

The development is of such character that it can be used safely without danger to health, or peril from fire, flood, erosion, excessive noise, or other adversity.

14. Streets are designed so as to provide a safe, convenient and functional system for vehicular traffic, and having such width, gradient, location and structural quality as to accommodate prospective traffic as determined by existing and probable future land and building uses.

The existing street grid provides safe, convenient and functional system for vehicular traffic.

15. Assurance that buildings, lots, blocks, parcels and streets are so arranged as to afford adequate light, open space or air, to facilitate fire protection, and to provide for long-term sustained real estate values.

The buildings, lots, and parcels are arranged to afford adequate light, open space, to facilitate fire protection, and to provide for long-term sustained real estate values.

16. Development patterns are designed with due regard to topography, so that the natural features of the land and vegetation shall be protected and enhanced.

The development patterns are designed with due regard to topography, so that natural features of the land and vegetation shall be protected and enhanced.

17. Adequate sites are provided for schools, parks, playgrounds, and other community services so that residents of all neighborhoods shall have convenient access to such facilities.

Adequate sites are provided of schools, parks, playgrounds, and other community services so that residents of all neighborhoods shall have convenient access to such facilities.

PREVIOUS ACTIONS

None.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on November 26, 2018. Meeting minutes and a sign-in sheet are attached to this report.

KEY ISSUES

Conformance with Northeast Area Master Plan
Conformance with Sidewalks and Trails Master Plan
Conformance with Multi-Family Design Guidelines

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Change of Zone Application #3175, subject to:

Urban Planning and Land Use Comments:

1. **Conformance with the Northeast Area Master Plan**
 - a. The Northeast Area Plan designates the portion of the property that fronts onto Washington Boulevard and 9th Street as the neighborhood mixed use district. This district requires a landscaped buffer area with street trees between the travel lane and a wide sidewalk. Please provide a sidewalk with a minimum width of 8 feet on Washington Boulevard with a landscaped buffer between the sidewalk and travel lane that includes one street tree for every 30' of frontage. All other sidewalks shall be a minimum of 6 feet in width.

Applicant Response: The sidewalk along Washington along this property's frontage has been revised to 8', the sidewalk along 8th Street along this property's frontage has been revised to 6', the sidewalk along 9th Street along this property's frontage has been revised to 10'

2. **Conformance with Sidewalks and Trail Master Plan**
 - a. 9th Street is designated as a regional sidewalk connection, this requires a minimum 10' sidewalk trail along 9th Street.

Applicant Response: The sidewalk along 9th Street along this property's frontage has been revised to 10'

3. **Conformance with Multi-family Design Guidelines**
 - a. Amenities

- i. The development shall incorporate two amenities from the table below. Only one of the required amenities may be a small amenity.

Applicant Response: The development will include a Residential Clubhouse (Regular Amenity) and a Community Garden (Option provided by owner).

Residential Amenity Reference Table

Small:
Basketball, volleyball, or other court sport.
Open play area of at least 15,000 square feet with maximum of three (3) percent slope and two benches and one play structure.
One picnic area with a minimum size of five-thousand (5,000) square feet and including a minimum of two (2) picnic tables, one (1) shelter, and one (1) barbeque grill/pit per area.
Option provided by owner, but must be considered equal to one of the other small options.
Regular:
Swimming pool
Golf Course
Residential Clubhouse
Two (2) basketball, volleyball, or other court sports.
Two (2) tot lots with a minimum size of four-thousand (4,000) square feet per area, one (1) play structure per lot, one (1) bench per lot.
Two (2) picnic areas with a minimum size of five-thousand (5,000) square feet and including a minimum of two (2) picnic tables, one (1) shelter, and one (1) barbeque grill/pit per area.
Trail(s) for pedestrians and/or bicycles that connect(s) to the overall trail network within the area. This trail may be within preserved natural corridor.
Option provided by owner, but must be considered equal to one of the other regular options.

b. Materials

- i. For all multi-family buildings including duplexes, triplexes, fourplexes and townhomes, an amount equal to forty percent (40%) of the total net exterior wall area of each building elevation, excluding gables, windows, door, and related trim, shall be brick or stone. The balance of next exterior wall may be lap siding (excluding vinyl lap siding) and/or stucco.

Applicant Response: The included elevations meet the 40% requirement.

4. For new multi-family development, safe rooms are to be provided for residents in the complex.

Applicant Response: Storm shelters have been provided and will be detailed on the Final Development Plans.

5. All landscaping shall be irrigated.

Applicant Response: Understood, irrigation will be provided with final plans.

6. All overstory trees shall be at least 4" caliper when planted. All ornamental trees shall be at least 2" caliper when planted. All evergreens shall be at least 6' when planted. All shrubs shall be 5 gallons when planted.

Applicant Response: In compliance with Section 27-702 Landscaping requirements, shade trees will be 2" caliper as measured 12" above ground. Ornamental deciduous trees will be 6-8' in height. Evergreen trees

will be at least 5-6' in height. This requirement was confirmed in meeting with Rob Richardson and Zach Flanders 11/20/2018.

7. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building. Rooftop mechanical equipment shall be screened from public view by an architectural screen.

Applicant Response: Understood, these details will be provided with final plans.

8. Downspouts shall be painted to match the building and recessed into the corners of building as not to be in plain view of the public.

Applicant Response: Downspouts will be located on the north and west side of the building with none located along the street façade at Washington Boulevard. All downspouts will be painted to match adjacent material.

9. Banks need to be provided for satellite dishes on apartment units. They need to be hidden from view from the public streets.

Applicant Response: Understood.

10. Exterior dryer vents shall be painted to match the building.

Applicant Response: Understood.

11. All signs must follow the requirements in Chapter 27 Planning and Development, Article VIII Zoning, Division 11 Signs.

Applicant Response: Understood

12. Staff will continue to work with the applicant to improve the design of the six-plexes prior to final plan approval. They are not presently acceptable.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None.
- B) Items that are conditions of approval (stipulations):
 - 1) The County Surveyor makes separate technical review of the plat documents and submits comments directly to the preparer of the plat. Provide revised plat documents in accordance with County Surveyor comments.
 - 2) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

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

1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

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 #3175, subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

December 10, 2018 City Planning Commission Minutes
Preliminary Development Plan
Neighborhood Meeting Information

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Board of Commissioners
Public Hearing	December 10, 2018	January 10, 2019
Rezoning	Approval	

STAFF CONTACT: Zach Flanders
zflanders@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #3175 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 #3175 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.

December 10, 2018 City Planning Commission Minutes:

Hearing starts at 2:05:20:

CHANGE OF ZONE APPLICATION #3175 – KELLEY HRABE WITH BOULEVARD LOFTS LP – SYNOPSIS: Change of Zone from C-1 Limited Business District to RP-5 Planned Apartment District for a mixed-residential development (2 six-plex units and one 38-unit apartment building) at 800 Washington Boulevard.

BOULEVARD LOFTS – SYNOPSIS: Preliminary Plat for one (1) lot from 8th to 9th Street, between Washington Boulevard and Everett Avenue. **Detailed Outline of Requested Action:** This application has been submitted to develop a multi-family residential development with two six-unit townhouse buildings and a 38-unit apartment building. This application has been submitted with zoning variance petition #2306 for number of off-street parking spaces and setbacks and an application #CA-2018-22 for a certificate of appropriateness with the Landmarks Commission.

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 December 10, 2018;
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 dated November 15, 2018 for the change of zone application; and
7. The Notices to property owners dated November 14, 2018.

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

Planning Commissioner Serda excused himself at 8:36 p.m. (2:06:48)

Present in Support:

- ❖ Kelley Hrabec, applicant, Prairie Fire representing Boulevard LP, 770 East 5th Street, Kansas City, Missouri 64106
- ❖ Beverly Easterwood, President of the Douglas Sumner Neighborhood Association, 950 Washington Boulevard, Kansas City, Kansas

Present in Opposition:

❖ No one appeared

Staff Recommendation starts at 2:11:22: Planning Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote Starts at 2:11:40:

On motion by Dr. Neal, seconded by Ms. Jones, the Planning Commission voted as follows to **RECOMMEND APPROVAL of Change of Zone Application #3175:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Neal	Aye
Reasons	Aye
Serda	Not Present
Huey	Chairman
Miller	Not Present
Pauley	Not Present

Motion to RECOMMEND APPROVAL Passed: 6 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Conformance with the Northeast Area Master Plan

- a. The Northeast Area Plan designates the portion of the property that fronts onto Washington Boulevard and 9th Street as the neighborhood mixed use district. This district requires a landscaped buffer area with street trees between the travel lane and a wide sidewalk. Please provide a sidewalk with a minimum width of 8 feet on Washington Boulevard with a landscaped buffer between the sidewalk and travel lane that includes one street tree for every 30' of frontage. All other sidewalks shall be a minimum of 6 feet in width.

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2. Conformance with Sidewalks and Trail Master Plan

- a. 9th Street is designated as a regional sidewalk connection, this requires a minimum 10' sidewalk trail along 9th Street.

Applicant Response: The sidewalk along 9th Street along this property's frontage has been revised to 10'

3. Conformance with Multi-family Design Guidelines

a. Amenities

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Applicant Response: The development will include a Residential Clubhouse (Regular Amenity) and a Community Garden (Option provided by owner).

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	Two (2) picnic areas with a minimum size of five-thousand (5,000) square feet and including a minimum of two (2) picnic tables, one (1) shelter, and one (1) barbeque grill/pit per area.
	Trail(s) for pedestrians and/or bicycles that connect(s) to the overall trail network within the area. This trail may be within preserved natural corridor.
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Applicant Response: The included elevations meet the 40% requirement.

4. For new multi-family development, safe rooms are to be provided for residents in the complex.

Applicant Response: Storm shelters have been provided and will be detailed on the Final Development Plans.

5. All landscaping shall be irrigated.

Applicant Response: Understood, irrigation will be provided with final plans.

6. All overstory trees shall be at least 4" caliper when planted. All ornamental trees shall be at least 2" caliper when planted. All evergreens shall be at least 6' when planted. All shrubs shall be 5 gallons when planted.

Applicant Response: In compliance with Section 27-702 Landscaping

requirements, shade trees will be 2" caliper as measured 12" above ground. Ornamental deciduous trees will be 6-8' in height. Evergreen trees will be at least 5-6' in height. This requirement was confirmed in meeting with Rob Richardson and Zach Flanders 11/20/2018.

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Applicant Response: Understood, these details will be provided with final plans.

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9. Banks need to be provided for satellite dishes on apartment units. They need to be hidden from view from the public streets.

Applicant Response: Understood.

10. Exterior dryer vents shall be painted to match the building.

Applicant Response: Understood.

11. All signs must follow the requirements in Chapter 27 Planning and Development, Article VIII Zoning, Division 11 Signs.

Applicant Response: Understood

12. Staff will continue to work with the applicant to improve the design of the six-plexes prior to final plan approval. They are not presently acceptable.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None.
- B) Items that are conditions of approval (stipulations):
 - 1) The County Surveyor makes separate technical review of the plat documents and submits comments directly to the preparer of the plat. Provide revised plat documents in accordance with County Surveyor comments.

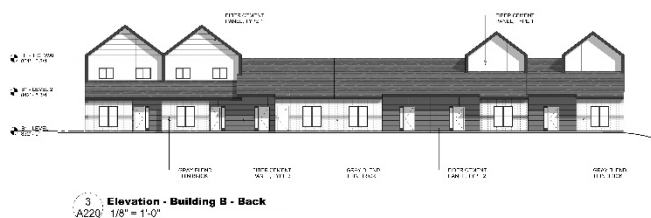
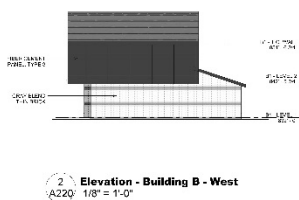
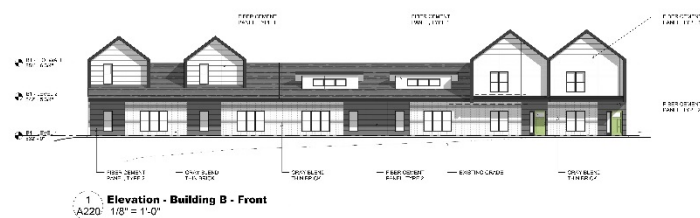
- 2) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

On motion by Ms. Jones, seconded by Mr. Carson, the Planning Commission voted as follows to **APPROVE Boulevard Lofts Preliminary Plat:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Neal	Aye
Reasons	Aye
Serda	Not Present
Huey	Chairman
Miller	Not Present
Pauley	Not Present
Motion to APPROVE Passed: 6 to 0	
Subject to the above stipulations	

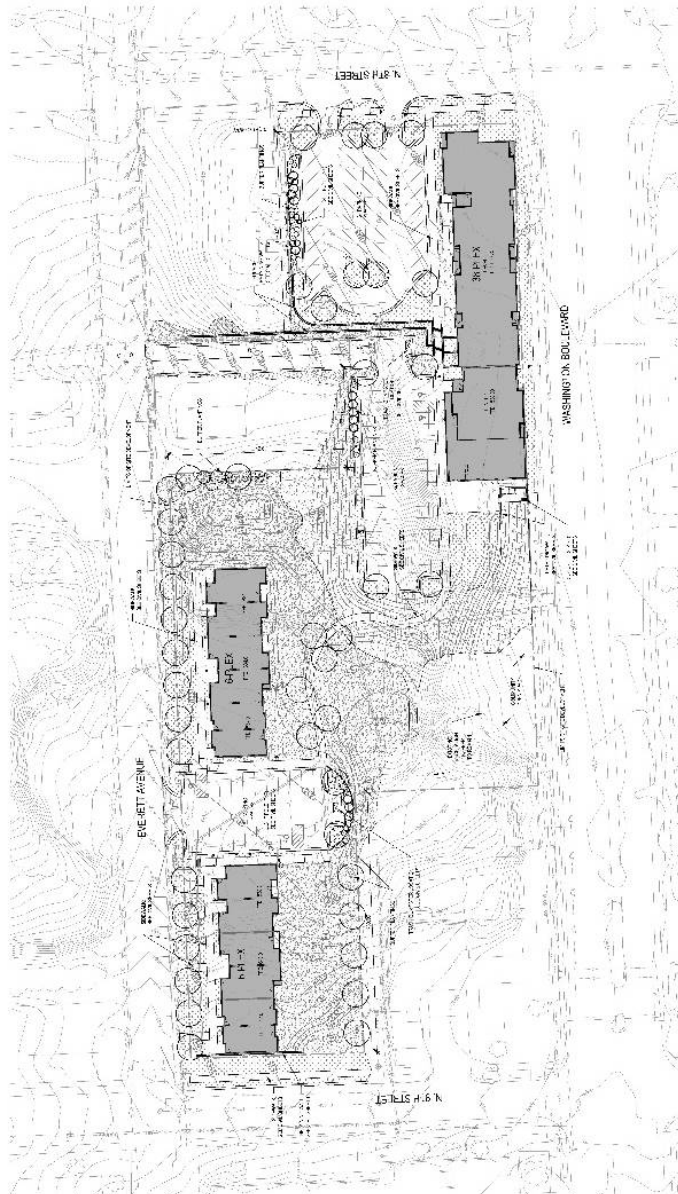
Planning Commissioner Serda rejoined the Commission at 8:41 p.m. (2:13:00)





16-02-3 Pg. 0729
Printed on 06/05/2016

BUILDING
ELEVATIONS -
BLDG B
A220



LANDSCAPE REQUIREMENTS

[illegible]

PRELIMINARY PLANT SCHEDULE

[illegible]



Neighborhood Meeting | Boulevard Lofts | Application #: COZ #3175/Boulevard Lofts
Plat/BOZA 2306

project	Boulevard Lofts	
date	11.26.2018 5:35-6:50pm	
prepared by	Nic Weber, Odimo Architecture nweber@odimo.us 816-708-1509	
attendees	Kelly Hrabe (KH)	Prairie Fire Development Group
	Jared Nook (JN)	Prairie Fire Development Group
	Nic Weber	Odimo
	Beverly Easterwood (BE)	Douglas Sumner Neighborhood Assoc.
	Megan Painter	CHWC
	Brennan Crawford (BC)	CHWC
	Vonzell McKamie (VM)	
	James Garrett	
	Cri'Zeal Threets	
	Edward King (EK)	
	Rev. Desmond Lamb (DL)	
	Rev. Donald Slack (DS)	
	Caprice Kimbrel	
	Carl Kimbrel	
	Ed King	

NOTES ISSUED 11.27.2018

Introduction: (KH, JN)

- Trying to rezone corner of 8th and Washington from C-1 to R-5
- Parking variance of 2 spaces (not the # that was included in mailer). Clarified the letters sent out by UG incorrectly stated the number of spaces being requested in the variance. Variance request is for only 2 spaces.
- Variance for lower density units than required by zoning
- Setback variances for larger building along 8th St. and Washington St. A large majority of these variances are related to inconsistencies in title work, survey boundaries, missing easements.

Further, discussed the vacation of the alley behind the lot at 813 – 817 and that approximately 9' of the norther half of that vacation would be deeded back to the owners of 813-817.

- Above issues introduced using proposed site plan.

Questions:

- How will parking affect congestion at corners that is already an issue? (EK)
 - Design decisions can potentially have a positive impact or minimal negative impact to neighborhood traffic. Discussed that we are proposing to stripe Everett to provide additional neighborhood parking and help with the 2 spot off street variance we've requested (KH, JN)
- How were the plots purchased selected? Why not at the corner of 8th and Everett? (VM, EK, CT)
 - Conversations with Unified Government, community groups, developing program needs and potential sites. This lot is Land Bank but has significant slope, so we didn't see the benefit of the lot at 8th and Everett. Additional consideration was given to the ability of the existing infrastructure (water and sanitary) to handle a new multi-family development (KH, JN)
- Discussion of spatial relationship of development to churches in the vicinity. No issues raised, for understanding.
- What are the target rents?
 - Mix of market rate units and income restricted units in 1,2,3 Bedroom formats. (KH)
- Discussion around community amenities and partnerships with CHWC for programming of community spaces and community gardens. Discussed the CHWC Split Log Farms community involvement and engagement with USD #500 (BE, BC, KH, JN)
- How will contractors be selected, and is there a potential for local/neighborhood hires and training? How can people in the neighborhood find out about these opportunities and timeline? Will hires have long-term and certification potential? (DS)
 - Yes, some requirements for certain funding (section 3) which is tied to state funding, not UG requirement. (KH)
 - Timeline for neighborhood meetings in Jan-Feb timeframe.
 - Prairie Fire doesn't have certified apprenticeships, some sub-contractors may, continued discussion is necessary to maintain reasonable expectations.
- What is the construction schedule, and what will the impacts be on neighboring properties? (CT, EK)
 - Construction start is targeted for April and will last 14 months. Sitework and early phases will be very prominent and might cause inconveniences for some adjacent properties and owners. (KH)
- Is there currently a plan for properties north of Everett, extend development to other properties adjacent to current proposal, and will the neighborhood be included in that process?
 - There is nothing concrete planned for developing land North of Everett. There is no plan to acquire additional properties for current development. Prairie Fire has looked at the location for potential future development and is looking for community engagement

to decide what that could/should look like. Douglas Sumner Neighborhood Assoc. and CHWC noted. (KH, JN)

- Is this part of the master plan, and why weren't owners of historic, or landmark properties notified sooner? (EK)
 - Not part of previous KCK master plans. Property owners in the Landmark jurisdiction will be notified per Unified Government requirements and processes. (KH, JN)
- Has Prairie Fire been involved in other similar, successful developments?
 - Columbus Parks Lofts referenced (KH)
- Crime is down in neighborhood, is this project going to have a negative impact on that progress? (DL)
 - Developer is invested in project and its success long-term. Zero tolerance for illegal activity on property/by residents. (KH)

Meeting adjourned at 6:45pm

Existing Zoning: CP-2 Planned General Business District

Existing Surrounding Zoning: North: RP-1(B) Planned Single Family and R-2 Two Family Districts

South: CP-2 Planned General Business District

East: CP-2 Planned General Business District

West: CP-0 Planned Nonretail Business and CP-2 Planned General Business Districts

Existing Uses: North: Single family homes

South: Zaxby's restaurant and Sam's Club gas station

East: Kohl's department store

West: Detention basin and a hotel

Total Tract Size: 23.58 acres

Master Plan Designation: The City-Wide Master Plan designates this property as Regional Commercial

Major Street Plan: The Major Street Plan classifies Parallel Parkway as a Class A Thoroughfare

Advertisement: The Wyandotte Echo – November 15, 2018
Letters to Property Owner – November 14, 2018 and December 26, 2018

Public Hearings: December 10, 2018 and January 10, 2019

Public Opposition: No one appeared either for or against the application at the December 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Rick Rohlfing on behalf of Walmart wants to temporarily keep ten (10) 20-foot and twenty-four (24) 40-foot storage containers for holiday and layaway storage near the northwest corner of the property located at 10824 Parallel Parkway.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood surrounding this property is zoned for commercial uses except for properties behind Walmart which are for single family and two-family dwellings. This portion of Parallel Parkway is a major commercial corridor in the western part of the city.

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

The zoning and their uses are set out above. The proposed use of temporary storage trailers is not compatible with the surrounding uses as the businesses within Plaza at the Speedway are a mixture of national big box retailers and fast food restaurants and do not have temporary shipping containers on their property.

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

The removal of the restrictions could affect nearby property as this may lead to a proliferation of applications for used car sales for similar sized developments, specifically using a parking lot of a large commercial retailer.

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

The property is not vacant.

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

Special use permits are not addressed in the Master Plan, however keeping shipping containers is not consistent with the allowable uses in the Regional Commercial.

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 result in increasing the amount of vehicular traffic to the point where it exceeds the capacity of the street network 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.*

The proposed use is not reasonably necessary for the convenience and welfare of the public and could injure the appropriate use and visual quality 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.*

Property owners have raised concerns regarding vehicles loading/unloading containers in the side yard and rear of the property during late evening hours.

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

This should not be a problem.

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

Not applicable.

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 gain to the public health, safety, and welfare as compared to the hardship imposed on the landowners. If this application is denied, the applicant will need to expand the building or re-configure their warehouse to better accommodate the influx of holiday and layaway storage.

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

The proposed use will result in a substantial increase of obstacles in the parking lot and the maneuvering and loading areas that delivery trucks must navigate to unload their shipments.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

NOTE: Staff did not receive any neighborhood meeting documents.

The applicant must hold a neighborhood meeting by November 26, 2018. A copy of the sign-in sheet, meeting minutes and neighborhood meeting affidavit must be returned to the Urban Planning and Land Use Department by November 28, 2018 via e-mail, fax, mail or personal delivery.

KEY ISSUES

Compliance with rezoning stipulation (COZ #2883)

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **DENIAL** of Special Use Permit Application #SP-2018-83 as per the staff recommendation and comments.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

Urban Planning and Land Use Comments:

NOTE: Staff did not receive a response from the applicant regarding the comments in the staff report.

1. The applicant was told by staff in August 2018 that a change of zone must be filed to amend the stipulation that prohibited outside storage in parking areas, which they have failed to do.

Approval of this special use permit would contradict the 2007 change of zone petition.

2. Wal-Mart committed to the Unified Government that they would not need any outside storage beyond what is provided in the designated area in front of the store. Future violations will result in citations being issued.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

Staff Conclusion:

The applicant did not file a change of zone application, respond to staff's comments in the report and did not conduct a neighborhood meeting. This petition cannot be approved because the applicant did not submit a change of zone application to amend the 2007 stipulation regarding outside storage.

Staff will initiate code enforcement procedures any time a container is present.

STAFF RECOMMENDATION

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 **DENIAL** of Petition #SP-2018-83 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

December 10, 2018 City Planning Commission Minutes
Site Plan
Site Photographs

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	December 10, 2018	January 10, 2019
Special Use	Denial	

STAFF CONTACT: **Byron Toy, AICP**
 btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **DENY** Petition #**SP-2018-83**, 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.

OR

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-83** 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. _____.

December 10, 2018 City Planning Commission Minutes:

Hearing Starts At 2:13:08: No one was present so the item was moved to the end of the agenda.

Application Was Called Again At 2:44:00: No one was present either for or against this application.

SPECIAL USE PERMIT APPLICATION #SP-2018-83 – RICK ROHLFING WITH BFA, INC. – SYNOPSIS: Special Use Permit for ten (10) temporary storage containers at

10824 Parallel Parkway. **Detailed Outline of Requested Action:** The applicant, Rick Rohlring on behalf of Walmart wants to temporarily keep ten (10) 20-foot and twenty-four (24) 40-foot storage containers for holiday and layaway storage near the northwest corner of the property located at 10824 Parallel Parkway.

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 December 10, 2018;
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 dated November 15, 2018; and
7. The Notices to property owners dated November 14, 2018.

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

Present in Support:

- ❖ No one appeared in support

Present in Opposition:

- ❖ No one appeared

Staff Recommendation starts at 2:44:30: Planning Director Richardson stated that the applicant applied for a special use permit but the stipulation of no containers is from a change of zone application that was approved. The applicant could apply for a new change of zone to have this type of storage on this site. He further stated that a lot of time was spent with Wal-Mart designing the building. Wal-Mart's national director of architecture was in town on those occasions. The staff was assured at that time by Wal-Mart that they would not need outside storage. Also the applicant has not completed any of the necessary items (neighborhood meeting/respond to staff report) to be on the agenda. Since this application has been in since August and the staff has not had any communication from the applicant, the staff put this on the agenda for denial. He stated that these facilities are an eyesore and when they are on the property the staff receives additional comments about the negative impact they have.

Motion and Vote Starts at 2:46:25:

On motion by Dr. Serda, seconded by Mr. Reasons, the Planning Commission voted as follows to **RECOMMEND DENIAL of Special Use Permit Application #SP-2018-83 as per the staff recommendation/comments:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Neal	Aye

Reasons	Aye
Serda	Aye
Huey	Chairman
Miller	Not Present
Pauley	Not Present

Motion to RECOMMEND DENIAL Passed: 7 to 0

Wal-Mart Store #1151 Kansas City, KS
Site Photos



Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8



Photo 9



Photo 10



Photo 11



Photo 12



Photo 13



Photo 14



Photo 15



Photo 16



Photo 17



Photo 18



Photo 19



Photo 20



Photo 21



Photo 22



Photo 23



Photo 24



Photo 25



Photo 26



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: January 10, 2019
Re: **Petition #SP-2018-93**

GENERAL INFORMATION

Applicant:
Ester Reed

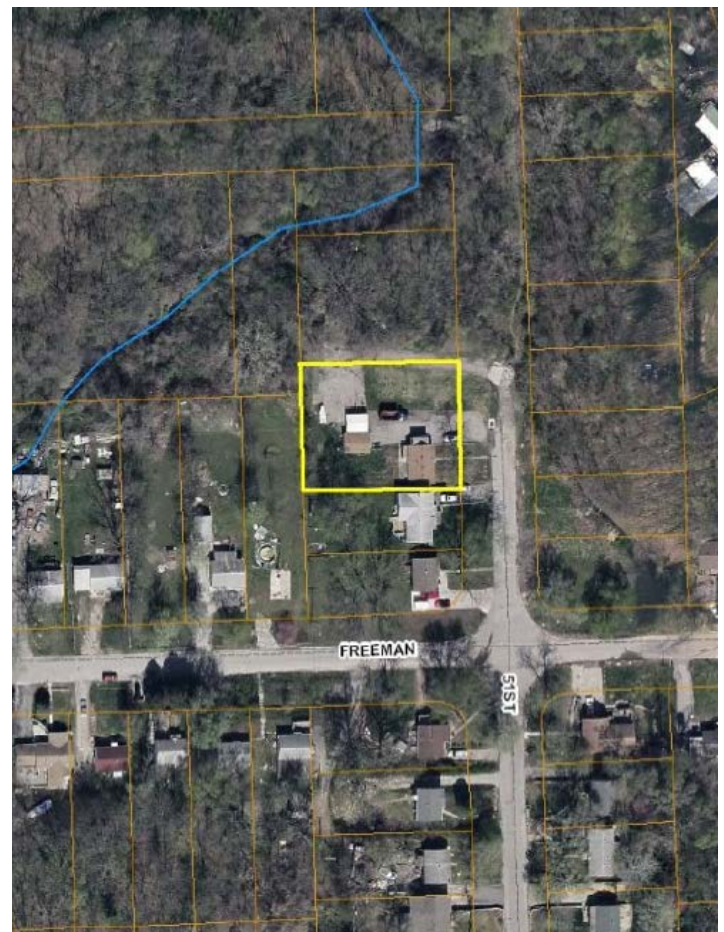
Status of Applicant:
Property Owner
1610 North 51st Street
Kansas City, Kansas

Requested Action:
Approval of Special Use Permit for the temporary use of land to park a dump truck

Date of Application:
October 4, 2018

Purpose:
Renewal of a Special Use Permit (#SP-2016-75) to continue to park a dump truck at a residential property

Property Location:
1610 North 51st Street



Existing Zoning: R-1 Single Family District

Existing Surrounding Zoning: **North:** R-1 Single Family District
South: R-1 Single Family District
East: R-1 Single Family District
West: R-1 Single Family District

Existing Uses: **North:** Single Family Residence
South: Single Family Residence
East: Single Family Residence
West: Single Family Residence

Total Tract Size: 0.43 acre

Master Plan Designation: The Master Plan designates this property as low density residential

Major Street Plan: This portion of 51st Street is designated as a local street

Advertisement: The Wyandotte Echo – November 15, 2018
Letters to Property Owner – November 14, 2018 and December 26, 2018

Public Hearings: December 10, 2018 and January 10, 2019

Public Opposition: No one appeared in opposition at the December 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Mr. Ester Reed, is requesting the renewal of a Special Use Permit (#SP-2016-75) to continue to park a dump truck at his residential property at 1610 North 51st Street. The dump truck would be operated only during Monday through Friday and leave the residence at 7:00 a.m. and return between 6:00 p.m. and 7:00 p.m. each day.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is residential in nature.

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

The surrounding area is zoned for single family residential use and the proposed use is not of ideal compatibility.

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

The property in question is zoned R-1 Single Family District. Dump trucks often make loud noises and have the potential to cause a disturbance for neighboring residents. However, if stipulations and conditions are adhered to, the use is not likely to detrimentally affect nearby property.

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

The property is not currently vacant.

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

Special Use Permits are not addressed in the Master Plan.

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.*

Large trucks have a wider turning radius and may need to make wider turns which take longer to execute. However, one truck is not expected to create any problems for neighbors or have a large impact on vehicular circulation. Staff concludes that the street network can accommodate trucks of this size.

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. A parked dump truck may negatively affect the visual quality and 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 proposed use will create noise during operation. Noise from diesel engines of this size produces noise louder than a normal car engine. The duration of noise is not foreseen to create problems for near-by property owners if hours of operation and stipulations are followed.

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

As long as the vehicle is properly maintained this is not foreseen to be a problem.

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

This is not expected to be an issue.

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 relative gain to the public health, safety, and welfare of the community. There is financial hardship that would result from the denial of the special use permit as the applicant would be required to find an appropriately zoned property for the storage of the dump truck.

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

This is not expected to be an issue.

PREVIOUS ACTIONS

#SP-2014-18 - APPROVED
#SP-2016-75 - APPROVED

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on November 24, 2018. The affidavit, minutes, and sign-in sheet are attached.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-93, subject to:

Urban Planning and Land Use Comments:

This application was approved for two (2) years in 2016 with the following comments/stipulations. Please update staff on the comments and compliance with the stipulations:

Special use permits are intended for low-key, one-person operations such as small businesses that are newly in operation. The normal pattern is to transition to a more suitable location after the business is stable. As the original special use

permit was temporary in nature, please outline why a renewal should be granted instead of transitioning to a commercial property.

Applicant response: The applicant wishes to continue with a special use permit renewal at this time but may request rezoning of his property in the future.

Staff Conclusion:

The applicant wishes to continue with a special use permit renewal at this time but may request rezoning of his property in the future. He has applied and received his business license. Subject to approval, a Special Use Permit shall be valid for two (2) years and subject to the following stipulations:

1. No loaded truck shall be permitted on the property.
2. Code enforcement officers will have access to the property to investigate any potential neighborhood complaints.
3. Ensure sufficient landscaping of trees and shrubs to screen the truck from view of the street.

Applicant response: I agree to those requirements

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) None.
- B) Items that are conditions of approval (stipulations):
- 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
- 1) None

Business License Comments:

Jordan Trucking, located at this address, has filed and maintained a current occupation tax for the business operations since 2016.

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

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 #SP-2018-93 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

December 10, 2018 City Planning Commission Minutes
Zoning map
Aerial map
Neighborhood meeting affidavit
Neighborhood meeting minutes
Neighborhood meeting sign-in sheet

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	December 10, 2018	January 10, 2019
Special Use	Approval	

STAFF CONTACT: **Hannah Kroll**
 hkroll@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-93** 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 #**SP-2018-93**, 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.

December 10, 2018 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2018-93 – ESTER REED – SYNOPSIS:
Renewal of a Special Use Permit (#SP-2016-75 – expired 10/27/2018) for the Temporary Use of Land to park a dump truck at 1610 North 51st Street. **Detailed Outline of Requested Action:** The applicant, Mr. Ester Reed, is requesting the renewal of a Special Use Permit (#SP-2016-75) to continue to park a dump truck at his residential property at 1610 North 51st Street. The dump truck would be operated only

during Monday through Friday and leave the residence at 7:00 a.m. and return between 6:00 p.m. and 7:00 p.m. each day.

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?" Planning Commissioner Serda stated that he had contact with Commissioner Bynum regarding Lowell Brune Elementary Plat and Plan Review Application #PR-2018-31. Planning Commissioner Jones stated that she had contact concerning Special Use Permit Application #SP-2018-93.

"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 December 10, 2018;
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 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 comes forward and asks that an item be removed from the Consent Agenda."

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda. Mr. Sam Malinowsky asked to remove #PR-2018-35. Mr. Brian Hill, MKEC Engineering, requested that PR-2018-31 be removed from the Consent Agenda.

On motion by Ms. Jones, seconded by Mr. Carson, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Miller	Not Present
Pauley	Not Present
Motion to APPROVE Passed: 7 to 0	
Subject to:	

Urban Planning and Land Use Comments:

This application was approved for two (2) years in 2016 with the following comments/stipulations. Please update staff on the comments and compliance with the stipulations:

Special use permits are intended for low-key, one-person operations such as small businesses that are newly in operation. The normal pattern is to transition to a more suitable location after the business is stable. As the original special use permit was temporary in nature, please outline why a renewal should be granted instead of transitioning to a commercial property.

Applicant response: The applicant wishes to continue with a special use permit renewal at this time but may request rezoning of his property in the future.

Staff Conclusion:

The applicant wishes to continue with a special use permit renewal at this time but may request rezoning of his property in the future. He has applied and received his business license. Subject to approval, a Special Use Permit shall be valid for two (2) years and subject to the following stipulations:

1. No loaded truck shall be permitted on the property.
2. Code enforcement officers will have access to the property to investigate any potential neighborhood complaints.
3. Ensure sufficient landscaping of trees and shrubs to screen the truck from view of the street.

Applicant response: I agree to those requirements

Public Works Comments:

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

- 1) None.

B) Items that are conditions of approval (stipulations):

- 1) None

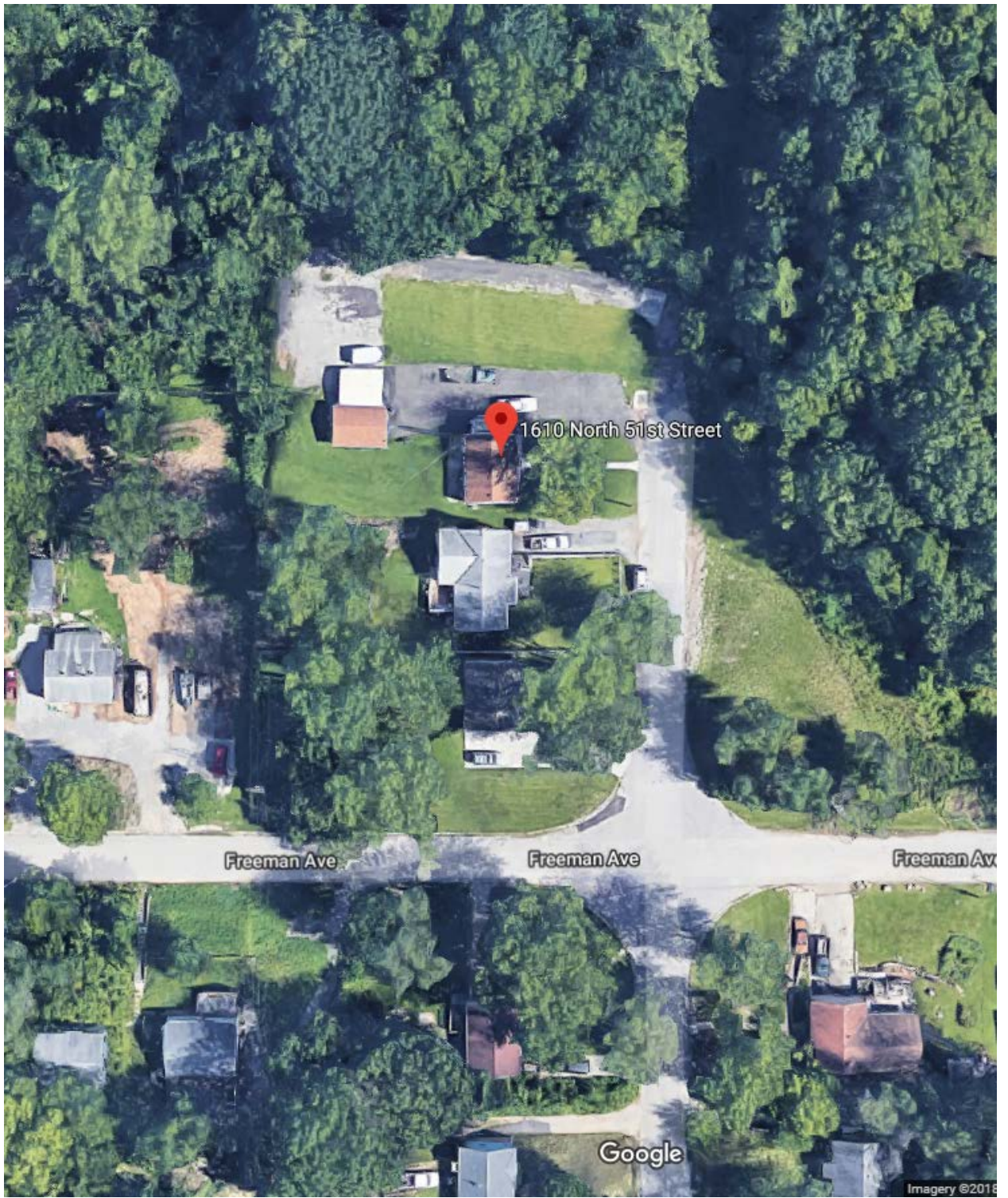
C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:

- 1) None

Business License Comments:

Jordan Trucking, located at this address, has filed and maintained a current occupation tax for the business operations since 2016.





AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF KS)
COUNTY OF Wyandotte) SS:

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

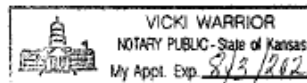
1. That I am the petitioner for Petition # SP-2018-93
2. That I conducted a neighborhood meeting on 11-24-18.
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

Ester Reed
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 19th day of Nov., 2008
My commission expires 3rd of August, 20021

Vicki Warrior
Notary Public



Name and Contact Information

MINUTES:

Application Number # SP-2018-93

Date and Location: 11-24-18
1610 N 5th St Kan City Kansas 64107

Meeting called to order at: 1pm to 2pm

Names of people in attendance:

Introductions:

Presentation by applicant and/or team (explain what information was given to those in attendance and a summary of what the speaker said).

Questions and answers (include the following):

- Who asked question or gave comment
- What was the question or comment
- Who answered the question/comment
- What was the answer given

Meeting adjourned at: 2:00 p.m

Minutes taken by: Esty Reed

SIGN IN SHEET

1. NONE

2.

3.

4.

5.

6.

7.

8.

9.

10.



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: January 10, 2019
Re: Petition #SP-2018-94

GENERAL INFORMATION

Applicant:
Mark Carnesecca

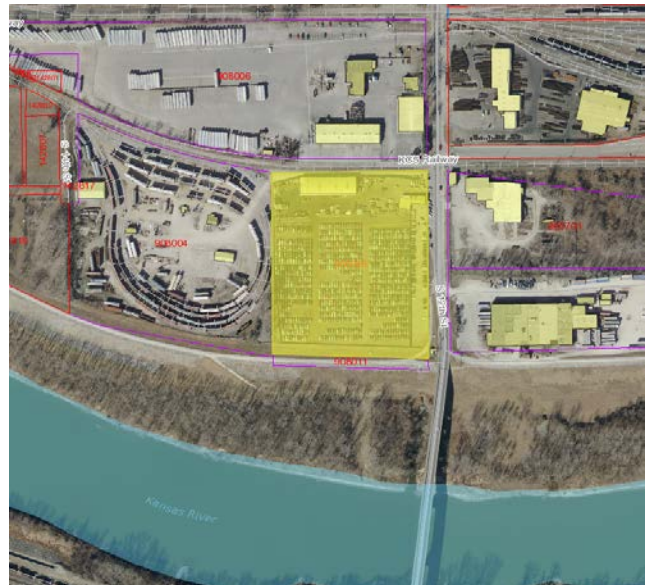
Status of Applicant:
Operator
Pick-N-Pull Auto Dismantlers, Kansas
City, LLC
10860 Gold Center Drive, #250
Rancho Cordova, CA 95670

Requested Action:
Approval of Special Use Permit
(Renewal)

Date of Application:
October 24, 2018

Purpose:
To continue an auto salvage/retail sales
operation

Property Location:
1142 South 12th Street



Commission Districts: 1. Commissioner At-Large: Tom Burroughs
2. District Commissioner: Brian McKiernan

Existing Zoning: M-3 Heavy Industrial District

Existing Surrounding Zoning: **North:** M-3 Heavy Industrial District
South: None (Kansas River)
East: M-3 Heavy Industrial District
West: M-3 Heavy Industrial District

Existing Uses: **North:** Industrial uses
South: Kansas River
East: Industrial uses
West: Industrial uses

Total Tract Size: 8.5 acres

Master Plan Designation: The Armourdale Master Plan designates this property as Heavy Industrial

Major Street Plan: The Major Street Plan classifies 12th Street as a Class C Thoroughfare

Advertisement: The Wyandotte Echo – November 15, 2018
Letters to Property Owner – November 14, 2018 and December 26, 2018

Public Hearings: December 10, 2018 and January 10, 2018

Public Opposition: No one appeared in opposition at the December 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Mark Carnesecca with Pick-N-Pull Auto Dismantlers is requesting renewal of a special use permit to continue to operate a self-serve u-pull auto part salvage yard at 1142 South 12th Street.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The character of the neighborhood is entirely comprised of heavy industrial uses.

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

The zoning and their uses of properties nearby are set out above. The proposed use is compatible with the surrounding zoning.

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

The property is zoned for industrial uses. If the u-pull salvage operation is properly operated as planned, the proposal would not detrimentally affect nearby properties.

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

The property is not vacant. The Business License Department has maintained current occupation tax and regulated scrap metal license.

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

Special use permits are not addressed in the Master Plan; however this is an industrial use and the Armourdale Master Plan designates this as Heavy Industrial.

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 result in increasing the amount of vehicular traffic along South 12th 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 has and will continue to provide another option for lower priced auto parts. Staff believes that the continuance will not create any issues with the points listed above.

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.*

Since this is an industrial area, noise and illumination that is normally associated with this use will not create problems for nearby property.

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

If the applicant continues to comply with all applicable EPA requirements, this will not be an issue.

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

The property and surrounding area are already developed.

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

The gain to community as a whole is that we would have another option for aftermarket auto parts. If this application is denied, the owner would be able to open another type of business, just not an auto salvage operation.

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

This is not foreseen to be an issue.

PREVIOUS ACTIONS

The Unified Government Board of Commissioners issued an indefinite special use permit to Mr. Gary R. Wheeler on October 30, 1996. Since that time, the property and business changed hands several times. None of the those between Mr. Wheeler and Mr. Heiskell obtained a permit to operate. This application is a renewal of #SP-2016-88, which itself is a renewal of #SP-2014-64, which was a renewal of #SP-2012-12, which was a renewal of #SP-2009-44.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on November 19, 2018. According to the applicant, no one attended the meeting.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-94, subject to:

Urban Planning and Land Use Comments:

Overall, staff does not have many issues with the request; however, we wanted to make sure that the aesthetic and maintenance issues are continually addressed.

- 1. Subject to approval, this special use permit shall be valid five (5) years.**
- 2. Please provide updated pictures of the site, including drive aisles.**

Applicant Response: Current photos (as of November 20, 2018) with captions of the site, including drive aisles.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

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 #**SP-2018-94** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

December 10, 2018 City Planning Commission Minutes
Applicant Letter (Operations)
Applicant Response Letter
Neighborhood Meeting Minutes
Site Photographs

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	December 10, 2018	January 10, 2019
Special Use	Approval	

STAFF CONTACT: **Byron Toy, AICP**
 btoy@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-94** 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 **#SP-2018-94**, 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.

December 10, 2018 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2018-94 – MARK CARNESECCA WITH PICK-N-PULL AUTO DISMANTLERS – SYNOPSIS: Renewal of a Special Use Permit (#SP-2016-88 – expired 12/1/2018) for an auto salvage/retail sales operation at 1142 South 12th Street. **Detailed Outline of Requested Action:** The applicant, Mark Carnesecca with Pick-N-Pull Auto Dismantlers is requesting renewal of a special use permit to continue to operate a self-serve u-pull auto part salvage yard at 1142 South 12th Street.

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?” Planning Commissioner Serda stated that he had contact with Commissioner Bynum regarding Lowell Brune Elementary Plat and Plan Review Application #PR-2018-31. Planning Commissioner Jones stated that she had contact concerning Special Use Permit Application #SP-2018-93.

“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 December 10, 2018;
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 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 comes forward and asks that an item be removed from the Consent Agenda.”

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda. Mr. Sam Malinowsky asked to remove #PR-2018-35. Mr. Brian Hill, MKEC Engineering, requested that PR-2018-31 be removed from the Consent Agenda.

On motion by Ms. Jones, seconded by Mr. Carson, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Miller	Not Present
Pauley	Not Present

Motion to APPROVE Passed: 7 to 0
Subject to:

#SP-2018-94:

Urban Planning and Land Use Comments:

Overall, staff does not have many issues with the request; however, we wanted to make sure that the aesthetic and maintenance issues are continually addressed.

1. Subject to approval, this special use permit shall be valid five (5) years.
2. Please provide updated pictures of the site, including drive aisles.
Applicant Response: Current photos (as of November 20, 2018) with captions of the site, including drive aisles.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
1) None
- B) Items that are conditions of approval (stipulations):
1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
1) None



October 29, 2018

Unified Government
Wyandotte County
Department of Urban Planning and Land Use Dept.
4953 State Avenue
Kansas City, KS 66102

RE: SP-2018-94 Renewal – Business Operations Letter

Site Location

The Pick-n-Pull Self-Service Auto and Truck Dismantler store is located at 1142 South 12th Street, Kansas City, KS.

Company

Schnitzer Steel Industries operates Pick-n-Pull, one of the nation's premier self-service used auto parts networks is dedicated to supplying customers with low-cost, quality used auto parts. Pick-n-Pull's operations is based out of Rancho Cordova, California and operates the facility at 1142 South 12th Street in addition to 52 other auto recycling facilities in 15 U.S. states and Canada. We purchase used and salvaged vehicles from tow companies, private parties, auto auctions, city contracts and charitable organizations. After the autos are properly drained of fluids and hazardous materials are removed, the autos are then set in our well-organized yard for customers to select and pull valuable parts. We also sell some vehicles as "rebuilters."

Our 1142 South 12th Street facility stocks a large number of domestic and foreign cars, vans and light trucks, which are continually replaced by new arrivals to offer our customers a wide and fresh selection of parts from which to choose. The customer pays a nominal admission fee, finds a vehicle with the desired parts and removes the part with their own tools, or using our wheelbarrows and engine hoists. After a vehicle has finished its time in the retail area, our staff removes remaining recyclable nonferrous materials and valuable core parts that can be sold wholesale such as engines, transmissions and alternators. The remaining auto body is crushed and sold as ferrous scrap metal to metal recyclers.

Recycling, Sustainability and the Environment

Our vehicle disposal process recycles everything we possibly can. Countless parts are purchased by retail and wholesale customers as a sustainable and cost-effective alternative to purchasing from traditional parts sources. Parts that can be refurbished (i.e. transmissions, alternators, compressors) are sold for remanufacturing. Many vehicle fluids including gasoline and oil are recycled. Ferrous and nonferrous metals are recycled and sold to steel mills and foundries for new products. All of this reuse reduces the amount of virgin materials needed to create new products as well as the energy needed to create them.

Environmental compliance and conservation is a priority. We have implemented standardized policies and procedures at all locations for managing vehicles and disposing of hazardous



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www.picknpull.com / www.schnitzersteel.com

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wastes. In fact, our best practices set many of the standards adopted by local communities as guidelines for others to follow.

All of these efforts taken together protect the environment, beautify our neighborhoods and reduce the cost of new goods by returning valuable scrap metal to new production.

Business Operations

The 1142 South 12th Street facility operates 7-days a week with the following hours of operation:

Production: Monday through Friday- Summer- 6 AM to 2:30 PM; Winter- 7 AM to 3:30 PM

Sales: Monday through Friday- 8 AM to 5 PM; Saturday & Sunday 8 AM to 5 PM.

For customer safety, generally the use of heavy rolling equipment to set drained vehicles within the sales yard is restricted to only the hours of between 6 AM and 9 AM. Setting of vehicles after 9 AM, if necessary, is allowed under a more restrictive Company policy, only allowing the movement with the proper employee guides and/or closing off certain portions of the yard to customers while setting vehicles.

We commence the dismantling process by removing and recycling fluids and hazardous materials. Batteries are removed, tested and resold or recycled depending on the test results. At the same time, we carefully remove any mercury switches used in the engine compartment and trunk to prevent extremely toxic chemicals from entering our air and waterways. Freon (used by air conditioners), power steering fluid and brake fluid are all removed and recycled or reused. We then take the vehicle to our specially designed drain racks to remove the remaining fluids including gasoline, oil, antifreeze, differential and transmission fluids. All fluids are put into holding tanks with secondary containment to prevent spills and leaks into the environment.

Now that all the fluids have been drained, the vehicle is taken to the sales yard. But first, the old row of cars is removed, the space cleaned and fresh gravel is laid and, to eliminate ground contamination, a mat laid down to catch any remaining vehicle fluids that might leak. Our customer sales yard is well organized with similar vehicles grouped together. We keep our vehicles rows wide to make shopping easier. We place our vehicles on stands to keep them off the ground which limits the possibility of contact with storm water and makes it easier and safer for customers to remove parts.

A typical retail customer arrives at our facilities with their own tools, pays a nominal admission and is provided with a map and assistance in finding vehicles that may contain the part(s) he or she needs. Our Parts Interchange computer system can help customers find parts by identifying other vehicles that contain equivalent parts.

The customer finds a vehicle with the desired part and removes it with their own tools. Purchasing parts at Pick-n-Pull is worry-free due to our 30 day free exchange policy on all parts. If a part breaks or doesn't fit, the customer can bring it back and pull another.

After a vehicle has spent 30 to 60 days in the sales yard and customers have pulled most or all of the usable parts, the de-coring process starts. We check for anything that can be reconditioned or that has recycling value. Examples include engines, alternators, wiring harnesses, compressors, torque converters and more.



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The final step in the process is to crush the remaining vehicle hulk. We take our crushed vehicles to off-site metal shredder facilities.

Our environmental practices are second to none. From our extensive experience, we have implemented standardized policies and procedures at all locations for managing vehicles and disposing of hazardous wastes. In fact, our best practices set many of the standards adopted by local communities as guidelines for others to follow.

All of these efforts taken together [protect the environment](#), beautify our neighborhoods and reduce the cost of new goods by returning valuable raw materials into production.



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TRANSMITTAL

To: Byron Toy, AICP
Urban Planning and Land Use
Wyandotte County Unified Government

Address: **SENT VIA EMAIL** btoy@wycokck.org

Date: November 21, 2018

From: Brian McFadden,
Sr. Project Manager
Pick-n-Pull
10860 Gold Center Drive, Suite 250
Rancho Cordova, CA 95670 U.S.A.

Subject: **SP-2018-94** 1142 South 12th Street

Response to Staff Comments and Suggestions

Urban Planning and Land Use Comments:

Overall, staff does not have too many issues with the request; however, we wanted to make sure that the aesthetic and maintenance issues are continually addressed.

1. Subject to approval, this special use permit shall be valid five (5) years.
2. ***Please provide updated pictures of the site, including drive aisles. (See Applicant's Response below)***

Applicant's Response:

Current photos (as of Nov. 20, 2018) with captions of the site, including drive aisles.
The same photos are also separately attached to the email.

Posted sign on-site: Land Use Action Pending



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Neighborhood Meeting Minutes

Petition #SP-2018-94

Petition Address: 1142 S 12th St, Kansas City, KS 66105

Application Number: SP-2016-94

Date and Location: November 19, 2018

Armourdale Baptist Church, Fellowship Hall
700 S. Mill Street, Kansas City, KS

Meeting called to order at: 5:00 PM

Names of people in attendance:

Joe Garza (contact for meeting place)

Instructions:

No one showed for the meeting. Only person present was myself (Byron Breshears) and Pastor Joe Garza, the pastor at the church were meeting was held.

Meeting adjourned at: 6:30PM

Minutes taken by: Byron Breshears



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Photograph 1: 12th Street Frontage view southbound



Photograph 2: 12th Street Frontage view northbound



Photograph 3: Building frontage



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Photograph 4: Customer Parking lot



Photograph 5: Customer Sales Yard Drive Aisle



Photograph 6: Customer Sales Yard Drive Aisle



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Photograph 7: Customer walkway between set car rows



Photograph 8: Cleaned car row



Photograph 9: Interior perimeter fence line



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Photograph 10: Customer Sales Yard Drive Aisle



Photograph 11: Customer Sales Yard Drive Aisle



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Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: January 10, 2019
Re: Petition #SP-2018-95

GENERAL INFORMATION

Applicant:
Steve and Yvonne C. Ferguson

Status of Applicant:
Owners
226 North 72nd Street
Kansas City, KS 66112

Requested Action:
Renewal of Special Use Permit

Date of Application:
October 24, 2018

Purpose:
Renew special use permit for the temporary industrial use of land for keeping of a truck and trailers

Property Location:
226 North 72nd Street

Existing Zoning:
R-1 Single Family



Existing Surrounding Zoning: **North:** R-1 Single Family District
South: R-1 Single Family District
East: R-1 Single Family and R-2 Two Family Districts
West: R-1 Single Family District

Existing Uses: **North:** St. Archangel Michael Serbian Eastern Orthodox Church
South: Single Family Residences
East: Single and Two Family Residences
West: Rural Residential

Total Tract Size: 1.632 acres

Master Plan Designation: The City-Wide Master Plan designates this area for low density residential development

Major Street Plan:

Advertisement: The Wyandotte Echo – November 15, 2018
Letters to Property Owner – November 14, 2018 and December 26, 2018

Public Hearings: December 10, 2018 and January 10, 2019

Public Opposition: No one appeared in opposition at the December 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicants, Steve and Yvonne Ferguson, are seeking renewal of their special use permit to continue an industrial use of land for the parking of a truck and trailers.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The character of the neighborhood consists mainly of suburban single-family homes. There is an apartment complex to the east and the land to the west of the residence is yet to be developed agricultural property.

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

The zoning and uses of nearby properties are set out above. The keeping of a commercial/industrial truck would not normally be considered to be compatible with such uses.

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

The property is suitable for its residential use. The continued parking of the trucks and the constant coming and going of multiple vehicles could have possible affects on nearby property, but those effects could be minimal depending on time of day that vehicles are operated.

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

The property is not vacant

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

Special Use Permits are not addressed in the master plan

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 should not result in an increase of vehicular traffic

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. The parked truck and trailers, as long they are parked efficiently and mostly out of sight, should 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.*

This should not be an issue

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

This should not be an issue

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

This should not be an issue

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 from the denial of this petition would mostly outweigh any hardship imposed on the landowner.

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

This should not be an issue due to the total amount of property owned by the petitioner

PREVIOUS ACTIONS

Previous approval of special use permit #SP-2016-72 for the temporary industrial use of land to park their truck and trailers on.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on November 15, 2018. A copy of the sign-in sheet, neighborhood meeting minutes and neighborhood meeting affidavit are attached.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-95, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, this special use permit shall be valid for two (2) years
2. Will hours of truck leaving and going change with the seasons?

Applicant Response: Our truck leaves during the week (daily) around 7 a.m. and generally returns around 3:30 to 4 p.m., Monday through Friday. There are no changes to these times with changing of seasons

Business Licensing Comments:

1. Ferguson Drywall, located at this address, has filed and maintained a current occupation tax for business operations since 2006.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None.
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

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 #SP-2018-95 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

December 10, 2018 City Planning Commission Minutes
Aerial Image (google maps)
Zoning Map
Photo of Trucks
Letter
Neighborhood Meeting Minutes

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	December 10, 2018	January 10, 2019
Special Use	Approval	

STAFF CONTACT: **Alex Hufft**
 Ahufft@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2018-95 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 #**SP-2018-95**, 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.

December 10, 2018 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2018-95 – STEVEN AND YVONNE FERGUSON – SYNOPSIS: Renewal of a Special Use Permit (#SP-2016-72 – expired 9/29/2018) for the Temporary Use of Land to park a commercial truck on the property at 226 North 72nd Street. **Detailed Outline of Requested Action:** The applicants, Steve and Yvonne Ferguson, are seeking renewal of their special use permit to continue an industrial use of land for the parking of a truck and trailers.

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?” Planning Commissioner Serda stated that he had contact with Commissioner Bynum regarding Lowell Brune Elementary Plat and Plan Review Application #PR-2018-31. Planning Commissioner Jones stated that she had contact concerning Special Use Permit Application #SP-2018-93.

“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 December 10, 2018;
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 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 comes forward and asks that an item be removed from the Consent Agenda.”

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda. Mr. Sam Malinowsky asked to remove #PR-2018-35. Mr. Brian Hill, MKEC Engineering, requested that PR-2018-31 be removed from the Consent Agenda.

On motion by Ms. Jones, seconded by Mr. Carson, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Miller	Not Present
Pauley	Not Present

Motion to APPROVE Passed: 7 to 0
Subject to:

#SP-2018-95:

Urban Planning and Land Use Comments:

1. Subject to approval, this special use permit shall be valid for two (2) years
2. Will hours of truck leaving and going change with the seasons?

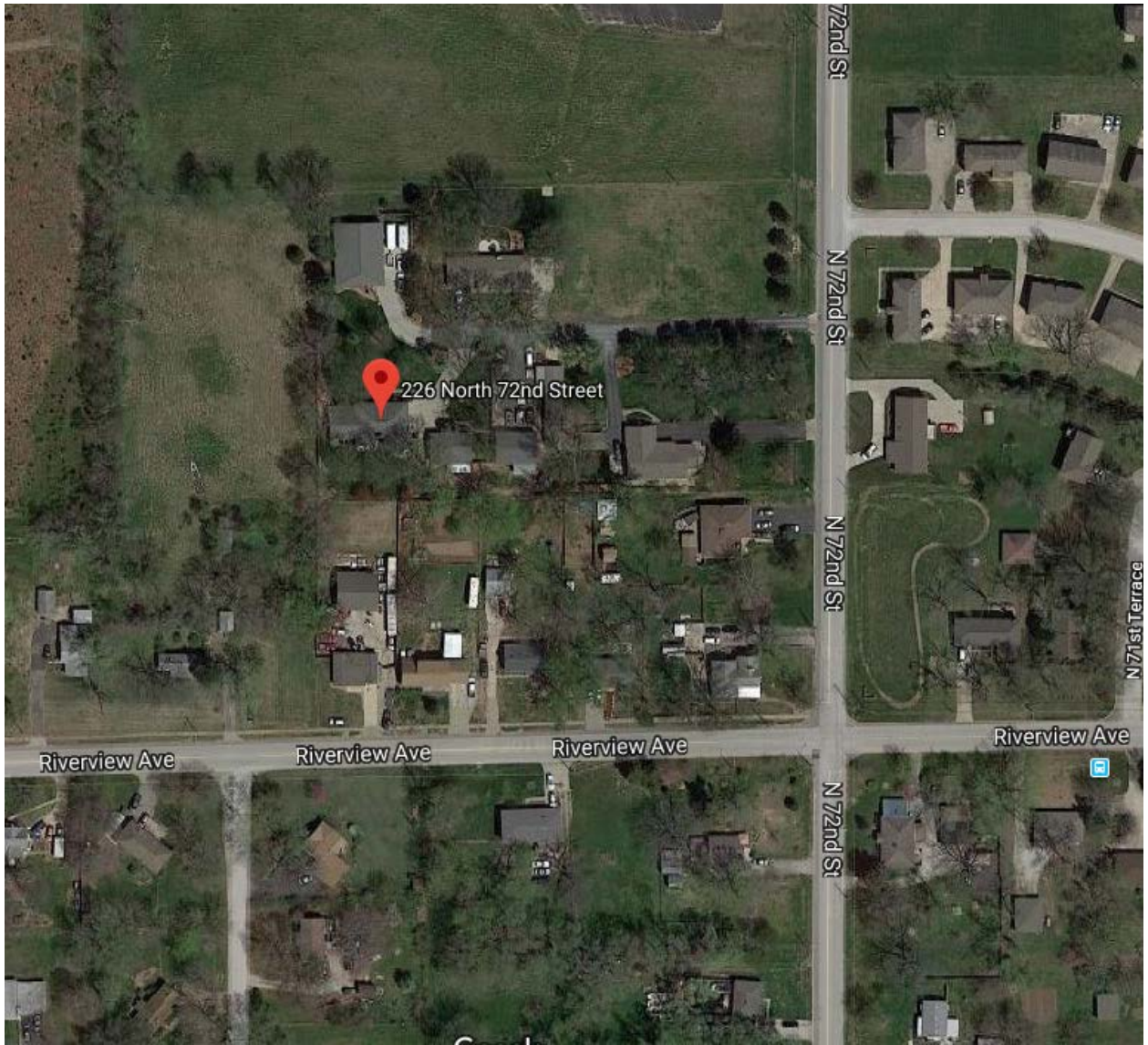
Applicant Response: Our truck leaves during the week (daily) around 7 a.m. and generally returns around 3:30 to 4 p.m., Monday through Friday. There are no changes to these times with changing of seasons

Business Licensing Comments:

1. Ferguson Drywall, located at this address, has filed and maintained a current occupation tax for business operations since 2006.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:**
1) None.
- B) Items that are conditions of approval (stipulations):**
1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:**
1) None







9-26-18

Steve Ferguson
226 N 72 St
Kansas City MO
64112

Special Use Permit (parking)

1. Photograph of property & truck & trailer
 2. Our truck leaves during the week daily around 9am and generally return around 3:30pm Monday thru Friday.
 3. We have the 1 truck & trailers
 4. We are asking for a 2 year approval for our truck like we have had in the past.
 5. Nothing has changed in the last 4 years. and we have no plans on any changes....
-

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF Kansas,
COUNTY OF Wyandotte SS:

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

1. That I am the petitioner for Petition # SP-2018-95
2. That I conducted a neighborhood meeting on thurs 11-15-18
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.

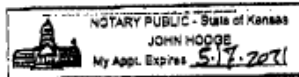
Further affiant saith not.

Steve Ferguson

Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 15 day of November, 2018.

My commission expires 17 of May, 2018.



[Signature]
Notary Public

Application Number: SP-2018-95

Date and Location: Hugo 11-15-18

224 N 72 St
DCDU 6612

Meeting called to order at: 4 pm

Names of people in attendance: Ø

Introductions:

See attached sheet

Presentation by applicant and/or team (explain what information was given to those in attendance and a summary of what the speaker said).

Questions and answers (include the following):

- > Who asked question or gave comment
- > What was the question or comment
- > Who answered the question/comment
- > What was the answer given

Meeting adjourned at: 4:35 pm

Minutes taken by:

Stacy Ning

thurs 11-15-18

meeting: 224 N 72 St
Hanson City OH
66112

time: 4pm

attendance:

- Steve Ferguson 226 N 72 St
Hanson City OH 66112
- Stacy Ding 224 N 72 St
Hanson City OH 66112

no one come to meeting....

Date: 11-2-2018

Name Steve Ferguson
Address 224 N 72 St
City/State/Zip Kansas City Kansas 66112

SUBJECT: Neighborhood Meeting

I/We have filed an application with the Department of Urban Planning and Land Use # SP-2018-95 The purpose of this:

(please use all that applies)

- > change of zone
- > special use permit
- > preliminary plan review

is for a Special Use Permit (parking) + truck

at the following address: 226 N 72 St KC KS 66112

I/We are having a neighborhood meeting on thurs 11-15-18 at 4 p.m. at the following address 224 N 72 St KC KS 66112

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 address/phone number listed below.

Sincerely,

Steve Ferguson

Name and Contact Information

Steve Ferguson

226 N 72 St

KC KS 66112

816-589-4100



Urban Planning and Land Use

701 North 7th Street, Room 423
Kansas City, Kansas 66101
Email: planninginfo@wycokck.org

Phone: (913) 573-5750
Fax: (913) 573-5796
www.wycokck.org/planning

To: Unified Government Board of Commissioners
From: City Staff
Date: January 10, 2019
Re: Petition #SP-2018-98

GENERAL INFORMATION

Applicant:

Adrian Bermudez

Status of Applicant:

Owner
347 North 8th Street
Kansas City, KS 66101

Requested Action:

Renewal of Special Use
Permit

Date of Application

October 26, 2018

Purpose:

Renew special use permit
to keep food truck at their
residence

Property Location:

347 North 8th Street

Existing Zoning: R-2(B) Two Family District



Existing Surrounding Zoning: **North:** R-2(B) Two Family District
South: R-1(B) Single Family District
East: R-1(B) Single Family District
West: R-1(B) Single Family District

Existing Uses: **North:** Single Family Home
South: Single Family Home
East: Vacant Land
West: Single Family Home

Total Tract Size: .10 acre

Master Plan Designation: The City-Wide Master Plan designates this property as Urban Density

Major Street Plan: The City-Wide Master Plan designates North 8th Street and Ella Avenue as local roads

Advertisement: The Wyandotte Echo – November 15, 2018
Letters to Property Owner – November 14, 2018 and December 26, 2018

Public Hearings: December 10, 2018 and January 10, 2019

Public Opposition: No one appeared in opposition at the December 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Adrian Bermudez, is requesting a renewal of their special use permit to park their food truck at their residence. They have an existing business for which the vehicle is used.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is entirely a residential area. The majority of the homes within the area are single family with a few duplexes throughout.

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

The zoning and uses of nearby properties are set out above. The truck isn't particularly compatible, but it is also not a massive piece of machinery that would be considered out of the ordinary.

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

The removal of the restrictions should not detrimentally affect nearby property.

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

The property is not vacant

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

Special use permits are not addressed in the Master Plan

- 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 result in an increase of traffic. The applicant will be traveling throughout Kansas City as he does business, therefore not creating any more on-street parking or increasing the amount of vehicles along 8th 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 purpose of the food truck is to cook and sell food to the general public, but this business is not necessary for the convenience and welfare of the public. It will not permanently injure adjoining property, but it may impact visual quality of the property where it is parked during business hours.

- 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.***

If the applicant operates within normal business hours, this should not create any excess noise, vibration, dust or illumination for nearby properties

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

This would not be an issue

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

This would not be an issue

- 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 as compared to the hardship imposed on the individual landowner is minimal.

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

This would not be an issue

PREVIOUS ACTIONS

Special Use Permit #SP-2016-76, for two years for the temporary use of land to keep their food truck at the residence.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on November 26, 2018. A copy of the sign-in sheet, neighborhood meeting minutes and neighborhood meeting affidavit are attached.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2018-98, subject to:

Urban Planning and Land Use comments:

1. Subject to approval, this special use permit shall be valid for two (2) years

Applicant Response: May be valid for two years

2. What are your normal hours of operation? Do these hours change throughout the year based on season?

Applicant Response: Normal hours depends on when I have an event but should be no earlier than 8 am or later than 9 pm on weekdays. Sometimes we have a late event but would only be driving in so noise level should be at a minimum. Yes, normally I do most of my business during the spring and summer months. Winter gets less and less as it gets colder.

3. How many staff do you have?

Applicant Response: No staff, just myself and my boys help sometimes, but that isn't until we actually get to our location, otherwise it is only myself

4. Have you had any complaints from any businesses that you park the truck outside of?

Applicant Response: I have never had any complaints from companies or people

5. Please provide a current picture of the truck as well as where the truck is parked when it is at your residence.

Applicant Response: Truck is parked on the side of the house on the end of Ella Avenue that has been closed off since at least 2010 if I recall. I will send a separate email with the picture showing where it is at exactly. I have submitted pictures before, but am happy to oblige

Business Licensing Comments:

1. Adrian Bermudez (Indios Carbonsitos) has filed and maintained a current occupation tax and regulatory license, for mobile food vending since 2011.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None.
- B) Items that are conditions of approval (stipulations):
 - 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

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 **#SP-2018-98** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

December 10, 2018 City Planning Commission Minutes
Aerial Image (google maps)
Zoning Map
Letter
Neighborhood Meeting Minutes
Pictures of truck

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	December 10, 2018	January 10, 2019
Special Use	Approval	

STAFF CONTACT: **Alex Hufft**
 ahufft@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2018-98** 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 #**SP-2018-98**, 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.

December 10, 2018 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2018-98 – ADIAN BERMUDEZ WITH INDIOS CARBONSITOS – SYNOPSIS: Renewal of a Special Use Permit (#SP-2016-76 – expired 10/27/2018) for the Temporary Use of Land to park a food truck at the residence at 347 North 8th Street. **Detailed Outline of Requested Action:** The applicant, Adrian Bermudez, is requesting a renewal of their special use permit to park their food truck at their residence. They have an existing business for which the vehicle is used.

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?” Planning Commissioner Serda stated that he had contact with Commissioner Bynum regarding Lowell Brune Elementary Plat and Plan Review Application #PR-2018-31. Planning Commissioner Jones stated that she had contact concerning Special Use Permit Application #SP-2018-93.

“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 December 10, 2018;
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 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 comes forward and asks that an item be removed from the Consent Agenda.”

Chairman Huey asked if anyone wished to remove an item from the Consent Agenda. Mr. Sam Malinowsky asked to remove #PR-2018-35. Mr. Brian Hill, MKEC Engineering, requested that PR-2018-31 be removed from the Consent Agenda.

On motion by Ms. Jones, seconded by Mr. Carson, the Planning Commission voted as follows to **APPROVE the remaining items on the Consent Agenda:**

Carson	Aye
Connelly	Aye
Ernst	Aye
Jones	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Huey	Chairman
Miller	Not Present
Pauley	Not Present

Motion to APPROVE Passed: 7 to 0
Subject to:

#SP-2018-98:

Urban Planning and Land Use comments:

1. Subject to approval, this special use permit shall be valid for two (2) years

Applicant Response: May be valid for two years

2. What are your normal hours of operation? Do these hours change throughout the year based on season?

Applicant Response: Normal hours depends on when I have an event but should be no earlier than 8 am or later than 9 pm on weekdays. Sometimes we have a late event but would only be driving in so noise level should be at a minimum. Yes, normally I do most of my business during the spring and summer months. Winter gets less and less as it gets colder.

3. How many staff do you have?

Applicant Response: No staff, just myself and my boys help sometimes, but that isn't until we actually get to our location, otherwise it is only myself

4. Have you had any complaints from any businesses that you park the truck outside of?

Applicant Response: I have never had any complaints from companies or people

5. Please provide a current picture of the truck as well as where the truck is parked when it is at your residence.

Applicant Response: Truck is parked on the side of the house on the end of Ella Avenue that has been closed off since at least 2010 if I recall. I will send a separate email with the picture showing where it is at exactly. I have submitted pictures before, but am happy to oblige

Business Licensing Comments:

1. Adrian Bermudez (Indios Carbonsitos) has filed and maintained a current occupation tax and regulatory license, for mobile food vending since 2011.

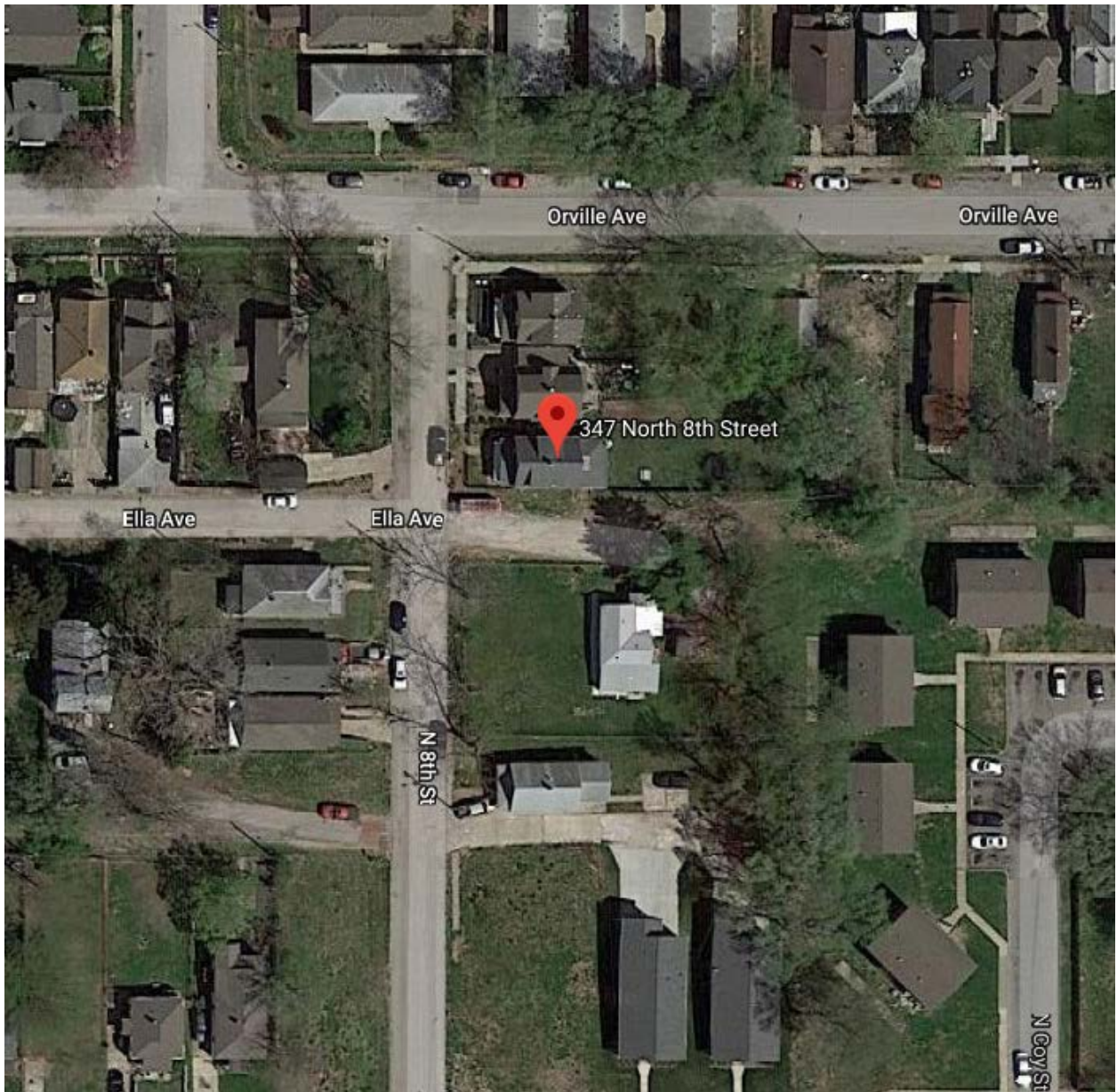
Public Works Comments:

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

1) None.

- B) Items that are conditions of approval (stipulations):

- 1) None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None





I, Arnold Bernardez am
REQUESTING THIS APPLICATION SO
I COULD KEEP MY FOOD TRUCK ON THE SIDE
OF MY HOUSE. I NEED THIS BECAUSE I HAVE
A BAD BACK AND KNEES AND RECENTLY HAVE
EYE PROBLEMS AS WELL. ALSO, WORKING ON
THE TRUCK GIVES ME MORE TIME TO BE
THERE FOR MY BOYS WHEN THEY GET SICK,
NEED TO GO TO THE DR, ETC. I ALSO GET
TO BE AROUND THEM MORE, BEFORE I WOULD
WORK A FULL TIME AND TWO PART TIME JOBS
AND WAS HARDLY AROUND. ALSO IT IS VERY
EXPENSIVE TO KEEP A TRUCK IN STORAGE WITH
ELECTRICAL PLUG IN AND LAST TIME I
TRIED THE TRUCK WAS VANDALIZED, BROKEN
INTO AND EXPENSIVE AND TIME CONSUMING
TO GET BACK ROLLING. IT IS OUT OF THE
WAY AND BOTHERS NO ONE.

THANK YOU.



AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF KS
COUNTY OF Wyandotte } ss:

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

1. That I am the petitioner for Petition # _____.
2. That I conducted a neighborhood meeting on _____.
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.

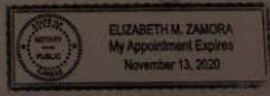
Further affiant saith not.

[Signature]
Affiant Alvan Bermudez

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 27th day of November, 2018.

My commission expires 13th of November, 2020

[Signature]
Notary Public



MINUTES:

Application Number SP-2018-98

Date and Location: 11-26-2018, 347 N 8th St, Kansas City, KS 66101

Meeting called to order at: 6:30 PM allotting for latecomers _____

Names of people in attendance:

Ø

Introductions:

Presentation by Adrian Bermudez

Questions and answers (include the following):

- > Who asked question or gave comment No one
- > What was the question or comment No one
- > Who answered the question/comment No one
- > What was the answer given No one

Current Resident/Owner

347 N 8th ST

Kansas City, KS 66101

SUBJECT: Neighborhood Meeting for Petition SP-2018-98

I have filed an application with the Department of Urban Planning and Land Use # SP-2018-98. The purpose of this:

> special use permit

is for a FOOD TRUCK named INDIOS CARBONSITOS I own to be kept at the household side of the house. We have kept and renewed this application since 2011 and hope to continue to do so for the near future at the following address: 347 N 8th St, Kansas city, KS 66101.

I am having a neighborhood meeting on 11-26-2018 at 6 p.m. at the following address 347 N 8th St, Kansas City, KS 66101.

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 address/phone number listed below.

Sincerely,

Adrian Bermudez/Indios Carbonsitos

347 N 8th St, Kansas City, KS 66101

816-521-9353/ yndio@hotmail.com

Meeting adjourned at: 7pm
Minutes taken by: G. Priscilla Valenzuela





Existing Zoning: RP-5 Planned Apartment District

Surrounding Zoning:

North:	CP-1 Planned Limited Business District
South:	RP-5 Planned Apartment District
East:	RP-5 Planned Apartment District
West:	R-2 Two Family District and R-1 Single Family District

Existing Uses:

North:	Vacant Property
South:	Apartments
East:	Apartments
West:	Single Family Houses

Total Tract Size: 14.01 acres

Master Plan Designation: The City-Wide Master Plan designates this area as Medium Density Residential.

Major Street Plan: The City-Wide Master Plan designates 65th Street as a Class C Thoroughfare

Advertisement: Property Owner Letters – October 16, 2018, November 6, 2018 and December 26, 2018
Wyandotte Echo – October 18, 2018

Public Hearings: December 10, 2018 and January 10, 2019

Public Opposition: One person appeared at the December 10, 2018 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Jeff Carroll with Tartan Residential, has submitted a preliminary development plan for the development of a 115-unit multi-family residential development.

City Ordinance Requirements: Article VIII Sections 27-340 – 27-765

FACTORS TO BE CONSIDERED

1. *Neighborhood character.*

This surrounding area includes apartment complexes and single-family residential areas.

2. *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 is likely to increase traffic in the area, however, 65th Street is a Class C thoroughfare that is anticipated to have capacity to handle the traffic that is generated from this site.

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

The density of the proposed use conforms with the City-Wide Master Plan. The plan recommends a density of 4 to 16 dwelling units per acre. This plan has a density of approximately 8.2 dwelling units per acre. However, the proposed design does not meet the Mutli-Family Design Guidelines of the City-Wide Master Plan.

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

a. *Water service*

Available

b. *Sanitary sewer service*

Available

c. *Storm water control*

To meet UG code

d. *Police*

Police service is provided by the Midtown Patrol, District #441

e. *Fire*

Fire service is provided by District #4

f. *Transit*

The KCATA route 101 provides transit service on State Avenue to the north.

g. *Schools*

Turner USD 202

5. *The capability of the proposed use to meet applicable ordinance and other requirements.*

The proposed use is capable of meeting all applicable ordinance requirements.

PREVIOUS ACTIONS

PR-2008-25 - A preliminary plan for a 1 building 84-unit senior living facility was approved in 2008.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on October 29, 2018. No one other than the development team was in attendance.

KEY ISSUES

Multi-Family Design Guidelines
Sidewalks and Trail Master Plan

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 7 to 0 to recommend **APPROVAL** of Plan Review Application #PR-2018-33, subject to:

Urban Planning and Land Use Comments:

1. Trails and Sidewalks

- a. 65th Street is designated as a regional multi-use trail in the sidewalk and trails master plan.
 - i. Provide at least a 10-foot wide and will include enhanced pedestrian amenities including wayfinding and interpretative signage, benches, litter receptacles and generous landscaping.
 - ii. All trails will be illuminated with pedestrian lights with a consistent spacing.
 - iii. All sidewalk and trails should meet the requirements of the American with Disabilities Act Accessibility Guidelines (ADAAG).
 - iv. The trail shall be concrete to ensure longevity and ease of maintenance.
- b. Please provide an internal pedestrian circulation system that connects the trail, building entrances, and parking bays.
 - i. Staff Response: There shall be connections between the sidewalks in front of the buildings to the trail on 65th street to meet this requirement.

2. Site Layout

According to the Multi-Family Design Guidelines, To the maximum extent feasible, garage entries, carports, parking areas and parking structures shall be internalized in building groupings or oriented away from the arterial or collector street frontage. Please internalize the parking areas and orient the buildings toward the street.

- a. Staff Response: The updated site plan accomplishes the intent of this requirement.

3. Landscaping

- a. Landscaping is required to screen all parking areas and service entries. This includes shade trees every 30' and a continuous row of shrubs, grasses, or other landscape screening.
- b. All landscaping shall be irrigated.
- c. All overstory trees shall be at least 4" caliper when planted. All ornamental trees shall be at least 2" caliper when planted. All evergreens shall be at least 6' when planted. All shrubs shall be 5 gallons when planted.

4. Screening

- 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 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.
- b. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building. Rooftop mechanical equipment shall be screened from public view by an architectural screen.
- c. Downspouts shall be painted to match the building and recessed into the corners of building as not to be in plain view of the public.
- d. Banks need to be provided for satellite dishes on apartment units. They need to be hidden from view from the public streets and the public.
- e. Exterior dryer vents shall be painted to match the building.

5. Signs

- a. All signs must follow the requirements in Chapter 27 Planning and Development, Article VIII Zoning, Division 11 Signs.

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) None.
- B) Items that are conditions of approval (stipulations):
 - 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.
 - 2) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:
 - 1) None

STAFF COMMENTS AND SUGGESTIONS

The staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

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 #PR-2018-33 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

December 10, 2018 City Planning Commission Minutes
Site Plan
Landscape Plan
Building Elevations
Conservation District Comments

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Board of Commissioners
Public Hearing	December 10, 2018	January 10, 2019
Final Plan	Approval	

STAFF CONTACT: Zach Flanders
zflanders@wycokck.org

MOTIONS

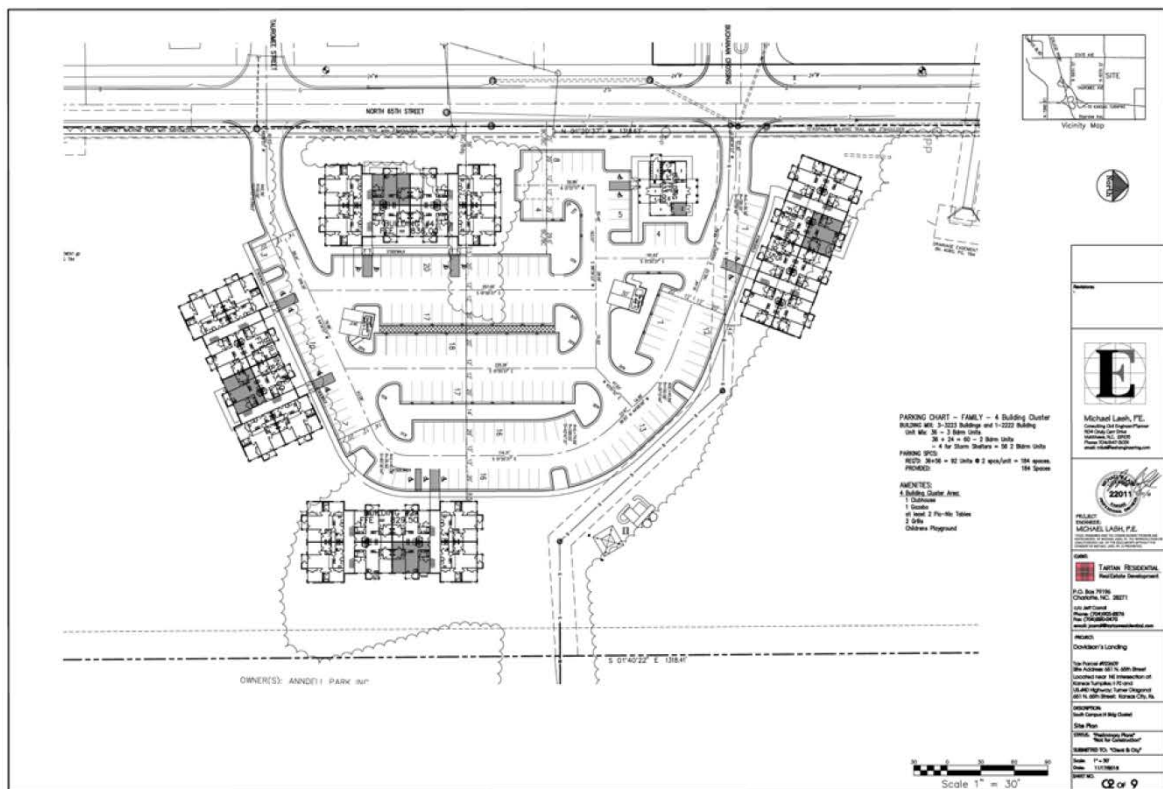
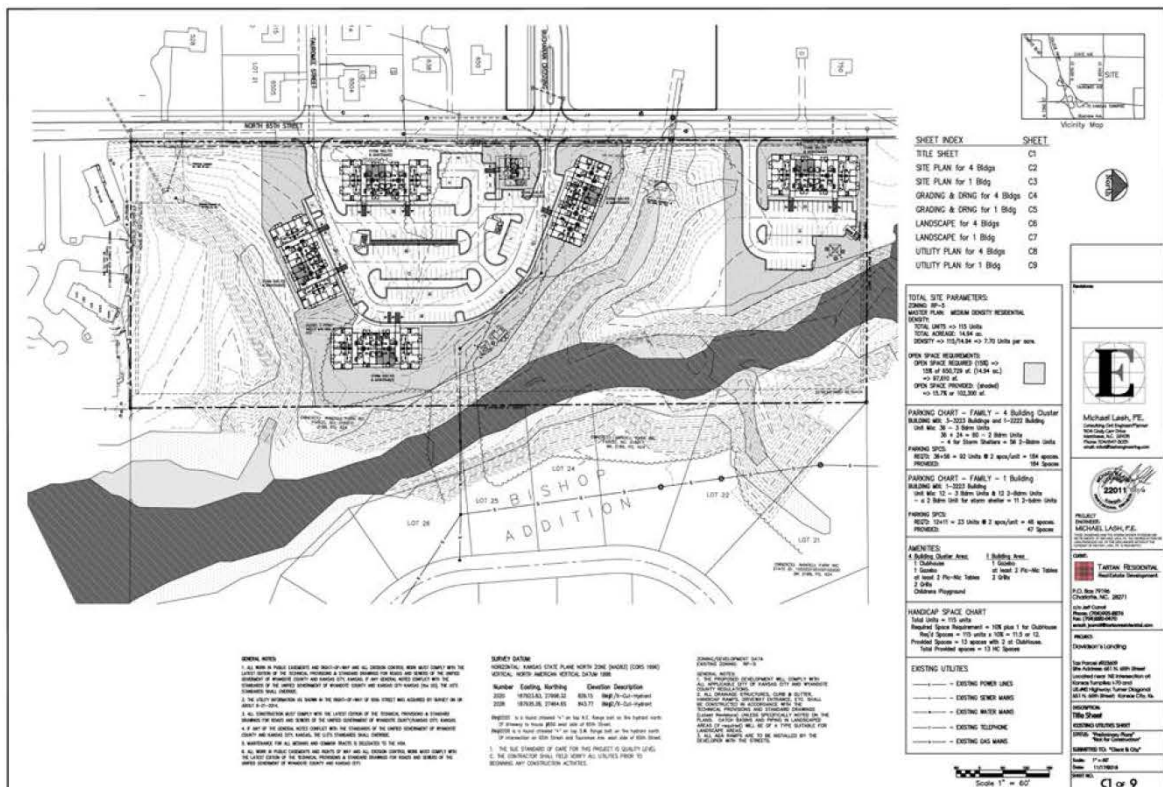
I move the Unified Government Board of Commissioners **APPROVE** Petition #PR-2018-33 as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements:

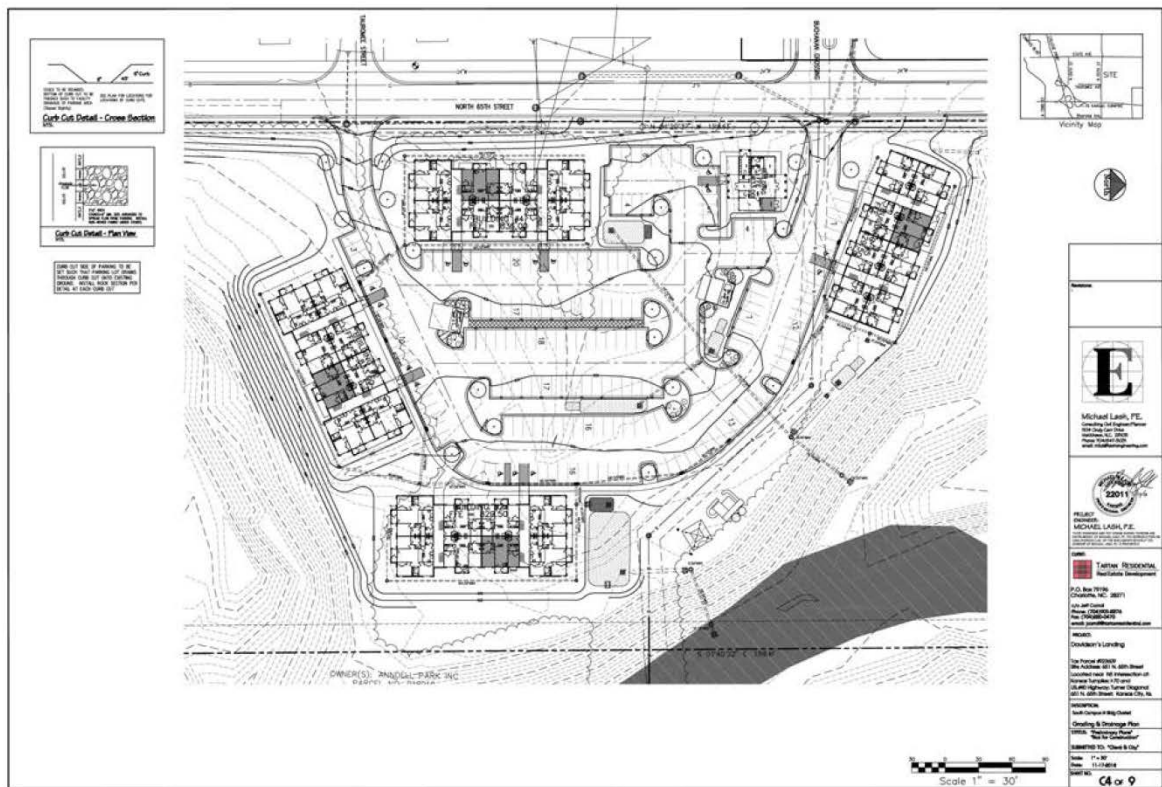
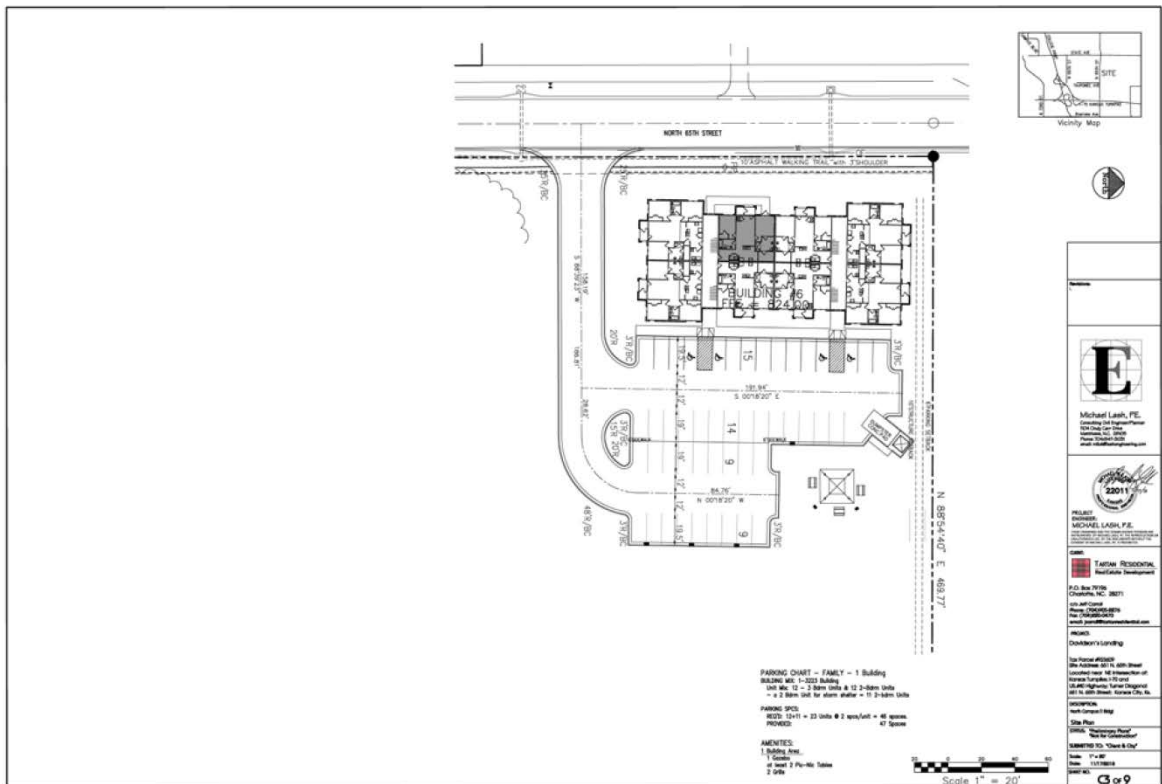
1. _____;
2. _____; And
3. _____.

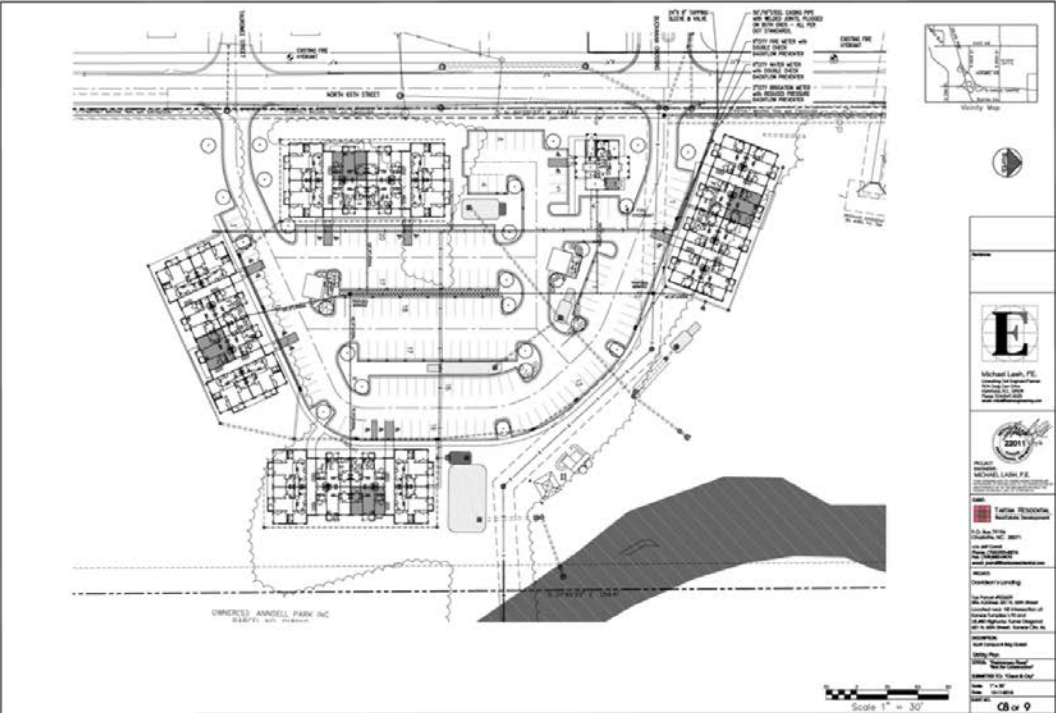
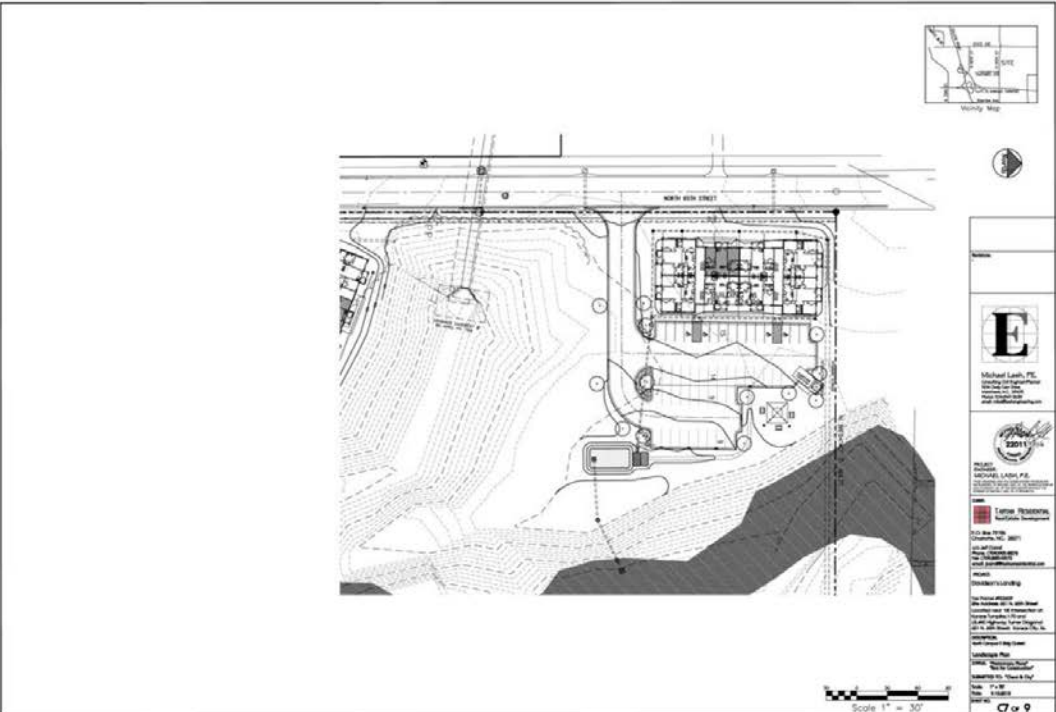
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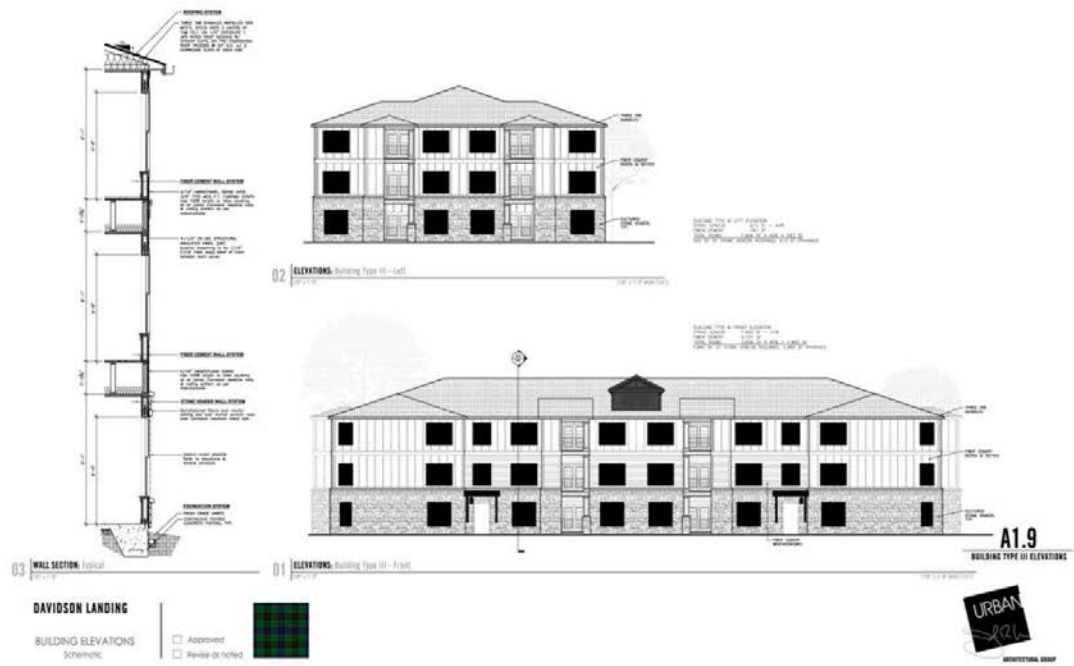
I move the Unified Government Board of Commissioners **DENY** Petition #PR-2018-33, as it is not in compliance with the City Ordinances and as it will not promote the health,

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











04 | ELEVATION: Left
18' x 12'



03 | ELEVATION: Right
18' x 12'



02 | ELEVATION: Rear
18' x 12'



01 | ELEVATION: Front
18' x 12'

18' x 12' when built

DAVIDSON LANDING

ELEVATIONS
Schematic

- ☐ Approved
- ☐ Revis as noted



A1.12 COMMUNITY BUILDING ELEVATIONS





Wyandotte County Conservation District
1204 N. 79th Street - Kansas City, KS 66112 - Phone (913)-334-6329 -
wyco.conservations@gmail.com

Rob Richardson
Director of Planning
701 North 7th Street Rm. 423
Kansas City, KS 66101
913-573-5750

October 16, 2018

RE: PR-2018-33 Jeff Carroll with Tartan Residential Apartments and Clubhouse 651
North 65th Street

Dear Mr. Richardson:

The Wyandotte County Conservation District, with technical assistance from the Natural Resources Conservation Service, has completed an environmental review of the plans for:
RE: PR-2018-33 Jeff Carroll with Tartan Residential Apartments and Clubhouse 651
North 65th Street.

In addition to the site review the following reports were generated from the Wyandotte County Soil Survey to assess the limitations for development and/or natural resources concerns for this site.

MAPS AND REPORTS

Soils Map
Soils Inventory Report
Map Unit Description (Brief)
Dwellings and Small Commercial Buildings
Soil Features

In summary, the following limitations and resource concerns were noted for this plat:

- There are three major soil types that was identified: Kennebec silt loam, frequently flooded, Ladoga silt loam, 3 to 8 percent slopes and Knox silt loam, 7 to 12 percent slopes. This soil types are considered highly erodible when the surface is denuded of a protective cover.
- **We didn't receive any additional information on an erosion control plan with this request. We would not recommend any action on this project until an Erosion Control Plan is developed, and we have a chance to review it.**

- More than likely, there will be substantial grading that will occur on this site. There is a stream immediately to the east of the project.
- There will be a substantial amount of clearing and grub work to do on site. Disposal of this material needs to be considered and included in any plan.
- Erosion control; such things as silt fence, sediment basins and only disturbing small areas at any given time can be helpful in controlling soil movement.
- The Best Management Practices in this report can be used to develop an Erosion Control Plan for the project.
- Shrink Swell potential has been identified as a limiting factor for the development of dwellings. Shrinking and swelling can cause damage to buildings, roads and other structures and to plant roots. Special design commonly is needed.

The following Best Management Practices are recommended for this plat:

* **Access Road** – Temporary entrance/exit pads should be constructed of a stone base design to provide a buffer area where construction vehicles can drop their mud to avoid transporting it onto public roads. See the *Protecting Water Quality Field Guide* pages 27-29 for Temporary Gravel Construction Entrance/Exit Pad.

* **Dust Control** – Any combination of the following may be used to help reduce the dust and air pollution at a construction site; vegetative cover, sprinkling, barriers, street cleaning and mulching. See the *Protecting Water Quality Field Guide* pages 89-92 for Dust Control information.

* **Critical Area Planting** - After final grade has been completed permanent vegetation will be established. See the *Protecting Water Quality Field Guide* pages 35-54 for Temporary, and Permanent Seeding.

* **Filter Strips** – During development, strategic non disturbance of existing perennial grass vegetation can function as filter strips. See the *Protecting Water Quality Field Guide* pages 195-200 for Filter Strip.

* **Silt Fences**- Temporary sediment barrier consisting of a geotextile fabric which is attached to supporting posts and trenched into the ground may be substituted for vegetative strips. Install on the contour, where fence can intercept runoff as a sheet flow; not located in crossing channels, waterways or other concentrated flow paths. See the *Protecting Water Quality Field Guide* pages 175-181 for Sediment Fence.

* **Sediment Trap** -Temporary catch basins consisting of a row or more of entrenched and anchored straw bales can be utilized in minor swales with less than 2 acres of drainage. See the *Protecting Water Quality Field Guide* for Straw Bale Sediment Trap.

* **Mulching** – Mulch can be applied to seeded areas to help establish plant cover. It can also be used in unseeded areas to protect against erosion over the winter or until final grading and shaping can be accomplished. See the *Protecting Water Quality Field Guide* pages 61-66 for Mulching.

* **Precision Land Forming** – Keep disturbed areas small; open only the land that is minimally necessary to perform the intended construction activities; and only for the minimum duration of time necessary to complete construction. Permanent or temporary soil stabilization should be applied to denuded areas that will remain undisturbed for longer than 60 days.

* Sediment Basins – This best management practice should be utilized in the natural concentrated flow areas to protect adjacent property and meet the National Pollution Discharge Elimination Systems Permit (NPDES). See the Water Quality Field Guide pages 201 – 208 for Temporary Sediment Trap and pages 209-216 for Sediment Basin.

Technical assistance is available from our office. Limitation maps, detail soils reports and a conservation plan can also be requested for this site from our office.

The ratings and other information in these reports are based on estimated engineering properties of the soils, on available test data and on field experience. The soil is ordinarily examined to a depth of about 6 feet. At a greater depth, additional geological investigation may be needed. The natural soils and drainage pattern has been changed in this area due to previous urban development. Therefore, the physical composition influencing the structure of the natural soil has already been altered; however some generalities can still be applied for these soils. On site investigation is needed for detail planning as some delineations on the maps include soils that differ from the named soil. Soil lines may not be exact therefore; on site investigation is needed for site specific planning.

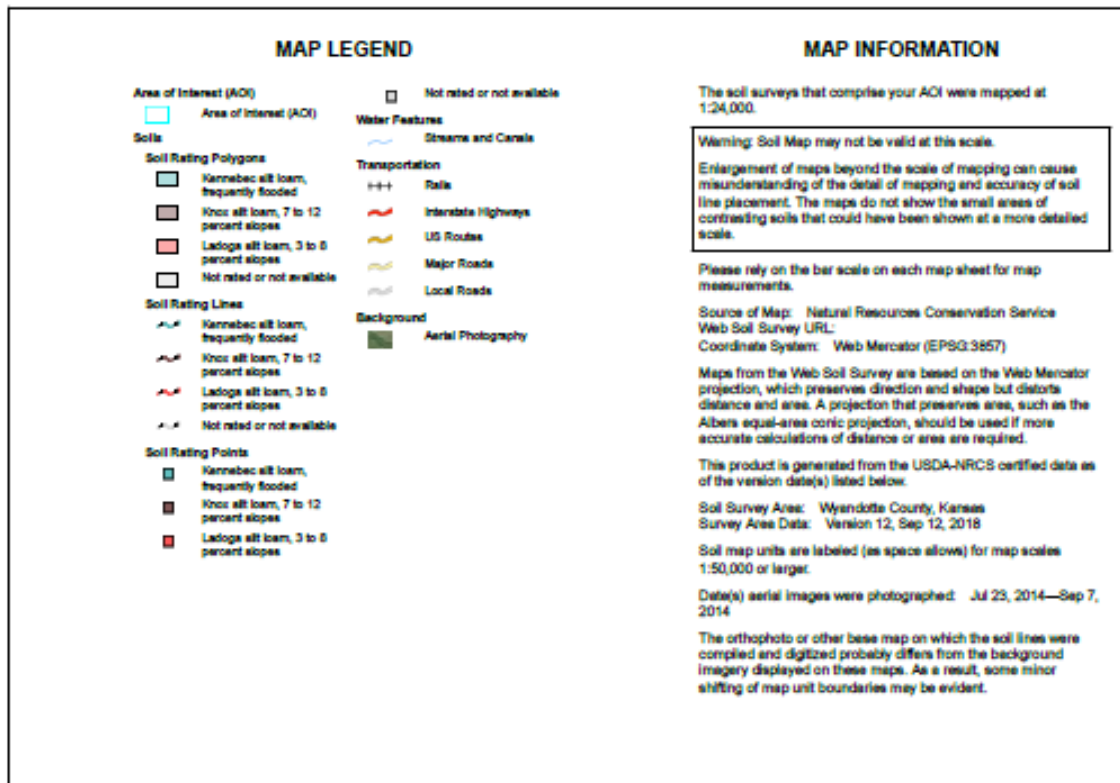
If you have any comments or questions, please do not hesitate to call me.

Sincerely,

Cheri Miller
District Manager

enclosures





Map Unit Name

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
7051	Kennebec silt loam, frequently flooded	Kennebec silt loam, frequently flooded	0.2	2.3%
7285	Ladoga silt loam, 3 to 8 percent slopes	Ladoga silt loam, 3 to 8 percent slopes	2.7	30.1%
7965	Knox silt loam, 7 to 12 percent slopes	Knox silt loam, 7 to 12 percent slopes	6.0	67.6%
Totals for Area of Interest			8.9	100.0%

Description

A soil map unit is a collection of soil areas or nonsoli areas (miscellaneous areas) delineated in a soil survey. Each map unit is given a name that uniquely identifies the unit in a particular soil survey area.

Rating Options

Aggregation Method: No Aggregation Necessary

Aggregation is the process by which a set of component attribute values is reduced to a single value that represents the map unit as a whole.

A map unit is typically composed of one or more "components". A component is either some type of soil or some nonsoli entity, e.g., rock outcrop. For the attribute being aggregated, the first step of the aggregation process is to derive one attribute value for each of a map unit's components. From this set of component attributes, the next step of the aggregation process derives a single value that represents the map unit as a whole. Once a single value for each map unit is derived, a thematic map for soil map units can be rendered. Aggregation must be done because, on any soil map, map units are delineated but components are not.

For each of a map unit's components, a corresponding percent composition is recorded. A percent composition of 60 indicates that the corresponding component typically makes up approximately 60% of the map unit. Percent composition is a critical factor in some, but not all, aggregation methods.

The majority of soil attributes are associated with a component of a map unit, and such an attribute has to be aggregated to the map unit level before a thematic map can be rendered. Map units, however, also have their own attributes. An attribute of a map unit does not have to be aggregated in order to render a corresponding thematic map. Therefore, the "aggregation method" for any attribute of a map unit is referred to as "No Aggregation Necessary".

Tie-break Rule: Lower

The tie-break rule indicates which value should be selected from a set of multiple candidate values, or which value should be selected in the event of a percent composition tie.

Map Unit Description (Brief, Generated)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in this report, along with the maps, provide information on the composition of map units and properties of their components.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

The Map Unit Description (Brief, Generated) report displays a generated description of the major soils that occur in a map unit. Descriptions of non-soil (miscellaneous areas) and minor map unit components are not included. This description is generated from the underlying soil attribute data.

Additional information about the map units described in this report is available in other Soil Data Mart reports, which give properties of the soils and the limitations, capabilities, and potentials for many uses. Also, the narratives that accompany the Soil Data Mart reports define some of the properties included in the map unit descriptions.

Report—Map Unit Description (Brief, Generated)

Wyandotte County, Kansas

Map Unit: 7265—Ladoga silt loam, 3 to 8 percent slopes

Component: Ladoga (80%)

The Ladoga component makes up 80 percent of the map unit. Slopes are 4 to 7 percent. This component is on hillslopes on uplands. The parent material consists of silty and clayey loess. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is moderately well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 3 percent. This component is in the R106XY015KS Loamy Upland (pe 30-37) ecological site. Nonirrigated land capability classification is 3e. This soil does not meet hydric criteria.

Component: Sharpsburg (10%)

Generated brief soil descriptions are created for major components. The Sharpsburg soil is a minor component.

Component: Knox (10%)

Generated brief soil descriptions are created for major components. The Knox soil is a minor component.

Map Unit: 7955—Knox silt loam, 7 to 12 percent slopes**Component: Knox (80%)**

The Knox component makes up 80 percent of the map unit. Slopes are 7 to 12 percent. This component is on hillslopes on uplands. The parent material consists of fine-silty loess. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 2 percent. This component is in the R107XYD15KS Loamy Upland (pe 35-37) ecological site. Nonirrigated land capability classification is 3e. This soil does not meet hydric criteria.

Component: Ladoga (5%)

Generated brief soil descriptions are created for major components. The Ladoga soil is a minor component.

Component: Similar soil (5%)

Generated brief soil descriptions are created for major components. The Similar soil is a minor component.

Component: Armster, eroded (5%)

Generated brief soil descriptions are created for major components. The Armster soil is a minor component.

Component: Welda (5%)

Generated brief soil descriptions are created for major components. The Welda soil is a minor component.

Data Source Information

Soil Survey Area: Wyandotte County, Kansas

Survey Area Data: Version 12, Sep 12, 2018

Soil Features

This table gives estimates of various soil features. The estimates are used in land use planning that involves engineering considerations.

A *restrictive layer* is a nearly continuous layer that has one or more physical, chemical, or thermal properties that significantly impede the movement of water and air through the soil or that restrict roots or otherwise provide an unfavorable root environment. Examples are bedrock, cemented layers, dense layers, and frozen layers. The table indicates the hardness and thickness of the restrictive layer, both of which significantly affect the ease of excavation. *Depth to top* is the vertical distance from the soil surface to the upper boundary of the restrictive layer.

Subsidence is the settlement of organic soils or of saturated mineral soils of very low density. Subsidence generally results from either desiccation and shrinkage, or oxidation of organic material, or both, following drainage. Subsidence takes place gradually, usually over a period of several years. The table shows the expected initial subsidence, which usually is a result of drainage, and total subsidence, which results from a combination of factors.

Potential for frost action is the likelihood of upward or lateral expansion of the soil caused by the formation of segregated ice lenses (frost heave) and the subsequent collapse of the soil and loss of strength on thawing. Frost action occurs when moisture moves into the freezing zone of the soil. Temperature, texture, density, saturated hydraulic conductivity (K_{sat}), content of organic matter, and depth to the water table are the most important factors considered in evaluating the potential for frost action. It is assumed that the soil is not insulated by vegetation or snow and is not artificially drained. Silty and highly structured, clayey soils that have a high water table in winter are the most susceptible to frost action. Well drained, very gravelly, or very sandy soils are the least susceptible. Frost heave and low soil strength during thawing cause damage to pavements and other rigid structures.

Risk of corrosion pertains to potential soil-induced electrochemical or chemical action that corrodes or weakens uncoated steel or concrete. The rate of corrosion of uncoated steel is related to such factors as soil moisture, particle-size distribution, acidity, and electrical conductivity of the soil. The rate of corrosion of concrete is based mainly on the sulfate and sodium content, texture, moisture content, and acidity of the soil. Special site examination and design may be needed if the combination of factors results in a severe hazard of corrosion. The steel or concrete in installations that intersect soil boundaries or soil layers is more susceptible to corrosion than the steel or concrete in installations that are entirely within one kind of soil or within one soil layer.

For uncoated steel, the risk of corrosion, expressed as *low*, *moderate*, or *high*, is based on soil drainage class, total acidity, electrical resistivity near field capacity, and electrical conductivity of the saturation extract.

For concrete, the risk of corrosion also is expressed as *low*, *moderate*, or *high*. It is based on soil texture, acidity, and amount of sulfates in the saturation extract.

Report—Soil Features

Soil Features—Wyandotte County, Kansas									
Map symbol and soil name	Restrictive Layer				Subsidence		Potential for frost action	Risk of corrosion	
	Kind	Depth to top	Thickness	Hardness	Initial	Total		Uncoated steel	Concrete
		Low-High	Range		Low-High	Low-High			
		in	in		in	in			
7265—Ladoga silt loam, 3 to 8 percent slopes									
Ladoga	—	—	—	—	0	—	Moderate	Moderate	Moderate
Knox	—	—	—	—	—	—	High	Moderate	Low
Sherpsburg	—	—	—	—	—	—	High	Moderate	Moderate
7065—Knox silt loam, 7 to 12 percent slopes									
Knox	—	—	—	—	—	—	High	Moderate	Low
Amelia, eroded	—	—	—	—	—	—	Moderate	High	Moderate
Ladoga	—	—	—	—	0	—	Moderate	High	Moderate
Similar soil	—	—	—	—	—	—	High	Low	Moderate
Welda	—	—	—	—	—	—	Moderate	Moderate	Moderate

Data Source Information

Soil Survey Area: Wyandotte County, Kansas
 Survey Area Data: Version 12, Sep 12, 2018



Staff Request for Commission Action

Tracking No. 1912

Full Commission Meeting Date: 1/10/19

Committee:

Date of Standing Committee Action:
(If none, please explain): N/A

Publication Required: No

<u>Date:</u> 01/07/2019	<u>Contact Name:</u> Mike Taylor	<u>Contact Phone:</u> x5565	<u>Contact Email:</u> mtaylor@wycokck.org	<u>Department/Division:</u> Public Relations
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Item Description:

The Unified Government adopted the 2019 Legislative Program on December 13, 2018, with the exception of a platform regarding The Woodlands reopening as a gaming facility. That language is presented below and if adopted, will be added to the 2019 UG Legislative Program.

2019 Recommended Casino Gaming

The Unified Government supports legislative measures which assist The Woodlands in reopening as a gaming facility so long as the owners make a good faith effort to work with the Unified Government on overall development of The Woodlands site.

Action Requested:

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

2019 Legislative Program

Brief History of Unified Legislative Platforms Regarding The Woodlands

2013

Casino Gaming

The Unified Government opposes changing provisions in the expanded gaming statute, including banning smoking on casino gaming floors. The Unified Government supports greyhound and horse racing operations with the addition of slot machines at The Woodlands under current gaming law.

2016

Casino Gaming

The Unified Government supports legislative measures which assist The Woodlands in reopening as a gaming facility so long as The Woodlands provides benefits to the local community which are on par with the benefits provided by the Hollywood Casino at Kansas Speedway. The Hollywood Casino is a significant tourism and economic community partner with Wyandotte County. The Unified Government opposes any changes in State gaming laws which put the Hollywood Casino at a competitive disadvantage with Kansas City area casinos and gaming facilities.

2018

Casino Gaming

The Unified Government supports legislative measures which assist The Woodlands in reopening as a gaming facility so long as The Woodlands provides benefits to the local community which are on par with the benefits provided by the Hollywood Casino at Kansas Speedway, including a negotiated developer agreement and master plan for overall development of The Woodlands site.

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

REGULAR SESSION
THURSDAY, DECEMBER 6, 2018

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, December 6, 2018, with eleven members present: Bynum, Commissioner At-Large First District; Burroughs, 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; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell, Assistant County Administrator; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Patrick Waters, Senior Attorney; Susan Alig, Assistant Counsel; Emerick Cross, Commission Liaison; Lynn Melton, Assistant to the Mayor; and Captain Ronald Schumaker, Sergeant-at-Arms.

MAYOR ALVEY called the meeting to order.

ROLL CALL: Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Alvey.

INVOCATION was given by Sister Therese Bangert, Our Lady and St. Rose Catholic Church.

Mayor Alvey asked the Clerk if there are any revisions to tonight's agenda. **Bridgette Cobbins, UG Clerk,** said yes. A blue sheet was distributed yesterday. Under Section VIII. Public Hearing Agenda, we have a revised ordinance that has minor revisions. Also, an executive summary has been included. Also, there's a clerical error under Section VIII. Public Hearing Agenda, Item No. 2. It should read: A Public Hearing/Ordinance: Boyer KC MOB (Medical Office Building), L.C. IRBs.

MAYOR'S AGENDA

No items

CONSENT AGENDA

Mayor Alvey said that takes us to our Consent Agenda. Does any member of the Commission, staff or citizen in attendance tonight wish to set aside any item on tonight's Consent Agenda? You would need to step forward at this time and state your name and city of residency for the record and ask that that item be set aside. If an item is not set-aside, all items on the Consent Agenda will be voted on by one vote.

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

ITEM NO. 1 – 18507...RESOLUTION: LEASE-PURCHASE AGREEMENT WITH AXON TO SUPPLY TASERS FOR THE POLICE DEPARTMENT

Synopsis: Request approval to enter into a lease-purchase agreement in which Axon will supply tasers up front for the Police Department and the Unified Government will pay for them over five years with no interest, submitted by Susan Alig, Assistant Counsel. On November 26, 2018, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **Resolution No. R-59-18, "A resolution authorizing the Unified Government of Wyandotte County/Kansas City, Kansas, to enter into a lease-purchase transaction with Axon Enterprise, Inc., for tasers for the Police Department, and to approve the execution of certain documents in connection therewith." Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken and there were ten "Ayes," Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters.

ITEM NO. 2 – 18508...RESOLUTION: AUTHORIZING THE DONATION OF FIRE DEPARTMENT EQUIPMENT

Synopsis: A resolution authorizing the donation of equipment from the Kansas City, Kansas Fire Department to Piper High School, Tonganoxie Fire Department, and the Historical Society,

submitted by Katie Devlin, Assistant Counsel. On November 26, 2018, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **Resolution No. R-60-18**, “A resolution authorizing the donation of equipment from the Kansas City, Kansas Fire Department to Piper High School, Tonganoxie Fire Department, and the Historical Society; said equipment consisting of a total of 220 lockers.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters.

ITEM NO. 3 – 18517...RESOLUTION: REVISED BLOCK PARTY PERMIT POLICY

Synopsis: Request approval of a revised Block Party Permit Policy that changes the liability language in the policy to be consistent with the liability language in the permit application, submitted by Susan Alig, Assistant Counsel. On November 26, 2018, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **Resolution No. R-61-18**, “A resolution authorizing the County Administrator of Wyandotte County, Kansas, to take action and execute documents, certificates, and instruments as may be necessary or desirable to adopt the revised Block Party Permit Policy.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters.

ITEM NO. 4 – 18515... ORDINANCE: AMENDING PRIVATE ON-SITE WASTEWATER SYSTEMS

Synopsis: Ordinance amending Sec. 30-225 through 30-265 to modernize and update the private on-site wastewater systems regulations, submitted by James Bain, Assistant Counsel. On

November 26, 2018, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission. The committee asked that staff come back for another conversation and follow-up discussion and recommendation.

Action: **Ordinance No. O-51-18**, “An ordinance relating to updating regulations, provisions, and standards for the construction and installation of private on-site wastewater systems including licensing requirements for contractors and allowing for holding tanks; amending original Sections 30-228, 30-229, 30-233, 30-234, 30-235, 30-237, 30-238, 30-262, and 30-265; and creating a new Section 30-224 of the Code of Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters.

ITEM NO. 5 – 18516...REVISIONS: HUMAN RESOURCES GUIDE POLICIES

Synopsis: Request the following revisions to the Human Resource Guide policies, submitted by Renee Ramirez, Director of Human Resources.

- Health Care Benefits
- Employee Assistance Program
- Flexible Spending Account Plans

On November 26, 2018, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

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

ITEM NO. 6 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated November 29, 2018.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to receive and file. Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters.

PUBLIC HEARING AGENDA

ITEM NO. 1 – 18550...PUBLIC HEARING CONTINUATION/ORDINANCE: NORTHWEST SPEEDWAY STAR BOND PROJECT PLAN (AMERICAN ROYAL)

Synopsis: Continuation of a public hearing held November 29, 2018, to consider the following actions regarding the Amended Northwest Speedway STAR Bond Project (American Royal), submitted by Katherine Carttar, Interim Economic Development Director.

- Amended Northwest Speedway STAR Bond Project Plan
- Issuance of Sales Tax Special Obligation Revenue Bonds (Northwest Speedway STAR Bond District Project), not to exceed \$95M
- First Amendment to the American Royal Development Agreement

Doug Bach, County Administrator, said as stated, this is a continuation. We did a presentation last week. As was noted by the Clerk, we did do a blue sheet that came out on this. It was really clarification of the documents that were sent out making clear of the fact that we were continuing the public hearing from the 29th to the 6th. Also, talk about a little bit of our—just a clarification of the dispersing agreements and our escrow with Security Bank. While we were doing that, we decided we should go ahead and just issue out the executive summary, which we will review in part through the presentation tonight. So, I would say they are very routine in nature from the documents forwarded. All the substantive material was submitted with the original documents.



Katherine Carttar, Interim Economic Development Director, said for pretty much all of you, this will look a bit repetitive from last week. We figured there are probably new folks in the audience and maybe some others watching, so I will just zip through this.

NW Speedway STAR Bond Project Plan Amendment

Requested Action:

- Continuation of a public hearing held November 29
- To consider the following actions regarding the Amended Northwest Speedway STAR Bond Project (American Royal)
 - Amended Northwest Speedway STAR Bond Project Plan
 - Issuance of Sales Tax Special Obligation Revenue Bonds, not to exceed \$95 million
 - First Amendment to the American Royal Development Agreement

2

The requested action tonight will be continuing the public hearing that was opened last week. Once that is closed, then we'll ask you to consider the following actions regarding the Northwest Speedway STAR Bond Project. It will be one ordinance, but within that ordinance, it will cover: the project plan, the issuance of the STAR bonds, as well as the first amendment to the development agreement.

December 6, 2018

American Royal – Overview

Approved as \$160M project in October 2017

- \$80M private/\$80M STAR

American Royal capital campaign kicked off this summer

- Goal is to raise a minimum of \$80 million in private donations

Finalizing the design and programming



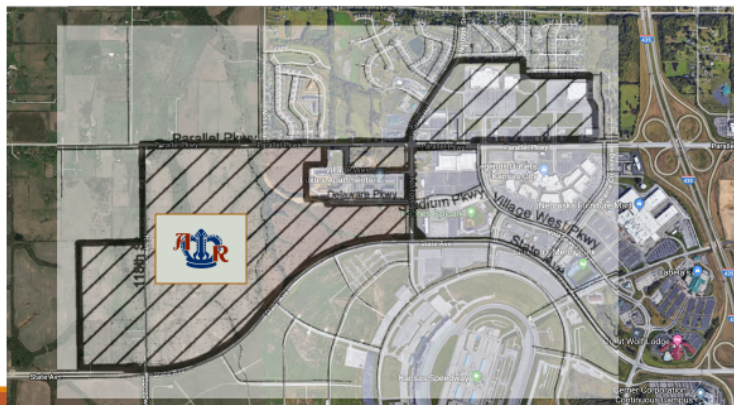
3

Just as a quick primer, this is currently approved as a \$160M project back in October 2017. With all STAR bonds, there's a requirement for a 50% private match. At this time, we are looking at an \$80M STAR bond project. It will actually be \$95M once all the fees and things are taken into account, and then an \$80M private match.

The American Royal did kickoff their campaign to start raising this funding this summer. Their goal is to raise a minimum of that \$80M. I think the likelihood is that the project will get bigger so raising a little more, we'll give them a little more flexibility in the future.

At this time, they are finalizing the design and programming.

American Royal – STAR District



Again, this is the STAR district that was approved back in October 2017. The northeast corner is Plaza at the Speedway that, again, is only state contribution of sales tax while the remainder of the area would be both state and local.

American Royal – Site Plan



The site plan; I'm sure this will be tweaked as we move into kind of a more finalized plan. At this time, they are looking at having a fairly large complex that will include: multiple arenas, a warm-up arena, a variety of different barns, exhibition space, as well as an educational museum. That was very important to Neal Patterson's estate to get that included. We are looking forward to seeing kind of further iterations as they get further into the design process.

American Royal - Financing

Authorize \$80M issuance now (\$95M total)

- Restrict use
- Public bonds which will be privately funded by American Royal financial partners
- Allow \$10M to be expended on land acquisition and site infrastructure with equal (\$10M) private match

Balance of STAR bonds (\$70M) will remain in escrow account until AR team funds remaining \$70 match requirement or state and UG authorize smaller expenditure requirements

Again, the financing. As I mentioned earlier, this will be a total issuance of about \$95M. Now, one of the changes in the amended agreement tonight is that there'll be kind of a first tranche; first drawdown of \$10M that will be restricted use. That will be solely for the purchase of the property as well as the infrastructure. That will be \$20M total; \$10M in STAR bonds, \$10M in the private match. Once we can get started on that, then the final \$70M will remain in an escrow account until the remainder of the \$70M has been raised and they can actually start construction.

American Royal – Timing & Next Steps

Today (December 6th)– Full Commission meeting

- Complete public hearing process
- Request approval of ordinance to issue \$95M in STAR bonds of Amended Project Plan and Development Agreement

Late December – Bond issuance

Spring 2019 – Infrastructure construction begins

Late 2019 – American Royal Complex construction begins

7

Timing and next steps. Today, again, we will complete the public hearing and then ask that you consider the ordinance. There is one change in the bond documents. It does say that the bond issuance would take place in late December. I think we have decided that should be the first week of January; just wanted to alert you to that; a minor change of two weeks difference. Construction, we're hoping infrastructure will start in the spring with late 2019 the actual construction of the American Royal.

Mayor Alvey opened the public hearing and asked if there is anyone present who would like to speak in favor of this item.

Steve Allison, New Hampshire, appeared stating my family owns the land where the American Royal hopes to build their facility. I'm here to speak in behalf of the Royal. What I'd like to do, if I may, is very quickly talk about two things. I want to talk about history and I want to talk about the future.

December 6, 2018

With regard to the history, as all of you know better than I do, the American Royal has quite a history in Kansas City. This past Thanksgiving, we were having dinner with my mom and my kids and she started recounting a story of taking a train from New York out to Kansas City to visit her grandfather, who was J.W. Perry, who took her to the American Royal to see a horse show. This was in the '40s. There's a little bit of history, at least with my family, with the American Royal which, for us, is meaningful; however, I think the next piece of history I'd like to talk about is what's transpired over the last two years.

About two years ago, I sat down with Cliff Elick and talked about the idea of the American Royal moving to my family's ground. We ultimately set up a contract to have that happen and it's been a long time. It's been two years. I keep getting asked by people that I know in the city, what's the story with this. Frankly, we went in contract, we went out of contract, and we're back in contract again.

I want to tell you all that basically the business terms that we have established with the American Royal haven't changed. We have not done that. Our attitude is we're a partner; this is a partnership with us and the American Royal and, frankly, with the state and the Unified Government. The best partnerships are partnerships where people keep their word and they set out their objectives upfront and live by them as they move forward. I want to share with you that is, indeed, at least our perspective and where we're coming from.

With regard to the future, the American Royal has been described to all of you, but I don't think you've heard what I've heard. I spent a lot of time talking to the Secretary of Transportation about the vision of making this a real center point for agriculture in the state and in the country. I've talked to her about the idea of setting up an ag tech incubator setup. She's talked to the President of K-State about this. I told her I have a good friend in Boston who runs a nanotechnology company; one of the foremost nanotechnologist in the country who believes there's a big opportunity for nanotechnology and agriculture and she would love to get engaged in a tech incubator out here.

We're spending a lot of time trying to figure out how to make this much more than just the American Royal, but rather a center point, if you will, for the agribusiness sector of the economy. That's why I'm personally very excited about it, and I hope to see it come to fruition.

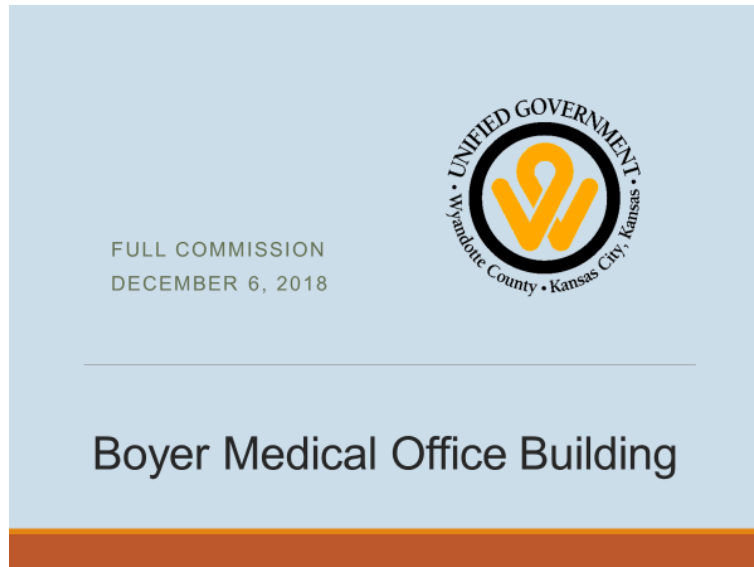
Mayor Alvey asked is there anyone present in opposition who would like to speak on this item. No one appeared in opposition.

Mayor Alvey closed the public hearing.

Action: **ORDINANCE NO. O-51-18**, “An ordinance approving the Amended Northwest Speedway STAR Bond Project Plan; authorizing the issuance of sales tax special obligation revenue bonds (Northwest Speedway STAR Bond District Project) in an aggregate original principal amount not to exceed \$95,000,000 for the purpose of providing funds to finance certain costs relating to the Amended Northwest Speedway STAR Bond District Project Plan; authorizing and approving the execution of certain documents in connection with the issuance of said bonds; authorizing certain other actions in connection with the issuance of said bonds; and authorizing and approving the execution of the First Amendment to American Royal Development Agreement.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters.

ITEM NO. 2 – 18558...PUBLIC HEARING/ORDINANCE: BOYER KC MOB, L.C. IRBS

Synopsis: Conduct a public hearing and consider an ordinance to issue approximately \$11M in Taxable Industrial Revenue Bonds, Series 2018, for Boyer KC MOB, L.C., 1601 N. 98th St., submitted by Katherine Carttar, Interim Economic Development Director. On October 27, 2016, the commission unanimously adopted Resolution No. R-75-16 stating the UG's intent to issue the bonds.



Boyer Medical Office Building

Requested Action:

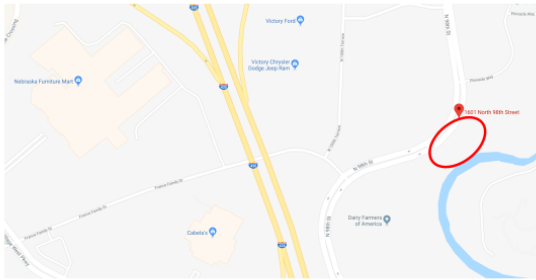
- Public Hearing and approval of ordinance requested
- An ordinance authorizing the issuance of industrial revenue bonds in an amount not to exceed \$11 million
- Project to construct, install and equip a commercial facility
- Resolution of intent to issue IRBs was approved by the Full Commission on October 27, 2016



Katherine Carttar, Interim Economic Development Director, said the request for action tonight is a public hearing as well as approval of an ordinance authorizing the issuance of industrial revenue bonds in an amount not to exceed \$11M.

Comment [GC1]:

Boyer Medical Office Building



12/12/2018

10

Boyer Medical Office Building



12/12/2018

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This is the Boyer Medical Building there outside near Dairy Farmers. Some of you have probably seen them under construction. The resolution of intent was issued for these IRBs and approved by the full Commission on October 27, 2016. Tonight, really is a follow-through and finalizing an action that the Commission granted back in October 2016.

Mayor Alvey opened the public hearing and asked is there anyone present who would like to speak in favor. No one appeared in favor.

Mayor Alvey asked is there anyone who would like to speak in opposition. No one appeared in opposition.

December 6, 2018

Mayor Alvey closed the public hearing.

Action: **Ordinance No. O-53-18**, “An ordinance authorizing the Unified Government of Wyandotte County/Kansas City, Kansas, to issue Taxable Industrial Revenue Bonds (Boyer KCK MOB, L.C. Project), Series 2018, in a principal amount not to exceed \$11,000,000, for the purpose of providing funds to pay the cost of acquiring, purchasing, constructing, installing and equipping a commercial facility, including land, buildings, structures, improvements, fixtures, machinery and equipment; authorizing the city to enter into certain documents and actions in connection with the issuance of said bonds.” **Commissioner Philbrook made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were ten “Ayes,” Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters.

STANDING COMMITTEES' AGENDA

No items

ADMINISTRATOR'S AGENDA

No items

COMMISSIONERS' AGENDA

No items

PUBLIC ANNOUNCEMENT

No items

MAYOR ALVEY

ADJOURNED THE MEETING AT 7:17 P.M.

December 6, 2018

December 6, 2018

cg

Bridgette D. Cobbins
Unified Government Clerk

December 6, 2018

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

SPECIAL SESSION, THURSDAY, DECEMBER 6, 2018

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, December 6, 2018, with eleven members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District (arrived at 5:20 p.m.); McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO presiding. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Joe Connor and Melissa Sieben, Assistant County Administrators; Mike Taylor, Public Relations Director; Emerick Cross, Commission Liaison; Lynn Melton, Assistant to the Mayor; and Officer Doleshal, Sergeant-at-Arms.

Also present were Representative Kathy Wolfe Moore, Representative Stan Frownfelter, Representative/Commissioner Tom Burroughs, Representative Pam Curtis, and Senator Pat Pettey.

MAYOR ALVEY called the meeting to order.

ROLL CALL: Philbrook, Bynum, Burroughs, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Alvey.

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, December 6, 2018, at 5:00 p.m. in the 5th floor conference room of the Municipal Office Building, for a legislative dinner/program.

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 Alvey said tonight we will hear a presentation regarding the 2019 Unified Government Legislative Program.

Doug Bach, County Administrator, said we're glad to have our Senator and Representatives with us this evening. As we go through each year we try to formulate the different thoughts for our community as far as the areas we would like to support or if there are any new legislative issues we would like to promote. We appreciate the opportunity of you coming this evening to allow us to present those to you and then have any open dialogue about some of those issues.

Mike Taylor, Public Relations Director/Legislative Affairs Director, said we will go over a short presentation looking at the major issues on what we call our priority agenda and then we will open it up for discussion.



First, I would like to give you a little bit of a look at the 2019 Legislative Landscape. As a result of the elections, probably the major change is we now have a Democratic Governor Laura Kelly

who will be sworn into office and take over in January. That's after eight years of Republicans in the Governor's office so that will clearly lead to a change in thought and direction.

The interesting thing is we will also have a more conservative House of Representatives. A new majority leader was elected who is a bit more conservative than the previous Republican Majority Leader. Some of the big issues we will have to deal with are School Finance, Medicaid Expansion will be back on the table again this year and we will talk in a little bit more detail about that.

Transportation Plan, we've just gone through a visioning task force and they will be recommending a new 10-year Transportation Plan. We will talk more about details of that because we will be supporting that, specifically a particular project in Wyandotte County which was not named by name, but we're going to work to try to see if we can't get that done.

Sports Betting will also be an issue, so we will talk about that as we get into our agenda and what we would like to see on that and an issue that has been around for three or four years, but we think may get some traction this year is the legalization of Medical Marijuana. Not typically a local government issue, but we've got a local government angle on that that we will talk about.

Unified Government Priority Issues

• **Property Appraisal Reform**

The Unified Government favors procedural changes to the tax appeals process that are balanced and sensible for both the taxpayer and local governments. County governments should be allowed to appeal property tax decisions to District Court, the same as the taxpayer is allowed. **State law should be changed to clearly indicate fair market value does not include a hypothetical lease fee.**

The first issue of our priority issues is Property Appraisal Reform. The Unified Government, and we've had this language before, we are supporting procedural changes to the tax appeals process

that are balanced and sensible for both the taxpayer and local governments. Some things were done a few years ago that we think put local governments in actually a disadvantage in this entire process. One of those things is we used to be able to appeal property tax decisions to the District Court. We were prohibited from doing that although the taxpayer is still allowed to do that, so we would like to see a change that says both parties could appeal to District Court. Right now, the only option the local government has is to jump straight to the Court of Appeals.

The other new language which is being supported by counties across the state is in the bold print in the last line. “State law should be changed to clearly indicate fair market value does not include a hypothetical lease fee.” That’s the technical term for what you may have heard as the “dark store theory” and that is a theory that has gotten a lot of traction in the past couple of years. Johnson County has experienced it, we’ve seen it here in Wyandotte County, a couple of cases. The theory is that a big store could be doing \$100M a year in sales, but it should be appraised as if it’s an empty vacant store because it’s just a building and they disregard what goes on inside that building and the Board of Tax Appeals has leaned that way. There are a number of tax attorney’s that have been able to bring cases and get tax values lowered significantly based on that so-called “dark store theory” or hypothetical lease fee. We are going to, as counties across the state, recommend the UG support this as well trying to get it clarified that fair market value should not include the hypothetical lease fee.

Mayor Alvey said as this is discussed in the legislature, can we make the point that, for instance, a tax abatement project—an economic development project incentivized by tax abatements would no longer really be workable or would it? In other words, when we calculate that into the formula, do we base it on a hypothetical lease fee or do we base it upon what that building will be used for and what we expect those—**Mr. Bach** said I will take that, Mayor, because that’s a great point. If we’re to do an IRB, that tenant person that’s coming into it certainly looks at it from a full valuation of that building as they’re using it. You start at 100% valuation and you may do an abatement for all of it, but you’re working off of the full value and then if you do anything percentage from there on, so you’re right on. Every time you work with a new development they’re assuming it’s in full use. **Mayor Alvey** said with those projects that are already completed that were brought to fruition through a tax abated property, would it not invalidate the agreement because the revenues are based upon what we agreed to and if that is no longer on the table, then it no longer works as deal. **Mr.**

Bach said you couldn't make the adjustment on an IRB because that's in our agreement, so this really doesn't apply to something like that. If you do a TIF and then you're allowing for dollars to come back into it from a property tax TIF, you can't preestablish what the tax value of the property is.

Mr. Taylor said another interesting point about that, Mayor, that's been made is if you're the business, you would not go to the bank and be able to get a loan based on a hypothetical lease fee. This building is worth nothing or it's worth what it would be if it were empty. You're not going to go to the bank and try to get a loan on that, so we're going to try to get that corrected because we don't think it's a fair process.

Unified Government Priority Issues

• **Medicaid Expansion**

The Unified Government supports the expansion of Medicaid. The refusal of the state to expand Medicaid increases the burden on local governments to plan and fund health care for the poor. Wyandotte County has an overall uninsured rate of 19% compared to 12% in Kansas. Refusal to expand Medicaid burdens local healthcare facilities with providing tens of millions of dollars in uncompensated care every year.

Medicaid Expansion; we've seen this one for several years. We've got some new energy behind this again. Two years ago, in 2017 the House and the Senate both passed Medicaid Expansion and Governor Brownback, at the time, vetoed it. There was an override attempt that failed by three votes in the House and two votes in the Senate. I've been meeting with some of the folks working to push this. In fact, we had a conference call today, so the landscape has changed a bit. The sense is that given the shift as a result of the election, we may have lost 10 votes in the House and probably two votes in the Senate. That's still enough to pass it though and we do have a Governor who has said she will clearly not veto it. So, there is renewed hope there. The importance of this

issue, as we point out there, is that overall in Kansas there are 12% of our citizens that are uninsured. In Wyandotte County that number is 19%. Even though we've made some great strides in the past few years of getting people through the Affordable Care Act, registered for insurance and on in insurance, we still fall behind other counties.

The other thing to point out is, and I don't remember the exact numbers, and Representative Wolfe you may know, but KU Hospital and Providence write-off tens of millions of dollars a year in uncompensated care because people go and they're uninsured. I don't remember that exact number.

Representative Kathy Wolfe-Moore said systemwide for KU Health System is between \$22-\$25M that we have to write-off because they are not covered. Now, certainly, they wouldn't all be covered by Medicaid Expansion, but a good number of them would. The other thing I might add is that although we have the numbers, I think the difficult part is going to be getting on the floor because in the past couple of years leadership has kept it from coming to the floor because they knew we had the votes. So, that still remains to be seen how we actually get it to the floor for a vote. **Mr. Taylor** said I agree. I was going to point that out. I think the biggest concern is, particularly with the change in leadership in the House with the new Majority Leader, he is a Representative out of Wichita, he had chaired the Health Committees in the past and is very resistant to expanding Medicaid. He is now the Majority Leader and he in large part controls the debate agenda, so the tricky part may be actually getting, as you point out Representative, to an actual floor debate and vote. That will be perhaps the biggest challenge on that, but Wyandotte County has made this a priority issue for I want to say four or five years now and I'm recommending we continue that.

Unified Government Priority Issues

- **STAR Bonds and Economic Development**

STAR Bonds have proven to be one of the most effective economic development and job creation tools in the State of Kansas. The Unified Government encourages the Kansas Legislature to continue a workable STAR Bond policy with maximum flexibility and without unnecessary restrictions. The Unified Government encourages the Kansas Legislature to work with local governments in developing innovative economic development tools.

STAR Bonds and Economic Development; we think there could be some attempts again this year mostly from the Senate side. That's where it's been in the past couple of years to do reforms on STAR Bond policy. There has been some criticism of some things that have been done both here and in other cities around the state and there are some Senators that are critical of the way STAR Bonds are used and would just as soon actually see them go away, quite honestly. That's not a majority opinion in the State Legislature, so our position is that we need to protect STAR Bonds. They have been hugely successful for this community and we keep that a very workable tool and not put so many restrictions on it that it becomes an unworkable tool. That would be our position and that's been the same position we've had for a number of years.

Unified Government Priority Issues

• **Comprehensive Transportation Plan**

The Unified Government supports implementation of a new Comprehensive Transportation plan which includes funding for the needed improvements to the I-70/Turner Diagonal interchange and increased State funding for transit. The improvements to the the I-70/Turner Diagonal will spark \$150-million in private investment and create more than 2,000 new jobs.

The Comprehensive Transportation Plan, as I mentioned, it is expiring. A task force of 30 to 40 people, citizens and legislators, have met over the summer. The Unified Government testified in front of that committee, recommended projects, particularly our I-70/Turner Diagonal Project. We got a lot of support for that project because of, as you can see in the last line, the economic development returns it would bring. It would result in a \$150M private investment for a new development and create more than 2,000 new jobs. The problem is every city in the state had a project or several projects that they wanted done. What the task force is basically recommending is that the project be funded, that the preservation or that the maintenance of highways continue and that the 21 projects that got dropped from the current program because of, quite honestly, rates on the funding that left the program without any funding, be picked up first and then they talk about new projects. That will be our challenge that we clearly support approval of a new Comprehensive Transportation Program. I would think the key is, can we get our project in there before the next eight or ten years.

Mayor Alvey said here's the latest update. I received a voice message today from Senator Moran and also communication from Congressman Yoder that in fact the Turner Diagonal has been funded at \$13.8M Department of Transportation. So, thanks to, again, our people in Washington who have been pushing this forward and all of you who have kept pushing this, but that is great

news and there will be \$150M in private investment at that location, so that's good news. **Mr. Taylor** said that is very good news.

Senator Pat Pettey said I might just add I had the opportunity to serve on the Transportation Task Force and, yes, it was a very dedicated group of 35 people. I think 13 from the Legislature and then the rest were from the industry or labor and we traveled all around the state. One of the things, and you're exactly right, the first priority is to finish the 21 projects that were not completed under T-WORKS along with preservation, but a continued conversation in the last two days and throughout was about economic development and the whole thing about partnerships. That is one thing that would be exhibited very strongly with this project with the \$150M of private investment and then the money that's coming from the feds, so a positive for that.

Unified Government Priority Issues

- **Budget Timeline**

The Unified Government supports legislation to allow the adoption of local government budgets by November 30, but keep the August 25 deadline for certification of the amount of ad valorem tax revenue needed.

Mr. Taylor said this next item is fairly technical and kind of boring, but it is an important one to local governments. The way the budgeting process works is given the timelines proposed by the state we're largely trying to predict a budget 15 to 18 months ahead of when it actually goes into play. The League of Kansas Municipalities, and I'm recommending we join in their support of this, is legislation that would change those budget deadlines so that we would not have to adopt our budget until November 30th of the year. We would still by August 25th, which is the current

deadline for having the budget sent in and certified, we would still need to certify the amount of tax revenue in effect the mill levy—the tax revenue we would need, but then we wouldn't have to actually adopt that budget until November 30th buying us another two or three months in order to discuss budgets and programs and how that will be spent.

This is kind of a compromise because the County Clerks have to certify those budgets and in most counties in the state they're also the election official. They have objected in the past for just changing the deadline saying we can't get your budget certified and run our local elections and do all of that in that kind of timeframe. This is a compromise that was kind of worked out with all those County Clerks to say what if we still certify by that date, but then we can take more time to actually get the budget for the Commissions or City Council's to actually adopt the budget. I've talked with our CFO and she is very supportive of this and so I'm recommending that we support that as well and there will be legislation introduced to do this. That's why I put it on the priority issues because we will see legislation to do that this year.

With the Tax Lid that's in place, this also gives us a little more leeway there because it's not been an issue for us, but in some communities if they've exceeded those revenues, they have to go to a public vote because of the Tax Lid. This, again, helps with all that timing.

Unified Government Priority Issues

• Internet Sales Tax Collections

The Unified Government supports State legislation establishing a program to collect State and Local sales tax from in-state purchasers. Remitted taxes should be distributed using existing methods for State and Local governments.

Internet Sales Tax Collections; this is an issue, again, it has been around for a long time. The Supreme Court of the United States ruled just this year in a case called Wayfair which has come by the Wayfair decision that in fact states and local governments can impose sales tax on internet sales, the local and state sales tax on internet sales. That overturned what was known as the Quill decision which came back in the late 80's, early 90's and it mostly focused on catalog sales before the internet really existed the way it does. One of the arguments that was made was that the taxing structure for internet sales was very unfair to brick and mortar stores, our local hometown stores, who have to charge that sales tax, but then you can buy in affect the same product on the internet and not have to pay sales tax. Now we will be able to impose sales tax on those sales that are collected in Kansas. The legislature will have to act on that. The recommendation that we're making is that we've clearly supported this in the past.

The key here is we want to make sure that the local sales taxes get remitted to local governments because the way this could get structured is the state could say yes, we will impose an average fee for the state at 6.5% in state sales tax. We'll just impose that, you pay that, and we will keep the whole thing. We want to make sure that whatever happens that those sales tax revenues are distributed back to local governments.

Mayor Alvey said listening at the Chamber of Commerce and their legislative agenda, this is important to them, but there is an issue with this because if each locality imposes its own sales tax, how do you as a small business selling across the country, make yourself aware of and impose the sales tax commensurate that applies to each locality. It would seem to me that the state would jump in and say we're going to have a blanket one size fits all sales tax. That's why it's really important and we say okay, yes, but these revenues need to come back. **Mr. Taylor** said yes, and I'm aware of the Chambers position on that. I've left this a little bit open-ended to say it doesn't have to necessarily be the KCK, Wyandotte, or a Legends sales tax. If the state wants to impose kind of an average tax, that's fine, there are established formulas in which that revenue can be divided and sent back to the locals and that is what we would ask as well. I think that keeps us in a position where we can kind of go this way or that way and still agree with what the Chamber is saying.

Unified Government Priority Issues

- **Marijuana Legalization**

If the Kansas Legislature chooses to legalize the sale and use of marijuana, local governments must be allowed to collect local sales taxes on those sales.

The most fun item probably, and I wish Senator Haley was here, because he has promoted this for a number of years, as has a Representative out of Wichita. Given what Missouri did and the fact that 32 other states have done this, it's likely that there will be a little more traction on legalization of marijuana, at least medical marijuana. This was suggested by one of our commissioners that we discuss this issue. The way I've worded this, and I'm open for discussion, is that if the Kansas Legislature chooses to legalize the sale and use of marijuana, local governments must be allowed to collect local sales taxes on those sales. If the legislature would approve medical marijuana and we have a shop that opens in KCK, our point is that we should be allowed to impose our local sales taxes and get those revenues the same as if they were selling any other product.

We toyed with the idea—this avoids us saying we actually support the legalization of marijuana, but it says if it is going to happen, we should be able to get those revenues. That one may spark some discussion, it may not, but I think the issue is going to advance this year.

Commissioner Johnson asked which way is the legislature leaning right now? **Mr. Taylor** said I would ask legislators to comment on that. They are probably closer to it than I am.

Representative Stan Frownfelter said it passed the House. The oils passed the House a couple years ago and it failed in the Senate. It didn't get anywhere in the Senate. I believe it's getting to

a time with Oklahoma, like we just said, Oklahoma, Missouri and Colorado around us that there is a good chance they don't want to hear this before the next election and they might go ahead and give us medical marijuana.

Commissioner Bynum said just a question because, Representative/Commissioner Burroughs, did you indicate that maybe there is a known projection of what tax collections could be on a product like marijuana. **Representative/Commissioner Burroughs** said I don't know that our Revenue Department has stated that specifically, but all you have to do is look at those states that have that are very much like ours in population. California is not a good comparison because it's such a large state my population, but you take a state like Colorado who is one of our border communities and then we will have Missouri on the other side. We can take actually a city out of Missouri that will reflect pretty close to the population that we have, and we will be able to generate the type of projections that we believe—I know some of these other states have right off the bat picked up \$40-\$50M in the first year easily in revenues. If you look at it over a period of ten years, which we have a tendency to do when you talk about the ancillary opportunities that come with the expansion of a product like that, we could see anywhere between \$250M to a billion dollars over a 10-year process.

Commissioner McKiernan said just a curious question. Does the federal government allow this money from these sales to be banked? How do we collect this tax if it were to be approved? I'm just curious. **Mr. Taylor** said there have been ways that—technically, no, it's still a controlled substance under federal law and I guess my answer to that would be they figured a way out to do that and I think with 32 other states allowing it, there are models out there that Kansas would look at on how to actually do that. **Representative/Commissioner Burroughs** said a clarification, are we talking about medical marijuana or are we talking about recreational and legalization of marijuana. **Commissioner McKiernan** said I didn't think the law distinguished between its use. **Representative/Commissioner Burroughs** said there is a distinguished between the use with medical marijuana versus the use of marijuana recreationally. One is a criminal activity. The other one is endorsed by a set of rules and regulations dealing with controlled substances. **Mr. Taylor** said I think in terms of the environment for this I think it looks better than its looked in past years. A couple of things, last year the legislature did approve CBD oils to be used. That's

the oils that minus the THC, which is the component of marijuana that gives you that intoxication or that high, dozens of CBD shops have opened around the state since that was legalized. The legislature also approved industrial Hemp as an agriculture crop, not the same as marijuana, but that has been resisted for years. We're seeing an incremental step toward approving this and that's why I wanted to put it in and, again, aim it toward the revenue side of the question.

Unified Government Priority Issues

- **Expanded Gaming/Sports Betting**

The Unified Government supports the legalization of betting on sporting events. Local governments should receive a share of the revenues generated by expanded gaming.

Also speaking of revenue, a meeting just this week, we will see legislation. I think it will be quickly and readily approved is sports betting. Of course, they call it Vegas the Sports Book, so you can bet on athletic events and that kind of thing. Again, the question here is local government seeing a share of those revenues. If, for example, in our community the Hollywood Casino, it's allowed, and they would open a sports book, we think we should be able to get some revenue from that. We're not distinguishing at this point exactly how that revenue would come, if it would be counted as part of the total, percentage we would get from all betting at the casino, whether it would be an additional tax. I know an expert that came before that committee, the Federal and State Affairs Committee, said he thought a 6% to 6.5% sales tax would not be unreasonable on Sports Book betting.

The biggest discussion I think we'll see is will it be on-site betting or we will allow mobile apps or online betting and there seems to be a lot of concern about being able to pick up

your cellphone and go to an online app and bet. The flip side of that is, there's a lot of illegal betting sites out there, considered illegal, because it has not been legalized in the state and will people be driven to those sites because it's easier than having to drive to a fixed location. Those are all things that will be discussed, but I would predict pretty confidently that in some form Sports Betting will be approved this legislative session.

Again, our key, I'm focusing on the locals should be able in those revenues particularly if it's happening in our community.

Unified Government Priority Issues

• **Property Tax Lid Election Process**

The Unified Government supports repeal of the tax lid. If repeal does not occur, the Unified Government supports additional exemptions to make the law more workable and replacing the current election process with a protest petition. The current election procedures do not coordinate with local government budget timelines and are unworkable. The costs of holding an election are excessive and unnecessary.

Tax Lid; out of stubbornness and I think just philosophy, we say it should be repealed. We know that's not going to happen, but we would still like to see some additional exceptions and some more flexibility added to the Tax Lid that makes it more workable because, quite honestly, it's not workable. Now, fortunately for our community, you all as elected officials have been reducing the mill levy for three consecutive years, so it's not been an issue for us, but it has been in two or three communities around the state and will likely be an issue in more communities as time goes on. We're still going to continue to work that issue.

Senator Pettey said from the Transportation Task Force we really had quite a bit of discussion about the Tax Lid and some had a hard time understanding why the legislators in the group said

it's not going to go away. I know it's going to be reflected in the report that there should be the ability for recognizing the cost of infrastructure and that should be outside the Tax Lid. **Mr. Taylor** said yes, I agree. I was there and heard a lot of that conversation. I think one of the things that the Task Force said they would like to see is more local contribution to major projects and the question was raised, how can the local government contribute more to an interchange project if they're under a Tax Lid. That's kind of where that discussion revolved around. You're exactly right Senator.

Mayor Alvey said I will say other Mayors have mentioned that in their communities they have actually not moved to reduce the tax levy—mill levy because they don't know if something happens if they would be able to recover funds that they need. So, it is actually working against tax reduction in some places.

2019 Legislative Issues

- **Law Enforcement Discretion**

Local government must have discretion in establishing law enforcement vehicle pursuit policies and the ability of law enforcement officers to use discretion in determining when to make an arrest.

Mr. Taylor said this is an issue that legislators will see. It has kind of surfaced based off of a court case that a lot of attorneys that I talked to disagree with and think the court made an error. It was a Court of Appeals case, but it has to do with a Tort Liability and immunity that local governments have in terms of—regarding police chases whether that is a discretionary activity or not. The Attorney General is displeased with that ruling. He has actually appealed it to the State

Supreme Court, but I know the League of Municipalities and the counties are going to carry legislation here that would try to correct this problem. The downside here is if a police officer gets in a pursuit or a chase and something happens, our liability we basically could be vulnerable for all kinds of lawsuits over that which we wouldn't be otherwise. It's to correct a decision that many think many think was a bad decision by the court and we think we can get that fixed.

2019 Legislative Issues

• Medical Charges

The Unified Government believes the the first person responsible for the payment of medical costs should be the individuals in custody. The entity charging the crime should be responsible in the event those costs cannot be recovered from the person charged with the crime. The UG supports the pooling of resources between all State and Local law enforcement agencies.

Medical Charges; this is also a law enforcement issue and it has been a case that Wyandotte County has experienced in the past and so have a number of other cities in terms of if someone is in custody, and let's say they suffer a heart attack or they're diagnosed with cancer while they're in custody; who has to pay for that medical care. That's been an issue about which entity should be charged or sent that medical bill. There will be some legislation that would try to clarify that to make it clear that the arresting agency or the charging agency should be the one that has to take care of those medical costs. Again, the first person responsible for the payment should be the individual who is in custody and this ties again back into Medicaid and whether they're eligible for Medicaid and if Medicaid would pay on those costs and also what kind of billing rate the local government, if we do have to pay costs, would be billed. It should be billed at Medicaid rate. There will be legislation introduced to try to clarify that. I'm recommending we support that.

The last line is an interesting concept that I guarantee won't happen this year, but there has been some discussion about all the law enforcement agencies in the state basically pooling creating a liability pool that if there is an extraordinary case of medical cost that there is a pool there to help cover that. We've heard some cases of some very small cities in Kansas that have had huge medical bills from someone in custody and it has nearly bankrupted the city because they just can't afford that. That's not going to happen this year, but there could be some discussion about that.

2019 Legislative Issues

- **Municipal Utilities**

The Unified Government supports the ability of cities to operate municipal electric, water, sewer, storm water, solid waste, telecommunications and broadband services. We further support the ability of cities to set and control the rates of municipal utilities. The Unified Government supports continued local control over power supply decisions.

I mention this last one because there will be a strong push on Municipal Utilities and it would be the deregulation or as the phrase has been called for years retail wheeling or consumer choice. There are some pretty active organizations out there that would like the ability of consumers to pick which electric utility they would like to have serve their house. You might be in Westar territory or you might be in KCP&L territory, you might be in BPU territory; but you as a consumer could say no, I want x, y, z utility to supply the electricity to my house. We're keeping an eye on that closely and recommending—this is language we've had before particularly about local control over power supply. The reason that I've included this is because we do see some political movement to make this happen and while consumer choice would be great, it could have some

huge repercussions on BPU and our revenues. Mayor, I will look to you because you're more knowledgeable about this.

Mayor Alvey said this is why municipal utilities work because they have this authority already. Anything that would limit that or take it out of that realm of the public realm, really works against the whole purpose of public utilities. I guess, and I don't know if it's going to be the next slide, but the very next item on our agency says Public Property in Rights-of-Way and that kind of goes to the heart of this issue of 5G small cell deployment. There is a move at the federal level from the Federal Communications Commission to simply dictate to municipalities, localities, how they can—basically giving the telecommunications companies the power to simply site their small cell wherever they want even if it's in the right-of-way and to even come up with perhaps a flat rate for this small cell deployment. The argument is made—they make the argument that if we don't go to a uniform application of the procedures and take this away from local governments, it's going to inhibit the development of 5G. They have never provided any evidence of any locality actually hindering the deployment of 5G, but this is simply a way for them to save the cost of coming to us and saying—working on an agreement with the BPU or the Unified Government, whoever the right-of-way or the poles.

I'm assuming the next item covers that. I think it would be helpful to name 5G deployment and that issue so that we can move on it. **Mr. Taylor** said we can do that, Mayor—yes, we do have that item here and it says specifically local government and the citizens they represent should be allowed to control and manage public lands and right-of-way as they see fit. This includes collecting franchise fees or other revenues from private companies or individuals would use public lands for personal benefit or profit. **Mayor Alvey** said it should include public facilities including such things as utility poles. **Mr. Taylor** said I can make that a little more detailed, but that's the point of that, I agree, because you're right; we are seeing that, and I've talked with Mr. Richardson—**Mayor Alvey** said this is a very general statement. I think we have to be specific that this is what it's really looking towards.

Mr. Taylor said those are the points that I wanted to bring to your attention. Now I would like to open up for any further—we've had some good questions, any further questions or just discussion.

Mayor Alvey said I would like to go to page 4, Casino Gaming. The Unified Government supports legislative measures which assist The Woodlands in reopening as a gaming facility and then it continues so long as The Woodlands makes a good faith effort to negotiate a developer agreement and master plan for overall development of The Woodlands site. My problem with that language is after the so long. I think we are assuming that the owner of that property does not want to fully develop the property and that we are asking them to put together a master plan because we're trying to protect our interest there, our property there. I would like just some public description of why that clause is in there and why that's necessary because I think if we left it the Unified Government supports legislative measures which assist The Woodlands in reopening as a gaming facility, that's enough to be said. To ask the state to enforce our desires for a master plan I think is a stretch. **Mr. Taylor** said the background on that was that for several years the UG's position on The Woodlands was no, we don't support your reopening. That changed about three years ago to something that was very similar to this that we would support—give our support to legislation to allow The Woodlands to reopen if the benefits produced by The Woodlands were on par with those produced by the Hollywood Casino and that was trying to juggle those interests. That position has migrated some to the degree of even just a year ago we were saying we want you to work with us on developing the rest of that land and not just opening a giant slots parlor so that's how this language—that's the history of it for about three years and how this evolved through Commission action and discussion.

Commissioner Kane said, Mayor, I've seen multiple plans that they came up with that they wanted to come and do, and they got beat in the House and the Senate, but they have a well-defined plan. I've seen it multiple times. They have even added to it since the first time I saw it. I would love to see The Woodlands open back up and so would the district.

Representative Frownfelter said if you look at it right now, we're getting a lot of revenue out of it. It looks like it would be—commonsense would say they're going to start with something, it has to go through Planning & Zoning before they can build it, so I mean they're going to have a say into it no matter what. I think we've crippled it over the last few years by some legislation and getting a little tougher on it. I think it's something we need to open up. As Commissioner Kane

said, I've seen a master plan. I think a few of us have. It is very nice, it was very well put, it was a PowerPoint and it would be a great asset to the community.

Mayor Alvey said I understand why we would want a master plan is because the original impetus of The Woodlands was this was going to create development. It didn't happen. The development around it did not occur. When the Speedway came in the idea was we're not going to make this mistake again, we're going to create an entertainment district, 400 acres, and the Commission at that time went through all the work, very difficult work, with the citizens to eminent domain or buy people out and it was very successful. To say that we're not for the gaming—reopening The Woodlands unless they do a master plan, again, I just think that's a stretch.

Representative Pam Curtis said maybe master plan is not the right word. I think what we were trying to do in the legislature was just to protect and make sure that you didn't have a developer that came in. We used the example that we've had the experience where there was little control by the local government of what was developed, and we've had the trailers with slot machines in it. I think what we were trying to do is just figure out what we could then legislatively do just to make sure that any development that came forward—because it's not like they own a corner. They own a huge amount of acreage and so we felt there should be something there that ties them locally to make sure you don't just have slot parlors get pulled in there. So, maybe master plan is not like the right word, but maybe there would be some other kind of thing that we could offer that then would just make sure that if they are asking us to change the revenue share that we get on the slots, then there should be some commitment in return for that, that it is a good quality development, something that we will all be very proud of.

Commissioner Bynum said I'm pretty sure it's 300 acres. Am I right, Commissioner Kane, so it's a big area. I kind of lean toward maybe not a master plan, but a development agreement. That is my recollection of what we locally were asking for in the past was just the opportunity to have an agreement. **Commissioner Kane** said when I talked to them where they talked about it, I don't know where the ball got dropped. They were talking about going in and fixing up The Woodlands, the building itself, and then across where the empty parking lot was building like a thing for kids to do the baseball, the football, the volleyball and then there was going to be regular restaurants,

nicer restaurant, super nice restaurant. They were going to donate all kinds of hours to all nine high schools in Wyandotte County to do the practicing and stuff like that and then after that they would charge them. The plan they had was probably the most sophisticated plan that involved gaming, food, entertainment, and something for all our kids to go do. I've been 13 years and nobody else has ever come to the table and offered all those qualities at one time and when it got shot down—when they were asking me about it I'm all for it. They got excited and said we will build this first and I think what the concern was you're going to have to build this one now, get it done, go to the next one and get it done, but the first thing they would want to do is get the gaming going. We're losing an opportunity and a lot money and a lot of jobs. Some of those jobs pay quite well. I don't know why we wouldn't want to pull that money in and we're always trying to expand our base Mayor. We've got a whole great big empty lot out there that we could utilize.

Mayor Alvey said I'm going to recommend that, if we could for the time being, strike that last clause, second clause, but also work this with staff to make sure that the Unified Government interests are protected here, that we have control over how this development—I'm not sure what this would like that. I don't think it's the right venue to do it. I'm going to go back to Representative Frownfelter's point. This will still have to come through Planning & Zoning. It will still have to go through our processes. Now, whether that will give us sufficient control to ensure we get the kind of development we want there, that's another matter. If we have to restore this language in order to protect our interest, then we will get to that point. At this point I just ask that we strike that language.

Commissioner Philbrook said I just want to make one more statement and it may be the elephant in the room, but the thing we haven't talked about is the monies that would come back to the city if they agree to do it, you know, like the old owners did when they were in operation. I don't know exactly what you call those monies. I'm sure we can come up with a name for them that we can put into Parks & Rec and that sort of thing. What was that we called that at the time? **Commissioner Bynum** said Track East. **Commissioner Philbrook** said so, the concept being—yes, it has to go through Planning & Zoning, but that doesn't include any kind of agreement. We can't ask for any kind of an agreement with them to give us additional monies off of their income. I wanted to make that statement.

Senator Pettey said I just would hope that—I mean I know this has been a moving target for several years now and from a legislative perspective I would say it’s still pretty unclear even here as you’re talking. You want a development agreement, but you don’t want to say it in this deal. You want to just say that the legislative measures which assists The Woodlands in reopening as a gaming facility, that doesn’t guarantee you anything. I’m just saying from a legislative perspective I want to support the UG and position, but I think you’ve got some work to do to make that clear what it is. It’s not clear to me.

Representative Curtis said just another idea, I think when we did the casino, didn’t we have to have a letter of endorsement. So, what if that was the case? If they are to reopen, they would have to have a letter of endorsement from the city and you all can figure out what is required in order for them to get that endorsement. That does give you at least some leverage. I don’t know, it’s just an idea.

Mayor Alvey said, again, I think those are all good suggestions. I don’t think we decide it at this moment. This is early, but that’s a good thought.

Commissioner Kane said I would be remiss if I didn’t congratulate all the folks that just got reelected. Another thing I would like to point out, people see us on TV here and they know how we act or react or whatever, but these folks work their tails off for our community and nobody sees it except guys like me that are there. I want you to know we appreciate your work and congratulations on being reelected and the entire Wyandotte County elected body in Topeka does a fantastic job.

Commissioner Bynum said I have a different item if we’re okay with moving to a different item. My only comment here on that same page 4 is Prevailing Wage. I see it listed here with our community and economic development. I would just put forward that it belongs as a priority issue and maybe everything in the packet is a priority, but to me it belongs on page 1. **Commissioner Kane** said I think it should be the first thing we’re looking at.

Representative Curtis said I’ve already asked the reviser to draft that bill, no surprise, I’ve liked offered it for four years in a row now. Hopefully, we’ll get it over the finish line, but

I'm going to go ahead and prefile it. Last year we did have a hearing and Mike Kane came and testified and did an excellent job in making our arguments and we just have so much on our side as far as like the arguments as to why this is a good policy and why this is really about local control because this is something we used as a tool that was effective for our community. We're the only ones in the state that used it and there was no reason to take that authority away from us.

Commissioner Kane said the House did a really good job, but Senator Pettey did a fantastic job. She was physically below my feet and did a really good job of explaining it. In fact, she got them so upset they called for a break and talked about it the next day and they had the Senators talk to the newbies, so they killed it the next morning. That work was much appreciated both in the House and in the Senate.

Representative Frownfelter said I think you will see a possibility county by county. There was—Mike, you might help me here, a law which Sedgwick County passed last year, Kelly Preference & Away on dealing with certain issues. This will eliminate the speculation that if we put it in one county, it's got to go on all of them. We could actually make a bid or a bill that says Wyandotte County would start it and do it here first which I think you can get that out of the House for sure.

Commissioner Burroughs said the Emergency 911 Service says the wording on that sentence at the end, I'm looking at page 5, Emergency 911 Services; everything reads well except the Unified Government supports legislation providing flexibility for local governments to utilize these funds to provide emergency services. My understanding is that 911 funding isn't to provide emergency services, it's to provide emergency equipment such as the 911 Data Center, to provide possibly the salaries for those individuals. I would have to go back and look at the salary, but I'm concerned about the wording of services. Is it talking about paying for Police and/or Fire? We have some issues with ensuring that our 911 Services are fully staffed and funded properly. Those dollars are going to be identified as a way to impact local governments. I want to ensure that I understand what emergency services means to this body. **Mr. Bach** said I can say from an operating standpoint, Commissioner, we interrupt that for the operations of our 911 Dispatch Center all the way from the call taking in through all the equipment that we buy in there and the personnel we utilize to get all the dispatching done. We could change this to provide 911 operations or something like that to give you that clarification, but I would assume that's just the terminology

that Mike has in there that's—it is somewhat broad from that perspective, but it is not intended to be our field service people responding to a call unless it is some equipment they need to receive it from a radio perspective.

Commissioner Burroughs said I do know the update of the equipment is extremely expensive and there is a movement among the state to get to a one system, I'm trying to think what they call that, one system where they can just click over, and everybody is on the same system in case of a natural disaster, a state of emergency. I know in the past the Kansas Universal Service Fund has been viewed as a honey pot by some and we find ourselves as an urban community defending those dollars because we do realize our rural friends need to have the communication also. I want to ensure that it's viewed as being responsible with those dollars and utilized properly so that it's not used against us to take those funds away during 911 discussions. We do have, not a task force, we do have an Emergency Committee in Topeka that reviews that.

Mr. Taylor said correct, there is a 911 Committee. This language actually came about, and again, in conjunction with the Association of Counties two or three ago. There were some attempts to put restrictions on how local governments could use that 911 money and we viewed that as trying to take some of those revenues away from things that we were able to use it for. That's what led to that language so it just kind of became a standard platform that we should have the discretion on how to use that money, not having the state dictate to us what we can and can't spend it on. That's the history of that platform.

Commissioner Philbrook said somebody around here will know the answer to this I'm sure. It's been brought to my attention, and I'm sure to everybody else around here, that yes, we want to improve our city and we want to have more households and we would like to have more income per capita. But, as we improve our community, then there have been areas that have been hit by 20 and 25% increases in their taxes because their property values have jumped up so high. My concern is around those folks that have been living in this community for quite a while that are limited income and how is this going to affect them and what can we do to help regulate that. Is this through state and through us or how does—I know we're not the only group dealing with this. There's a lot of towns dealing with it, but it is starting to hit us because now we're starting to improve on our property values and so on. I'm waiting. Does anybody know anything?

Commissioner Burroughs said we found we weren't in compliance to the extent we should be, and the Department of Revenue mandated a statewide reevaluation of our rule, Ag communities as well. They have been stricken hard. I know the county to our immediate south had a higher increase in value than what we had here, but to the upside to that is that we, as a Commission, should be pleased to see our properties increase in value. It shows that we're healthy, we have a financial base in which we can project our budgets and stuff on, but we do have concerns that when you start hitting a price point and price people out of their homes, it becomes a challenge. We have a larger challenge too with the Board of Tax Appeals dealing with commercial and industrial properties that would impact us even more dramatic than I think has taken up a majority of our legislative time. As Mike stated earlier, the "dark store theory" is one we should all be very concerned about here. I don't have an answer. If you're wanting an a to z profile, I don't have that answer tonight. **Commissioner Philbrook** said no, I just want us to be thinking about how it's impacting a lot of our folks with lower income and less discretionary funds for them to be able to stay in their homes that they have been in for a long time because if they can stay in their homes, it's a whole lot cheaper than taking care of folks and putting them in places that isn't their home. This is just a concern that's hitting me, and I have no idea what we can do about it to help.

Commissioner Burroughs said that financial burden is not only keeping them in their home, but to allow them to be a responsible respectful homeowner too to keep their property values up to code and to ensure they are part of the neighborhood fabric that makes our community a community. That's a responsibility of the local government as well as the state government, so I hear your message.

Representative Frownfelter asked can anybody fill me in since we took the rental property licensing out of the hand of our group here in Wyandotte County and the state, basically did away with it, can I ask how it's been going? Is it going downhill, are we maintaining, or is there something we need to take a look at again, and if not this two years, the two years after? I know in my area we still have a few problems over there. **Mr. Taylor** said I would say I think the answer to that from our perspective is we thought that was an unwarranted intrusion into local control and we would like to have the authority back to be able to do rental licensing and the inspections the way we did it. Currently the only way we can go in and inspect a property really is if the tenant asks us to come in and so it has restricted a number of inspections we can do although we've

adopted to the new standards and trying to do as much as we can. We would like to have the rental licensing and inspections back to the way it was quite honestly.

Mr. Bach said I would just say operationally it has impaired us to make improvements in certain areas. As Mike noted, we've been able to have some workarounds. The Public Housing Authority has a lot of property in the community. They have given us authority as the owner of that property to go in and make those inspections, but they're not really the one we were worried because when we do have an issue, they tend to fix it up and take care of it. If there is anything associated with it, that's what they do, so the legislative change is not in the best of those people that are wishing to see rental property be in its best condition.

Senator Pettey said I notice that there is nowhere mentioned in here any issues about the upcoming census and I think it's not too early for local governments to be interested about what the process is going to be. I went to an information session earlier, a couple months ago, and I know that you guys have started the process, but I was somewhat concerned when I heard that there doesn't seem to be much emphasis on reaching out to include everybody. So, just contacting the school district, but not ever getting a response back from them, so I'm interested whether that is—are you thinking about more than just putting in place your Census Committee and how important it is for the 2020—**Mayor Alvey** said actually I think we have a very—Gordon Criswell has started a very aggressive campaign to make every count, so I guess I would disagree that we are not reaching out. We are really reaching out. We have too much at stake not to. **Senator Pettey** said that's good to hear. I had this conversation with Gordon so that's why I'm speaking on it.

MAYOR ALVEY ADJOURNED

THE MEETING AT 6:04 p.m.

dt

Bridgette D. Cobbins
Unified Government Clerk

December 6, 2018



Suite 323
Kansas City, Kansas 66101-3070

Government Clerk's Office

Bridgette D. Cobbins
Unified Government Clerk

Phone: 913-573-5260
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<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: December 13, 2018

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.

mbb

Attachment

1. PUBLIC NOTICE:

All City Tow Service, 1015 S. Bethany, listing vehicles sold at a public auto auction on November 8, 2018.

Action: Received and filed.

2. COMMUNICATION:

Bridgette Cobbins, UG Clerk, listing bids received December 12, 2018, for:

Project ID #6303 – Pump Station 61 Capacity Improvements

Project ID #5303 – 2018 Storm Sewer R & R

Project ID #6303 – Pump Station 18 Force Main Extension

Project ID #6302 – WWTP No. 20 Scum Pump Replacement

Project ID #6301 – 2018 Sanitary Sewer Rehabilitation Project

Project ID #6303 – Replacement of Pump Station No.6.

Action: Received and filed.

3. COMMUNICATION:

Pam Kahao, Accounting Manager, regarding warrant cancellations:

<u>Warrant #</u>	<u>Issue Date</u>	<u>Amount</u>	<u>Fund</u>	<u>Reason</u>	<u>Vendor</u>	
847349	11/9/2018	\$ 16.00	260	Duplicate Payment	Psychiatric & Counseling Assoc.	

<u>Warrant #</u>	<u>Issue Date</u>	<u>Amount</u>	<u>Fund</u>	<u>Reason</u>	<u>Vendor</u>	<u>Reissue Date</u>
843206	8/17/2018	\$ 45.00	790	Lost/Stolen	Gonzalez, Angelina Maria	12/14/2018
849092	12/7/2018	\$ 851.20	750	Garnishment Cancelled	Linebarger Googans Blair & Sampson	12/14/2018
849245	12/14/2018	\$1,545.26	267	Wrong Vendor	Muffler's Unlimited	12/14/2018
849286	12/14/2018	\$ 7,960.00	160	Wrong Amount	Alexander Open Systems, Inc	12/14/2018
846466	10/19/2018	\$ 808.77	110	Stale Dated	At & T	12/14/2018

Action: Received and filed.

4. PERSONNEL ACTION COMMUNICATION, DATED DECEMBER 11, 2018:

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Bryan S Kloiber	Fire	11/22/18	Sr Captain	Battalion Chief
Donald W White	Fire	11/22/18	Battalion Chief	Asst Fire Chief
David D Wood	Fire	11/22/18	Sr Captain	Battalion Chief

Section III - Separations

	Department/Division	Eff. Date	Job Title
Gregory L. Artis	Comm Corr/Juv	12/7/18	ISO
Sheryl A Bussell	Court Trustee	12/26/18	Court Trustee
Catrice L Comeaux	DA's Office	1/2/19	Admin Supt Spec
John M Schneider	Police/Security	12/13/18	Security Officer
Sheilah K Young	Sheriff/Admin	10/7/18	Clerk

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Amy M Allen	Police	12/16/18	Sr Master Patrolman
Robert A Carl	Police	12/12/18	Sr Sergeant
Dion R Dundovich	Police	12/27/18	Sr Master Patrolman
Stephanie L Heath	Fire/Comm	6/28/17	Fire Comm Dispatcher
Travis A Lynch	Street	8/26/15	EOI
Kathleen M Merryfield	Finance/Treasury	12/9/17	Lead Fiscal Supt Spec
Jennifer P O'Neill	Police/Comm	12/18/18	Public Safety Dispatcher
Frances D Sheppard	Election	11/29/18	Deputy Election Commissioner
Sunny L Snoderly	Finance/Treasury	12/22/18	Fiscal Supt Spec
David J Underwood	Police	12/12/18	Sr Sergeant
Connie L Worrell	Transit	12/14/18	Transit Operator

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Karla I Ibarra	Comm Corr/Juv	Amend PAC 10/16/18 to reflect ACD effective 10/18/18
Hunegnaw M Zeleke	Health/Knowledge	Amend PAC 11/27/18 to reflect change in PIN effective 11/29/18

Action: Received and filed. Copy previously forwarded to Payroll.

5. PERSONNEL ACTION COMMUNICATION, DATED DECEMBER 6, 2018:

Section I - Appointment

Name	Department/Division	Eff. Date	Job Title
Erika Holliday	Comm Corr/Adult	12/13/18	ISO

Section II-Transfer

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Jennifer L Johnson	Fire/Admin	11/22/18	Battalion Chief 24 hr	Battalion Chief 8 hr

Section III - Separation

	Department/Division	Eff. Date	Job Title
Ronald E Jensen	Health	12/12/18	Info Sys Coordinator

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Catrice Comeaux	DA's Office	Amend PAC 12/11/18 to reflect change in separation effective date to 12/26/18
Andrew Wilcox	Police	ACD code change to [110-029-0018] effective 12/6/18

Action: Received and filed. Copy previously forwarded to Payroll.

6. CLAIMS FOR DAMAGES:

Rosanne Alvarez, 11903 W. 58th Terr., Shawnee, KS, alleging damage to her tire and alignment due to hitting a pot hole. (2)

Brandon Bauer, 13015 Harvest Ln., alleging damage to the 50-gallon recycling container due to the lid being crushed by a city truck.

Daniel Cahill, 12342 Donahoo Rd., alleging damage to windshield due to debris falling off the City snowplow.

Melissa Poje Guzan, 2101 N. 43rd St., alleging damage to her house after purchasing home from the WYCO Tax Sale due to the contractors the city contracted didn't check to make sure the house was sold before breaking windows and boarding up doors.

Shaun Harvest, 83 South 18th St., alleging damage to rims and tires due to hitting pot hole on Central Avenue.

Jarvis & Janaia Rhone, 5319 Lakewood St., alleging damage to front yard due to curb was driven through by a snow plow.

Joe Sacher, 11110 Winchester Dr., alleging damage to his mailbox due to the spray from the snowplow.

Scott Schaunaman, 12328 Clubhouse Dr., alleging damage to front yard after snow removal by the City.

Action: Received and filed. Copies previously forwarded to Legal.

7. SUMMONS:

First State Bank and Trust vs. Angela M. Pace, NKA Angela M. Allen; Leroy Allen, Jr., and the Board of County Commissioners of Wyandotte County, Kansas, Case No. 2018-CV-000979.

Action: Received and filed. Copy previously forwarded to Legal.

8. TRAVEL REQUESTS:

Rylan Douglas, Narcotic, travel to Phoenix, AZ, February 3 – 8, 2019, to attend the Advanced Undercover Techniques and Survival Training, Employee Training & Travel.

Jennifer Johnson, Fire Administration, travel to Leesburg, VA, January 19 – 28, 2019, to attend the IAFC Fire Service Executive Training Institute, N/A.

Rocki Mayes, County Administrator's Office, travel to 220 W. 43rd St., Kansas City, MO, December 5, 2018, to attend the Project Management Workshop, Employee Training & Travel.

J. Renee Ramirez, Human Resources, travel to Las Vegas, NV, June 22 – 26, 2019, to attend the SHRM19 Annual Conference, Employee Training & Travel.

Erik Sage, Sheriff/Detention, travel to Shawnee, KS, February 20 – June 21, 2019, to attend the Emerging Leaders Academy, Employee Training & Travel.

Mike Searcy, Fire/Suppression, travel to Tuttle, OK, December 11, 2018, to attend the K9 Handler Training for Search & Rescue, Fuel.

Mike Searcy, Fire/Suppression, travel to Tuttle, OK, December 28 - 29, 2018, to attend the K9 Handler Training for Search & Rescue, Fuel.

Thomas Stark, Fire Department, travel to Jacksonville, FL, April 14 – 19, 2019, to attend the 2019 IAAI International Training Conference, Employee Training & Travel.

David Weaver, KCKPD/SOU, travel to Anniston, AL, December 2 – 8, 2018, to attend the HAZMAT Training, NA.

Michael York, Police/Operations, travel to Washington, DC, December 3 – 4, 2018, to attend the PERF National Conference, Employee Training & Travel.

Action: Approved by the Administrator's Office and received and filed.

9. APPLICATIONS FOR CMB LICENSE (PKG):

Hariom Corporation/William Hutton DBA 7-Eleven Store #35783A, 10950 Parallel Pkwy.
Hazif & Sons Inc./Rick Rehom DBA Conoco Short Stop #103, 308 N 18th St.

Action: Referred to License.

10. APPLICATIONS FOR CMB LICENSE (OP):

Alberto Gutierrez/Javier Fernandez DBA Tacos EL Sobrino, 3139 State Ave.
Francesco Brunetti DBA Italian Delight of Kansas City, 8145 State Ave.

Action: Referred to License.

11. APPLICATIONS FOR DRINKING EST./PUBLIC VENUE:

Edward Geselman/William Hutton DBA Jose Peppers Legends, LLC, 1851 Village West Pkwy.
K-31

Jeffrey E. Hollinshed DBA John's Java and Jazz, 2003 ½ N. 5th
Wyandotte Gaming Enterprises/Susan Scott Christian Powel DBA 7th Street Casino, 777 N. 7th St.

Action: Referred to License.

12. APPLICATION FOR PRIVATE CLUB CLASS A:

Terry Mast DBA Loyal Order of Moose #1999, 6621 Turner Dr.

Action: Referred to License.

13. APPLICATION FOR PRIVATE CLUB CLASS B:

Mark A. Robinson DBA April's Firelight Lounge Inc., 2046 N. 18th St.

Action: Referred to License.

14. APPLICATION FOR PRIVATE SECURITY BUSINESS:

State Public Safety, LLC/SPS, LLC/Lisa Beckham DBA State Public Safety, LLC/SPS, LLC, 500
N. Scott Ave., Ste. C, Belton, MO

Action: Referred to License.



Suite 323
Kansas City, Kansas 66101-3070

Government Clerk's Office

Bridgette D. Cobbins
Unified Government Clerk

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: December 20, 2018

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.

tpl

Attachment

1. GRANT AWARD:

The Rosedale Development Association applied for and received a grant for a new play system at Fisher Park in the amount of \$30,000. The UG Parks & Recreation was used as a “pass through” for the grant money.

Action: Received and filed.

2. PERSONNEL ACTION COMMUNICATION, DATED DECEMBER 18, 2018:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Lindsee A Acton	Court Trustee	12/1/18	Court Trustee Public Safety
Katie K Miller	Police/Comm	12/13/18	Dispatcher

Section II-Transfer

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Christopher G Morales Jr	Police/Comm	12/20/18	Police Sergeant	Police Sergeant

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Jeffery W Chiles	B&L	12/12/18	Bldg Trades Laborer
Donna J Dewberry	Police	11/27/18	Office Asst III
Maritza A Gordillo	Police	12/21/18	Prof Progs Asst
Gerald G Lane	PW/WPC	12/12/18	Plant Operator III
Thomas B Loya	PW/Traffic Eng	12/31/18	Equip Operator III
Wayne S Moody	PW/Engineering	12/12/18	Sr Engineer/Proj Mgr
David J Stone	PW/Street	12/12/18	Equip Operator III School Crossing Guard
Barry Williams	PW/Parking	12/12/18	
Ronald J Wittkopp	PW/WPC	12/12/18	Plant Operator II

Section IV - Leaves of Absence

Name	Department/Division	Lv. Beg	Lv. Ends	Leave/Pay
Linda E Campbell	Transit	11/28/18 12/26/18	12/28/18	unpaid
Justin M Folsom	Health	8	1/25/19	unpaid
Cherise L Henderson	Appraiser	10/24/18 8	11/16/18 8	unpaid

Action: Received and filed. Copy previously forwarded to Payroll.

3. PERSONNEL ACTION COMMUNICATION, DATED DECEMBER 20, 2018:

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Maria I Myers	Fire/Comm	12/13/18	Fire Comm Dispatcher	Program Supervisor
George E Steens	Parks/Rec	12/13/18	Program Aide	Rec Specialist
Hunegnaw M Zeleke	Health/Knowledge	12/13/18	Info Sys Analyst	Info Sys Analyst

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Jennifer Allen	Health	ACD code change effective 12/13/18
Jaclyn Brown	Health	ACD code change effective 1/10/19
Brenda Fee	Health	ACD code change effective 1/10/19
Angela Germany	Health	ACD code change effective 1/10/19
Pamela Hanshew	Health	ACD code change effective 12/13/18
Linda Hendrix	Sheriff	Amend PAC 7/12/18 to reflect change in increased rate effective 2/22/18
Collen Herbst	Sheriff	Amend PAC 7/12/18 to reflect change in increased rate effective 2/22/18
Michelle Nicholson	Sheriff	Amend PAC 7/12/18 to reflect change in increased rate effective 2/22/18
Margarita Reyes	Health	ACD code change to effective 1/10/19
Rollin Sachs	Health	ACD code change to effective 1/10/19
Teresa Sanders	Health	ACD code change to effective 12/13/18
Michele Terrazas	Sheriff	Amend PAC 7/12/18 to reflect change in increased rate effective 2/22/18

Action: Received and filed. Copy previously forwarded to Payroll.

4. CLAIM FOR DAMAGES:

Jessica Eicholz, 1100 S. Trail Ridge Dr., Independence, MO, alleging damage to tire from hitting a drain in the street.

Action: Received and filed. Copy previously forwarded to Legal.

5. MOTION TO SET ASIDE TAX SALE:

Unified Government of WyCo/KCK vs. Armando Mendoza Acosta, Case No. 18PT3COA300.

Unified Government vs. Martin Newman, Case No. 200018PT3COA103.

Unified Government vs. Naomi Sexton, Case No. 18PT3COA702.

Unified Government vs. Brian Hanna, Case No. 2018PT000003.

Delinquent Taxes Department vs. Betty Kindall, Case No. 18PT3COA#275.

Action: Received and filed. Copies previously forwarded to Legal.

6. SUMMONS:

Argentine Federal Savings vs. Robert Honeycutt et. al., Case No. 2018-CV-001000.

Action: Received and filed. Copy previously forwarded to Legal.

7. TRAVEL REQUESTS:

Kelli Bailiff, Sheriff Operations, travel to Phoenix, AZ, July 19 – July 24, 2019, to attend the FBINAA 55th National Annual Training Conference, Employee Training and Travel.

Anthony Sanchez & Danon Vaughn, Police/CID, travel to Tulsa, OK, December 20, 2018, to interview a homicide suspect, Employee Training and Travel.

Action: Approved by Administrator's Office and received and filed.

8. CERTIFICATES OF INSURANCE:

Madget Demolition Inc.
City Wide Sheet Metal, Inc.

Action: Referred to License.

9. APPLICATION FOR CMB LICENSE (PKG):

Citgo Food Stores #2/Joseph Hostetler DBA Citgo Food Store #2, 50 S. 10th St.

Action: Referred to License.

10. APPLICATION FOR CMB LICENSE (OP):

Josefina Saenz/W. Frederick Zimmerman DBA El Pirata, 1031 Central Ave.

Action: Referred to License.

11. APPLICATION FOR PRIVATE SECURITY BUSINESS:

Semper Securus, LLC DBA Semper Securus, LLC/Signal 88 Security, 33255 Lexington Ave. Ste. G, Desoto, KS

Action: Referred to License.



Suite 323
Kansas City, Kansas 66101-3070

Government Clerk's Office

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Unified Government Clerk

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: December 27, 2018

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.

mbb

Attachment

1. REPORT:

Financial report for the Self-Supporting Municipal District/Downtown Improvement District (SSMID) for the month of November 2018.

Action: Received and filed.

2. LETTER OF UNDERSTANDING:

Unified Government of Wyandotte County/Kansas City, Kansas and its Fire Department and Local 64 IAFF (Union) supplementing the Memorandum of Understanding covering the years 2015-2017 and extended through 2018 by a separate Memorandum of Understanding dated April 27, 2017.

Action: Approved by County Administrator and received and filed.

3. COMMUNICATIONS:

Pam Kahao, Accounting Manager, regarding warrant cancellations:

Warrant #	Issue Date	Amount	Fund	Reason	Vendor	Reissue Date
845522	10/5/2018	\$ 8,035.00	560	Lost/Stolen Warrant	Chase, John and Janet	12/28/2018
845868	10/12/2018	\$ 472.86	160/790	Lost/Stolen Warrant	Martirosyan, Margarita	12/28/2018
844537	9/14/2018	\$ 395.20	110	Lost/Stolen Warrant	Mobile Mini, Inc	12/28/2018
845902	10/12/2018	\$ 42,900.00	160	Stale Dated	Halon Engineering	12/28/2018
841889	7/27/2018	\$ 32,150.24	790	Lost/Stolen Warrant	Cole BB Kansas City, KS LLC	12/28/2018
841801	7/27/2018	\$ 200.53	790	Stale Dated	Chavez, Mary	12/28/2018
838961	6/8/2018	\$ 1,230.76	790	Stale Dated	River Park Properties II, LLC	12/28/2018
847795	11/16/2018	\$ 193.14	162	Lost/Stolen Warrant	Alden, Frances	12/28/2018

Warrant #	Issue Date	Amount	Fund	Reason	Vendor
846551	10/26/2018	\$ 254.10	267	Lost/Stolen Warrant	KCK School District
838897	6/8/2018	\$ 36.78	790	Issued In Error	Young, Edna
846196	10/19/2018	\$ 1,141.91	790	Stale Dated	Booher, Francis M
847312	11/9/2018	\$ 72.50	263	Duplicate Payment	Mommie's Only Club Maternity

Action: Received and filed.

4. PERSONNEL ACTION COMMUNICATION, DATED DECEMBER 27, 2018:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Cora E Burgoyne	Health/Admin	2/7/19	Intern
Anastia D Eason	Clerk's Office	12/27/18	Admin Supt Spec

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Michael E Boczek	Police	12/20/18	Patrol Officer	Detective
Amanda S Holton	Health	12/27/18	Fiscal Supt Asst	Admin Supt Specialist
Kristie L Morgan	Comm Corr/Adult	12/13/18	Admin Supt Specialist	ISO
Jacob D Sledd	Police	12/20/18	Patrol Officer	Detective
Martin O Sluder	Police	12/20/18	Patrol Officer	Detective
Blake E Swan	Fire	12/14/18	Firefighter V	Firefighter V

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Joseph M Connor	CAO	1/11/19	Executive Director (20)
Cherise L Henderson	Appraiser	12/14/18	Appraiser
Mishan M Pauley	Aging	12/17/18	Prog Specialist
Cara M Rossi	Econ Develop	12/28/18	Prof Progs Asst
Patricia L Wilson	Knowledge	12/26/18	Director
Robert S Wing	Fire	12/19/18	Master Fire Captain

Section IV - Leave of Absence

Name	Department/Division	Lv. Beg	Lv. Ends
Linda E Campbell	Transit	12/29/18	1/6/19

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Omar H Abdi	Police	1/4/19	Patrolman II
Matthew W Andrews	Police	1/4/19	Patrolman II
Vanessa Angel	Police	1/26/19	Office Asst III
Zachary RA Brown	Police	1/5/19	Patrolman I Public Safety
Georgina Bryant	Police	1/11/19	Dispatcher
Martin Cervantes Jr	Police	1/4/19	Patrolman II
Robert E Cheatum	Police	1/5/19	Patrolman I
Jeramey M Cox	Police	1/5/19	Patrolman I
Edgar Estrada	Police	1/4/19	Patrolman II

David C Evans	Police	1/5/19	Patrolman I
Tyler A Freeman	Police	1/5/19	Patrolman I
April D Hagan	Police	1/5/19	Patrolman I
Judi C Her	Finance/Budget	12/27/18	Mgt Analyst
Jordan A Hill	Police	1/5/19	Patrolman I
Jared R Johnstone	Police	1/4/19	Patrolman II
Yesenia P Jurado	Police	1/5/19	Patrolman I
Drew D Kelley	Police	1/4/19	Patrolman II
Marshee C London	Police	1/5/19	Patrolman I
Kyle J McAvoy	Police	1/4/19	Patrolman II
Christina M McCool	Police	1/2/19	Public Safety Dispatcher
Reed C Murkin	Police	1/5/19	Patrolman I
Meydy Portillo	Court Trustee	1/2/19	Child Supt Case Mgr
Noema Reliford	Police	1/4/19	Patrolman II
Joshua L Schleicher	Police	1/4/19	Patrolman II
Mattilyn K Wiesing	Police	1/4/19	Patrolman II

Section VII - Reclassification

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Vacant	Health	12/13/18	Info Sys Coordinator	Info Sys Analyst

Action: Received and filed. Copy previously forwarded to Payroll.

5. SUMMONS:

Traders Insurance Company vs. Kansas City, Kansas Police Department, Case No. 2018-CV-000993.

Action: Received and filed. Copy previously forwarded to Legal.

6. APPLICATIONS FOR CMB LICENSE (PKG):

Citgo Food Store #2/Joseph Hosteler DBA Citgo Food Store #2, 50 S. 10th St.
Four B Corp/Deanna Farr DBA Sun Fresh 44, 241 S. 18th St.
Stop and Shop, LLC/Rai Yad Bahadur DBA Step and Shop 1, LLC, 400 N. 10th St.

Action: Referred to License.

7. APPLICATIONS FOR CMB LICENSE (OP):

Carlos Ramos/Araceli Ramos DBA Taqueria 7 Leguas, 1706 Central Ave.
Richard Morrissey DBA St. Patrick's Green Club, 1066 N. 94th St.
The Corkhouse, LLC/William Hutton DBA Wyandotte County Corkhouse, 509 Armstrong Ave.

Action: Referred to License.



Suite 323
Kansas City, Kansas 66101-3070

Government Clerk's Office

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Unified Government Clerk

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Fax: 913-573-5299
<http://www.wycokck.org>

Memorandum

To: Doug Bach
County Administrator

From: Bridgette Cobbins
UG Clerk

Date: January 3, 2019

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.

tpl

Attachment

1. COMMUNICATION:

Pam Kahao, Accounting Manager, regarding warrant cancellations:

Warrant #	Issue Date	Amount	Fund	Reason	Vendor
848656	11/30/2018	\$ 130.00	160	Duplicate Payment	Jim's Lock & Safe Services
848889	12/7/2018	\$ 195.00	160	Duplicate Payment	Jim's Lock & Safe Services
850326	12/28/2018	\$ 13,329.19	750	Wrong Vendor	KC Life Insurance Co.

Action: Received and filed.

2. PERSONNEL ACTION COMMUNICATION, DATED JANUARY 3, 2019:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Catherine R Curtis	DA Office	12/27/18	Admin Supt Spec
Tony S Sabljak	Urban Planning	12/27/18	Engineering Supt Sup

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Jacob M Dicks	Fire	12/14/18	Firefighter/Paramedic III	Firefighter/Paramedic III
Brandon W Moses	Police	12/20/18	Senior Patrolman	Police Sergeant

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Brian Bunich	Fire	1/4/19	Master Patrolman I
Samuel T Her	Finance/Budget	10/31/18	Intern
Lauren E Hopper	Police/Operations	1/2/19	Sergeant
Tyler D Ricke	Sheriff	12/14/18	Deputy
Marcus E Wallace	Fire	12/19/18	Battalion Chief

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Tammy K Bettis	Sheriff	1/7/19	Deputy
Kathryn E Blankenship	Sheriff	1/28/19	Juv Care Worker I
Michele D Glimpse	Sheriff	1/16/19	Clerk
Shonetta M Hall	Sheriff	1/28/19	Juv Care Worker I

Jennifer A Kelly	Municipal Court	1/5/19	Court Clerk I
Whitney M Phillips	Transportation	12/28/18	Transit Operator
Robert F Rome	Sheriff	1/9/19	Sergeant
Esmeralda M Wilson	Sheriff	1/2/19	Program Asst

Section VI - Interruptions in Pay (Workers Comp Adjustments, Suspensions, etc.)

Name	Department/Division	Eff. Date Begins
Jarael D Hicks	Police	12/19/18
Bernard A Williams	Sheriff	12/19/18

Section VII - Reclassifications

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Jacob M Dicks	Fire	9/27/18	Fire EMS Transport Info Systems	Firefighter Paramedic III Info Systems
Mathew C Miller	Fire	1/3/19	Analyst Fire Comm	Coordinator
VACANT	Fire	12/13/18	Dispatcher	Admin Coordinator

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
James E Bowers	Transportation	ACD code change effective 1/3/19
Stephanie N Campbell	Transportation	ACD code change effective 1/3/19
Luis E Godoy-Garcia	Transportation	ACD code change effective 1/3/19
Mark E Grandstaff	Transportation	ACD code change effective 1/3/19
Geneva L Gregory	Transportation	ACD code change 1/3/19
Cornelius J Holmes	Transportation	ACD code change effective 1/3/19
Karla I Ibarra	Comm Corr	Position status change from Part Time to Full Time effective 1/10/19
Nichole M McIntosh	Transportation	ACD code change effective 1/3/19
Gwendolyn F Thomas	Transportation	ACD code change effective 1/3/19
Connie L Worrell	Transportation	ACD code change effective 1/3/19

Action: Received and filed. Copy previously forwarded to Payroll.

3. CLAIMS FOR DAMAGES:

Kelli Dame, 1509 N. 133rd St., KCK, alleging damage to her yard by a city truck after the snow removal on November 25, 2018.

George Elo and Karen Fogarty, 438 N. 80th St., KCK, alleging damage to the tree on the property and reimbursement costs of BPU payments due to the stormwater project in 2017.

Malachi Pearson, 12312 W. 97th Terr, KCK and 5205 Farrow Ave., Lenexa, KS, alleging damages due to falling in a manhole.

Action: Received and filed. Copies previously forwarded to Legal.

4. TRAVEL REQUESTS:

Chad Moodberry, Brad Phillips and Kirk Roland, Public Works, travel to Indianapolis, TIN, February 19 – 22, 2019, to attend the Water & Wastewater Equipment, Treatment & Transport Show, Sewer System Fund.

Action: Approved by Administrator's Office and received and filed.

5. APPLICATIONS FOR CMB LICENSE (PKG):

7-Eleven Sales Corporation/Kimberly Groves DBA 7-Eleven Store #38574H Rapid Way, 7552 State Ave.

Carniceria La Obrera, LLC/Lori Rodriguez DBA Carniceria La Obrera, LLC, 309 N. 7th St.

Four B CORP/Deanna Farr DBA Hen House 27, 8120 Parallel Pkwy.

Four B CORP/Deanna Farr DBA Sun Fresh 41, 2803 S. 47th St.

Four B CORP/Deanna Farr DBA Price Chopper 6, 7600 State Ave.

Himalayan Petro, LLC/Yam Maya Bastola DBA Quick Shop #3, 5568 Leavenworth, Rd.

ITI, LLC/Jesse Goskesen DBA In and Out, 2100 Park Dr.

JK & Sons, LLC/William Hutton DBA Stop N Go, 1710 Minnesota Ave.

KCK Food Mart, LLC/Rick Rehorn DBA KCK Food 51 N. 7th St.

Kandy Corporation/William Hutton DBA 7-Eleven #36101A, 4431 Shawnee Dr.

My Store III, Inc./Terri Hadley DBA Speed Stop, 9801 Parallel Pkwy.

PK Brothers, LLC/Kumar Monger DBA One Stop N Shop, 901 Minnesota Ave.

Prabhrit Inc/Gurmeet Singh DBA 7-Eleven #13242D, 2924 S. 47th St.

Quick Start LLC/Gurmeet Singh DBA Phillips Gas Station, 954 State Ave.

Shipross Inc./James Odle DBA Happy Foods West, 6700 Kaw Dr.

Three Star Company, Inc./William Hutton DBA 7-Eleven #13245, 2500 Central Ave.

United Food Mart/ Rick Rehorn DBA United Food Mart, 5120 Skyline Dr.

Yuvraj, LLC/Binay K. Sharma DBA Conoco, 616 S. 7th St.

Yuvraj, LLC/Binay K. Sharma DBA Phillips 66, 2701 Fairfax Trfy.

Action: Referred to License.

6. APPLICATIONS FOR CMB LICENSE (OP):

Caporales Mexican Food/Jose Flores DBA Caporales Mexican Food, 1260 Merriam Ln.
Maura De-Anda DBA Tacos El Matador, 1230 Merriam Ln.
El Toro Loco Legends, LLC/William Hutton DBA El Toro Loco Legends, LLC, 1706 Village West Pkwy.
Frontier Steakhouse, Inc./Betty Knapp DBA Frontier Steakhouse, 9338 State Ave.
Yocundo Helguera DBA El Camaroncito, 1022 Central Ave.
Las Palmas/John Burke DBA Las Palmas Restaurant, 825 Minnesota Ave.
JA Supermarket, LLC/Elmer Lipe DBA El Rio Bravo Supermarket, 11 S. 10th St.
Eve Jackson DBA St. Archangel Michael Serbian Church, 310 N. 72nd St.
La Hacienda El Camino Real/Ruben Martinez DBA El Camino Real, 903 N. 7th St.
La Hacienda El Camino Real II/ Ruben Martinez DBA El Camino Real II, 1147 Argentine Blvd.
Ovations Food Service of Kansas, LLC/William Hutton DBA Ovations Food Services of Kansas, LLC, 1800 Village West Pkwy.
Pizza Stop Inc./Ruth Addie DBA Pizza Stop, 7541 Leavenworth Rd.
Rosedale Drive-In Theatre, Inc./Wes Neal DBA Boulevard Drive-In Theatre, 1051 Merriam Ln.
Soccer Nation/ Guadalupe Rodriguez DBA Soccer Nation, 520 S. 55th St.
Kenneth Yarnevich DBA St. John's Catholic Church, 414 Barnett Ave.
Wyandot Barbeque Inc/Ronald E. Williams II DBA Wyandot Barbeque, Inc, 8441 State Ave.

Action: Referred to License.

7. APPLICATIONS FOR DRINKING ESTABLISHMENT/PUBLIC VENUE:

William Joseph Bloyd/Thomas Rehorn DBA Amigos Grill and Cantina, 2737 S. 47th St.
Villa Marina LTD/Juan Ramirez DBA Las Islas Marias, 7516 State Ave.

Action: Referred to License.

8. APPLICATIONS FOR CATERER/DRINKING ESTABLISHMENT/HOTEL:

KE Service, LLC/Preston Payton DBA Hollywood Casino at Kansas Speedway, 777 Hollywood Casino Blvd.
Maria Yazdani/William Hutton DBA Bermudas, 6220 Kansas Ave.

Action: Referred to License.



Staff Request for Commission Action

Tracking No. 1913

Full Commission Meeting Date: 1/10/19

Committee:

Date of Standing Committee Action:

(If none, please explain): N/A

Publication Required: No

Date:	Contact Name:	Contact Phone:	Contact Email:	Department/Division:
01/07/2019	Kenneth Moore	x5070	kjmoore@wycokck.org	Sheriff

Item Description:

A resolution authorizing the County Administrator to execute a Memorandum of Understanding (MOU) with Teamsters Local No. 955, for the period of January 1, 2018, through December 31, 2019, submitted by Ken Moore, Chief Counsel.

Action Requested:

Adopt resolution

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Resolution, 2019 Addendum Teamsters MOU

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 following:

- (1) An Addendum to the Memorandum of Understanding between the Unified
Government of Wyandotte County/Kansas City, Kansas, and the Teamsters Local
No. 955, effective January 1, 2018, through December 31, 2019.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS _____ DAY OF _____, 2019.**

David Alvey
Mayor/CEO

ATTEST:

Unified Government Clerk

ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING

Between

**THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY,
KANSAS**

and

The Wyandotte County Sheriff's Department

And

Teamsters Local No. 955

EFFECTIVE January 1, 2018 - DECEMBER 31, 2019

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas, (hereinafter referred to 'The Employer') and The Wyandotte County Sheriff's Department and Teamsters Local No. 955 (hereinafter referred to 'The Union'), entered into a Memorandum of Understanding (hereinafter "Agreement") for the purpose of establishing rates of wages; and

WHEREAS, the parties now wish to amend this Agreement and incorporate by reference to cover the period of January 1, 2019 through December 31, 2019; and

WHEREAS, said Agreement contains an attachment of the Monthly and Annual Base Scales effective January 1, 2018 through December 31, 2018; and

WHEREAS, the parties agree it is necessary to amend the Agreement to incorporate Monthly and Annual Base Scales effective January 1, 2019 through December 31, 2019.

NOW, THEREFORE, the parties do agree as follows:

- Section 1. The Agreement is hereby amended to include and incorporate the attached Monthly and Annual Base Scales for Teamsters #955 effective January 1, 2019 through December 31, 2019.
- Section 2. All language in the Agreement not in conflict with or amended by this Amendment shall remain effective for the term of the Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands this ____ day of _____, 2019.

**UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS**

**FOR THE TEAMSTERS
Local No. 955**

By: _____
County Administrator

Date

FOR THE SHERIFF OF WYANDOTTE COUNTY

Date

Director of Human Resources

Approved as to form:

Kenneth J. Moore, Chief Counsel

ATTEST:

Unified Government Clerk

[illegible]