

UPDATE
JULY 25, 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 REVEREND JARED ALTIC, WYANDOTTE CHRISTIAN CHURCH**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, JULY 25, 2019 AGENDA**
Administrator's Agenda Item #1 – Budget Items. Attachment A is submitted as noted in d. 4).
- 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. REGULAR CONSENT AGENDA**
- XI. PUBLIC HEARING AGENDA**
- XII. STANDING COMMITTEES' AGENDA**
- XIII. ADMINISTRATOR'S AGENDA**
- XIV. COMMISSIONERS' AGENDA**
- XV. LAND BANK BOARD OF TRUSTEES' CONSENT 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. **#3196 - DANIEL FOSTER WITH SCHLAGEL & ASSOCIATES, P.A.**

Synopsis: Change of Zone from A-G Agriculture District to RP-1 Planned Single Family and RP-3 Planned Townhouse Districts for a single family and duplex development at 11234 Haskell Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 19872

B. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2019-51 - VENKATA S. MANTRI**

Synopsis: Special Use Permit for packaged liquor sales at 9801 Parallel Parkway, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 19873

2. **#SP-2019-73 - CARMEN CABIA-GARCIA**

Synopsis: Renewal of a Special Use Permit (#SP-2017-35 - expired 6/29/2019) for the Temporary Use of Land to keep a food truck at the residence at 2932 South 8th Terrace, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 19869

3. **#SP-2019-74 - MARTHA MEDINA WITH MANHATTAN BAR & GRILL LLC**

Synopsis: Renewal of a Special Use Permit (#SP-2018-62 - expires 7/27/2019) for a restaurant/drinking establishment with live entertainment at 814 South 12th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 19870

4. **#SP-2019-75 - JACOB S. PATTON**

Synopsis: Special Use Permit for an AIRBNB at 819 Southwest Boulevard, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 19875

5. **#SP-2019-78 - DENNIS ZOLOTOR**

Synopsis: Renewal of a Home Occupation Special Use Permit (#SP-2017-13 - expired 3/30/2019) for an in-home safety business (internet and in-person sales of firearms and supplies) and consulting services providing safety, security and firearms training at 3136 South 73rd Terrace, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 5 YEARS**)

Tracking #: 19871

6. **#SP-2019-79 - MATT BRODINE**

Synopsis: Home Occupation Special Use Permit for a short-term rental/AIRBNB at 1316 North 20th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 1 YEAR**)

Tracking #: 19876

C. PLAN REVIEW APPLICATIONS

1. **#PR-2019-11 - DAVE OLSON WITH SC INVESTORS KCK, LLC**

Synopsis: Preliminary and Final Plan Review for a primary care medical office facility at 9801 Parallel Parkway, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 19877

2. **#PR-2019-17 - RODRIGO RIVERA WITH IGLESIA PENTECOSTAL CASA DE DIOS**

Synopsis: Preliminary and Final Plan Review for interior remodel and parking improvements at 1010, 1014 and 1020 Armstrong Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 19878

3. **#PR-2019-18 - BRIAN HILL WITH MKEC ENGINEERING, INC.**

Synopsis: Preliminary and Final Plan Review for construction of a maintenance storage facility at 2600 North 44th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 19879

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. SPECIAL USE PERMIT APPLICATION

1. **#SP-2019-71 - DEBORAH JONES WITH JONES BAR-B-Q**

Synopsis: Special Use Permit for live entertainment in conjunction with existing restaurant at 6706 Kaw Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 1 YEAR - 5/1 VOTE**)

Tracking #: 19874

TAX STATUS REPORT
BOARD OF COMMISSIONERS AGENDA FOR JULY 25, 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

X. REGULAR CONSENT AGENDA

1. **ORDINANCE/RESOLUTION: HOME RULE ECONOMIC DEVELOPMENT INCENTIVE AND DEVELOPMENT AGREEMENT FOR THE BOULEVARD LOFTS PROJECT**

Synopsis: Ordinance and Resolution approving and adopting a Home Rule Economic Development Incentive and adopting the development agreement for the Boulevard Lofts Project, submitted by Katherine Carttar, Director of Economic Development.

*On July 8, 2019, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 19850

2. **ORDINANCE: TERMINATE 2007 MIDTOWN TIF PROJECT PLAN**

Synopsis: An ordinance terminating the Redevelopment Project Plan for the Midtown Redevelopment District, repealing Ordinance No. O-29-07, submitted by Katherine Carttar, Director of Economic Development.

*On July 8, 2019, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 19858

3. **RESOLUTION: SETTING A PUBLIC HEARING DATE REGARDING MIDTOWN REDEVELOPMENT DISTRICT**

Synopsis: A resolution setting a public hearing date of August 29, 2019, to consider the following actions, submitted by Katherine Carttar, Director of Economic Development.

- Division of the Midtown Redevelopment District into four redevelopment project areas
- Amend the redevelopment district plan
- Adopt Project Area 1 Redevelopment Project Plan

*On July 8, 2019, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 19859

4. **PLAT: KCKPS NUTRITION SERVICES**

Synopsis: Plat of KCKPS Nutrition Services, located east of Meadowlark Lane along State Avenue, being developed by KCKPS Nutrition Services, submitted by Brent

Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 19884

5. **PLAT: PRIMROSE AT KUMC**

Synopsis: Primrose at KUMC Final Plat located at West 36th Avenue, east of Rainbow Boulevard, being developed by Kansas University of Endowment Association, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 19882

6. **MINUTES**

Synopsis: Minutes from regular sessions of June 13 and June 27, 2019; and special sessions of June 27, July 8, and July 11, 2019.

Tracking #: MINUTES

7. **WEEKLY BUSINESS MATERIAL**

Synopsis: Weekly business material dated July 11 and 18, 2019.

Tracking #: WEEKLY BUSINESS MATERIAL

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

1. **RESOLUTION: AMEND UG SMALL BUSINESS GRANT PROGRAM**

Synopsis: A resolution amending the UG Small Business Grant Program, submitted by Katherine Carttar, Director of Economic Development.

*On July 8, 2019, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted 5 to 1 to approve and forward to full commission.*

Tracking #: 19851

XIII. ADMINISTRATOR'S AGENDA

1. **BUDGET ITEMS**

Synopsis: Request adoption of the following resolutions and ordinances regarding the Wyandotte County Library, the Self-Supported Municipal Improvement District, the Sewer Service Charge, Solid Waste Fee, the KCBPU PILOT, the 2019-2020 Annual Action Plan and the Citizen Participation Plan, 2019 Amended Budget, the 2020 Proposed Budget.

a. RESOLUTION

A resolution expressing the property taxation policy of the Unified Government with respect to financing of the 2020 annual budget for the Wyandotte County Library; approving and adopting the 2020 budget of the Wyandotte County Library; levying a tax for the Library to fund the budget set by the Wyandotte County Library Board within the Wyandotte County Library District (Piper, Edwardsville, and Turner); and appropriating the funds on behalf of the Wyandotte County Library.

b. ORDINANCE

An ordinance expressing the property taxation policy of the Unified Government with respect to financing of the 2020 annual budget for the Self-Supported Municipal Improvement District (SSMID) and approving, adopting, and appropriating the budget of the SSMID and levying a tax for the year beginning January 1, 2020.

c. RESOLUTION

A resolution approving and authorizing submission of the 2019-2020 Annual Action Plan which includes the Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Solutions Grant Program along with Certifications for Entitlement Grantees by the City of Kansas City, Kansas to the U.S. Department of Housing and Urban Development and to implement the 2019-2020 Annual Action Plan upon approval.

d. VARIOUS RESOLUTIONS AND ORDINANCES SETTING UNIFIED GOVERNMENT FEES FOR SEWER SERVICE, SOLID WASTE, SETTING THE KCBPU PILOT, AND ADOPTING THE 2019 AMENDED BUDGET AND 2020 BUDGET

- 1) An ordinance adopting a regulation establishing the rate for sewer service charges effective January 1, 2020.
- 2) An ordinance setting the solid waste fee for single family residences and residential units in buildings not containing more than four dwelling units.
- 3) A resolution setting the percentage of gross revenues to be set over by the Board of Public Utilities to the Unified Government for 2020 (the PILOT).
- 4) A resolution and an ordinance approving, adopting, and appropriating the budget of the Unified Government of Wyandotte County/Kansas City, Kansas,

for the amended 2019 budget and the 2020 budget for the year beginning January 1, 2020, as submitted by the County Administrator and amended by Attachment A.

Tracking #: 19883

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

1. **LAND BANK BUSINESS - TRANSFERS FROM LAND BANK**

Synopsis: Communication requesting consideration of the following Land Bank applications, submitted by Chris Slaughter, Land Bank Manager.

Transfers from Land Bank

52 N. 12th St. - Community Housing of Wyandotte County
56 N. 12th St. - Community Housing of Wyandotte County
58 N. 12th St. - Community Housing of Wyandotte County
60 N. 12th St. - Community Housing of Wyandotte County
64 N. 12th St. - Community Housing of Wyandotte County
68 N. 12th St. - Community Housing of Wyandotte County
72 N. 12th St. - Community Housing of Wyandotte County
76 N. 12th St. - Community Housing of Wyandotte County
80 N. 12th St. - Community Housing of Wyandotte County
84 N. 12th St. - Community Housing of Wyandotte County
88 N. 12th St. - Community Housing of Wyandotte County
90 N. 12th St. - Community Housing of Wyandotte County
1139 Riverview Ave. - Community Housing of Wyandotte County
1134 Riverview Ave. - Community Housing of Wyandotte County
1130 Riverview Ave. - Community Housing of Wyandotte County
1126 Riverview Ave. - Community Housing of Wyandotte County
1122 Riverview Ave. - Community Housing of Wyandotte County
1118 Riverview Ave. - Community Housing of Wyandotte County
1114 Riverview Ave. - Community Housing of Wyandotte County
1110 Riverview Ave. - Community Housing of Wyandotte County
1106 Riverview Ave. - Community Housing of Wyandotte County
1102 Riverview Ave. - Community Housing of Wyandotte County

(CHWC will be developing Panoramic Park at 12th and Riverview that will provide a wide variety of housing types that will benefit a wide variety of all income levels.)

*On July 8, 2019, the **Neighborhood and Community Development Standing Committee**, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.*

Tracking #: 19853

2. **LAND BANK BUSINESS - DONATIONS TO LAND BANK**

Synopsis: Communication requesting consideration of the following Land Bank applications, submitted by Chris Slaughter, Land Bank Manager.

Donations to Land Bank (vacant lots unless noted otherwise)

6800 Speaker Rd. - Turner Woods, LLC

(Owner acquired property along with larger parcel which was later sold. They no longer own any adjacent parcels and the proposed development is not feasible due to existing roadway and parcel's narrow shape. The UG has ROW to the east of this property from Speaker Road from South 65th St. to South 72nd St.)

736 Splitlog Ave. - CHWC
846 Ohio Ave. - CHWC
1305 Ann Ave. - CHWC
1307 Ann Ave. - CHWC
1309H Ann Ave. - CHWC
1311 Ann Ave. - CHWC
1315 Ann Ave. - CHWC
1319 Ann Ave. - CHWC
1325 Ann Ave. - CHWC

(Owner states that because of grading and possible buried foundations, the extra expenses will make single family builds difficult to complete.)

638 Winona Ave. - Charles Cunningham (structure)

(Owner states that he is not able to manage and maintain property.)

4011H Springfield St. - Sher Shah

(Owner purchased from a tax sale without realizing the property was not the house located adjacent to the property.)

*On July 8, 2019, the **Neighborhood and Community Development Standing Committee**, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.*

Tracking #: 19854

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN

**AGENDA UPDATE
UNIFIED GOVERNMENT COMMISSION MEETING
THURSDAY, JULY 25, 2019**

XIII. ADMINISTRATOR'S AGENDA

ADDITIONAL INFORMATION

Item No. 1 – 19883.... BUDGET ITEMS

Synopsis: Request adoption of the following resolutions and ordinances regarding the Wyandotte County Library, the Self-Supported Municipal Improvement District, the Sewer Service Charge, Solid Waste Fee, the KCBPU PILOT, the 2019-2020 Annual Action Plan and the Citizen Participation Plan, 2019 Amended Budget, the 2020 Proposed Budget.

Attachment A is submitted as noted in d. 4). A resolution and an ordinance approving, adopting, and appropriating the budget of the Unified Government of Wyandotte County/Kansas City, Kansas, for the amended 2019 budget and the 2020 budget for the year beginning January 1, 2020, as submitted by the County Administrator and amended by Attachment A.

The attachment reflects the change made by the Commission during budget workshop sessions.

YELLOW SHEET
BUDGET RECONCILIATION
7/25/2019

		COUNTY GENERAL FUND	
Department/Expenditures:		2020	
Sheriff's Department			
Four Additional Security Officers Starting July 1, 2020		141,000	
Contingency Reserves		(141,000)	
TOTALS			- -



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: July 25, 2019
Re: Change of Zone Petition #3196

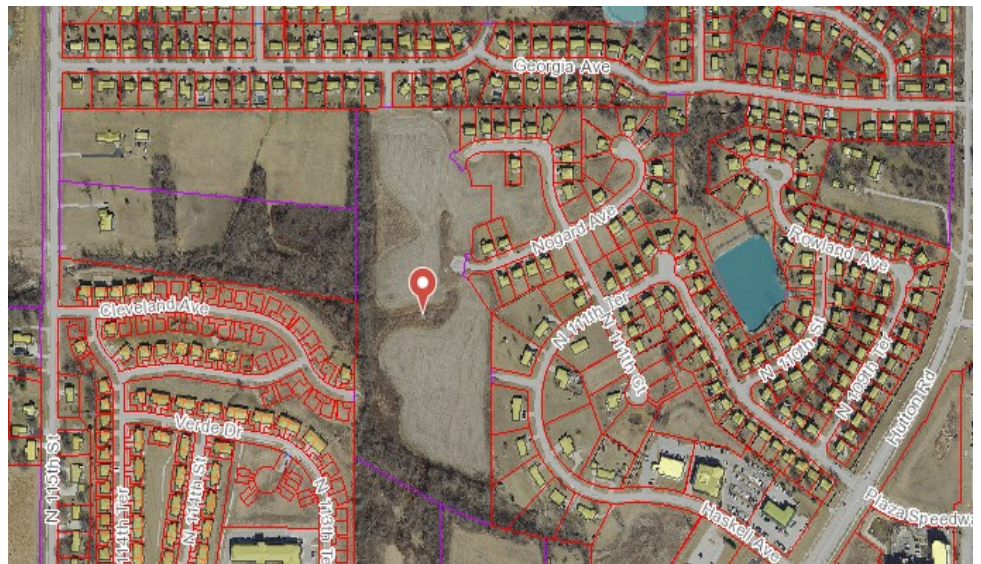
GENERAL INFORMATION

Applicant:
Daniel Foster

Status of Applicant:
Guy Tiner
Representative
Lei Valley
Redevelopment
PO Box 372
Bonner Springs, KS
66012

Requested Actions:
Request Change of
Zone from AG
Agriculture District to
RP-1 Planned Single-
Family District and
RP-3 Planned Townhouse District

Date of Application:
April 26, 2019



Purpose: Change property from A-G Agriculture to RP-1 Planned Single-Family District and RP-3 Planned Townhouse District to create a subdivision of 48 single-family lots and 16 attached residential lots

Property Location: 11234 Haskell Avenue

Commission Districts:

1. Commissioner At Large: Melissa Bynum
2. District Commissioner: Mike Kane

Existing Zoning: A-G Agriculture District

Surrounding Zoning:

North:	R-1 Single-Family District
South:	A-G Agriculture District
East:	A-G Agriculture District R-1 Single-Family District
West:	A-G Agriculture District RP-1 Planned Single-Family District RP-3 Planned Townhouse District

Existing Uses:

North:	Residential neighborhood
South:	Agriculture land
East:	Agricultural land; Residential neighborhood
West:	Agricultural land; Single-family residential neighborhood; multi-family residential neighborhood

Total Tract Size: 18.83 acres

Master Plan Designation: The Prairie-Delaware-Piper Master Plan designates this property as Mixed Residential

Major Street Plan: The Major Street Plan designates Haskell Avenue, North 113th Street, Rowland Avenue, Nogard Avenue as local/neighborhood streets

Advertisement: The Wyandotte Echo – May 16, 2019
Letters to Property Owners – May 16, 2019 and July 11, 2019

Public Hearings: July 8, 2019 and July 25, 2019

Public Opposition: There were 14 persons present in opposition at the July 8, 2019 City Planning Commission meeting in addition to written opposition.

PROPOSAL

Detailed Outline of Requested Action: The applicant requests a change in zone from A-G Agriculture District to RP-1 Planned Single-Family District and RP-3 Planned Townhouse District

FACTORS TO BE CONSIDERED

1. *Neighborhood character.*

The neighborhood is made up of several single- and multi-family housing subdivisions that line three of four sides of the property in question. Zoning in the neighborhood is a mix of R-1 Single-Family District, RP-1 Planned Single-Family District, RP-3 Planned Townhouse District, and RP-5 Planned Apartment District.

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

There are single- and multi-family housing subdivisions on three sides of the property in question. These subdivisions are zoned R-1 Single Family, RP-1 Planned Single Family, RP-3 Planned Townhouse, and RP-5 Planned Apartment District.

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

As planned, the housing subdivision provides a link, both physically and visually, between the housing development to the north, east, and west of the property. The applicant is also required to provide amenities for the residents of the subdivision development, including a walking path, which will have positive externalities for the surrounding neighborhoods.

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

This property is zoned for A-G Agriculture District and is currently vacant. It is unclear how long the property has been vacant, but at least for 15 years.

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.*

As previously mentioned, this subdivision will provide a physical and visual link between other adjacent housing subdivisions that are not connected by smaller, local streets. The following streets will be directly extended or connected by the Connor Creek Subdivision: North 113th Street, Rowland Avenue, Nogard Avenue, Haskell Avenue, and Cleveland Avenue.

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.*

An addition of at least 80 families to the area will create more traffic to the new and pre-existing local streets that serve the subdivisions and the collector streets outside of the subdivisions. The streets most affected will likely be Georgia Avenue, North 115th Street, and Hutton Road. However, a traffic impact study commissioned by the applicant concludes that no existing street is predicted to experience more than 1,000 trips per day, which is the minimum standard to consider traffic an impact to a residential neighborhood.

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

The Prairie-Delaware-Piper Master Plan designates this area for mixed residential. A single- and multi-family housing subdivision with amenities is in conformance with this proposed use.

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

The property is currently an open field. As with any development with impermeable surfaces, runoff is an issue. The applicant has worked with staff engineers to develop a best-practices runoff detention plan.

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

a. *Water service*

Connections available from adjacent developments

b. *Sanitary sewer service*

Connections available from adjacent development

c. *Storm water control*

Connections available from adjacent developments

d. *Police*

Police service is provided by Central Patrol, District #223

e. *Fire*

Fire service is provided by Station #8

f. *Transit*

No public transportation lines are available

g. *Schools*

h. Streets

See item #6 above

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

A mixed single-family and multi-family housing development will provide more housing to the Piper area, which could possibly translate to more local spending, more workers available for jobs, and an increased revenue stream for the UG through more property taxes. This revenue is to a degree off-set by future UG maintenance costs.

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

Applicant has worked with staff planners and engineers to ensure compliance with all relevant ordinances. At this point, the preliminary plan appears to be in compliance with all ordinances and fulfills all 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 addition of a new housing subdivision where an open field used to be will likely benefit the individual landowners and residents of the surrounding neighborhoods through increased continuity and connectivity of the neighborhoods. However, there is already concern from neighbors. The Hazelwood subdivision to the west sent an opposition letter citing concerns that the additional traffic—caused both by more local residents and turning previous cul-de-sacs and dead-end streets into through streets. Additional neighbors have offered opposition to the multi-family units.

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.

All housing and road construction, utility installation, and lawn care must be completed to industry standards and follow all local, State, and Federal laws and regulations, and including the Fire Department's requirements. In this way, development and maintenance of the subdivision can occur without unreasonable danger from fire, flood, erosion or excessive noise.

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.

For the most part, the streets are designed to be 28 feet wide—plenty of space for

two cars to pass one another while traveling at the low speeds necessary for safe driving in a neighborhood. The subdivision is adding 64 housing units to the neighborhood—the preliminary plat shows a proportional length of street will be added to accommodate the new residents and traffic that will come to the area.

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 preliminary plat shows a minimum 14-foot distance between most houses. The subdivision is positioned between two existing subdivisions. This physical link with the other subdivisions serves as a link to real estate value as well.

The subdivision is established in a manner that links it to existing subdivisions to the east and west. However, properties located on non-traditional street layouts do not have the same history of retaining long-term value as properties located on a traditional grid street layout.

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 proposed residences, both single- and two-family units, appear to be planned with topographic features taken into account. Most of the existing vegetation appears to be grass and scrub brush, with some trees planted at the end of roads or behind existing backyards for privacy. After development is finished but before the residences are inhabited, trees, bushes, and other vegetation must be planted in accordance to general zoning ordinances and respective district ordinances.

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.

Revisions of the development plan show increased green space as well as a neighborhood layout that is more conducive to pedestrian traffic and utilization of said green spaces.

The applicant has provided a walking path; this qualifies as the large amenity required by the Prairie-Delaware-Piper Master Plan. The development contains over 50 residences, so the applicant must still identify, construct, and maintain an additional amenity listed in the Master Plan so that there are two amenities in total, with at least one amenity being considered “large”.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting at 6:00 PM on May 24 in the Fallen Timber Room A in the Great Wolf Lodge at 10401 Cabela Drive. About 20 neighbors and other interested parties were in attendance. The applicant and other representatives outlined the development project, answered questions posed by the attendees, and handed out

copies of the plan to those who were interested. Questions included the price of the houses, street connections to adjacent developments, drainage issues, and open space.

KEY ISSUES

Traffic, runoff, designated open spaces

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Change of Zone Application #3196, subject to:

Urban Planning and Land Use Comments:

1. The placement of designated open spaces does not seem adequate to promote use by the neighborhood, much less by the public in general. Please follow best practices to create open space that is visually accessible to all residents of the subdivision.

Applicant Response: As discussed with staff the layout of the project including the open spaces is similar to the layout of Hazelwood subdivision which is adjacent to the site. The layout has been modified to provide a private picnic area on the corner of Cleveland Avenue and 112th Street that is 10,000 square feet in size. We have also increased the width of the areas used to access the open space (35'-70') so they are wider than provided in Hazelwood (30'-35'). We have added a trail network in the open space to improve access. Based on the discussion with staff, the open space on the revised plat is acceptable to staff.

Staff Response: The layout and accessibility of open space in the development has been increased. Staff thanks the applicant for their willingness to make adjustments to the preliminary development plan in order to better accommodate open spaces for the future residents.

2. Is there other land that will be set aside for other community uses?

Applicant Response: As discussed with staff, this project is not large enough to support a clubhouse. We have added a picnic area and trail to the plan.

Staff Response: The Prairie-Delaware-Piper Master Plan requires all new residential developments of 50 to 200 housing units to have at least two amenities, as defined by the Master Plan. Only one of these amenities may be a "small amenity". The walking trail proposed by the applicant would fulfill the "large" amenity requirement. Staff reiterates that for this amenity to qualify, it must fulfill the entire amenity description, including "connect[ing] to the overall trail network within the area". The picnic area

proposed by the applicant would fulfill the “small” amenity option. Staff reiterates that for this amenity to qualify. It must be at least 5,000 square feet, and contain at least two picnic tables, one shelter, and one barbeque grill/pit.

3. A traffic study showing the traffic distributions in and out of all entrances (North 113th Street, Rowland Avenue, Nogard Avenue, Haskell Avenue, and Cleveland Avenue) needs to be conducted.

Applicant Response: While single family projects generally do not require the preparation and submission of a traffic study, the developer has commissioned the preparation of a traffic study by a very experienced Professional Traffic Operations Engineer® (PTOE) with the nationally recognized firm of TranSystems. The traffic study is included with this submittal.

Staff Response: A Traffic Impact Study for the street entrances conducted by TranSystems on June 4, 2019 has been submitted by the applicant to staff. Staff would note traffic studies are a regular part of most commercial and residential developments.

4. Please submit draft homeowners’ association documents.

Applicant Response: The HOA document preparation is underway and will be submitted when complete. These are typically not required until final plan/plat.

Staff Response: Applicant has provided a draft of the homeowners’ association restrictions.

5. The name of the subdivision will be changed.
6. All construction traffic will use Haskell Avenue and will not use Hazelwood streets.
7. The applicant will provide traffic calming mechanisms, one along Cleveland and one along the new street to make this less of a cut-through potential.

Fire Department Comments:

1. Continue to fulfill all requirements from the Fire Department
 - 1) Compliance with the International Building Code -2012 Edition
 - 2) Compliance with the International Fire Code – 2012 Edition
 - 3) Compliance with current NFPA 101® Life Safety Code
 - 4) Compliance with existing fire codes, all applicable City ordinances, State rules and regulations

Public Works Comments:

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

- 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.

Applicant Response: Completed as requested.

- 2) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

Applicant Response: The developer and his consultants are aware of this requirement since this is required on every project in UG. This note has been added to the plans.

- 3) 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.

Applicant Response: Completed as requested.

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.

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

- 1) Final development plans/plat will have to be approved before going to planning commission with approval to obtain permits. This will include final engineering, calculations, and complete drawings with construction notes and details. The Final Development Plans / Plat must meet the requirements of UG standards and criteria. Only preliminary drawings and studies are required at this time.

STAFF COMMENTS AND SUGGESTIONS

Staff concurs with the recommendation of the City Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Board of Commissioners concur with the findings contained within the staff report related to *Factors to be Considered* and *Key Issues* and recommends **APPROVAL** of Petition #3196 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

July 8, 2019 City Planning Commission Minutes
View of Property from Different Directions
Preliminary Plat Overview
Preliminary Plat, Designated Open Space
Neighborhood Meeting Minutes, May 24, 2019
Opposition Letter from Hazelwood HOA
Opposition Letter from Tim and Stacie Gengler

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing Rezoning	July 8, 2019 Approval	July 25, 2019

STAFF CONTACT: **Mike Farley**
 mfarley@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition **#3196** 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 **#3196**, 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.

July 8, 2019 City Planning Commission Minutes

Hearing Starts At 14:10:

CHANGE OF ZONE APPLICATION #3196 – DANIEL FOSTER WITH SCHLAGEL AND ASSOCIATES, P.A. – SYNOPSIS: Change of Zone from A-G Agriculture District

to RP-1 Planned Single Family and RP-3 Planned Townhouse Districts for a single-family and duplex development at 11234 Haskell Avenue

CONNOR CREEK – SYNOPSIS: Preliminary Plat for 48 single-family and 16 duplex lots at 11234 Haskell Avenue

Detailed Outline of Requested Action: The applicant requests a change in zone from A-G Agriculture District to RP-1 Planned Single-Family District and RP-3 Planned Townhouse District

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 July 8, 2019
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 May 16, 2019;
7. The Notices to property owners dated May 16, 2019.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. Chairman Carson stated that he had a brief conversation on Saturday with the subdivision agent when he was out showing houses.

Present in Support:

- ❖ Dan Foster, applicant, Schlagel & Associates, P.A., 14920 West 107th Street
- ❖ Jeff Wike, PE, TranSystems, 2400 Pershing, Kansas City, Missouri 64108

Present in Opposition:

- ❖ There were 14 people present including the following that spoke
- ❖ Cindy Woodall, 11424 Cleveland Avenue, Kansas City, Kansas, 66109, President of the Hazelwood Homes Association
- ❖ Mary Ann Kancel, 509 Armstrong Avenue, Kansas City, Kansas 66101, representing the Hazelwood residents
- ❖ Kathy Zellers, 11149 Nogard Avenue, Kansas City, Kansas 66109
- ❖ Ms. Scott, 11492 Haskell Avenue, Kansas City, Kansas 66109
- ❖ Paul Roberts, 2306 North 114th Street, Kansas City, Kansas 66109

Staff Recommendation Starts 54:41: Planning Director Richardson stated that he has a couple of stipulations to add.

1. The name of the subdivision will be changed.
2. All construction traffic will use Haskell Avenue and will not use Hazelwood streets.
3. The applicant will provide traffic calming mechanisms, one along Cleveland and one along the new street to make this less of a cut-through potential.

He further stated that Planning, Fire, Police and Public Works are unified with regard to connectivity. He had a discussion with the Fire Chief last week. It is a principle that keeps everyone safer because there are more ways to get there in case of an emergency. He further stated that from the diagram the Commission can see that all the streets were stubbed in; they were all built with temporary cul-de-sacs. He understands that not everyone has the knowledge base of staff/Commission about what is a temporary cul-de-sac but a phone call to the office would have let them know. In May there was a similar situation with Whispering Pines and the Planning Commission and Board of Commissioners both voted in favor of connectivity. Obviously, all the neighbors here do not want the streets connected but if you do not connect one, how do you determine that. Dividing them up and making all the connections available treats everyone equally about how the traffic will disperse in there. He further stated that he had conversations with Mr. Willke when he was preparing the traffic study. At the end of the day there are going to be people from Hazelwood driving east using this connection and there will be people from other subdivisions using this connection driving through to the west. The people in this subdivision are going to go east and west in there. He stated that he does not believe that the Fire code would allow this subdivision to be built with only one connection. When you start adding these things up and put them with the principles of connectivity, the staff concluded adding all the connections was needed. He thinks that there are a couple of things that can be done such as what was done with the subdivision connecting to Whispering Pines. Between now and final platting, they can look at traffic calming especially on Cleveland as it goes through and in other places in the subdivision that would help prevent traffic speed. Director Richardson showed the Commission the steep slope on one of the cul-de-sacs that will naturally slow people down. He further stated that Hazelwood was never designed to be a closed community. With the additional stipulations and the stipulations in the staff report, the staff recommends approval.

Director Richardson responded to questions by the Commission.

Motion and Vote Starts 1:03:14:

On motion by Dr. Serda, seconded by Dr. Neal, the Planning Commission voted as follows to recommend **APPROVAL** of Change of Zone Application #3196:

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

Motion to RECOMMEND APPROVAL Passed 6 to 0

Subject to:

Urban Planning and Land Use Comments:

1. The placement of designated open spaces does not seem adequate to promote use by the neighborhood, much less by the public in general. Please follow best practices to create open space that is visually accessible to all residents of the subdivision.

Applicant Response: As discussed with staff the layout of the project including the open spaces is similar to the layout of Hazelwood subdivision which is adjacent to the site. The layout has been modified to provide a private picnic area on the corner of Cleveland Avenue and 112th Street that is 10,000 square feet in size. We have also increased the width of the areas used to access the open space (35'-70') so they are wider than provided in Hazelwood (30'-35'). We have added a trail network in the open space to improve access. Based on the discussion with staff, the open space on the revised plat is acceptable to staff.

Staff Response: The layout and accessibility of open space in the development has been increased. Staff thanks the applicant for their willingness to make adjustments to the preliminary development plan in order to better accommodate open spaces for the future residents.

2. Is there other land that will be set aside for other community uses?

Applicant Response: As discussed with staff, this project is not large enough to support a clubhouse. We have added a picnic area and trail to the plan.

Staff Response: The Prairie-Delaware-Piper Master Plan requires all new residential developments of 50 to 200 housing units to have at least two amenities, as defined by the Master Plan. Only one of these amenities may be a "small amenity". The walking trail proposed by the applicant would fulfill the "large" amenity requirement. Staff reiterates that for this amenity to qualify, it must fulfill the entire amenity description, including "connect[ing] to the overall trail network within the area". The picnic area proposed by the applicant would fulfill the "small" amenity option. Staff reiterates that for this amenity to qualify, it must be at least 5,000 square feet, and contain at least two picnic tables, one shelter, and one barbeque grill/pit.

3. A traffic study showing the traffic distributions in and out of all entrances (North 113th Street, Rowland Avenue, Nogard Avenue, Haskell Avenue, and Cleveland Avenue) needs to be conducted.

Applicant Response: While single family projects generally do not require the preparation and submission of a traffic study, the developer has commissioned the preparation of a traffic study by a very experienced Professional Traffic Operations Engineer® (PTOE) with the nationally

recognized firm of TranSystems. The traffic study is included with this submittal.

Staff Response: A Traffic Impact Study for the street entrances conducted by TranSystems on June 4, 2019 has been submitted by the applicant to staff. Staff would note traffic studies are a regular part of most commercial and residential developments.

4. Please submit draft homeowners' association documents.

Applicant Response: The HOA document preparation is underway and will be submitted when complete. These are typically not required until final plan/plat.

Staff Response: Applicant has provided a draft of the homeowners' association restrictions.

5. The name of the subdivision will be changed.
6. All construction traffic will use Haskell Avenue and will not use Hazelwood streets.
7. The applicant will provide traffic calming mechanisms, one along Cleveland and one along the new street to make this less of a cut-through potential.

Fire Department Comments:

1. Continue to fulfill all requirements from the Fire Department
 - 1) Compliance with the International Building Code -2012 Edition
 - 2) Compliance with the International Fire Code – 2012 Edition
 - 3) Compliance with current NFPA 101® Life Safety Code
 - 4) Compliance with existing fire codes, all applicable City ordinances, State rules and regulations

Public Works Comments:

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

Applicant Response: Completed as requested.

- 2) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

Applicant Response: The developer and his consultants are aware of this requirement since this is required on every project in UG. This note has been added to the plans.

- 3) 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.

Applicant Response: Completed as requested.

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.

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

- 1) Final development plans/plat will have to be approved before going to planning commission with approval to obtain permits. This will include final engineering, calculations, and complete drawings with construction notes and details. The Final Development Plans / Plat must meet the requirements of UG standards and criteria. Only preliminary drawings and studies are required at this time.

On motion by Dr. Serda, seconded by Mr. Reasons, the Planning Commission voted as follows to **APPROVE** Connor Creek Preliminary Plat:

Carson	Chairman
Connelly	No
Ernst	Aye
Huey	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Cho	Not Present
Jones	Not Present
Miller	Not Present
Pauley	Not Present

Motion to APPROVE Passed: 5 to 1
Subject to the above stipulations

VIEW OF PROPERTY FROM DIFFERENT DIRECTIONS



Above: View from East
(Haskell Avenue), facing
Northwest

Left: View from the East
(Haskell Avenue), facing
Southwest

Below: View from West
(Cleveland Avenue), facing East



VIEW OF PROPERTY FROM DIFFERENT DIRECTIONS, CONT.



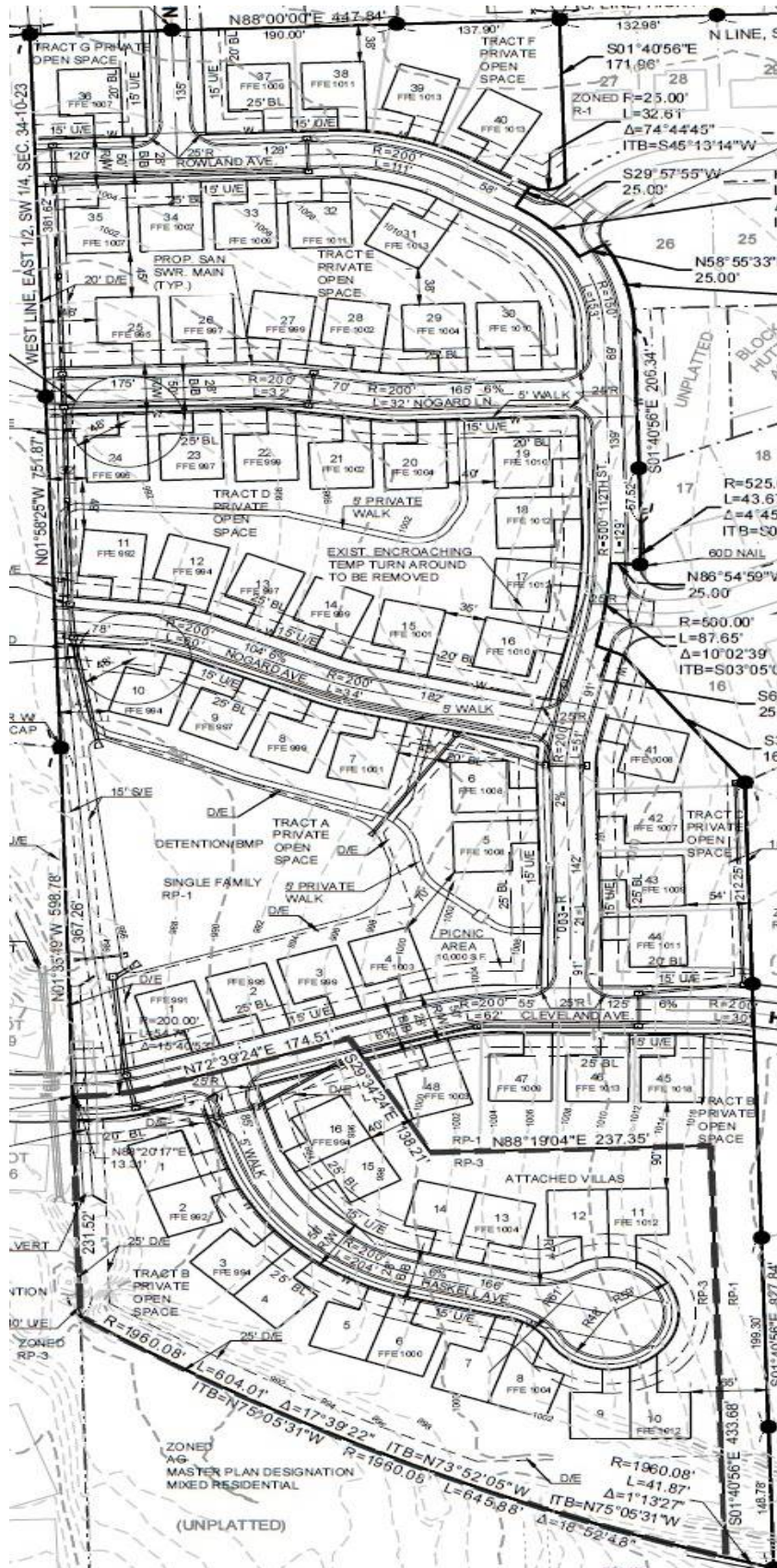
Above: View from North (North 113th Street), facing South

Left: View from North, facing South, showing the end of North 113th Street

Below: View from South, facing North



PRELIMINARY PLAT OVERVIEW



CONNOR CREEK SUBDIVISION, DESIGNATED OPEN SPACE



NEIGHBORHOOD MEETING MINUTES, MAY 24, 2019

MEETING NOTES

Project : CONNOR CREEK		Meeting Date: May 24, 2019
Subject: NEIGHBORHOOD MEETING		Meeting Chairperson: Dan Foster
Meeting Location:		Meeting Number: 1
PRESENT: (SA) Dan Foster	Lei Valley Redevelopment Guy Tiner Rich Pfaff	
Notice of all present: If any of the following items are incorrect or fail to record discussion at the meeting, please contact preparer immediately.		
Prepared By: Dan Foster		Issue Date: 5/30/2019
Item	Discussion Topics	
1	Introduction: See Summary of Applicant Presentation	
2	Why do the roads from the adjacent subdivisions have to connect? (Residents from all 4 adjacent neighborhoods asked this question. This question was asked multiple times and answered in the same way). When the Unified Government platted the adjacent subdivisions, they required the developer to extend streets to the adjacent undeveloped property with the intent that all the streets would connect. It is standard practice for the City to require subdivisions to extend streets to adjacent vacant parcels in order to allow for road to extend in order to provide connectivity within the city between different neighborhoods. The project includes three streets extended to the west for future extension of the street system. The City has required the adjacent subdivisions to plat streets to this property with the intent that this property would connect them all together.	
3	Will this project be restricted to 55 and older? It will be marketed to seniors but not restricted to 55 and older. There is an entire market of "empty nesters" that are not 55 (generally in the 45-55 year old range) that are looking for maintenance provided single story villa product.	
4	What will be the price of the homes? The price will be similar to the home prices in Hazelwood. The developer stated the homes would start at \$250,000 and could be over \$300,000 depending on finishes requested by the buyers.	

Item	Discussion Topics
5	Hazelwood has had drainage issues. Please explain the drainage plan again. The Hazelwood HOA and the City has made us aware of the Hazelwood drainage issues. It is our understanding that these involve drainage around the units and are not a result of runoff from this site. As stated in the presentation, this project will comply with the UG requirements for storm water drainage. We are providing a detention basin to detain and manage the storm water run off from this site. This project does not drain toward any of the Hazelwood homes. The drainage from this site flows to the drainage feature along the North boundary of the Hazelwood plat.
6	Will this site have a clubhouse? At this time there is no plan to include a clubhouse. The number of units is too low to support a clubhouse. In addition, there are senior buyers who want maintenance provided but do not want the added cost for maintaining a clubhouse. There are numerous successful neighborhoods in KCK and the metro area that do not have a clubhouse. The plan includes open space. The open space system on this plan is similar to the Hazelwood open spaces in terms of location and dimension. There are no requirements in the zoning code or the Prairie Delaware Piper area plan regarding open space for single family residential. Since this product is similar to Hazelwood, the open space for this plan was designed to be similar to Hazelwood. As requested by staff we have revised the plan from the original plan that was submitted to include an open area next to the street for residents. The access points to the primary open space has been increased in width and we have added a path and sitting area.
7	Where are the attached Villas? Why are you including attached Villas? Are they townhomes? The attached villas are located on the southern end of the project near the attached villas in Hazelwood. The Prairie Delaware Piper area plan indicates this area as mixed residential. The City is wanting a mix of residential home types. This site is a logical extension of the housing mix found in Hazelwood. These are attached villas, which have two units per building and be on one level. They will be of similar quality to the Hazelwood attached villas. Per the typical planning definition, a townhouse is a building with 3 or more units and has multiple floors.

Summary of Applicant Presentation

Most of you are familiar with the location of the site. It is an 18.28 acre infill site that is surrounded on three sides by platted subdivisions.

The Prairie Delaware Piper Area Plan indicates the area as mixed residential. The intent is to encourage a mix of several different housing types within the area.

The proposed plan includes 48 single family villas and 16 attached villas for a total of 64 units. The single family units are the lighter colored units and the attached villas are the darker colored units on this plan. The attached villas are on the south end of the site adjacent to the Hazelwood attached villas.

There are 5 streets extended to this property from adjacent neighborhood plats and this plan provides 3 street extensions to the property to the west. As each of the adjacent neighborhood plats were designed the City required those developers to plat streets to the adjacent vacant property to allow for future development. This is a common requirement and one of the reasons this plan includes 3 streets that extend to the undeveloped parcels west of this site. The intent of platting streets to the undeveloped parcels is to allow for the streets to be extended and connected to other streets in order to provide connectivity between neighbors and within the City. One of the challenges of this site is that it has way more streets than typical to extend and connect. This site is essentially the crossroads for connecting all the adjacent neighborhoods together. The City's intent is for all the streets to be extended and connected.

56% of the site is in open space. A walking path and sitting area is provided in the open space. The open space also provides a buffer to the adjacent neighborhoods.

Detention is provided as required by code to control stormwater runoff. The basin is located adjacent to the existing drainage ditch along the western boundary. Storm inlets and pipe will carry the runoff to the basin.

The homes will be similar to the homes in Hazelwood. The will be maintenance provided.

The zoning requested is a planned district so it is tied to the specific plan that is approved for the site. If this project does not go through and someone wants to change the plan they would have to go back through this same process and provide notification to the adjacent residents.

END

Disclaimer:

The questions, comments and responses contained herein are summarized from informal notes and describe in general the points of the conversations, discussions and clarifications made at the meeting by person in attendance. These minutes do not represent a transcript of the meeting. Every effort has been made to ensure the accuracy of the information contained herein.



SCHLAGEL & ASSOCIATES, P.A.

Engineers • Planners • Surveyors • Landscape Architects

NEIGHBORHOOD MEETING SIGN - IN SHEET		
Project: CONNOR CREEK		Meeting Date: May 24, 2019
Facilitator: Dan Foster		City Case No. COZ 3196
Name	Address	Phone / E-Mail
John & Kathy Zellers	11149 Nogard	913-406-4104
Steven & Julie McKinnon	11308 CLEVELAND AVE	913-422-4421
Robert & Donna McClure	2502 N 111th TERR	913-721-1636
Francisco & Lekecia Garcia	11150 Rowland Ave	913-207-8282 -PLAN
Roger Giffings	11202 Rowland AVE	913-638-6831, Plan
* Angela Stewart	11303 Georgia Ave	adstewart113@gmail.com
Connie Colwell	11303 Cleveland Ave	913-449-8392
* Frank & Mary Gaulton	11113 Haskell	913-721-9837 913-220-5365 -PLAN
Ernie Speth	2313 N 113th Terr	913-745-6988
Terod Letcher	11210 Nogard Ave	913-645-3255
Reed Pertridge	2504 N 111th PLAN	334-5980
Mary Ann Kancel	509 Armstrong Ave.	913-568-8996

* COPY OF PLAN (LARGER)

14920 West 107th Street • Lenexa, Kansas 66215 • (913) 492-5158 • Fax: (913) 492-8400

SCHLAGEL & ASSOCIATES, P.A.

Engineers • Planners • Surveyors • Landscape Architects

[illegible]

14920 West 107th Street • Lenexa, Kansas 66215 • (913) 492-5158 • Fax: (913) 492-8400

OPPOSITION LETTER FROM HAZELWOOD HOA



May 7, 2019

Robin H. Richardson
Director of Planning
Urban Planning and Land Use
Unified Government WyCo/KCK
701 North 7th Street, Suite 423
Kansas City, KS 66101

RE: #3196 Guy Tiner with Lei Valley Redevelopment

Dear Mr. Richardson:

This communication follows our telephone conversation of Monday, May 6, 2019. Specifically, the Hazelwood Homes Association is opposing the opening of Cleveland Avenue from 113th; currently this cul-de-sac allows our community to remain a closed community. We enjoy dual access from Parallel at 114th Street, and Cleveland at 115th Street. This 55 and older community and The Piper Assisted Living and Memory Center have unique community needs, which are served by the slower traffic of a closed community.

The Hazelwood Homes Association will be present for the above-captioned hearing and will designate an individual to speak to our unique traffic needs and desire to remain a closed community.

Thanking you in advance for your courtesy in hearing our request.

Sincerely,

Cindy L. Woodall
President, HOA Board

11324 Lafayette, Kansas City, KS 66109
913.489.7647

OPPOSITION LETTER FROM TIM AND STACIE GENGLER

Commissioner Kane,

My name is Tim Gengler and I am a homeowner in District 5. My wife, Stacie Gengler (you know her father John Melton), and I are writing you regarding the change of zone petition #CZ-19401-00018. We will be unable to attend the public hearing July 8 but would like to make our position known. We are **opposed** to the change of the zone to RP-3 Townhouse District, we are, however in favor of the change to RP-1 Single Family.

Research by [Realtor.com](https://www.realtor.com/news/trends/things-that-affect-your-property-value/) in 2016, found that high concentration of rental property decreased home value by 13.8%, which is more than the presence of a homeless shelter (12.7%) and slightly less than the presence of a strip club (14.7%). Here is the link to the article, if you like <https://www.realtor.com/news/trends/things-that-affect-your-property-value/>. We are concerned that the presence of Townhouses will negatively impact our property value. In addition, depending on the type of rental management, rental property can bring increased crime rates https://www.researchgate.net/publication/23949141_Rental_Housing_and_Crime_The_Role_of_Property_Ownership_and_Management. Multi-family homes are almost always used as rental property. For these reasons we are strongly opposed to the zoning of the proposed subdivision as anything except for RP-1 Single Family. In looking at the proposed development, there will be 48 single family homes and 8 multi-family buildings (16 units). If the proposal were changed, so that the 8 multi-family buildings were single family homes instead and zoning for RP-1 only, we would no longer be opposed.

Thank you for your time and consideration,

Tim & Stacie Gengler
11153 Rowland Ave.
Kansas City, KS 66109
913-334-5170

July 15, 2019

Robin H. Richardson
Director of Planning
Unified Government
701 North 7th Street, Suite 423
Kansas City, KS 66101

RE: Connor Creek Development
#CZ-19401-00018

Dear Mr. Richardson:

This letter is to follow up on the Planning and Zoning Commission meeting conducted July 8, 2019. The residents of Hazelwood Homes Association appreciate the opportunity to present our request for a closed community and current traffic issues. As I understand your recommendation, as approved by the Planning Commission: Cleveland Avenue will be opened through at 113 Street; traffic related to construction in the 'Connor Creek' subdivision is prohibited from traveling through the Hazelwood subdivision; and the UG will design and implement traffic calming applications for the Hazelwood subdivision.

After research of traffic calming, and an open homes association meeting, the residents of Hazelwood would respectfully request that consideration be given to the following:

1. **It is imperative that the construction staging area for the new development remain east of Hazelwood.** The closer the staging area is located to the eastern boundary of the Hazelwood subdivision the more probable will be disturbance of Hazelwood residents by noise, lights, dust, etc., and the more probable there will be environmental issues in the actual Connor Creek.
2. **It is imperative that the construction entrance be marked and all construction-related traffic, including but not limited to contractors, delivery drivers and workers, are informed of the proper entrance and the prohibition against drivers using any streets in Hazelwood.**
3. Reduction of speed limit throughout the Hazelwood community to **20 miles per hour**. The discussion and polling of residents was unanimous on this matter. Our research uncovered studies of cities such as New York City, which show that reducing the speed limit from 30 MPH to 25 MPH was safer. Since Hazelwood is a 55+ community, the residents believe a further reduction to 20 MPH is warranted.

4. Traffic claiming and construction traffic regulation will not be effective without enforcement. So Hazelwood residents request a concerted effort by Community Policing to continue increased patrols, and to issue tickets to drivers who running stop signs, speed or fail to comply with the prohibition in construction-related traffic.
5. Purposefully design and constructed street of Cleveland from 112th into Hazelwood that will naturally slow the entrance of vehicular traffic.
6. Label the streets inside the Hazelwood Home Association as **Local Traffic Only**, to bring attention to the unique necessity of slower traffic, such as school zones. In addition, this label may keep Cleveland Avenue from being suggested as an alternative on traffic avoidance apps, and otherwise discourage its use as a cut through street.
7. Placement of **radar speed display signs** on both 114th Street at entrance and on Cleveland between 115th and 113th. *Traffic Calming in HOAs, Neighborhoods and Residential Areas, Best Practices, and 5 Ways to Calm Traffic on a Busy Road*, by Lori Miles, states: “**radar speed displays are proven to slow down drivers and make them more attentive.**”

As you kindly stated during the July 8th meeting, because of the history in Hazelwood subdivision with failure to obtain positive results and lack of follow through on promises, this huge change to our quiet neighborhood has everyone's attention. We want to make certain that we have made every effort to reach out to the City and take the proper steps to afford Hazelwood residents the safe streets they deserve.

After the last two years of mud and construction traffic, large tractors, concrete equipment trucks, cement trucks, lumber trucks, construction trucks – everyone working, driving over the curbs and sidewalks; in addition to our HOA's budget being decimated by reconstruction of the water run off/detention pond below The Piper, this neighborhood has had more than its fair share of disruption from construction, and welcomes the conclusion of development of the north portion of Hazelwood. Unfortunately, after some temporary improvement, Hazelwood's construction traffic and mud issues have moved to 113th Street, once again without attention/enforcement by UG Building Inspection requiring contractor to reduce the damage.

We would welcome the opportunity to discuss these matters with you prior to the July 28th Planning and Zoning Commission meeting. Please left a message or e-mail me if you have a particular date and time that will work for you. Thank you for your attention to this matter.

Respectfully,

Cindy L. Woodall
11424 Cleveland Avenue
Kansas City, KS 66109
(816) 896-4446
cwoodall60@hotmail.com



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: July 25, 2019
Re: Petition #SP-2019-51

GENERAL INFORMATION

Applicant:
Venkata S. Mantri

Status of Applicant:
Representative
Basam Derbas with DIG Construction, Inc.
9539 Manchester Avenue
Kansas City, MO 64134

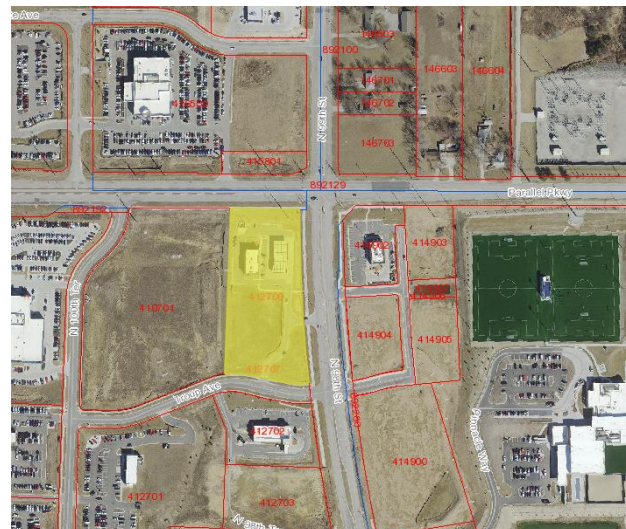
Requested Action:
Approve Special Use Permit

Date of Application:
March 29, 2019

Purpose:
To build an addition onto a convenience store and operate a 1,600 square foot liquor store

Property Location:
9801 Parallel Parkway

Commission Districts:
Commissioner At Large: Tom Burroughs
District Commissioner: Jim Walters



Existing Zoning: CP-2 Planned General Business District

Existing Surrounding Zoning: **North:** CP-2 Planned General Business District
South: CP-2 Planned General Business District
East: CP-2 Planned General Business District
West: CP-2 Planned General Business District

Existing Uses: **North:** Honda dealership (across Parallel Parkway)
South: Automated car wash
East: Freddy's drive-thru restaurant and undeveloped land
West: Undeveloped land

Total Tract Size: 3.09 acres

Master Plan Designation: The Prairie Delaware Piper Master Plan designates this property as Planned Mixed Entertainment/Commercial District.

Major Street Plan: The Major Street Plan designates Parallel Parkway and 98th Street as a Class A and Class C Thoroughfares, respectively.

Advertisement: The Wyandotte Echo – April 18, 2019
Letters to Property Owner – May 16, 2019, June 24, 2019 and July 11, 2019

Public Hearings: July 8, 2019 and July 25, 2019

Public Opposition: No one appeared in opposition at the July 8, 2019 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Venkata Mantri, owner of the convenience store at 9801 Parallel Parkway wants to build a 1,600 square foot liquor store addition onto the north side of the convenience store.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The character of the neighborhood is comprised of existing and future development. While the property west is vacant, inquiries have been made about commercial development.

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 them.

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 will not detrimentally affect the 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; however, liquor stores are in commercial districts.

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, as there are two liquor stores along Parallel Parkway, 1.8 miles west and 2.3 miles east of the proposed location. Ultimately, the proposed use will not permanently injure the appropriate use, visual quality or marketability of adjoining property because this type of special use permit is not indefinite.

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 noise and illumination that would normally be associated with liquor stores should be of such duration and intensity as not to create problems for nearby property.

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

The proposed use will not pollute the air, land or water.

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

This is not foreseen 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.

The relative gain to the public health, safety, and welfare as compared to the hardship imposed on the landowner is minimal. There is no benefit to the public health, safety and welfare of the general public.

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

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on May 28, 2019. According to the applicant, no one appeared at the neighborhood meeting.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2019-51, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, special use permit shall be valid for two (2) years.
2. Per Business Licensing: If approved, the applicant will need to file and maintain a current occupation tax application.
3. In 2015 and 2016, a plan review was submitted and approved for a convenience store and restaurant, however only the convenience store, gas pumps and canopy were constructed. If approved, the proposed use will match the existing design and materials as the convenience store and will require a revised final plan review.

Applicant Response: A revised final plan will be submitted at a later date.

4. A variance for proposed liquor store's distance from the church has been submitted. In order for this special use permit to be heard, the variance must be approved by the Board of Zoning Appeals.

Applicant Response: Noted.

5. The utility plan says to reference the plans approved in 2016 submitted by Olsson Associates, however we need a dimensioned site plan. As previously stated, a final plan review will need to be submitted and approved by the City Planning Commission prior to the Development Review Committee (DRC) and building permitting.

Applicant Response: Key dimensions have been added to the utility site plan.

6. Provide a dimensioned floor plan of the proposed liquor store.

Applicant Response: A dimensioned floor plan has been developed and is attached.

7. What are the proposed hours of operation of the liquor store?

Applicant Response: The store will be open seven (7) days per week with the hours of operation as follows:

- *Monday – Saturday: 10:00 AM – 11:00 PM*
- *Sunday: 11:00 AM – 8:00 PM*

8. What days will you be open?

Applicant Response: See previous response.

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 Unified Government contacted the Kansas Department of Commerce to inquire as to whether they had any concerns about issuing a special use permit for a liquor store within a STAR Bond District and did not receive any response. The Unified Government is not aware of any legal prohibition on such a use and believes the application should

be reviewed pursuant to the normal planning and zoning standards. 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-2019-51** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

June 10, 2019 City Planning Commission Minutes
July 8, 2019 City Planning Commission Minutes
Applicant Response Letter
Neighborhood Meeting Minutes
Site Plan
Floor Plan

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Board of Commissioners
Public Hearing	June 10, 2019	July 25, 2019
Special Use	Held Over July 8, 2019 Approval	

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

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2019-51** 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-2019-51, 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.

June 10, 2019 City Planning Commission Minutes:

Hearing Starts 49:00 the applicant was not present. The application was moved to the end of the agenda and recalled at 1:37:24 and the applicant was not present.

SPECIAL USE PERMIT APPLICATION #SP-2019-51 – VENKATA S. MANTRI – SYNOPSIS: Special Use Permit for packaged liquor sales at 9801 Parallel Parkway. ***Detailed Outline of Requested Action:*** The applicant, Venkata Mantri, owner of the convenience store at 9801 Parallel Parkway wants to build a 1,600 square foot liquor store addition onto the north side of the convenience store.

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 June 10, 2019
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 April 15, 2019;
7. The Notices to property owners dated April 15, 2019 and May 16, 2019; and
8. The testimony at the Board of Zoning Appeals meeting this evening.

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

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts 1:37:47: Assistant Counsel Waters stated that he would request that this application be held over for one month. There are restrictions as to the type of uses that can be on this property due to it being in the Star Bond area and the development agreements that have been entered into. The staff needs additional time to make sure that a liquor store is an allowable use at this location. The staff will check their documents and the state's documents

Motion and Vote Starts 1:38:33:

On motion by Dr. Serda, seconded by Mr. Miller, the Planning Commission voted as follows to **HOLD OVER** Special Use Permit Application #SP-2019-51 for the reasons listed by Assistant Counsel Waters:

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

Motion to HOLD OVER Passed: 5 to 0

July 8, 2019 City Planning Commission Minutes:

Hearing Starts At :1:05:20

SPECIAL USE PERMIT APPLICATION #SP-2019-51 – VENKATA S. MANTRI –

SYNOPSIS: Special Use Permit for packaged liquor sales at 9801 Parallel Parkway.

Detailed Outline of Requested Action: The applicant, Venkata Mantri, owner of the convenience store at 9801 Parallel Parkway wants to build a 1,600 square foot liquor store addition onto the north side of the convenience store.

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 July 8, 2019
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 April 15, 2019; and,
7. The Notices to property owners dated April 15, 2019, May 16, 2019 and June 24, 2019.

Recording Secretary Parker asked if the Commission had any contact to disclose on this application. (No one responded in the affirmative.) Ms. Parker stated that this application was held over for one (1) month so Legal Counsel could review the Development Agreement and if a liquor store could be constructed in the Vacation Village STAR Bond District. Director Richardson stated that he would note that the Bond Counsel and the outside counsel used for development projects have stated that it would be acceptable to have a liquor store in the Star Bond area.

Present in Support:

- ❖ Basam Derbas, DIG Construction, Inc., 9539 Manchester Avenue, Kansas City, Missouri 64134

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts 1:07:47: Planning Director Richardson stated the staff recommends approval subject to the stipulations in the staff report. He stated that it will match the architecture of the car wash. They received approval of their variance last month for the distance from the church.

Motion and Vote Starts 1:08:52:

On motion by Dr. Neal, seconded by Ms. Huey, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit Application #SP-2019-51:

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

Motion to RECOMMEND APPROVAL Passed 6 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, special use permit shall be valid for two (2) years.
2. Per Business Licensing: If approved, the applicant will need to file and maintain a current occupation tax application.
3. In 2015 and 2016, a plan review was submitted and approved for a convenience store and restaurant, however only the convenience store, gas pumps and canopy were constructed. If approved, the proposed use will match the existing design and materials as the convenience store and will require a revised final plan review.

Applicant Response: A revised final plan will be submitted at a later date.

4. A variance for proposed liquor store's distance from the church has been submitted. In order for this special use permit to be heard, the variance must be approved by the Board of Zoning Appeals.

Applicant Response: Noted.

5. The utility plan says to reference the plans approved in 2016 submitted by Olsson Associates, however we need a dimensioned site plan. As previously stated, a final plan review will need to be submitted and approved by the City Planning Commission prior to the Development Review Committee (DRC) and building permitting.

Applicant Response: Key dimensions have been added to the utility site plan.

6. Provide a dimensioned floor plan of the proposed liquor store.

Applicant Response: A dimensioned floor plan has been developed and is attached.

7. What are the proposed hours of operation of the liquor store?

Applicant Response: The store will be open seven (7) days per week with the hours of operation as follows:

- Monday – Saturday: 10:00 AM – 11:00 PM
- Sunday: 11:00 AM – 8:00 PM

8. What days will you be open?

Applicant Response: See previous response.

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

May 30, 2019

Mr. Byron Toy
Urban Planning and Land Use
701 North 7th Street, Room 423
Kansas City, KS 66101

**Re: 9801 Troup Avenue – Proposed Liquor Store
Petition #SP-2019-51
Petition #2323**

Mr. Toy,

We are in receipt of staff review comments dated May 13 for the above referenced project and have the following responses.

Urban Planning & Land Use

1. A revised final plan will be submitted at a later date.
2. Noted.
3. Key dimensions have been added to the utility site plan.
4. A dimensioned floor plan has been developed and is attached.
- 5 & 6. The store will be open 7 days per week with the hours of operation as follows:
Monday – Saturday: 10:00 AM – 11:00 PM
Sunday: 11:00 AM – 8:00 PM

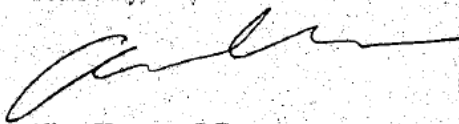
Public Works

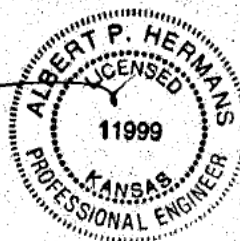
No comments.

Attached are the revised utility site plan and the new dimensioned floor plan for your review.

If there are any questions or comments, please let me know.

Yours truly,


Albert Hermans, P.E.



Name and Contact Information

BASAM DERBAS
913-954-7131

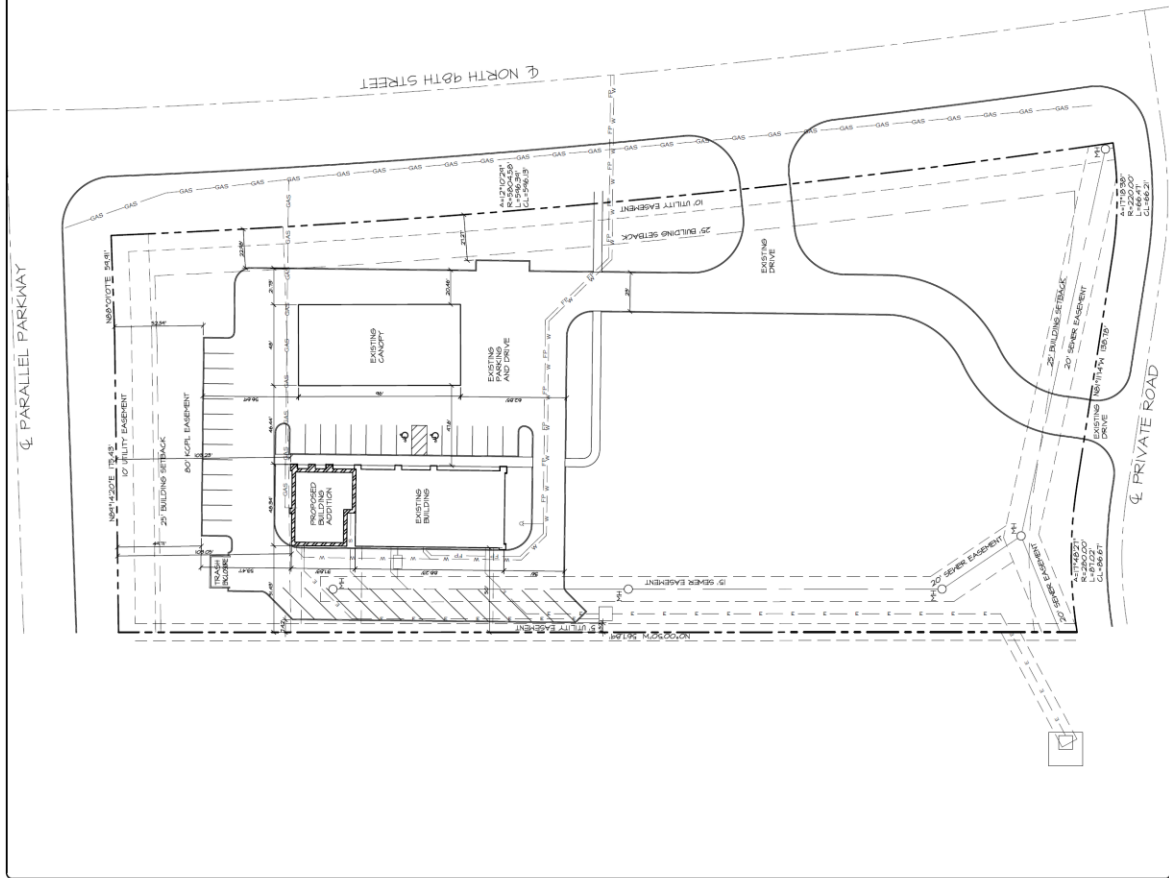
Application Number * 2323 SP #2A-19412-00011
Date and Location: MAY 28th 2019 GRANTER PLAZA (MEETING)
9801 TRUMP AVE KC, KS
Meeting called to order at: 4-7 PM

Names of people in attendance:

NO SHOW

NO MINUTES

UTILITY SITE PLAN
SCALE: 1" = 30'-0"





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: July 25, 2019
Re: Petition #SP-2019-73

GENERAL INFORMATION

Applicant:

Carmen Cabia- Garcia

Status of Applicant:

Representative
El Tenedor KC LLC
2932 South 8th Terrace
Kansas City, KS 66103

Requested Action:

Approval of special use permit

Date of Application:

May 6, 2019

Purpose:

To keep a food truck parked at
a residence.



Property Location:

2932 South 8th Terrace

Commission Districts:

Commissioner At Large: Tom Burroughs
District Commissioner: Ann Brandau- Murguia

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 homes
South: Single family homes
East: Single family homes
West: Single family homes

Total Tract Size: .29 acre

Master Plan Designation: The City-Wide Master Plan classifies this property as low-density residential use.

Major Street Plan: The Major Street Plan classifies 8th Terrace as a local street.

Advertisement: The Wyandotte Echo – June 13, 2019
Letters to Property Owner – June 12, 2019 and July 11, 2019

Public Hearings: July 8, 2019 and July 25, 2019

Public Opposition: No one appeared in opposition at the July 8, 2019 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Carmen Cabia-Garcia of El Tenedor KC, LLC, is requesting a Special Use Permit to park a food truck at her residence at 2932 South 8th Terrace.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is comprised of small lot single-family residences.

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

The zoning and uses are set out above. The storage of the vehicle can be compatible with them.

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 the proposed use and the removal of the restrictions will 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 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 or the welfare of the public but will not substantially or 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.*

The proposed use is not expected to cause excessive noise, vibration, dust or illumination that would be problematic for nearby property owners.

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

The proposed use will not pollute the air, land or water.

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

This is 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.*

The relative gain to the public health, safety and welfare as compared to the hardship imposed on the landowner is minimal.

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

This is not applicable.

PREVIOUS ACTIONS

Special Use Permit SP-2019-35 was approved for temporary use of land to keep the food truck at the residence. The previous special use permit expired on 6/29/2019.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on June 19, 2019. Meeting minutes and affidavit are attached.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2019-73, subject to:

Business License Comments:

1. Applicant has filed and maintained a current occupation tax application and vending vehicle license with this office.

Applicant Response: Agreed

Urban Planning and Land Use Comments:

1. In the update letter provided the applicant notes that this arrangement is temporary until they can find a long-term solution for safe storage. In the last year, what progress has been made to find a potential solution for long-term storage of the vehicle?

Applicant Response: Have looked at approximately 6-8 different storage places, however the style of this truck is too tall to fit in any of those. Still looking.

2. Have there been any issues with neighbors in the last year?

Applicant Response: None

3. If approved, approved for two years.

Applicant Response: Agreed

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

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-2019-73 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

July 8, 2019 City Planning Commission Minutes
Zoning Map
Neighborhood Meeting Minutes, Sign-in, Affidavit
Petition in favor

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	July 8, 2019	July 25, 2019
Special Use	Approval	

STAFF CONTACT:

Kimberly Portillo
kportillo@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2019-73** 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-2019-73** 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.

July 8, 2019 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2019-73 – CARMEN CABIA-GARCIA

SYPOPSIS: Renewal of a Special Use Permit (#SP-2017-35– expired 6/29/2019) for the Temporary Use of Land to keep a food truck at the residence at 2932 South 8th Terrace. ***Detailed Outline of Requested Action:*** The applicant, Carmen Cobia-Garcia of El Tenedor KC, LLC, is requesting a Special Use Permit to park a food truck at her residence at 2932 South 8th Terrace.

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?” (No one responded in the affirmative.)

“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 July 8, 2019;
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 Carson asked if anyone wished to remove an item from the Consent Agenda. Planning Commissioner Connelly requested that #SP-2019-78 be removed from the Consent Agenda.

On motion by Dr. Serda, seconded by Ms. Huey, the Planning Commission voted as follows to **APPROVE** the items on the Consent Agenda:

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

Business License Comments:

1. Applicant has filed and maintained a current occupation tax application and vending vehicle license with this office.

Applicant Response: Agreed

Urban Planning and Land Use Comments:

1. In the update letter provided the applicant notes that this arrangement is temporary until they can find a long-term solution for safe storage. In the last year, what progress has been made to find a potential solution for long-term storage of the vehicle?

Applicant Response: Have looked at approximately 6-8 different storage places, however the style of this truck is too tall to fit in any of those. Still looking.

2. Have there been any issues with neighbors in the last year?

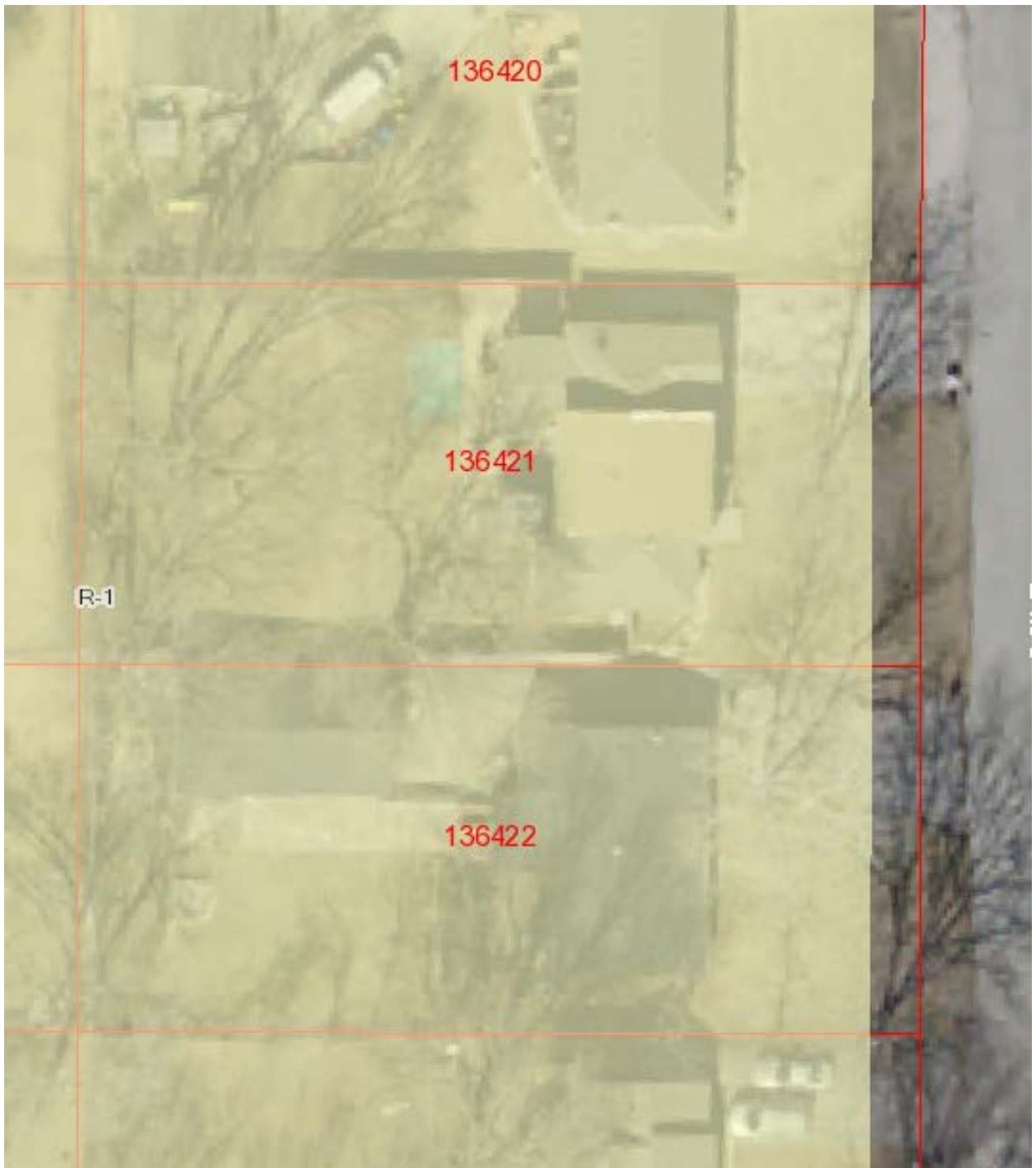
Applicant Response: None

3. If approved, approved for two years.

Applicant Response: Agreed

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**



AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Jackson) SS:

Comes now CARMEN CABIA-GARCIA of lawful age, sound mind and upon his/her oath states as follows:

1. That I am the petitioner for Petition # SP-2019-73
2. That I conducted a neighborhood meeting on 6/19/2019.
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.

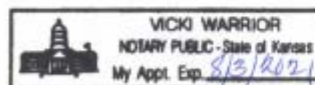


Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 24th day of June, 2009-2019
My commission expires 3rd of Aug., 2009-2021

Vicki Warrior

Notary Public



Carmen CabiaGarcia

2932 S. 8th Terrace, Kansas City, Kansas 66030

Application number: SP-19402-00065 (Ref:SP-2019-73)

Meeting held at Rosedale Development Center at 3:00 pm

Erin Stryka gave us the key to the Rosedale Development Center at 2:50 pm to conduct the meeting. Erin Stryka entered the building at 3:00pm

Meeting called to order at 3:01 pm

No people at attendance at 3:01 pm

No people at attendance at 3:20 pm

Meeting adjourned at 3:25pm

Minutes taken by Carmen Cabia-Garcia

SPECIAL PERMIT PETITION FORM

Applicant Name: Carmen Cobia-Garcia

Applicant Phone Number: 913 269 6362

Applicant email address: carmencobiachef@gmail.com

Special Use Permit for the Temporary Use of Land to Park a Food Truck

NAME	ADDRESS	PHONE/EMAIL	I AM IN FAVOR	I AM NOT IN FAVOR
Deanna L Pestock	2933 8 th Ter	913 558-7081	yes	
David E Pestock	" " " "	" "	yes	
Robert K Pestock	" " " "	" "	yes	
CARA VALDIVIA	2911 S 8 th Turn	913 432-5784	yes	
" "	2921 S 8 th Turn	432-5784	yes	
" "	2920 2921 S 8 th Turn	" "	yes	
CAROL VALDIVIA	2920 S 8 th Turn	" "	yes	
Carla Valdivia	2911 S 8 th Turn	" "	yes	
MAURIE GONZALEZ	2921 S 8 th Turn	913 461-1976	yes	
MAURIE GONZALEZ	2921 S 8 th Turn	913-710-9800	yes	
John Farley	2938 S 8 th St	816-304-9090	yes	
Stan Weaver	2947 S 8 th Turn	913-230-5448	yes	

SPECIAL PERMIT PETITION FORM

Applicant Name: Carmen Cabla-Garcia

Applicant Phone Number: 913 269 6362

Applicant email address: carmencablachef@gmail.com

Special Use Permit for the Temporary Use of Land to Park a Food Truck

NAME	ADDRESS	PHONE/EMAIL	I AM IN FAVOR	I AM NOT IN FAVOR
STAN CUEV	8001 S 9th Terrace	816 913 2571	Yes	
JEFF HICKS	2939 S 9th ST	913-236-9357	Yes	
MICHAEL F. HENKE	2939 S. 9TH ST.	928.451.0484	YES	
Carmen Cabla-G	2932 S 8th	913-264-6362	Yes	
Melina Lopez	2939 S. 8th Ter	913 927 2400	Yes	
Hena Lopez	2939 S. 8th Ter	918 980 2416	Yes	
Allison Braun	2938 S. 8th Ter	913 231 2121	Yes	
Chris Braun	2938 S. 8th Ter	913 231 2012	Yes	
Jesus Acosta	3001 S 9th St.	913 219 -1079	Yes	
McGine Rebecca	2921 S. 9th St	816 - 517-9393	Yes	
Sherry McGine	2915 S 9th St	913-362-2223	Yes	



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: July 25, 2019
Re: Petition #SP-2019-74

GENERAL INFORMATION

Applicant:
Martha Medina

Status of Applicant:
Representative
Manhattan Bar & Grill, LLC
814 South 12th Street
Kansas City, KS 66105

Requested Action:
Renewal of a special use permit

Date of Application:
May 23, 2019

Purpose:
To allow live entertainment at a
drinking establishment and
restaurant.

Property Location:
814 South 12th Street

Commission Districts: Commissioner At Large: Tom Burroughs
District Commissioner: Brian McKiernan



Existing Zoning: C-3 Commercial District

Existing Surrounding Zoning: **North:** C-3 Commercial District
South: C-3 Commercial District and RP-5 Planned Apartment District
East: C-3 Commercial District
West: C-3 Commercial District

Existing Uses: **North:** Commercial building
South: Single family residence
East: Commercial building, vacant lot
West: Duplex (Two-family residential)

Total Tract Size: .14 acre

Master Plan Designation: The Armourdale Master Plan designates this property as commercial.

Major Street Plan: The City-Wide Master Plan designates this property as commercial.

Advertisement: The Wyandotte Echo – June 13, 2019
Letters to Property Owner – June 12, 2019 and July 11, 2019

Public Hearings: July 8, 2019 and July 25, 2019

Public Opposition: No one appeared in opposition at the July 8, 2019 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant is requesting a special use permit for a drinking establishment, restaurant and live entertainment venue at 814 South 12th Street. This property was approved for a parking variance (#2223) on November 14, 2016 and a Special Use Permit (#SP-2016-73) for a drinking establishment on December 1, 2016. An additional Special Use Permit was approved in July, 2018.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is a mix of uses including single family homes, multi-family townhomes and apartment buildings, retail, restaurants and other commercial uses.

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

The zoning and uses of properties are laid out above. The proposed use could be compatible with the commercial uses but may pose some problems for nearby residences.

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 will not detrimentally affect nearby properties if stipulations are adhered to.

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 increase 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 but will 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.*

Noise and illumination could become a nuisance for nearby properties.

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

The proposed use would not pollute air, land or water.

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

This is 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.

The gain to the public health, safety and welfare would be minimal. The denial would cause the business owner to have to close at this location.

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

This is not an issue.

PREVIOUS ACTIONS

Approved for parking variance (#2223) in November, 2016.
Approved for Special Use Permit (#SP-2016-73) in December 2016
Approved for Special Use Permit (#SP-2018-62) in July 2018

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on June 18, 2019. Meeting minutes, sign-in and affidavit are attached.

KEY ISSUES

Fire Inspection

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2019-74, subject to:

Business License Comments:

1. The applicant has filed and maintained license for Drinking Establishment. If live entertainment is approved, applicant will need to file application for annual entertainment license.

Applicant Response: If approved, the applicant will make application for an annual entertainment license.

Urban Planning and Land Use Comments:

1. This facility has a non-compliant Ansul fire suppression hood system. KCK Fire Department has recommended no renewal until compliance is obtained by submitting plans for review and approved inspection(s)

completed by Fire Department and Building Inspections Department. Staff supports this requirement.

Applicant Response: The fire suppression hood system was updated on Friday, June 21, and a re-inspection scheduled for June 24, 2019.

Staff Response: The inspection passed on July 2, 2019.

2. Provide updates site photos to show the following:
 - a. Condition of building (exterior)
 - b. Condition of trash enclosure
 - c. Landscaping
 - d. Screening elements from adjacent properties

Applicant Response: Updated site photos are attached.

1. ***The original plan was to keep the grey color and add a dark burgundy accent. However, applicant has decided upon a color scheme similar to the sample photo attached. The exterior should be completed within the next 30 to 60 days; with cooperative weather conditions it should be within 30 days.***



2. ***The gates to the trash enclosure are being installed this week.***
3. ***One of the two trees originally planted by the previous applicant was damaged and had to be removed and is being replaced this week.***

Staff Response: Updated photos (provided in attachments) show there is non-compliant signage. In C-3 zoning, 1 banner sign is allowed per single tenant non-residential building. A maximum of 3 wall signs are allowed per single tenant building with a maximum sign area of 300 sf. Sign permits must be obtained for all signage. Proper permits and signage are required within sixty (60) days of approval.

3. Have there been any police calls, issues with neighbors, or other disturbances within the last year?

Applicant Response: *There was one call made to the police by the applicant because of an intoxicated man who was refused service, asked to leave and would not. The man left prior to the arrival of police.*

4. If approved, previous stipulations shall still be applicable:
- a. Hours of operation shall not exceed 10 am – 2 am daily.
 - b. Security measures outlined in the security camera shall remain in place.
 - c. Applicant must employ a card scanner for live entertainment events.
 - d. Doors and windows will remain closed when entertainment is provided in order to mitigate noise.
 - e. Building façade must be kept in good repair. Windows and doors must be kept in good repair.
 - f. Parking must be screened from adjacent streets by walls, shrubs, trees or other design elements. [Sec. 27-575(e)(4)]
 - i. 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.
 - ii. Two trees are required to meet landscaping requirements. The applicant for #SP-2016-73 planted two trees to meet this requirement. Trees must remain and be healthy or replaced.

Applicant Response: *Applicant will comply with all the stipulations outlined in the staff report.*

5. If approved, approval is for two (2) years.

Applicant Response: *Noted that approval would be for two years.*

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

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-2019-74** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

July 8, 2019 City Planning Commission Minutes
Zoning Map
Aerial Image
Neighborhood Meeting Minutes, Sign-in and Affidavit
Updated photos

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	July 8, 2019	July 25, 2019
Special Use	Approval	

STAFF CONTACT: **Kimberly Portillo**
 kportillo@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2019-74** 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-2019-74 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.

July 8, 2019 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2019-74 – MARTHA MEDINA WITH MANHATTAN BAR & GRILL LLC – SYNOPSIS: Renewal of a Special Use Permit (#SP-2018-62 – expires 7/27/2019) for a restaurant/drinking establishment with live entertainment at 812 South 12th Street. ***Detailed Outline of Requested Action:*** The applicant is requesting a special use permit for a drinking establishment, restaurant and live entertainment venue at 814 South 12th Street. This property was approved for a parking variance (#2223) on November 14, 2016 and a Special Use Permit (#SP-2016-73) for a drinking establishment on December 1, 2016. An additional Special Use Permit was approved in July, 2018.

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?" (No one responded in the affirmative.)

"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 July 8, 2019;
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 Carson asked if anyone wished to remove an item from the Consent Agenda. Planning Commissioner Connelly requested that #SP-2019-78 be removed from the Consent Agenda.

On motion by Dr. Serda, seconded by Ms. Huey, the Planning Commission voted as follows to **APPROVE** the items on the Consent Agenda:

Carson	Chairman
Connelly	Aye
Ernst	Aye

Huey	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Cho	Not Present
Jones	Not Present
Miller	Not Present
Pauley	Not Present

Motion to APPROVE Passed: 6 to 0
Subject to:

Business License Comments:

1. The applicant has filed and maintained license for Drinking Establishment. If live entertainment is approved, applicant will need to file application for annual entertainment license.

Applicant Response: If approved, the applicant will make application for an annual entertainment license.

Urban Planning and Land Use Comments:

1. This facility has a non-compliant Ansul fire suppression hood system. KCK Fire Department has recommended no renewal until compliance is obtained by submitting plans for review and approved inspection(s) completed by Fire Department and Building Inspections Department. Staff supports this requirement.

Applicant Response: The fire suppression hood system was updated on Friday, June 21, and a re-inspection scheduled for June 24, 2019.

Staff Response: The inspection passed on July 2, 2019.

2. Provide updates site photos to show the following:
 - a. Condition of building (exterior)
 - b. Condition of trash enclosure
 - c. Landscaping
 - d. Screening elements from adjacent properties

Applicant Response: Updated site photos are attached.

1. *The original plan was to keep the grey color and add a dark burgundy accent. However, applicant has decided upon a color scheme similar to the sample photo attached. The exterior should be completed within the next 30 to 60 days; with cooperative*

weather conditions it should be within 30 days.



2. *The gates to the trash enclosure are being installed this week.*
3. *One of the two trees originally planted by the previous applicant was damaged and had to be removed and is being replaced this week.*

Staff Response: Updated photos (provided in attachments) show there is non-compliant signage. In C-3 zoning, 1 banner sign is allowed per single tenant non-residential building. A maximum of 3 wall signs are allowed per single tenant building with a maximum sign area of 300 sf. Sign permits must be obtained for all signage. Proper permits and signage are required within sixty (60) days of approval.

3. Have there been any police calls, issues with neighbors, or other disturbances within the last year?

Applicant Response: *There was one call made to the police by the applicant because of an intoxicated man who was refused service, asked to leave and would not. The man left prior to the arrival of police.*

4. If approved, previous stipulations shall still be applicable:
 - a. Hours of operation shall not exceed 10 am – 2 am daily.
 - b. Security measures outlined in the security camera shall remain in place.

- c. Applicant must employ a card scanner for live entertainment events.
- d. Doors and windows will remain closed when entertainment is provided in order to mitigate noise.
- e. Building façade must be kept in good repair. Windows and doors must be kept in good repair.
- f. Parking must be screened from adjacent streets by walls, shrubs, trees or other design elements. [Sec. 27-575(e)(4)]
 - i. 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.
 - ii. Two trees are required to meet landscaping requirements. The applicant for #SP-2016-73 planted two trees to meet this requirement. Trees must remain and be healthy or replaced.

Applicant Response: Applicant will comply with all the stipulations outlined in the staff report.

- 5. If approved, approval is for two (2) years.

Applicant Response: Noted that approval would be for two years.

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





MANHATTAN BAR & GRILL LLC

MINUTES OF NEIGHBORHOOD MEETING

Application Number: SP-2019-74
Date and Location: June 18, 2019 / 814 South 12th Street

The undersigned, as representative for Manhattan Bar & Grill, held a Neighborhood Meeting on June 18, 2019 at 4:00 pm. The purpose of the meeting was to explain the application of the business for a special use permit to operate a restaurant and drinking establishment with live entertainment (i.e. DJ/karaoke/band).

I arrived at 3:45 pm and in addition to the applicant there were two attendees: Georgia Rolf and Albert Arriaga.

Ms. Rolf said she did not receive a notice in the mail. I checked the list and her name is not on it, and I did not find a contact for her address at 1204 Taylor Avenue.

Ms. Rolf stated the meeting time was too early for those that have to work and I said that we would take that into consideration when scheduling any meetings in the future.

I went over the application and the draft report from staff and asked if there were any questions or comments. Ms. Rolf said her concern had been the doors and/or windows being open when there is music but that had been answered during my remarks so she had no other concerns. She commented that Ms. Medina keeps the property very clean.

Mr. Arriaga helps Ms. Medina with mowing, picking up trash, and general maintenance. He only had a comment about the required trees planted out front. Mr. Arriaga planted the trees placed by the previous occupant. He stated between the limited space for the trees, bad weather conditions, and the school children hanging/swinging on the trunk of the tree, it has been difficult for the trees to remain healthy.

There being no other questions or comments, the meeting was adjourned approximately 6:00 pm.



Pearl A. King

Dated: 6-26-2019

Manhattan Bar & Grill, LLC

814 South 12th Street
Kansas City, Kansas 66105

NEIGHBORHOOD MEETING ATTENDANCE / SIGN-IN SHEET #SP-19402-00066 (Ref: SP-2019-74)

NAME	ADDRESS
GEORGIA PELLER	1204 TAYLOR AVE KC. KS. 66105
	913-469-8582
ALBERT ARRIAGA	1210 Taylor Av KC. KS 66105

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF KANSAS)
COUNTY OF WYANDOTTE) ss:

Comes now Pearl A. King, of lawful age, sound mind and upon her oath states as follows:

1. I am the representative for Manhattan Bar & Grill LLC, the applicant for Special Use Permit Application No. SP-2019-74.
2. I conducted a neighborhood meeting on June 18, 2019 at 4:00 pm.
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.

Pearl A. King
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 26th
day of June, 20 19.

Martha A. Rodriguez
Notary Public

My appointment expires:







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: July 25, 2019
Re: Petition #SP-2019-75

GENERAL INFORMATION

Applicant:
Jacob S. Patton

Status of Applicant:
Owner
819 Southwest Boulevard
Kansas City, KS 66103

Requested Action:
Approval of special use permit

Date of Application:
May 24, 2019

Purpose:
To operate two AIRBNB units

Property Location:
819 Southwest Boulevard



Commission Districts: Commissioner At Large: Tom Burroughs
District Commissioner: Ann Brandau-Murguia

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

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

Existing Uses: **North:** Warehouse/Office
South: Single family homes
East: Single family homes
West: Warehouse distribution

Total Tract Size: .17 acre

Master Plan Designation: The Rosedale Master Plan designates this property as Urban Mixed-Use District.

Major Street Plan: The Major Street Plan classifies Southwest Boulevard as a Class A Thoroughfare.

Advertisement: The Wyandotte Echo – June 13, 2019
Letters to Property Owner – June 12, 2019 and July 11, 2019

Public Hearings: July 8, 2019 and July 25, 2019

Public Opposition: No one appeared in opposition at the July 8, 2019 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Jacob S. Patton, has renovated the two units and would like to use both for short-term rentals/AIRBNB at 819 Southwest Boulevard.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is comprised of mixed uses including residential, industrial, retail and a school.

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

The zoning and uses are set out above. The proposed use is expected to be compatible.

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 the proposed use and the removal of the restrictions will 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 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 or the welfare of the public but will not substantially or 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.*

The proposed use is not expected to cause excessive noise, vibration, dust or illumination that would be problematic for nearby property owners.

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

The proposed use will not pollute the air, land or water.

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

This is 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.*

The relative gain to the public health, safety and welfare as compared to the hardship imposed on the landowner is minimal.

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

This is not applicable.

PREVIOUS ACTIONS

Change of Zone #3160 from M-2 General Industrial District to R-2(B) Two-Family District was approved in April 2018.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on June 23rd, 2019. Meeting minutes, sign-in and affidavit are attached.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit #SP-2019-75, subject to:

Business License Comments:

1. If approved, applicant will need to file occupation tax application with this office for the AIRBNB business activity.

Urban Planning and Land Use Comments:

1. How will you communicate with the neighbors?

Applicant Response: We intend to give out our contact information at the neighborhood meeting as well as times that we meet neighbors face to face. We will also provide our contact information in the mailers for notification of the neighborhood meeting.

Staff Response: If a problem were to arise with guests or neighbors, who would be the primary point of contact? How long would a response take?

Applicant Response: Jake Patton will be the primary point of contact at 816-872-9619. The expected response time to the property is expected to be 10 minutes or less.

2. How will you pay appropriate lodging taxes?

Applicant Response: We will list our home through services that collect appropriate taxes for us i.e. Airbnb & VRBO.

3. How many rooms are rented?

Applicant Response: This property is a duplex and both units will be listed. Each unit consists of three bedrooms and two full bathrooms.

4. What is the maximum number of people that will be staying at any one time?

Applicant Response: We would prefer to list the maximum occupancy for each unit at 6 people.

5. What is the maximum number of vehicles and where will they park?

Applicant Response: We will request that guests bring no more than two vehicles per unit. We have three parking spaces available in our driveway which would require one vehicle to be parked on the street if the maximum number of vehicles are at the property.

6. How often are guests in the residence?

Applicant Response: The residence will not be rented until we've received the proper permits and until that time, we are unsure how often guests will be at the home.

7. Do you have a rental license from the Unified Government?

Applicant Response: We are currently in the process of obtaining this license. We have completed the application, paid the fee, and are waiting for our final inspection of the property.

8. Provide a detailed description of the areas rented for AIRBNB.

Applicant Response: Each unit at 819 Southwest Boulevard consists of three bedrooms and two full bathrooms, a kitchen, living room, dining room and entry. Each bedroom has its own closet and each bathroom has a shower and vanity. The interior of the property has been completely remodeled to provide the modern amenities for safety and comfort. The only shared space between the two units is on the exterior including the yard, deck and private parking spaces attached to the home. Each unit has its own private entry with a coded, automatic deadbolt.

9. Describe how you will maintain a safe environment including:

- a. Working smoke detectors in each bedroom plus each level of the unit/house
- b. GFCI outlets are required in bathrooms
- c. Double keyed locks are not allowed
- d. Copper cannot be used for gas supply lines

- e. Windows must be operable, not blocked or boarded
- f. Handrails are required at sets of 4 or more stairs/risers
- g. Hot water tank and furnace must be vented properly and operational
- h. Electric panel and circuits must be safe

Applicant Response: This property has undergone a full remodel. Building permits were pulled for the project and the building has been brought up to current building code requirements. Some updates include hardwired smoke detectors and CO2 detectors installed throughout the house per current code. GFCI outlets have been installed in kitchens in bathrooms. Exterior doors are not double keyed. All copper gas lines have been removed from the property and replaced with steel gas lines. All windows throughout the house have been refurbished so that they are operable, and all broken glass has been replaced. Handrails have been installed in appropriate locations. Each hot water tank and furnace have been recently serviced and proper venting has been verified. Each unit has had a brand-new electric service panel installed per current code.

10. Will the host remain on-site while guests are staying?

Applicant Response: The host may or may not be on-site. If not on site the host will likely be at their residence, approximately 8 minutes away.

11. Provide photos of interior area where guests will stay.

Applicant Response: Photographs submitted

12. If approved, approval for one (1) year.

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

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-2019-75** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

July 8, 2019 City Planning Commission Minutes
Response to Staff Questions
Floorplan
Photos
Neighborhood meeting minutes, sign-in and affidavit
Letters in support

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	July 8, 2019	July 25, 2019
Special Use	Approval	

STAFF CONTACT: Kimberly Portillo
kportillo@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2019-75** 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-2019-75** 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.

July 8, 2019 City Planning Commission Minutes:

Hearing Starts 1:10:50:

SPECIAL USE PERMIT APPLICATION #SP-2019-75 – JACOB S. PATTON –

SYNOPSIS: Special Use Permit for an AIRBNB at 819 Southwest Boulevard. ***Detailed Outline of Requested Action:*** The applicant, Jacob S. Patton, has renovated the two units and would like to use both for short-term rentals/AIRBNB at 819 Southwest Boulevard.

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 July 8, 2019
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 June 13, 2019; and
7. The Notices to property owners dated June 12, 2019.

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

Present in Support:

- ❖ Deidra Patton, representing the applicant who could not be present this evening, read his statement into the record.

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts 1:14:54: Planning Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

Motion and Vote Starts 1:15:05:

On motion by Dr. Serda, seconded by Mr. Connelly, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit #SP-2019-75:

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

Pauley Not Present
Motion to RECOMMEND APPROVAL Passed 6 to 0
Subject to:

Business License Comments:

1. If approved, applicant will need to file occupation tax application with this office for the AIRBNB business activity.

Urban Planning and Land Use Comments:

1. How will you communicate with the neighbors?

Applicant Response: We intend to give out our contact information at the neighborhood meeting as well as times that we meet neighbors face to face. We will also provide our contact information in the mailers for notification of the neighborhood meeting.

Staff Response: If a problem were to arise with guests or neighbors, who would be the primary point of contact? How long would a response take?

Applicant Response: Jake Patton will be the primary point of contact at 816-872-9619. The expected response time to the property is expected to be 10 minutes or less.

2. How will you pay appropriate lodging taxes?

Applicant Response: We will list our home through services that collect appropriate taxes for us i.e. Airbnb & VRBO.

3. How many rooms are rented?

Applicant Response: This property is a duplex and both units will be listed. Each unit consists of three bedrooms and two full bathrooms.

4. What is the maximum number of people that will be staying at any one time?

Applicant Response: We would prefer to list the maximum occupancy for each unit at 6 people.

5. What is the maximum number of vehicles and where will they park?

Applicant Response: We will request that guests bring no more than two vehicles per unit. We have three parking spaces available in our driveway which would require one vehicle to be parked on the street if the maximum number of vehicles are at the property.

6. How often are guests in the residence?

Applicant Response: The residence will not be rented until we've received the proper permits and until that time, we are unsure how often guests will be at the home.

7. Do you have a rental license from the Unified Government?

Applicant Response: We are currently in the process of obtaining this license. We have completed the application, paid the fee, and are waiting for our final inspection of the property.

8. Provide a detailed description of the areas rented for AIRBNB.

Applicant Response: Each unit at 819 Southwest Boulevard consists of three bedrooms and two full bathrooms, a kitchen, living room, dining room and entry. Each bedroom has its own closet and each bathroom has a shower and vanity. The interior of the property has been completely remodeled to provide the modern amenities for safety and comfort. The only shared space between the two units is on the exterior including the yard, deck and private parking spaces attached to the home. Each unit has its own private entry with a coded, automatic deadbolt.

9. Describe how you will maintain a safe environment including:

- a. Working smoke detectors in each bedroom plus each level of the unit/house
- b. GFCI outlets are required in bathrooms
- c. Double keyed locks are not allowed
- d. Copper cannot be used for gas supply lines
- e. Windows must be operable, not blocked or boarded
- f. Handrails are required at sets of 4 or more stairs/risers
- g. Hot water tank and furnace must be vented properly and operational
- h. Electric panel and circuits must be safe

Applicant Response: This property has undergone a full remodel. Building permits were pulled for the project and the building has been brought up to current building code requirements. Some updates include hardwired smoke detectors and CO2 detectors installed throughout the house per current code. GFCI outlets have been installed in kitchens in bathrooms. Exterior doors are not double keyed. All copper gas lines have been removed from the property and replaced with steel gas lines. All windows throughout the house have been refurbished so that they are operable, and all broken glass has been replaced. Handrails have been installed in appropriate locations. Each hot water tank and furnace have been recently serviced and proper venting has been verified. Each unit has had a brand-new electric service panel installed per current code.

10. Will the host remain on-site while guests are staying?

Applicant Response: The host may or may not be on-site. If not on site the host will likely be at their residence, approximately 8 minutes away.

11. Provide photos of interior area where guests will stay.

Applicant Response: Photographs submitted

12. If approved, approval for one (1) year.

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**

Written Responses

Describe how you will communicate with neighbors.

We intend to give out our contact information at the neighborhood meeting as well as times that we meet neighbors face to face. We will also provide out contact information in the mailers for notification of the neighborhood meeting.

Describe how you will pay appropriate lodging taxes?

We will list our home through services that collect appropriate taxes for us i.e. Airbnb & VRBO.

How many rooms are rented?

This property is a duplex and both units will be listed. Each unit consists of three bedrooms and two full bathrooms.

What is the maximum number of people that will be staying at any one time?

We would prefer to list the maximum occupancy for each unit at 6 people.

What is the maximum number of vehicles and where will they park?

We will request that guests bring no more than two vehicles per unit. We have three parking spaces available in our driveway which would require one vehicle to be parked on the street if the maximum number of vehicles are at the property.

How often are guests in the residence?

The residence will not be rented until we've received the proper permits and until that time we are unsure how often guests will be at the home.

Do you have a rental license from the unified government for the facility?

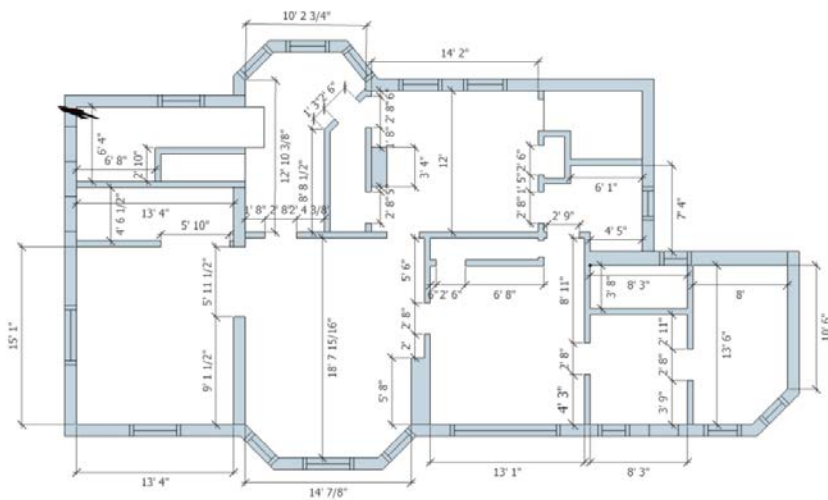
We are currently in the process of obtaining this license. We have completed the application, paid the fee, and are waiting for our final inspection of the property.

Provide a detailed description of the areas rented for Airbnb/other rental operations.

Each unit at 819 Southwest Boulevard consists of three bedrooms and two full bathrooms, a kitchen, living room, dining room and entry. Each bedroom has its own closet and each bathroom has a shower and vanity. The interior of the property has been completely remodeled to provide the modern amenities for safety and comfort. The only shared space between the two units is on the exterior including the yard, deck and private parking spaces attached to the home. Each unit has its own private entry with a coded, automatic deadbolt.

Describe how you will maintain a safe environment.

This property has undergone a full remodel. Building permits were pulled for the project and the building has been brought up to current building code requirements. Some updates include hardwired smoke detectors and CO2 detectors installed throughout the house per current code. GFCI outlets have been installed in kitchens in bathrooms. Exterior doors are not double keyed. All copper gas lines have been removed from the property and replaced with steel gas lines. All windows throughout the house have been refurbished so that they are operable and all broken glass has been replaced. Handrails have been installed in appropriate locations. Each hot water tank and furnace have been recently serviced and proper venting has been verified. Each unit has had a brand new electric service panel installed per current code.



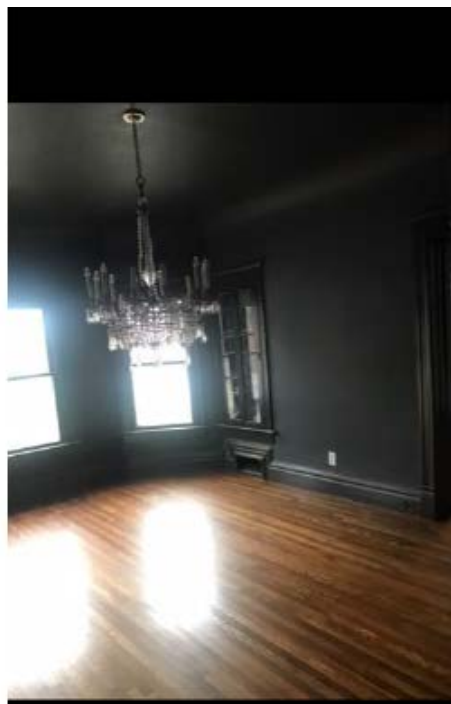






A large empty room

Description automatically generated







Meeting Minutes

Application Number: **SP 2019-75**

Date and Location: **Rosedale Development Association**, 1403 Southwest Boulevard, KC KS 66103

Meeting called to order at: 6:05 pm

Names of people in attendance:

- Jake Patton (petitioner)
- Trey Morgan (co- owner of property)
- Christine Sciolaro (815 Southwest Boulevard)
- Mike Coons (815 Southwest Boulevard)

The meeting began with introductions and discussions about personal and professional backgrounds amongst all attendees at the meeting. Conversation was very informal and flowed from discussion about other neighbors in the area, to common connections in the greater KC area, and then eventually to our proposed plan to have short term rentals in the area.

Christine asked what our plans were generally, explaining that she has used AirBnb once before but was not super familiar with the process. Trey and myself explained how the process works, including our vetting process, our desire to protect our property and our intent to rent to no person we deem unfit for our home or our neighborhood. We also explained that should there ever be an issue, our neighbors can call us immediately, anytime day or night, on our cell phones (if we are not already present on the property).

Christine then asked if we would be living at the property while renting it. We explained that we may or may not be present on site. We explained that if we were not onsite it is likely that we would be at our home at 431 N Thompson which is approximately 8 minutes away. We also explained that we will be the ones managing and cleaning the property so they should expect to see us frequently.

Christine and Mike stated that they did not feel like they had any objections to the house being used for short term rentals. Trey and I reiterated that we have had good experiences with AirBnB and that should they have any other questions or issues they should call us.

The meeting ended with all attendees trading personal phone numbers. A short discussion followed about the history of the neighborhood.

Meeting adjourned at 7:10 pm

Minutes taken by: Jake Patton

Sign-In Sheet

	<u>Name</u>	<u>Street Address</u>
1.	Christine Swlara	815 Southwest Blvd. KC KS 66103
2.	Mike Coons	"
3.		
4.		
5.		
6.		
7.		
8.		
9.		

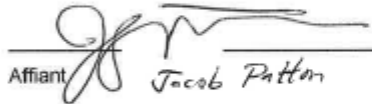
AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Wyandotte)

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

1. That I am the petitioner for Petition # SP-2019-75
2. That I conducted a neighborhood meeting on 6-23-2019.
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.


Affiant Jacob Patton

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 24 day of June, 2019

My commission expires 29 of Sept., 2019


Notary Public

Michelle D. Lehr
Notary Public Notary Seal
State of Missouri
Jackson County
My Commission Expires September 29, 2019
Commission #15999842

To whom it may concern,

I am very pleased to write you a formal letter of reference regarding Trey Morgan's Airbnb properties. My wife and I purchased a property over a year ago that neighbors Mr. Morgan's Airbnb property in Drasco, AR.

Right from the first interaction, my wife and I had a positive perception of Mr. Morgan. In general Mr. Morgan comes across as a person that is trustworthy, easy to talk to, and has a friendly demeanor. In our case, since we were new to the area, Mr. Morgan was extremely helpful in getting us connected to local contractors that could provide services to help us get our home in great shape. One of the reasons we chose this neighborhood was because of Mr. Morgan's Airbnb property. It was impeccably clean and well-manicured. This made me feel good about the purchase, because I knew the owner (my new neighbor) cared about their property.

Since owning my property, I have never had any issues with any renters utilizing Mr. Morgan's Airbnb. If any issues were to arise, I would contact Mr. Morgan and I trust he would handle them quickly and professionally.

Overall, Mr. Morgan takes very good care of his property. If I personally had the means to purchase a property for Airbnb usage I would try and hire Mr. Morgan to manage it for me.

Regards,

Corey Dildine

Fwd: Property Reference

Trey Morgan <t_morgan4@hotmail.com>

Tue 4/30/2019 2:26 PM

To: Trey Morgan <trey@ReeceNichols.com>

Begin forwarded message:

From: "Jimmie Kay Finch" <finchj@comcast.net>

Date: April 30, 2019 at 2:25:51 PM CDT

To: <t_morgan4@hotmail.com>

Subject: Property Reference

To whom it may concern:

I own a vacation property next door to Trey Morgan.

He uses his property for VRBO/AirBnB rentals.

His house stays rented most of the time and I have never had an issue with any of the renters.

The renters are properly vetted and treat the property and neighborhood with respect.

The housekeeper comes and goes and does not bother anyone.

Overall the property is well maintained and blends perfectly well with the owner occupied properties.

Trey handles his properties with a professional approach and I am happy to have him as a neighbor.

Fondly,
JK

Jimmie Kay Finch, Vice-President
#1 East Memphis Agent
Top 1% of Agents at Crye-Leike
CRS, ABR, SRS, e-PRO, AHWD, CRA
Multi-Million Dollar Club

Crye-Leike, Realtors

Fwd: Reference

Trey Morgan <t_morgan4@hotmail.com>
Tue 4/30/2019 12:42 PM
To: Trey Morgan <trey@ReeceNichols.com>

Begin forwarded message:

From: Shawn Fitzgerald <shawnftz@gmail.com>
Date: April 25, 2019 at 4:47:20 PM CDT
To: t_morgan4@hotmail.com
Subject: Reference

To whom it may concern,

I am a next door neighbor to one of Trey Morgan's Airbnb properties. He is a great neighbor and cares for his home beautifully. It is well maintained and has been good at vetting potential renters. I have never any problems or issues, and if I did, I am sure that Mr Morgan would handle them promptly.

Thank you for your time.

Sincerely,

Shawn Fitzgerald
(901)461-5902



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: July 25, 2019
Re: Petition #SP-2019-78

GENERAL INFORMATION

Applicant:
Dennis Zolotor

Status of Applicant:
Owner
Safe & Sound Consultants, LLC
3136 South 73rd Terrace
Kansas City, KS 66106

Requested Action:
Renew a Special Use Permit
(Home Occupation)

Date of Application:
May 23, 2019

Purpose:
Renew a Special Use Permit (Home Occupation) to sell firearms and other protective weapons from applicant's home-run business

Property Location:
3136 South 73rd Terrace



Commission Districts:

1. Commissioner At Large: Tom Burroughs
2. District Commissioner: Angela Markley

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 residences

South: Single-family residence

East: Single-family residences

West: Vacant lot (owned by applicant)

Total Tract Size: 0.62 acre

Master Plan Designation: The City-Wide Master Plan designates this property Rural-Density Residential

Major Street Plan: The Major Street Plan designates South 73rd Terrace, Oliver Street, and Oliver Circle as local/neighborhood streets. The Major Street Plan designates South 74th Street as a collector street.

Advertisement: The Wyandotte Echo – June 13, 2019
Letters to Property Owner – June 12, 2019 and July 11, 2019

Public Hearings: July 8, 2019 and July 25, 2019

Public Opposition: No one appeared in opposition at the July 8, 2019 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: Applicant seeks the renewal of a Special Use Permit to continue operating his business from his primary residence. The applicant's business, Safe & Sound Consultants, LLC specializes in internet safety, security, and environmental health consulting, as well as conducts firearms sales.

City Ordinance Requirements: Article VIII Sections 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. *The Character of the Neighborhood.*

The neighborhood is made up of 16 single-family residences primarily centered around a cul-de-sac on the southern border of Wyandotte County.

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

The property is surrounded by industrial uses, with a focus on automotive repair, parts, and sales. The property conforms with the surrounding 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.*

There have been mixed responses from the neighbors when the applicant first applied for a Home Occupation Special Use Permit in 2008 (#SP-2008-9 approved June 26, 2008). At the renewal public hearing on May 28, 2009 it was revealed that there were still mixed responses from neighbors; the applicant was granted a 2-year renewal under SP-2009-16. In the past two renewals heard before the Board of Commissioners—June 26, 2011 and March 30, 2017—no opposition had been given by neighbors.

The applicant was not required to host a neighborhood meeting because the Special Use Permit is for a home occupation, so there was no neighborhood feedback that could be gleaned. Additionally, no neighbors have contacted the staff. The only other way for staff to gauge if the neighborhood still has concerns would be at the public hearing. Their concerns or lack thereof will help indicate whether this business' continued operation is appropriate for the area.

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

The property is the primary residence of the applicant.

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

Special use permits are not addressed in the City-Wide 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.*

This has not been an issue in the past. In a recent letter sent to Development Review Coordinator regarding the renewal of the Special Use Permit, the applicant stated that his business hours would remain 6 PM – 9 PM on Monday – Friday, and 10 AM – 6 PM on Saturday and Sunday. The applicant also stated in the same letter that all customer visits to the business are made by appointment,

so there are no surprise visits. Thus, increased traffic flow is minimal and predictable.

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.*

A home business such as one run by the applicant is not essential nor convenient to the neighborhood in the same way that a local grocery or even child-care center would be: a business providing essential services that is primarily run for and receiving most of its patronage from the local neighborhood.

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.*

In the most recent past renewal, SP-2017-13, the applicant specified that no weapons would be fired on the premises. This stipulation will remain in place in order to reduce excess noise and promote safety.

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

This is not expected to be an issue.

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.*

As the security business is for paying customers only and there is little in the way of positive externalities, the relative gain to the public health, safety, and welfare is great, even in relation to the hardship imposed on the individual landowner.

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

As mentioned previously, the applicant states that all business conducted at the home business is done by appointment. This limits the number of people at the residence at any one time, and therefore prevents any overcrowding or large surges in traffic.

PREVIOUS ACTIONS

SP-2008-9, Special Use Permit (Home Occupation), to operate a home-run personal security company licensed to sell firearms, approved for 1 year

SP-2009-16, Special Use Permit (Home Occupation), to operate a home-run personal security company licensed to sell firearms, approved for 2 years
SP-2011-30, Special Use Permit (Home Occupation), renewed for 5 years
SP-2017-13, Special Use Permit (Home Occupation), renewed for 2 years

NEIGHBORHOOD MEETING

Neighborhood meetings are not required for home occupation special use permits.

KEY ISSUES

Signage, traffic, public safety

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2019-78, subject to:

Urban Planning and Land Use Comments:

1. **Proof of compliance with original stipulations, which were in effect for the most recent renewal, SP-2017-13. The applicant shall have:**
 - a. **No signs**
 - b. **No employees other than members of the immediate family residing on the premises**
 - c. **No more than two clients at any one time**
 - d. **Hours of operation being Monday through Friday from 6:00 PM – 9:00 PM and Saturday and Sunday from 10:00 AM – 6:00 PM**
 - e. **Ammunition on the premises shall be limited to the amount that is for the applicant's personal use only.**

Applicant Response: Stipulations acknowledged

2. **Have there been any complaints by neighborhoods about the property or the home business since the last public hearing for renewal, on March 30, 2017?**

Applicant Response: I have not received any complaints from my neighbors, nor am I aware of any complaints regarding my home business made to the Unified Government.

3. **Please provide updated photos of the business/office space.**

Applicant Response: No photos have been sent.

4. **Subject to approval, this Special Use Permit shall be valid for five (5) years.**

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

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-2019-78** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

July 8, 2019 City Planning Commission Minutes
Photos of Home Business
Emails Re: Adjustment of Renewal Period

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	July 8, 2019	July 25, 2019
Special Use Permit	Approval	

STAFF CONTACT: **Mike Farley**
 mfarley@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2019-78** 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-2019-78**, 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.

July 8, 2019 City Planning Commission Minutes:

SPECIAL USE PERMIT APPLICATION #SP-2019-78 – DENNIS ZOLOTOR –

SYNOPSIS: Renewal of a Home Occupation Special Use Permit (#SP-2017-13 – expired 3/30/2019) for an in-home safety business (internet and in-person sales of firearms and supplies) and consulting services providing safety, security and firearms training at 3136 South 73rd Terrace. **Detailed Outline of Requested Action:**

Applicant seeks the renewal of a Special Use Permit to continue operating his business from his primary residence. The applicant's business, Safe & Sound Consultants, LLC specializes in internet safety, security, and environmental health consulting, as well as conducts firearms sales.

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?" (No one responded in the affirmative.)

"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 July 8, 2019;
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 Carson asked if anyone wished to remove an item from the Consent Agenda. Planning Commissioner Connelly requested that #SP-2019-78 be removed from the Consent Agenda.

Planning Commissioner Connelly asked the applicant why it took him so long to submit his application for renewal. Mr. Zolotor stated that he had been traveling, it got buried in his email, and he did not know what to do. Mr. Connelly asked him if he was the one that has renewed several times or was that someone else. Mr. Zolotor stated it was him; he had been traveling and it got lost in his emails. Mr. Connelly asked if he has a business license and if it is current. Mr. Zolotor stated yes. Mr. Connelly asked staff if the applicant has a business license. Director Richardson stated that if he did not have a business license, he would have been notified by Business License. Mr. Connelly asked if he will be required to have a license for the 5-year special use permit period and Director Richardson stated yes. If he does not have a business license, staff will be notified by the Business License Department.

Present in Support:

- ❖ Dennis Zolotor, applicant, 3136 South 73rd Terrace, Kansas City, Kansas 66106

Present in Opposition:

- ❖ No one appeared

Staff Recommendation: Planning Director Richardson stated that the staff recommends approval subject to the stipulations in the staff report.

On motion by Ms. Huey, seconded by Dr. Neal the Planning Commission voted as follows to recommend **APPROVAL of Special Use Permit #SP-2019-78:**

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

Urban Planning and Land Use Comments:

1. **Proof of compliance with original stipulations, which were in effect for the most recent renewal, SP-2017-13. The applicant shall have:**
 - a. **No signs**
 - b. **No employees other than members of the immediate family residing on the premises**
 - c. **No more than two clients at any one time**
 - d. **Hours of operation being Monday through Friday from 6:00 PM – 9:00 PM and Saturday and Sunday from 10:00 AM – 6:00 PM**

- e. Ammunition on the premises shall be limited to the amount that is for the applicant's personal use only.

Applicant Response: Stipulations acknowledged

- 2. Have there been any complaints by neighborhoods about the property or the home business since the last public hearing for renewal, on March 30, 2017?

Applicant Response: I have not received any complaints from my neighbors, nor am I aware of any complaints regarding my home business made to the Unified Government.

- 3. Please provide updated photos of the business/office space.

Applicant Response: No photos have been sent.

- 4. Subject to approval, this Special Use Permit shall be valid for five (5) years.

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:
 - 2) None

PHOTOS OF HOME BUSINESS



EMAILS RE: ADJUSTMENT OF RENEWAL PERIOD

 Fri 4/7/2017 9:19 AM
Richardson, Rob
RE: Draft Staff Report #SP-2017-13
To: Dennis Zolotor; PlanningInfo; Parker, Janet

Dennis,

The County Administrator is the only one that can waive fees. At the meeting, he verbally authorized waiving the 2019 fee because of the error concerning the timing (2 years vs 5). I cannot waive other fees. We will not charge a fee for your 2019 renewal. All other fees are due along with any associated charges etc.

I am asking Janet to copy this to the 2017 case file so the record will be available upon your next application.

For future reference, please specify the number of years being requested for your renewal. If you did this time and we missed it, my apologies.

Rob

 Fri 4/7/2017 9:19 AM
Richardson, Rob
RE: Draft Staff Report #SP-2017-13
To: Dennis Zolotor; PlanningInfo; Parker, Janet

From: Dennis Zolotor [<mailto:dzolotor@safesound.co>]
Sent: Friday, April 07, 2017 8:55 AM
To: PlanningInfo <Planninginfo@wycokck.org>; Parker, Janet <jparker@wycokck.org>; Richardson, Rob <RRichardson@wycokck.org>
Subject: Fwd: Draft Staff Report #SP-2017-13

Good morning Rob,

I brought to your attention at the last full Commission meeting that my SUP was recommended for approval for 2 years instead of the normal 5 years. I was surprised that I didn't receive any communication about this change, especially since there was no opposition to the SUP 5 years ago or for this renewal.

We discussed and agreed to allow the Commission to approve the 2 year SUP on the Consent Agenda and then in 2 years when this comes up for approval again you will waive the permit fee.

Also, I postponed paying the 2017 permit fee until the SUP was fully approved, as the timing of it being due was just before the SUP approval process. Are you able to waive the late fee?

Thank you for your help,

Dennis Zolotor
Safe & Sound Consultants, LLC
<http://www.safesound.co>
(913) 369-0347
NRA Certified Instructor: Rifle, Pistol, Shotgun, Personal Protection in the Home, Home Firearm Safety
NRA Certified Law Enforcement/Security Instructor: Pistol, Shotgun
NRA Certified Range Safety Officer
NRA Life Member
SecondCallDefense Insurance (Recruiter #20096)
NRA Recruiter (Recruiter #XC016486) Click [Here](#) to save \$10 when you Join, Renew, or Add a Year!



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: July 25, 2019
Re: Petition #SP-2019-79

GENERAL INFORMATION

Applicant:
Matt Brodine

Status of Applicant:
Owner
1316 North 20th Street
Kansas City, KS 66102

Requested Action:
Approval of special use permit

Date of Application:
May 24, 2019

Purpose:
To operate a short term rental/ AIRBNB

Property Location:
1316 North 20th Street

Commission Districts: Commissioner At Large: Melissa Bynum
District Commissioner: Harold L. Johnson, Jr.

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 homes
South: Single family homes
East: Single family homes
West: Single family homes

Total Tract Size: .33 acre

Master Plan Designation: The City Wide Master Plan designates this property as Urban Residential.

Major Street Plan: The Major Street Plan classifies North 20th Street as a local street.

Advertisement: The Wyandotte Echo – June 13, 2019
Letters to Property Owner – June 12, 2019 and July 11, 2019

Public Hearings: July 8, 2019 and July 25, 2019

Public Opposition: No one appeared in opposition at the July 8, 2019 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Matt Brodine, has requested a special use permit to operate as a short-term rental/AIRBNB for up to six (6) guests out of his primary residence at 1316 North 20th Street.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is entirely residential.

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

The zoning and uses are set out above. The proposed use is expected to be compatible.

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 the proposed use and the removal of the restrictions will 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 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 of the welfare of the public but will not substantially or 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.*

The proposed use is not expected to cause excessive noise, vibration, dust or illumination that would be problematic for nearby property owners.

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

The proposed use will not pollute the air, land or water.

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

This is 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.*

The relative gain to the public health, safety and welfare as compared to the hardship imposed on the landowner is minimal.

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

This is not applicable.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on June 19, 2019. Meeting minutes, sign-in and affidavit are attached.

KEY ISSUES

None

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2019-79, subject to:

Business License Comments:

1. If approved, applicant will need to file occupation tax application with this office for the AIRBNB business activity.

Applicant Response: We will do this. Please direct me to the application.

Urban Planning and Land Use Comments:

1. How will you communicate with the neighbors?

Applicant Response: We have already had a neighborhood meeting in which our neighbors were very supportive and offered to help us in any way. We have monthly HWNA meetings and have plenty of contact to be able to communicate with our neighbors.

2. How will you pay appropriate lodging taxes?

Applicant Response: We plan to file an occupation tax application to comply with this.

3. How many rooms are rented?

Applicant Response: We will rent the main floor, upper floor and garage area. This includes 3 bedrooms, kitchen, dining, living room, and single bay garage area.

- 4. What is the maximum number of people that will be staying at any one time?**

Applicant Response: Max occupancy will be set at six people.

- 5. What is the maximum number of vehicles and where will they park?**

Applicant Response: 2 vehicles will be allowed. There will be space for 1 vehicle in the garage and ample space for 1 or 2 vehicles in the driveway.

- 6. How often are guests in the residence?**

Applicant Response: We plan to set availability 7 days a week when we are away from home.

- 7. Do you have a rental license from the Unified Government?**

Applicant Response: If required we will apply for this.

- 8. Provide a detailed description of the areas rented for AIRBNB.**

Applicant Response: See response to question #3.

- 9. Describe how you will maintain a safe environment including:**

- a. Working smoke detectors in each bedroom plus each level of the unit/house**
- b. GFCI outlets are required in bathrooms**
- c. Double keyed locks are not allowed**
- d. Copper cannot be used for gas supply lines**
- e. Windows must be operable, not blocked or boarded**
- f. Handrails are required at sets of 4 or more stairs/risers**
- g. Hot water tank and furnace must be vented properly and operational**
- h. Electric panel and circuits must be safe**

Applicant Response:

a. Done

b. Done

c. Understood

d. Understood

e. Done

f. Done

g. Done

h. Done

10. Will the host remain on-site while guests are staying?

Applicant Response: No.

11. Provide photos of interior area where guests will stay.

12. Maximum number of guests allowed is six (6).

13. Maximum number of vehicles for guests allowed is two (2).

14. If approved, approval for one (1) year.

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

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-2019-79 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

July 8, 2019 City Planning Commission Minutes

Floorplan

Photos

Neighborhood Meeting Minutes, Sign-In and Affidavit

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	July 8, 2019	July 25, 2019
Special Use	Approval	

STAFF CONTACT: **Kimberly Portillo**
 kportillo@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**SP-2019-79** 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-2019-79** 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.

July 8, 2019 City Planning Commission Minutes:

Director Richardson recused himself at 1:15:42

Hearing Starts 1:15:42:

SPECIAL USE PERMIT APPLICATION #SP-2019-79 – MATT BRODINE –

SYNOPSIS: Home Occupation Special Use Permit for a short-term rental/AIRBNB at 1316 North 20th Street. ***Detailed Outline of Requested Action:*** The applicant, Matt Brodine, has requested a special use permit to operate as a short-term rental/AIRBNB for up to six (6) guests out of his primary residence at 1316 North 20th Street.

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 July 8, 2019
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 June 13, 2019; and
7. The Notices to property owners dated June 12, 2019.

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

Present in Support:

- ❖ Matt Brodine, applicant, 1316 North 20th Street, Kansas City, Kansas 66102

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts 1:19:23: Planner Portillo stated that the staff recommends approval subject to the stipulations outlined in the staff report.

Motion and Vote Starts 1:19:33:

On motion by Dr. Serda, seconded by Ms. Huey, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit Application #SP-2019-79:

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

Motion to RECOMMEND APPROVAL Passed 6 to 0

Subject to:

Business License Comments:

1. If approved, applicant will need to file occupation tax application with this office for the AIRBNB business activity.

Applicant Response: We will do this. Please direct me to the application.

Urban Planning and Land Use Comments:

1. How will you communicate with the neighbors?

Applicant Response: We have already had a neighborhood meeting in which our neighbors were very supportive and offered to help us in any way. We have monthly HUNA meetings and have plenty of contact to be able to communicate with our neighbors.

2. How will you pay appropriate lodging taxes?

Applicant Response: We plan to file an occupation tax application to comply with this.

3. How many rooms are rented?

Applicant Response: We will rent the main floor, upper floor and garage area. This includes 3 bedrooms, kitchen, dining, living room, and single bay garage area.

4. What is the maximum number of people that will be staying at any one time?

Applicant Response: Max occupancy will be set at six people.

5. What is the maximum number of vehicles and where will they park?

Applicant Response: 2 vehicles will be allowed. There will be space for 1 vehicle in the garage and ample space for 1 or 2 vehicles in the driveway.

6. How often are guests in the residence?

Applicant Response: We plan to set availability 7 days a week when we are away from home.

7. Do you have a rental license from the Unified Government?

Applicant Response: If required we will apply for this.

8. Provide a detailed description of the areas rented for AIRBNB.

Applicant Response: See response to question #3.

9. Describe how you will maintain a safe environment including:

- a. Working smoke detectors in each bedroom plus each level of the unit/house**
- b. GFCI outlets are required in bathrooms**
- c. Double keyed locks are not allowed**
- d. Copper cannot be used for gas supply lines**
- e. Windows must be operable, not blocked or boarded**
- f. Handrails are required at sets of 4 or more stairs/risers**
- g. Hot water tank and furnace must be vented properly and operational**
- h. Electric panel and circuits must be safe**

Applicant Response:

- a. Done**

- b. Done*
- c. Understood*
- d. Understood*
- e. Done*
- f. Done*
- g. Done*
- h. Done*

10. Will the host remain on-site while guests are staying?

Applicant Response: No.

11. Provide photos of interior area where guests will stay.

12. Maximum number of guests allowed is six (6).

13. Maximum number of vehicles for guests allowed is two (2).

14. If approved, approval for one (1) year.

Public Works Comments:

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

1) None.

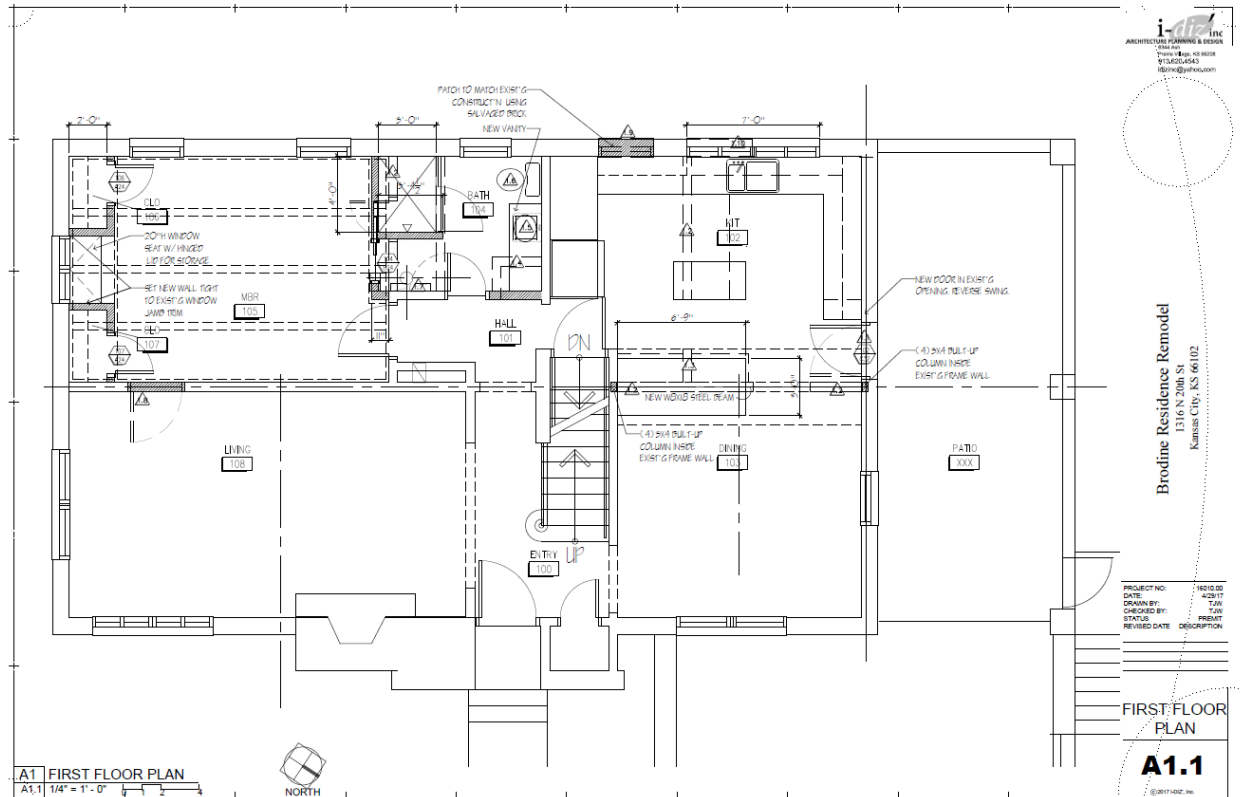
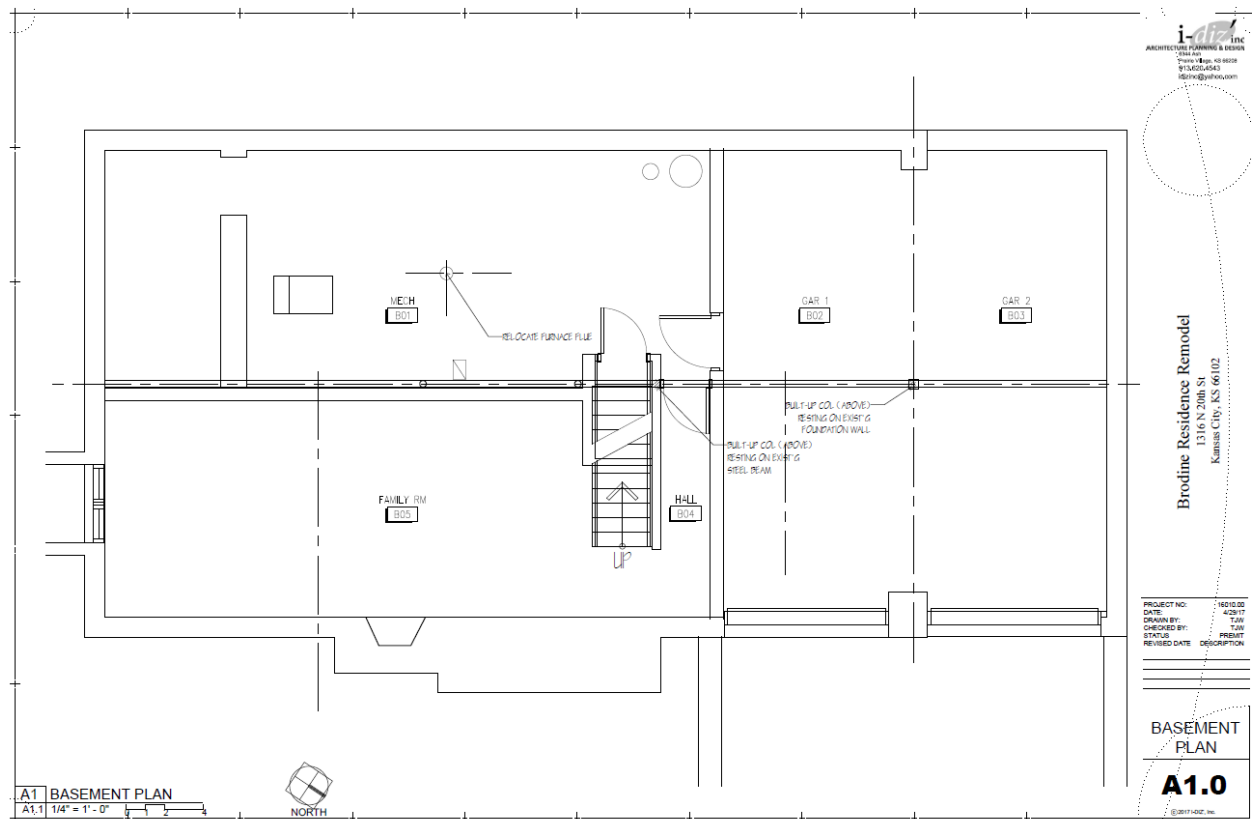
B) Items that are conditions of approval (stipulations):

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

Director Richardson rejoined the meeting at 1:20:08.









Application Number_#SP-2019-79

Date and Location:_June 19, 2019, 1300 N. 18th St., KCK, 66102

Meeting called to order at: 7:03PM

Names of people in attendance: See attached Sign-in sheet

Introductions: Matt Brodine called the meeting to order

Matt Brodine summarize the background leading to the plan to list his primary residence on AirBnB and also described the SUP process that the city requires.

Questions and answers (include the following):

- 1) Is the SUP (if granted) permanent or renewable?
 - a. Matt: My understanding is that the SUP is granted for 1 year and after that would need to be renewed.
- 2) How do you vet someone who wants to rent on AirBnB?
 - a. Matt: Each renter brings their stay-history with them with every rental. Therefore renters build up a reputation for being "good" or "bad" and can be evaluated in this way. Additionally, there is often correspondence prior to acceptance of a rental request to ensure we would feel comfortable with a given renter.
 - b. Others in the room also commented similarly that they have stayed at many AirBnB properties and this is indeed the case.
- 3) Will you allow pets?
 - a. Matt: We currently have a dog and are comfortable with small-medium pets, but we are still evaluating this.
- 4) Who are the target people who you would expect to stay at your home?
 - a. Matt: We believe that downtown KCK and KCMO business travelers may like to stay in Historic Westheight. Also we believe that families who have loved ones at KU Med would also find it comforting and convenient to be able to stay in a home rather than a hotel here in KCK.
- 5) How does AirBnB insurance work in case of damages?
 - a. Matt: AirBnB has an insurance policy that covers rental properties. Any damages would be run through this prior to contacting our personal home insurance company.

Meeting adjourned at: 7:35PM

Minutes taken by:_Matt Brodine

1316 SUP Meeting

Meeting attendance record:

6/19/19

Name:

Margaret Mosley
Mary Ann Sorensen & Tom

Lee Ann & Don Deneen

Susan J. Allen

Jeff Fendorf

STAN & PAM DASINSKAS

MARY SMITH

Darcy Nichols-Curtiss (913) 558-2154

Grant Buller

Reese Fausser

Edna + Wenslo Alvarez

Jim Schraeder 2100 Washington Blvd.,

Kara Ericksen

Eric Kanzi

AFFIDAVIT - NEIGHBORHOOD MEETING

STATE OF Kansas)
) SS:
COUNTY OF Johnson)

Comes now Matt Brodine of lawful age, sound mind and open his/her oath states as follows:

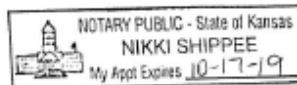
1. That I am the petitioner for Petition # SP-2019-79
2. That I conducted a neighborhood meeting on 6/19/19
3. Attached are the minutes/summary of the meeting and a copy of the notice mailed to the property owners on the list provided by the Urban Planning and Land Use Department.

Further affiant saith not.

Matt Brodine
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 26th day of June, 2019.
My commission expires NOV 17th of October, 2019

Nikki Shippee
Notary Public





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: July 25, 2019
Re: Petition #PR-2019-11

GENERAL INFORMATION

Applicant:
Dave Olson

Status of Applicant:
Representative
SC Investors KCK, LLC
7200 West 132nd Street, Suite 150
Overland Park, KS 66213

Requested Action:
Approve final plan

Date of Application:
March 29, 2019

Purpose:
Preliminary and final plan review for a
primary care medical office facility.

Property Location:
9801 Parallel Parkway

Existing Zoning:
CP-2 Planned General Business District



Surrounding Zoning: **North:** CP-2 Planned General Business District
 South: CP-2 Planned General Business District
 East: CP-2 Planned General Business District
 West: CP-2 Planned General Business District

Existing Uses: **North:** Convenience Store Gas Station
 South: Car Wash
 East: Undeveloped Lot
 West: Undeveloped Lot

Total Tract Size: 1.28 acres

Master Plan Designation: The Prairie Delaware Piper Master Plan designates this property as Planned Mixed Entertainment/Commercial District.

Major Street Plan: The Major Street Plan classifies 98th Street as a Class C Thoroughfare

Advertisement: Property Owner Letters – April 15, 2019, May 16, 2019, June 4, 2019 and July 11, 2019
 Wyandotte Echo – Not required

Public Hearings: July 8, 2019 and July 25, 2019

Public Opposition: No one appeared in opposition at the July 8, 2019 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Dave Olson with SC Investors KCK, LLC wants to build a 7,786 square foot primary care medical office facility, in conjunction with a lot split at 9801 Parallel Parkway. This includes a preliminary development plan for lots 3A and 3B and a final development plan for lot 3B only.

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

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The neighborhood is comprised of commercial and recreational uses, most of which has been developed in the past decade. There are some undeveloped lots remaining adjacent to this one.

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 layout may have a negative impact on the flow of traffic to the gas station to the north. Currently the entrance along North 98th Street serves as access for larger trucks turning into the gas station. This layout would reconfigure that design and cause traffic to have to flow through the proposed parking lot for the medical building to access the gas station. The applicant has worked with staff to create a signage plan that will direct traffic towards Troup Avenue and prevent illegal turns on 98th Street.

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

The proposed use conforms to the 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 be designed to meet City Code

d. *Police*

Police service is provided by the West Patrol, District #225

e. *Fire*

Fire service is provided by Station #6 located at 98th Street and State Avenue.

f. *Transit*

Kansas City ATA provides transit serve near this property, Route #116.

g. *Schools*

Kansas City, Kansas USD 500

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

The applicant has worked with staff to modify the plans so that they meet applicable ordinance requirements, Commercial Design Guidelines, and Legends Auto Plaza Conceptual Design Guide.

PREVIOUS ACTIONS

This parcel was part of a larger change of zone, #3074 recommended for approval by the City Planning Commission and approved by the Unified Government Board of Commissioners August 11, 2014 and August 28, 2014, respectively.

This parcel was part of a final plan review, #PR-2016-8 approved by the City Planning Commission on September 12, 2016.

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on June 7th, 2019. Neighborhood meeting minutes, sign-in sheet and affidavit are attached.

KEY ISSUES

Compliance with the Legends Auto Plaza Design Criteria
Compliance with the Commercial Design Guidelines
Shared Access Agreement

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Plan Review Application #PR-2019-11, subject to:

Urban Planning and Land Use Comments:

General Planning:

1. A future final development plan shall be required for lot 3A Retail Space at the time of development.
2. As a stipulation of approval, no development may commence until such time as the development agreement has been amended.
3. Staff has been working with the applicant to develop drive entrances that do not cause conflicts with traffic along North 98th Street and Troup Avenue.
4. Review and respond to the attached comments from Conservation District.

Applicant Response: Acknowledged.

5. Update Building and Site Data chart on Sheet C300 to indicate the following parking requirements:
 - a. Sec. 27-668 Special Parking Needs
Medical and dental clinics. One space for each 200 square feet of floor area. Building S.F. 7,786. Parking Required: 39

Applicant Response: Parking count on sheet c300 has been updated per the above.

6. Parking lot shall be paved and striped.
 - a. Accessible spaces shall be ADA compliant
 - i. Symbols shall be painted on the ground.
 - ii. Sign placards shall be installed in front of the stall at 60" above the finished floor or ground surface measured to the bottom of the sign.
 - iii. Access aisle shall be a minimum of 60" wide and extend the full length of the parking stall.
 - iv. One (1) in every six (6) accessible spaces shall be designated as "Van Accessible".

Applicant Response: Accessible parking is ADA compliant per grading details and dimensions. Van accessible parking has been provided.

7. Identify location of dumpster enclosure.

Applicant Response: Dumpster enclosure shown on plans. Elevations provided by Architect.

Landscaping and Screening:

1. Commercial Design Guidelines call for a 75% multiplier of trees required.
55,756.8 total site area/ 7,000 sf = 8 trees required
CDG 75% Multiplier: 8 x .75 = 6 trees required
Total= 14 trees, this does not include the street trees that are required in comment 3 below but can include parking lot island trees.

Applicant Response: The above trees have been included with the revised landscape plan.

2. 1 shade tree is required per 20 stalls. 67 stalls = 4 shade trees

Applicant Response: Shade trees have been added to the Landscape Plan per the requirement

3. Sec. 27-577(b)(3) Street trees are required to be provided for every thirty (30) feet of street easement or frontage. As part of the previous Final Development Plan for this site and the adjacent convenience store site street trees were calculated and approved along 98th Street and Troup

Avenue. Redesign of this site shall not reduce the number of trees required per the previous approvals. Additional trees are needed for this site.

Applicant Response: Street trees have been added to the Landscape Plan per the requirement

4. New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. Revise along Troup Avenue.

Applicant Response: The parking lot has been modified to provide a 25' landscape buffer along Troup.

5. The Prairie Piper Delaware Master Plan states that all development shall have a streetscape that include street trees, pedestrian scale lighting along sidewalks and plantings. In addition to street trees, update to include pedestrian street lighting at regular interval along the sidewalks.

Applicant Response: The photometric plan has taken into account the requirement for pedestrian level lighting along the public sidewalks along with the light from 98th Street lighting. Per your email regarding adequate lighting along public sidewalk in reference to the gas station.

6. The Commercial Development Overlay District requires a landscape buffer around all parking and paved areas. Provide a continuous row of shrubs not to exceed 30" in height and/or low architectural wall around all parking and pavement areas.

Applicant Response: A continuous row of shrubs not to exceed 30" in height has been added all around parking.

7. Sec. 27-577(d)(1) At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers.

Applicant Response: Landscaping has been added to at least 75% of the building façade facing both 98th Street and Troup Avenue.

8. The master plant palette for this development, derived from the Legends Auto Plaza Conceptual Design Guide is as follows:

Trees

- a. Autumn Blaze Maple
- b. Armstrong Columnar Maple
- c. Imperial Honey Locust
- d. Autumn Brilliance Serviceberry
- e. Eastern Redbud
- f. Summer Snow Japanese Tree Lilac

- g. Eastern White Pine
- Native Grasses
 - a. Little Bluestem
 - b. Prairie Dropseed

Applicant Response: The plant palette has been updated to the above.

- 9. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the site and 3 gallons internal to the development when planted.

Applicant Response: This has been updated on the landscape plan

Building and Architectural Design:

- 1. Provide material palette with sample materials

Applicant Response: Sample material palette has been provided and includes:

- a. Beldon brick in black diamond velour
- b. Glen Gery brick in Aspen White
- c. Dryvit Stucco & EIFS, color 612 Moonlight, textures quarzputz and sandpebble

Staff Response: Sheet A-201, the EIFS on the north elevation exceeds the maximum percentage per façade. Each façade is permitted to have 15%. The north elevation is 18% EIFS. Reduce to 15% for permitting.

Applicant Response: See attached revised Sheet A-201. The North elevation has been revised to remove EIFS 2 and replace with Stucco 2, the East and West have been revised as well as band wraps the corner of the building. Each façade now has 15% or less of EIFS reducing the total EIFS percentage to 10.25%

- 2. Downspouts shall be internalized

Applicant Response: All downspouts are internalized; all canopy awnings have scuppers in lieu of downspouts.

- 3. All lighting shall have 90-degree cutoff fixtures

Applicant Response: Parking lot pole fixtures are 90-degree cutoff fixtures. Building wall packs are 90-degree cutoff and the decorative wall sconce is an up/down light. Please advise if this is acceptable.

- 4. Provide color elevations and materials for dumpster enclosure. All trash receptacles shall be enclosed with a screening wall or fence constructed of the same material(s) 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 the streets or adjacent land uses.

Applicant Response: See attached Sheet A-201 for color elevations of trash enclosure. Enclosure provides screening on all four sides and is constructed of a CMU masonry wall clad with the same brick as the primary building structure. The enclosure provides screening that is more than 6'-0" tall on all sides with the gate facing the parking lot.

5. 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.

Applicant Response: Utilities shall be screened with landscaping, please see revised landscape plan L100. Architectural plans and elevations have been revised to include a note which states, "Exterior wall-mounted equipment including, but not limited to, mechanical equipment, utilities and meter banks shall be painted to blend with the building, reference mechanical and electrical for locations."

Staff Response: The BPU transformer pad depicted on civil sheets, sheet C500 shall be completely screened on three (3) sides with 6-foot junipers setback 3 feet from the pad and 10 feet from the door opening. Additionally, if the transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the gate/enclosure shall be constructed in front of the transformer. If this cannot be accomplished, relocation of the transformer may be necessary for permitting.

Applicant Response: See attached Sheets C300, C500 and L100 for gate and 6' trees with 3' offset provided around the transformer. 10' setback has been provided to the edge of pavement from the enclosure gate.

6. Commercial development should take into account the architectural design of all building elevations- 360 degrees. Quality design should be expressed on all elevations of a building.

The east and west facades are treated the same as the front façade. Revise to incorporate the same architectural detail on each façade.

Applicant Response: Large expanses of glazing as seen on the North and South faces are not possible along the East and West facades due to the program on the interior. The East and West sides of the building are lined with exam rooms which require privacy. The windows in the exam rooms have been revised to be taller to provide more glazing along the East and West facades, but still provides privacy to the exam rooms. Canopies/awnings have been added to the South, East and West facades to mimic the North façade. Full height brick areas have also been added to the East and West facades to more closely resemble the North and South facades

7. In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three of the following techniques:
 - a. Divisions or breaks in materials
 - b. Building offsets (projections, recesses, niches)
 - c. Window bays
 - d. Separate entrances and entry treatment
 - e. Variation of roofline.

Revise east and west facades.

Applicant Response: There are no continuous lengths of wall greater than 45 feet. All facades have been broken up with

- a. Divisions or breaks in materials
- b. Building offsets
- c. And variation of roofline

See attached elevations for clarification.

8. Revise materials to match the Representative Materials Palette Summary in Legends Auto Plaza Conceptual Design Guide. See guide in attachments.

Applicant Response: Masonry material are a mix of full depth Glen Gery and Beldon brick, the colors black diamond velour and aspen white look similar to examples shown on the material palette summary provided. Storefront shall be a black anodized aluminum finish. EIFS and stucco materials have been reduced in quantity and will look similar to a concrete panel system. Please advise if this is acceptable.

9. Sec. 27-526h(1) For new construction, windows, windows with awnings and covered pedestrian walkways should total at least 60 percent of the building frontage along public streets or parking lots. Windows should be for display purposes or to allow viewing both into and out of the interior. Revise elevations to meet this requirement.

Applicant Response: Additional glazing and awnings have been added to accommodate this requirement, please see attached elevations with summary table.

Signage:

1. All signage shall comply with the sign code.

Public Works Comments:

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

- ## STAFF COMMENTS AND SUGGESTIONS

STAFF RECOMMENDATION

ATTACHMENTS

REVIEW OF INFORMATION AND SCHEDULE

STAFF CONTACT: Kimberly Portillo
kportillo@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** of Petition #**PR-2019-11** 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 #**PR-2019-11** 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.

July 8, 2019 City Planning Commission Minutes:

Hearing Starts 1:54:20:

PLAN REVIEW APPLICATION #PR-2019-11 – DAVE OLSON WITH SC INVESTORS KCK LLC – SYNOPSIS: Preliminary and Final Plan Review for a primary care medical office facility at 9801 Parallel Parkway. **Detailed Outline of Requested Action:** The applicant, Dave Olson with SC Investors KCK, LLC wants to build a 7,786 square foot primary care medical office facility, in conjunction with a lot split at 9801 Parallel Parkway. This includes a preliminary development plan for lots 3A and 3B and a final development plan for lot 3B only.

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 July 8, 2019
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; and
6. The Notices to property owners dated April 15, 2019, May 16, 2019 and June 4, 2019.

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

Present in Support:

- ❖ Dave Olson, applicant, SC Investors KCK, LLC, 7200 West 32nd Street, Overland Park, Kansas 66212

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts 1:58:03: Planning Director Richard stated that the staff recommends approval subject to the stipulations outlined in the staff report.

Motion and Vote Starts 1:58:17:

On motion by Dr. Serda, seconded by Ms. Huey, the Planning Commission voted as follows to recommend **APPROVAL** of Plan Review Application #PR-2019-11:

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

Motion to RECOMMEND APPROVAL Passed 6 to 0

Subject to:

Urban Planning and Land Use Comments:

General Planning:

- 1. A future final development plan shall be required for lot 3A Retail Space at the time of development.**
- 2. As a stipulation of approval, no development may commence until such time as the development agreement has been amended.**
- 3. Staff has been working with the applicant to develop drive entrances that do not cause conflicts with traffic along North 98th Street and Troup Avenue.**
- 4. Review and respond to the attached comments from Conservation District.**

Applicant Response: Acknowledged.

5. Update Building and Site Data chart on Sheet C300 to indicate the following parking requirements:
 - a. Sec. 27-668 Special Parking Needs
Medical and dental clinics. One space for each 200 square feet of floor area. Building S.F. 7,786. Parking Required: 39

Applicant Response: Parking count on sheet c300 has been updated per the above.

6. Parking lot shall be paved and striped.
 - a. Accessible spaces shall be ADA compliant
 - i. Symbols shall be painted on the ground.
 - ii. Sign placards shall be installed in front of the stall at 60" above the finished floor or ground surface measured to the bottom of the sign.
 - iii. Access aisle shall be a minimum of 60" wide and extend the full length of the parking stall.
 - iv. One (1) in every six (6) accessible spaces shall be designated as "Van Accessible".

Applicant Response: Accessible parking is ADA compliant per grading details and dimensions. Van accessible parking has been provided.

7. Identify location of dumpster enclosure.

Applicant Response: Dumpster enclosure shown on plans. Elevations provided by Architect.

Landscaping and Screening:

1. Commercial Design Guidelines call for a 75% multiplier of trees required.
55,756.8 total site area/ 7,000 sf = 8 trees required
CDG 75% Multiplier: $8 \times .75 = 6$ trees required
Total= 14 trees, this does not include the street trees that are required in comment 3 below but can include parking lot island trees.

Applicant Response: The above trees have been included with the revised landscape plan.

2. 1 shade tree is required per 20 stalls. 67 stalls = 4 shade trees

Applicant Response: Shade trees have been added to the Landscape Plan per the requirement

3. Sec. 27-577(b)(3) Street trees are required to be provided for every thirty (30) feet of street easement or frontage. As part of the previous Final Development Plan for this site and the adjacent convenience store site street trees were calculated and approved along 98th Street and Troup

Avenue. Redesign of this site shall not reduce the number of trees required per the previous approvals. Additional trees are needed for this site.

Applicant Response: Street trees have been added to the Landscape Plan per the requirement

4. New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. Revise along Troup Avenue.

Applicant Response: The parking lot has been modified to provide a 25' landscape buffer along Troup.

5. The Prairie Piper Delaware Master Plan states that all development shall have a streetscape that include street trees, pedestrian scale lighting along sidewalks and plantings. In addition to street trees, update to include pedestrian street lighting at regular interval along the sidewalks.

Applicant Response: The photometric plan has taken into account the requirement for pedestrian level lighting along the public sidewalks along with the light from 98th Street lighting. Per your email regarding adequate lighting along public sidewalk in reference to the gas station.

6. The Commercial Development Overlay District requires a landscape buffer around all parking and paved areas. Provide a continuous row of shrubs not to exceed 30" in height and/or low architectural wall around all parking and pavement areas.

Applicant Response: A continuous row of shrubs not to exceed 30" in height has been added all around parking.

7. Sec. 27-577(d)(1) At least 75 percent of the length of the building foundations facing public streets, the exterior of the development, or common spaces must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers.

Applicant Response: Landscaping has been added to at least 75% of the building façade facing both 98th Street and Troup Avenue.

8. The master plant palette for this development, derived from the Legends Auto Plaza Conceptual Design Guide is as follows:

Trees

- a. Autumn Blaze Maple
- b. Armstrong Columnar Maple
- c. Imperial Honey Locust
- d. Autumn Brilliance Serviceberry
- e. Eastern Redbud
- f. Summer Snow Japanese Tree Lilac

- g. Eastern White Pine
- Native Grasses
 - c. Little Bluestem
 - d. Prairie Dropseed

Applicant Response: The plant palette has been updated to the above.

- 9. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the site and 3 gallons internal to the development when planted.

Applicant Response: This has been updated on the landscape plan

Building and Architectural Design:

- 1. Provide material palette with sample materials

Applicant Response: Sample material palette has been provided and includes:

- a. Beldon brick in black diamond velour
- b. Glen Gery brick in Aspen White
- c. Dryvit Stucco & EIFS, color 612 Moonlight, textures quarzputz and sandpebble

Staff Response: Sheet A-201, the EIFS on the north elevation exceeds the maximum percentage per façade. Each façade is permitted to have 15%. The north elevation is 18% EIFS. Reduce to 15% for permitting.

Applicant Response: See attached revised Sheet A-201. The North elevation has been revised to remove EIFS 2 and replace with Stucco 2, the East and West have been revised as well as band wraps the corner of the building. Each façade now has 15% or less of EIFS reducing the total EIFS percentage to 10.25%

- 2. Downspouts shall be internalized

Applicant Response: All downspouts are internalized; all canopy awnings have scuppers in lieu of downspouts.

- 3. All lighting shall have 90-degree cutoff fixtures

Applicant Response: Parking lot pole fixtures are 90-degree cutoff fixtures. Building wall packs are 90-degree cutoff and the decorative wall sconce is an up/down light. Please advise if this is acceptable.

- 4. Provide color elevations and materials for dumpster enclosure. All trash receptacles shall be enclosed with a screening wall or fence constructed of the same material(s) 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 the streets or adjacent land uses.

Applicant Response: See attached Sheet A-201 for color elevations of trash enclosure. Enclosure provides screening on all four sides and is constructed of a CMU masonry wall clad with the same brick as the primary building structure. The enclosure provides screening that is more than 6'-0" tall on all sides with the gate facing the parking lot.

5. 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.

Applicant Response: Utilities shall be screened with landscaping, please see revised landscape plan L100. Architectural plans and elevations have been revised to include a note which states, "Exterior wall-mounted equipment including, but not limited to, mechanical equipment, utilities and meter banks shall be painted to blend with the building, reference mechanical and electrical for locations."

Staff Response: The BPU transformer pad depicted on civil sheets, sheet C500 shall be completely screened on three (3) sides with 6-foot junipers setback 3 feet from the pad and 10 feet from the door opening. Additionally, if the transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore the gate/enclosure shall be constructed in front of the transformer. If this cannot be accomplished, relocation of the transformer may be necessary for permitting.

Applicant Response: See attached Sheets C300, C500 and L100 for gate and 6' trees with 3' offset provided around the transformer. 10' setback has been provided to the edge of pavement from the enclosure gate.

6. Commercial development should take into account the architectural design of all building elevations- 360 degrees. Quality design should be expressed on all elevations of a building.

The east and west facades are treated the same as the front façade. Revise to incorporate the same architectural detail on each façade.

Applicant Response: Large expanses of glazing as seen on the North and South faces are not possible along the East and West facades due to the program on the interior. The East and West sides of the building are lined with exam rooms which require privacy. The windows in the exam rooms have been revised to be taller to provide more glazing along the East and West facades, but still provides privacy to the exam rooms. Canopies/awnings have been added to the South, East and West facades to mimic the North façade. Full height brick areas have also been added to the East and West facades to more closely resemble the North and South facades

7. In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation of the façade. This can be achieved through combinations of at least three of the following techniques:
 - a. Divisions or breaks in materials
 - b. Building offsets (projections, recesses, niches)
 - c. Window bays
 - d. Separate entrances and entry treatment
 - e. Variation of roofline.

Revise east and west facades.

Applicant Response: There are no continuous lengths of wall greater than 45 feet. All facades have been broken up with

- a. Divisions or breaks in materials
- b. Building offsets
- c. And variation of roofline

See attached elevations for clarification.

8. Revise materials to match the Representative Materials Palette Summary in Legends Auto Plaza Conceptual Design Guide. See guide in attachments.

Applicant Response: Masonry material are a mix of full depth Glen Gery and Beldon brick, the colors black diamond velour and aspen white look similar to examples shown on the material palette summary provided. Storefront shall be a black anodized aluminum finish. EIFS and stucco materials have been reduced in quantity and will look similar to a concrete panel system. Please advise if this is acceptable.

9. Sec. 27-526h(1) For new construction, windows, windows with awnings and covered pedestrian walkways should total at least 60 percent of the building frontage along public streets or parking lots. Windows should be for display purposes or to allow viewing both into and out of the interior. Revise elevations to meet this requirement.

Applicant Response: Additional glazing and awnings have been added to accommodate this requirement, please see attached elevations with summary table.

Signage:

1. All signage shall comply with the sign code.

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) Provide staff with a cross-access easement document for Lot 3B for future connection with Lot 2, the undeveloped parcel west of the proposed development i.e. Spira Care Medical Facility. The cross-access easement document shall be reviewed and approved by UG staff. Thereafter, on final approval the easement document shall be signed, executed and recorded with the Wyandotte County Register of Deeds and a copy provided to UG staff prior construction permit acquisition.
 - 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



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

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

April 19, 2019

RE: PR 2019-11 Dave Olson Medical Office 9801 Parallel Parkway

Dear Mr. Richardson:

The Wyandotte County Conservation District, with technical assistance from the Natural Resources Conservation Service, has completed an environmental review of the site plan for PR 2019-11 Dave Olson Medical Office 9801 Parallel Parkway.

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)
Soil Features

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

- There are four major soil types that were identified: Ladoga silt loam, 3 to 8 percent slopes, Sharpsburg silt loam, 4 to 8 percent slopes, eroded, Armster clay loam, 8 to 12 percent slopes, eroded and Knox silt loam, 7 to 12 percent slopes. These soil types are considered highly erodible when the surface is denuded of a protective cover.
- There are a few concerns on this site. It appears that the driveway on to 98th street is going to be removed. What is the plan for access to the convenience store during construction?
- The silt fence along 98th street appears to be on the side walk. If so this will need to be changed.
- As soon as grading is complete, sodding and seeding needs to be completed to prevent siltation onto 98th street.
- Switch grass is proposed for the slope area along 98th street and for the waterway. Switch grass is a warm season bunch grass. It does not do well in

concentrated flow areas due to its growth habits. Grass in waterways need to be mowed short to increase a dense sod that will carry water flows without erosion. Switch grass should never be cut lower than 8 inches and cut no more than once or twice a year. When not cut, switchgrass in this area could be 4 to 5 feet tall.

- Runoff from the property to the west may need to be diverted away from the construction area.

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 soil 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



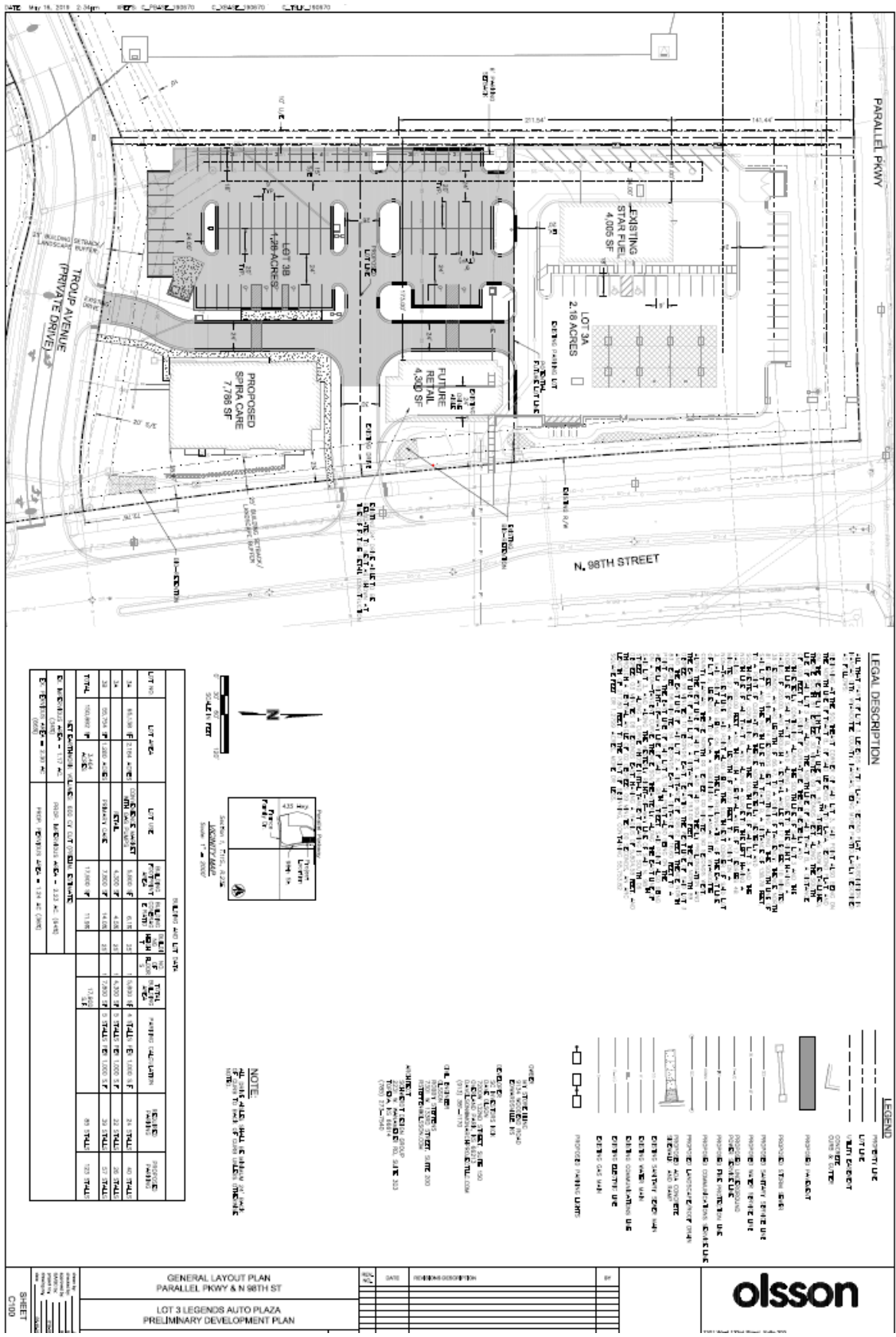
Representative Materials Palette Summary

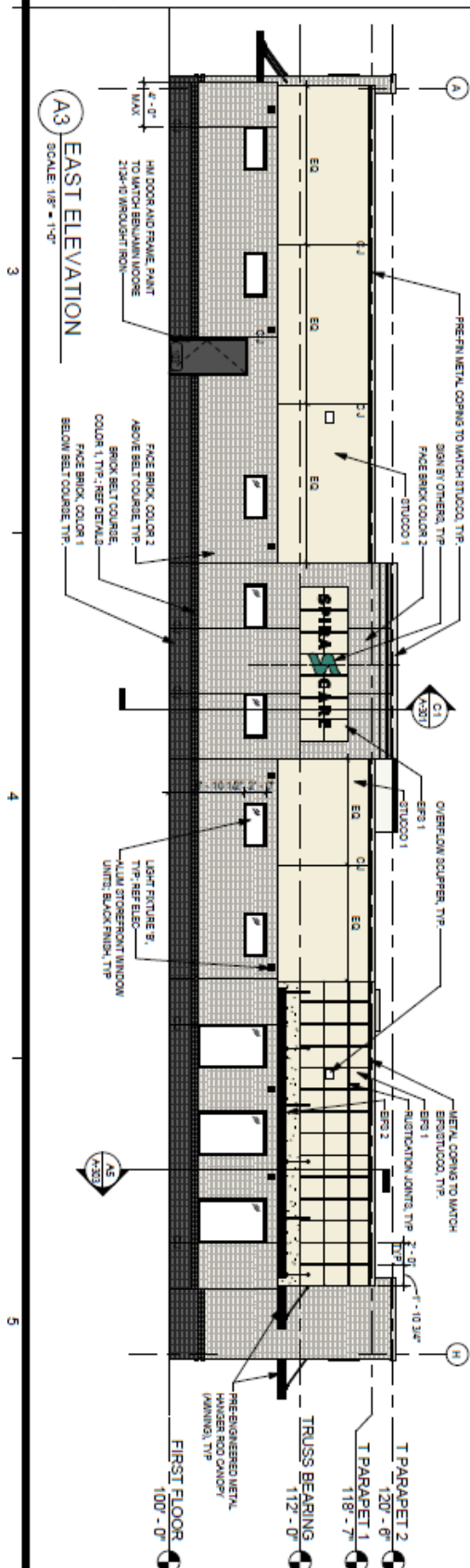
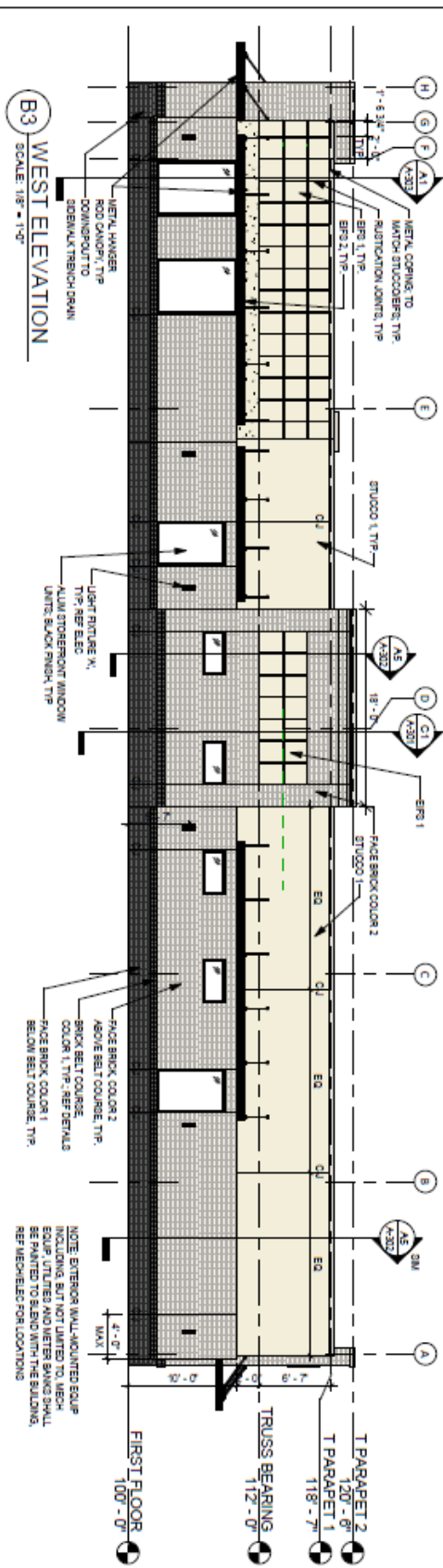
1. Architectural Masonry
Manufacturer: Premier Block Co. or approved equal
Color: Light Frost, Blackwarm stone
Additional colors/manufacturer to be approved by developer.
2. Concrete Masonry (Smooth and Splitface)
Manufacturer: Oldcastle
Color: Kansas White, Grey, Pumpkin
3. Face Brick Veneer
Manufacturer: Glen Gery Brick or approved equal
Additional colors/manufacturer to be approved by developer.
4. Aluminum Composite Panels (As a minimum Accent material)
Manufacturer: Alpolc or equal
Additional colors/manufacturer to be approved by developer.
5. Aluminum Storefront System
Manufacturer: Kawneer or approved equal
Finish: Anodized aluminum, or fluoropolomer finish
6. Porcelain Panels
Manufacturer: Daltile or approved equal
Color: Oyster
Additional colors/manufacturer to be approved by developer.
7. Native Stone
Stone to be native to the local region (within 50 miles)
Color to be approved by developer.
8. Stone Veneer
9. Rainscreen
Concrete Panel System by Nichiha or equal high performance

NOTE: Additional colors, materials to be submitted for approval by developer to seller and governing body. Actual approved use of materials for the center are exemplified at both the Honda and Toyota materials boards on file in the Planning Department with the Unified Government.









**NEIGHBORHOOD MEETING
PROPOSED SPIRA CARE MEDICAL OFFICE FACILITY
JUNE 7, 2019 AT 5:00 P.M.**

MEETING MINUTES

Application Number: PR-19405-00008

Date and Location: June 7, 2019 at 5:00 p.m.

Meeting called to order at: 9801 Parallel Pkwy, Kansas City, KS 66111

Names of people in attendance:

1. Matt Pennington
2. Marc Winkler
3. Matt Kiehne
4. LaVert Murray
5. Ian Mussman

Ian Mussman with Drake Development explained that the purpose of the meeting was for a proposed Spira Care Medical Office Facility located at 9801 Parallel Parkway, Kansas City, KS 66111. Ian Mussman then presented to the above participants the site plans and building elevations pertaining to the project. Lavert Murray asked about the building size and pictures of the existing facility which were provided by Ian Mussman. Marc Winkler asked about the timing of the construction commencement which Matt Pennington answered the construction would commence in late June of 2019.

No other questions or comments were asked by the participants.

Meeting adjourned at: 5:35 p.m.

Minutes taken by: Matt Pennington


Matt Pennington, Petitioner

AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF Kansas)
COUNTY OF Johnson) SS:

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

1. That I am the petitioner for Petition # PR-19405-00008
2. That I conducted a neighborhood meeting on June 7, 2019.
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.

Matt Pennington
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 10th day of June, 20 19.

My commission expires 2nd of October, 2021.



Terran Y. Dold
Notary Public



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: July 25, 2019
Re: Petition #PR-2019-17

GENERAL INFORMATION

Applicant:
Rodrigo Rivera

Status of Applicant:
Representative
Iglesia Pentecostal Casa de Dios
636 Minnesota Avenue, Suite A
Kansas City, KS 66101

Requested Action:
Preliminary and Final Plan
Approval

Date of Application:
May 24, 2019

Purpose:
Remodeling parking lot and interior renovations of church building

Property Location:
1010, 1014, and 1020 Armstrong Avenue

Existing Zoning:
CP-2 Planned General Business District (1010 Armstrong Ave)
C-0 Non-Retail Business District (1014 Armstrong Ave)



R-1(B) Single-Family District (1020 Armstrong Avenue)

Surrounding Zoning:	North:	C-3 Commercial District
	South:	R-1(B) Single-Family District
	East:	C-D Central Business District
	West:	R-1(B) Single-Family District

Existing Uses:	North:	Used car lot; commercial space; church property (owned by applicant); vacant land
	South:	Single-family residences; vacant land
	East:	Commercial/office building
	West:	Single-family residence

Total Tract Size: 0.44 (1010 Armstrong), 0.14 acre (1014 Armstrong), 0.87 acre (1020 Armstrong); Total: 1.45 acre

Master Plan Designation: The Downtown Master Plan designates the properties as Downtown Mixed-Use and Urban Residential

Major Street Plan: The Major Street Plan designates Minnesota Avenue as a Class B Thoroughfare. The Major Street Plan designates 10th Street as a Class C Thoroughfare. The Major Street Plan designates Armstrong Avenue as a local/neighborhood street.

Advertisement: Property Owner Letters – June 12, 2019 and July 11, 2019
Wyandotte Echo – None Required

Public Hearings: July 8, 2019 and July 25, 2019

Public Opposition: No one appeared in opposition at the July 8, 2019 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: Applicant is requesting a preliminary and final plan review of parking lot improvements and remodeling to the interior of the Casa de Dios building. Parcels lay within the Granada Theatre historical environs.

City Ordinance Requirements: Article VI, Sections 27- 212; Article VIII, Sections 27-340 – 27-761

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The property sits in a transitional zone between a residential district and a commercial district. To the south is a residential district in the Cathedral Neighborhood. This residential area is almost exclusively made up of single-family homes. To the north is the commercial district of Minnesota Avenue, which

is primarily general commercial zoning. The mix of residential and commercial zoning for the parcels is in line with the property's transitional role.

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 parking lot remodel should be helpful in alleviating some potential on-street parking issues that may be in place around Armstrong Avenue, Minnesota Avenue, and 10th Street. Interior renovations of the church space and building are not expected to significantly increase the capacity of the space, so increased traffic flow to and from the church campus is not expected to increase.

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

The proposed use does not conform with the Downtown Mixed-Use designation of the eastern portion of the property. Downtown Mixed-Use characteristics include multi-story, multi-use buildings that serve both commercial and residential. Parking areas are encouraged to be multi-story as well, in order to reduce the footprint reserved for cars. The western portion of the property is designated as Urban Residential, which does incorporate churches and other places of worship, but the submitted plan shows only a surface parking lot in the Urban Residential designation of the property.

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*

Sewer inlets available

c. *Storm water control*

None on site, available north of the properties

d. *Police*

Police service is provided by District #114

e. *Fire*

Fire service is provided by Fire Department Headquarters

f. Transit

Route 101 State Avenue runs on Minnesota. Connections to Routes 102, 103, 104, 106, 107, and 402 at 7th & Minnesota Transit Center

g. Schools

Unified School District 500

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

The proposal does not currently meet all applicable ordinances and other requirements (see “Staff Comments and Suggestions”).

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting at 6:30 PM on June 24, 2019 at 1015 Minnesota Avenue. One neighbor was in attendance and asked several questions about exterior changes to the building.

KEY ISSUES

Building and property characteristics, parking

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Plan Review Application #PR-2019-17, subject to:

Urban Planning and Land Use Comments:

1. **How will the applicant incorporate Downtown Mixed-Use characteristics, as defined by the Downtown Master Plan, into the property, especially the parking lot that will serve as the corner of Armstrong Avenue and North 10th Street?**

Applicant Response: The building exterior will be upgraded and re-painted with existing windows being removed/replaced and new building entrances provided. The existing building which is not currently being used will become functional and usable again. The perimeter of the property and the parking lot areas will be upgraded with new landscaping per the proposed plan to meet the city’s requirements and guidelines.

2. Follow the Best Management Practices outlined in the Wyandotte County Conservation District letter.

Applicant Response: Please note that we have submitted Erosion Control Plans in response to the Engineering's review comments under separate cover for review and approvals.

3. Per 27-676(a), a parking lot with 101 to 150 parking spots needs 5 ADA-accessible parking spots. The current plan only has four accessible spots. Applicant must either add an additional spot or apply for a variance.

Applicant Response: Please note that we have revised the plan to incorporate 5 ADA Stalls.

4. Landscaping

- a. Section 27-699(a)(6) requires one tree planted for every 20 parking spaces, in addition to any other landscaping requirements. Five trees are required for the 95 parking spaces located at 1020 Armstrong, and one tree is required for the parking lot at 1010 Armstrong. Applicant must either add the requisite six (6) additional trees to the landscape plan or apply for a variance.

Applicant Response: The required trees have been added to the latest revised LS Plan.

- b. Applicant is requesting only one tree be planted among the 123-foot western boundary of 1014 Armstrong. Applicant must either plant five (5) trees along the buffer between Parcel 080432 (zoned C-O) and Parcel 080434 (zoned R-1(B)) or apply for a variance.

Applicant Response: The required trees have been added to the latest revised LS Plan.

- c. Tree landscaping along Armstrong Avenue is sufficient for now, but staff may request trees to be concentrated on 1014 Armstrong, as per Section 27-700(a)(1).

Applicant Response: Acknowledged.

5. No overnight parking is allowed.

Applicant Response: Acknowledged.

6. An outdoor dumpster to service the property was not marked on site plans. Will there be an outdoor dumpster on the property? If so, a trash enclosure must be at least the height of the dumpster and shall remain locked at all times.

Applicant Response: No outdoor dumpster is planned for the project. Trash service is proposed to be provided via curb-side, pick-up service.

7. All signs must be awarded a sign permit and shall conform to UG sign ordinances, unless a variance is first permitted.

Applicant Response: Acknowledged.

8. Provide photos of the current state of the property.

Applicant Response: See attached aerial and screen shots.

9. Church must immediately cease illegal parking on 1001, 1005 and 1007 Minnesota Avenue.

Applicant Response: Acknowledged.

10. What exterior renovations will be done to the existing building.

Applicant Response: The exterior of the building is proposed to be painted and the exterior windows will be removed/replaced. Also new building entrances will be installed.

Public Works Comments:

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

- 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.

Applicant Response: Acknowledged.

- 2) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

Applicant Response: Acknowledged.

- 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

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-2019-17** subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

July 8, 2019 City Planning Commission Minutes
Parking Lot Site Plan, 1010 & 1020 Armstrong Avenue
Building Site Plan, 1014 Armstrong Avenue
Photos of Current Condition of Property

REVIEW OF INFORMATION AND SCHEDULE

Action
Public Hearing
Plan Review

Planning Commission
July 8, 2019
Approval

Board of Commissioners
July 25, 2019

STAFF CONTACT: **Mike Farley**
 mfarley@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #**PR-2019-17** 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 #**PR-2019-17**, 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.

July 8, 2019 City Planning Commission Minutes

Hearing Starts 1:58:54:

PLAN REVIEW APPLICATION #PR-2019-17 – RODRIGO RIVERA WITH IGLESIA PENTECOSTAL CASA DE DIOS – SYNOPSIS: Preliminary and Final Plan Review for interior remodel and parking improvements at 1010, 1014 and 1020 Armstrong Avenue. **Detailed Outline of Requested Action:** Applicant is requesting a preliminary and final plan review of parking lot improvements and remodeling to the interior of the Casa de Dios building. Parcels lay within the Granada Theatre historical environs.

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 July 8, 2019;
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; and
6. The Notices to property owners dated June 12, 2019.

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

Present in Support:

- ❖ Jeff Skidmore, representing the applicant, Schlagel and Associates

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts 2:01:16: Planning Director Richardson stated that the staff recommends approval subject to the stipulations outlined in the staff report.

Motion and Vote Starts 2:01:26:

On motion by Mr. Connelly, seconded by Mr. Ernst, the Planning Commission voted as follows to recommend **APPROVAL** of Plan Review Application #PR-2019-17:

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

Motion to RECOMMEND APPROVAL Passed 6 to 0

Subject to:

Urban Planning and Land Use Comments:

1. How will the applicant incorporate Downtown Mixed-Use characteristics, as defined by the Downtown Master Plan, into the property, especially the parking lot that will serve as the corner of Armstrong Avenue and North 10th Street?

Applicant Response: The building exterior will be upgraded and re-painted with existing windows being removed/replaced and new building entrances provided. The existing building which is not currently being used will become functional and usable again. The perimeter of the property and the parking lot areas will be upgraded with new landscaping per the proposed plan to meet the city's requirements and guidelines.

2. Follow the Best Management Practices outlined in the Wyandotte County Conservation District letter.

Applicant Response: Please note that we have submitted Erosion Control Plans in response to the Engineering's review comments under separate cover for review and approvals.

3. Per 27-676(a), a parking lot with 101 to 150 parking spots needs 5 ADA-accessible parking spots. The current plan only has four accessible spots. Applicant must either add an additional spot or apply for a variance.

Applicant Response: Please note that we have revised the plan to incorporate 5 ADA Stalls.

4. Landscaping

- a. Section 27-699(a)(6) requires one tree planted for every 20 parking spaces, in addition to any other landscaping requirements. Five trees are required for the 95 parking spaces located at 1020 Armstrong, and one tree is required for the parking lot at 1010 Armstrong. Applicant must either add the requisite six (6) additional trees to the landscape plan or apply for a variance.

Applicant Response: The required trees have been added to the latest revised LS Plan.

- b. Applicant is requesting only one tree be planted among the 123-foot western boundary of 1014 Armstrong. Applicant must either plant five (5) trees along the buffer between Parcel 080432 (zoned C-O) and Parcel 080434 (zoned R-1(B)) or apply for a variance.

Applicant Response: The required trees have been added to the latest revised LS Plan.

- c. Tree landscaping along Armstrong Avenue is sufficient for now, but staff may request trees to be concentrated on 1014 Armstrong, as per Section 27-700(a)(1).

Applicant Response: Acknowledged.

5. No overnight parking is allowed.

Applicant Response: Acknowledged.

6. An outdoor dumpster to service the property was not marked on site plans. Will there be an outdoor dumpster on the property? If so, a trash enclosure must be at least the height of the dumpster and shall remain locked at all times.

Applicant Response: No outdoor dumpster is planned for the project. Trash service is proposed to be provided via curb-side, pick-up service.

7. All signs must be awarded a sign permit and shall conform to UG sign ordinances, unless a variance is first permitted.

Applicant Response: Acknowledged.

8. Provide photos of the current state of the property.

Applicant Response: See attached aerial and screen shots.

9. Church must immediately cease illegal parking on 1001, 1005 and 1007 Minnesota Avenue.

Applicant Response: Acknowledged.

10. What exterior renovations will be done to the existing building.

Applicant Response: The exterior of the building is proposed to be painted and the exterior windows will be removed/replaced. Also new building entrances will be installed.

Public Works Comments:

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

- 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.

Applicant Response: Acknowledged.

- 2) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

Applicant Response: Acknowledged.

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.

[illegible][illegible]

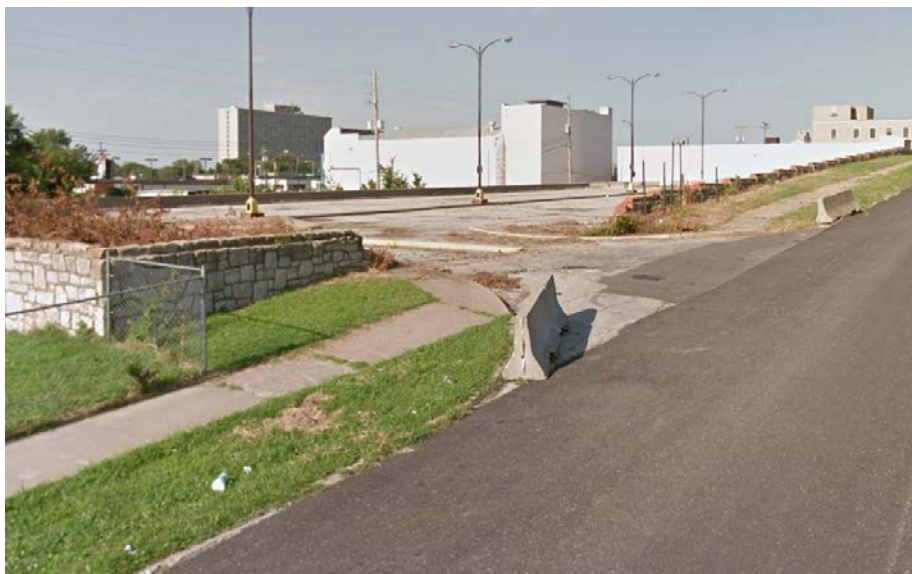
PHOTOS OF CURRENT CONDITION OF PROPERTY



Above: Street view of 1014
Armstrong Avenue

Left: Street view from northwest
corner of Armstrong Ave & North 10th
Street

Below: Street entrance to parking lot
at 1020 Armstrong Avenue





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: July 25, 2019

Re: Petition #PR-2019-18

GENERAL INFORMATION

Applicant:
Brian Hill

Status of Applicant:
Representative
MKEC Engineering, Inc.
11827 West 112th Street,
Suite 200
Kansas City, KS 66210

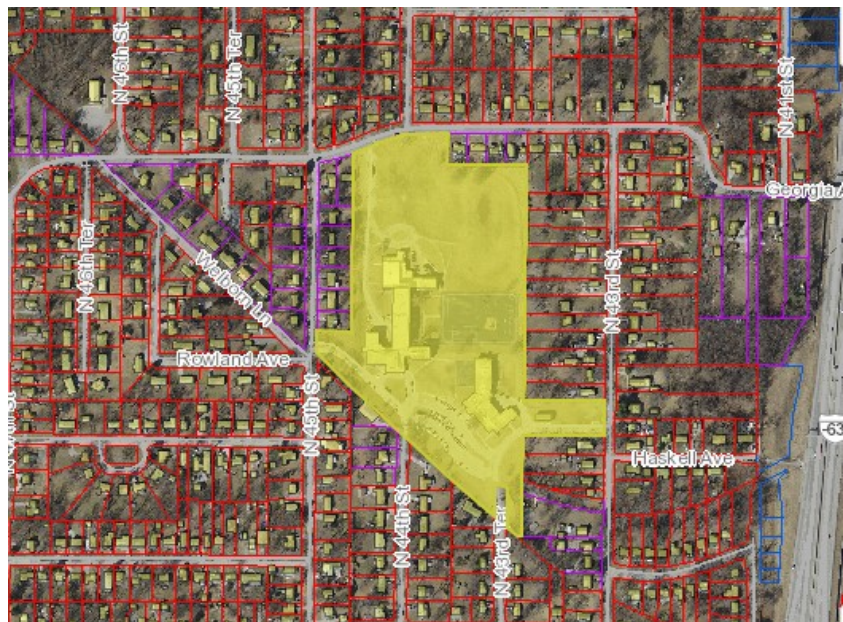
Requested Action:
Preliminary and Final Plan
Approval

Date of Application:
May 23, 2019

Purpose:
Construction of a maintenance storage facility on the property

Property Location:
2600 North 44th Street

Existing Zoning: R-1 Single-Family District



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 residences
 South: Single-family residences
 East: Single-family residences
 West: Single-family residences

Total Tract Size: 19.4 acres

Master Plan Designation: The City-Wide Master Plan designates the property as Public/Semi-Public

Major Street Plan: The Major Street Plan designates Georgia Avenue as a collector street. The Major Street Plan designates Wellborn Lane, Rowland Avenue, North 45th Avenue, North 44th Avenue, North 43rd Terrace, and North 43rd Street as local/neighborhood streets.

Advertisement: Property Owner Letters – June 12, 2019 and July 11, 2019
 Wyandotte Echo – None Required

Public Hearings: July 8, 2019 and July 25, 2019

Public Opposition: No one appeared in opposition at the July 8, 2019 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: Applicant has previously received approval for a preliminary and final plan review for the demolition of the existing elementary and middle school. The school buildings will be replaced by a new elementary school being built in 2019-2020. This request is to build a maintenance equipment storage facility.

City Ordinance Requirements: Article VI, Sections 27- 212; Article VIII, Sections 27-340 – 27-761

FACTORS TO BE CONSIDERED

1. Neighborhood character.

The property sits in the middle of a large single-family residential neighborhood. The elementary and middle schools on the grounds followed good planning principles: the schools were located in the center of a neighborhood, were easily accessible by foot from the surrounding neighborhood, and the schools were not isolated by major thoroughfares, which allowed the public/semi-public nature of

the school grounds to blend into the public and private spaces of the neighborhood.

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.*

It is unclear if traffic would increase or decrease, but it is certain that the type of traffic would change. When the schools were open, traffic peaked during drop-off and pick-up times, but there would be very little traffic to the schools at night or on the weekends, barring any extra-curricular activities going on. While traffic to and from a maintenance equipment storage facility may not have such congested peak times as a school would have, the traffic may also be less predictable and involve different vehicles. A school sees several buses and many cars, while a maintenance equipment storage facility may see semis dropping off supplies, trucks hauling flatbed trailers with lawncare equipment, or large vans with smaller pieces of equipment.

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

The proposed use on its own does not conform with the City-Wide Master Plan. However, the construction of the new school on the property is in conformance with the Master Plan's Public/Semi-Public space designation of the property.

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*

Available

d. *Police*

Police service is provided by District #445

e. *Fire*

Fire service is provided by Fire Station #14

f. *Transit*

The 47th and State Avenue Park & Ride is 0.7 miles away. The Park & Ride is linked to a transit stop that serves Routes 101, 102, 106, 107, 115 and 116

g. Schools

Unified School District 500

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

The proposal will meet the codes of the Unified Government.

KEY ISSUES

Parking, landscaping and materials, lighting

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Plan Review Application #PR-2019-18, subject to:

Urban Planning and Land Use Comments:

1. Provide measurements for parking lot and parking spaces, to ensure compliance with parking lot ordinances.

Applicant Response: There will be no permanent parking spaces at the storage facility. This facility will not have any personnel assigned to work at this location so the only vehicles at this facility will either be stored in the buildings or coming through to pick up or drop off equipment or material from storage. Large overhead garage doors on the buildings will open to the inner paved courtyard area. Overall dimensions in the courtyard area are provided on Sheet C03 – Paving Plan.

Staff Response: Spoke with Applicant about the parking situation. The nature of the facility and the ample paved spaced should be sufficient to contain any temporary parking that may need to occur.

2. Provide landscaping plan, including trees and shrubs that will be added.
 - a. Trees should be placed around in the exterior fencing, in order to visually soften the view of the fence and storage facility buildings from the nearby residences.
 - b. One tree is required for every 7,000 square feet of non-residential use.
 - c. There must be landscaping around the parking lot.

Applicant Response: Sheet L01 – Landscape Plan, has been added to the plan set. a.) Trees have been added to complement the landscape plan prepared for West Park Elementary School, currently under construction at the same site (PR-2018-34). b.) The site measures approximately 37,500 square feet and 6 street trees have been added to meet the 1 tree per 7,000 square feet requirement. Trees in the proximity of the facility to be planted as part of the West Park Elementary School improvements are noted on the plan as existing trees for reference. c.) Shrubs and ornamental grasses are included at the entrances to the facility. The entire paved area of the facility is bordered by the buildings and cedar picket privacy fence. Refer to Sheet L01 – Landscape Plan for additional information concerning the landscaping.

3. Lampposts should be constructed, and lighting directed, in a manner that does not disturb the neighborhood. Provide a light analysis.

Applicant Response: Sheet E01 – Site Photometrics Plan, was included in the original submittal. It includes a light analysis showing the impact of the lighting to be included in the storage facility. All exterior lighting is provided by wall-mounted fixtures on the storage buildings. Fixtures are LED meeting IES cutoff optic standards to direct the majority of light below nadir.

4. Please describe the construction materials, landscape and screening for this project.

Applicant Response: The construction materials of this project are as follows. The 3 buildings are steel framed and clad in insulated metal panels with a smooth finish. The roof is a standing seam panel that matches the vertical insulated metal panels. The storage buildings will have insulated metal garage doors and man doors that will be painted to match the exterior insulated metal panels. The salt storage shed is made of cast in place concrete that is integrally colored to match West Park Elementary and has the same standing seam roof panels as the 3 storage buildings. The screening for the project will be a cedar picket fence that will have a clear sealer on it and be 8'-0" high and align with masonry corner post that are composed of a red brick blend that will match West Park Elementary. Landscaping is detailed in the response to comment 2 above. The Material Board was submitted to Byron Toy on June 13th at 12:30 pm. A digital material board was also submitted in the combined PDP/FDP submittal on May 24th, 2019.

Staff Response: Material board has been received.

Public Works Comments:

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

- 1) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

Applicant Response: Comment acknowledged.

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

- 1) 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

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-2019-18 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

July 8, 2019 City Planning Commission Minutes
Site Plan Overview
Landscaping Plan
Building Design Renderings
Letter from Wyandotte County Conservation District

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>Board of Commissioners</u>
Public Hearing	July 8, 2019	July 25, 2019
Plan Review	Approval	

STAFF CONTACT: Mike Farley
mfarley@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #PR-2019-18 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 #PR-2019-18, 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.

July 8, 2019 City Planning Commission Minutes:

Hearing Starts 2:02:10:

PLAN REVIEW APPLICATION #PR-2019-18 – BRIAN HILL WITH MKEC ENGINEERING, INC. – SYNOPSIS: Preliminary and Final Plan Review for construction of a maintenance storage facility at 2600 North 44th Street. *Detailed Outline of Requested Action:* Applicant has previously received approval for a preliminary and final plan review for the demolition of the existing elementary and middle school. The school buildings will be replaced by a new elementary school being built in 2019-2020. This request is to build a maintenance equipment storage facility.

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 July 8, 2019;
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; and
6. The Notices to property owners dated June 12, 2019.

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

Present in Support:

- ❖ Doug Clements, Director of Public Properties, USD #500, 2220 North 59th Street, Kansas City, Kansas 66102
- ❖ James Evrard, HTK Architects, 9300 West 110th, Overland Park, Kansas

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts 2:11:13: Planning Director Richardson stated that the staff recommends approval subject to the stipulations outlined in the staff report.

Motion and Vote Starts 2:11:22:

On motion by Ms. Huey, seconded by Dr. Neal, the Planning Commission voted as follows to recommend **APPROVAL** of Plan Review Application #PR-2019-18:

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

Motion to RECOMMEND APPROVAL Passed 6 to 0

Subject to:

Urban Planning and Land Use Comments:

1. Provide measurements for parking lot and parking spaces, to ensure compliance with parking lot ordinances.

Applicant Response: There will be no permanent parking spaces at the storage facility. This facility will not have any personnel assigned to work at this location so the only vehicles at this facility will either be stored in the buildings or coming through to pick up or drop off equipment or material from storage. Large overhead garage doors on the buildings will open to the inner paved courtyard area. Overall dimensions in the courtyard area are provided on Sheet C03 – Paving Plan.

Staff Response: Spoke with Applicant about the parking situation. The nature of the facility and the ample paved spaced should be sufficient to contain any temporary parking that may need to occur.

2. Provide landscaping plan, including trees and shrubs that will be added.
 - a. Trees should be placed around in the exterior fencing, in order to visually soften the view of the fence and storage facility buildings from the nearby residences.
 - b. One tree is required for every 7,000 square feet of non-residential use.
 - c. There must be landscaping around the parking lot.

Applicant Response: Sheet L01 – Landscape Plan, has been added to the plan set. a.) Trees have been added to complement the landscape plan prepared for West Park Elementary School, currently under construction at

the same site (PR-2018-34). b.) The site measures approximately 37,500 square feet and 6 street trees have been added to meet the 1 tree per 7,000 square feet requirement. Trees in the proximity of the facility to be planted as part of the West Park Elementary School improvements are noted on the plan as existing trees for reference. c.) Shrubs and ornamental grasses are included at the entrances to the facility. The entire paved area of the facility is bordered by the buildings and cedar picket privacy fence. Refer to Sheet L01 – Landscape Plan for additional information concerning the landscaping.

3. Lampposts should be constructed, and lighting directed, in a manner that does not disturb the neighborhood. Provide a light analysis.

Applicant Response: Sheet E01 – Site Photometrics Plan, was included in the original submittal. It includes a light analysis showing the impact of the lighting to be included in the storage facility. All exterior lighting is provided by wall-mounted fixtures on the storage buildings. Fixtures are LED meeting IES cutoff optic standards to direct the majority of light below nadir.

4. Please describe the construction materials, landscape and screening for this project.

Applicant Response: The construction materials of this project are as follows. The 3 buildings are steel framed and clad in insulated metal panels with a smooth finish. The roof is a standing seam panel that matches the vertical insulated metal panels. The storage buildings will have insulated metal garage doors and man doors that will be painted to match the exterior insulated metal panels. The salt storage shed is made of cast in place concrete that is integrally colored to match West Park Elementary and has the same standing seam roof panels as the 3 storage buildings. The screening for the project will be a cedar picket fence that will have a clear sealer on it and be 8'-0" high and align with masonry corner post that are composed of a red brick blend that will match West Park Elementary. Landscaping is detailed in the response to comment 2 above. The Material Board was submitted to Byron Toy on June 13th at 12:30 pm. A digital material board was also submitted in the combined PDP/FDP submittal on May 24th, 2019.

Staff Response: Material board has been received.

Public Works Comments:

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

- 1) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

Applicant Response: Comment acknowledged.

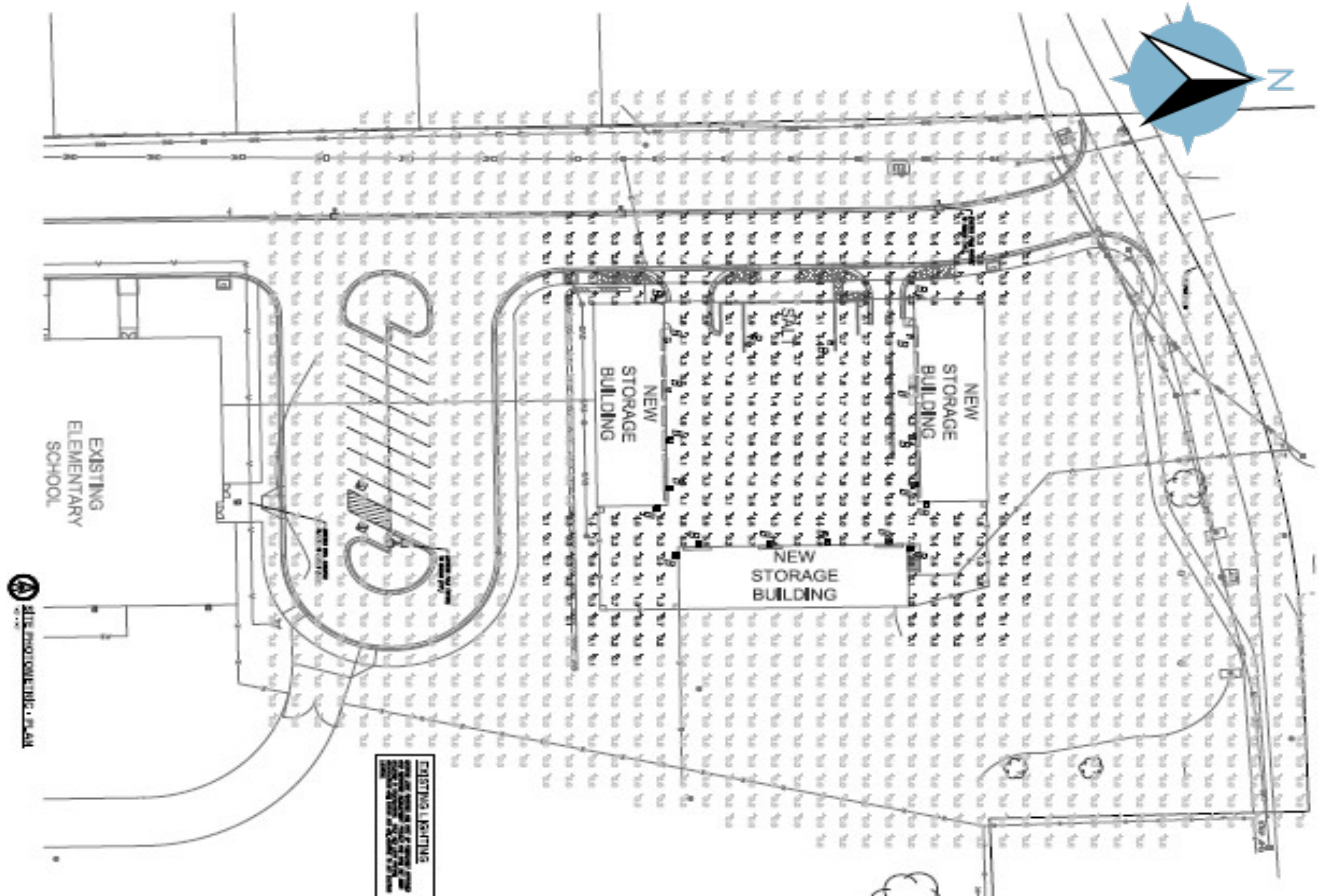
B) Items that are conditions of approval (stipulations):

1) Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

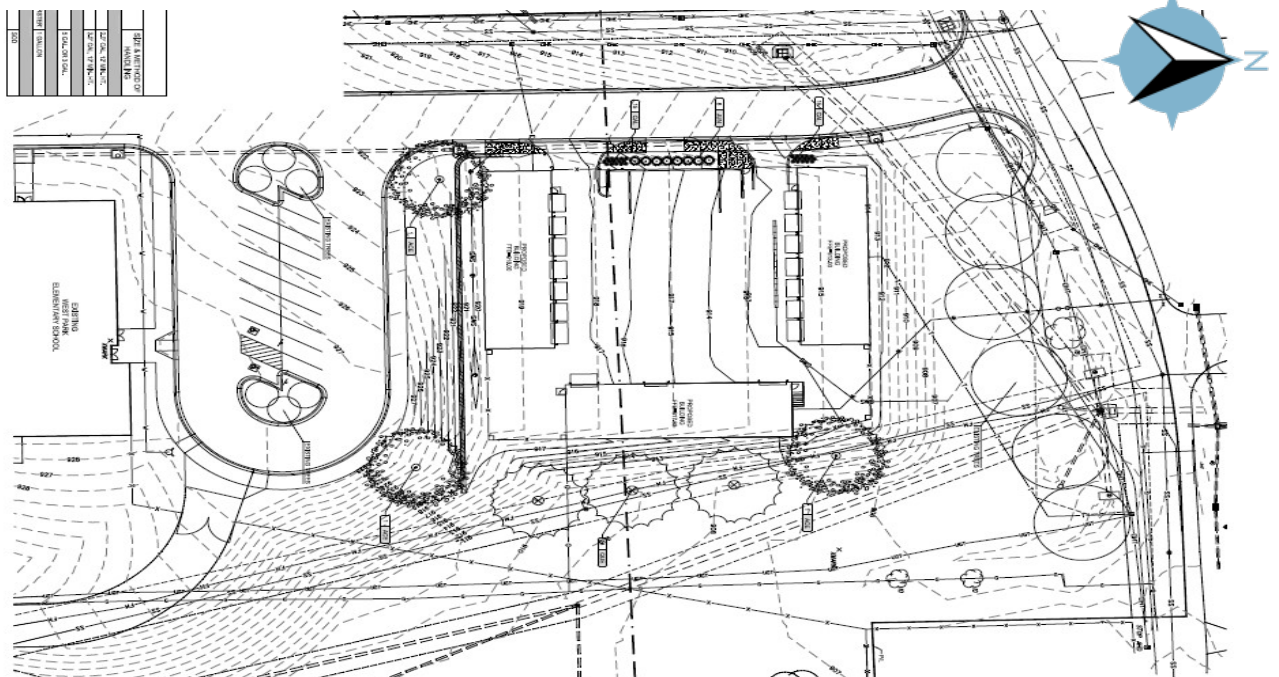
C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:

1) None.

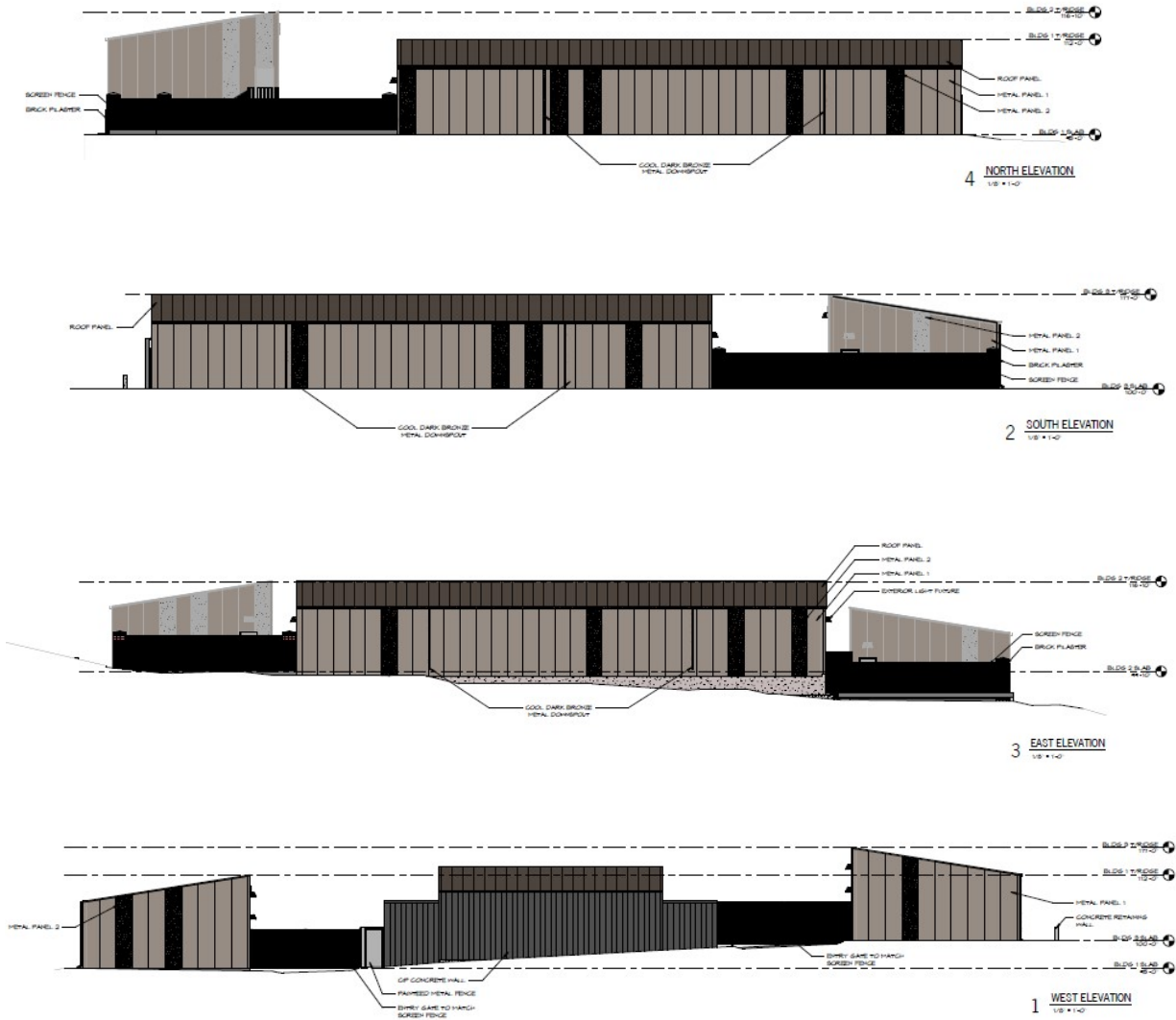
SITE PLAN OVERVIEW



LANDSCAPING PLAN



Building Design Renderings



LETTER FROM WYANDOTTE COUNTY CONSERVATION DISTRICT



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

June 11, 2019

RE: PR-2018 Brain Hill, P.E. with MKEC Engineering, INC. demolition and construction of maintenance storage facility, 2600 North 44th 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 site plan for PR-2018 Brain Hill, P.E. with MKEC Engineering, INC. demolition and construction of maintenance storage facility, 2600 North 44th 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)
Soil Features

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

- There is one major soil type that was identified: Knox silt loam, 7 to 12 percent slopes. This soil type is considered highly erodible when the surface is denuded of a protective cover.
- The Erosion Control Plan is good. The silt fence needs to be in before any work begins.
- The steep slope blanket and seeding needs to be installed as soon as grading is complete.
- Topsoil needs to be stock piled for used on areas to be seeded or sodded.
- The Best Management Practices in this report can be used to solve any erosion concerns that may arise.

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 soil reports and a conservation plan can also be requested for this site from our office.



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: July 25, 2019
Re: Petition #SP-2019-71

GENERAL INFORMATION

Applicant:
Deborah Jones

Status of Applicant:
Representative
Jones BBQ
6706 Kaw Drive
Kansas City, KS 66101

Requested Action:
Approval of Special Use
Permit.

Date of Application:
April 26, 2019

Purpose:
To have live jazz music at a
barbecue restaurant.

Property Location:
6706 Kaw Drive

Commission Districts:
Commissioner At Large: Melissa Bynum
District Commissioner: Dr. Jane Winkler Philbrook



Existing Zoning: M-2 General Industrial District

Existing Surrounding Zoning: **North:** M-2 General Industrial District
South: M-3 Heavy Industrial District
East: M-2 General Industrial District
West: R-1 Single Family District and MP-2 Planned General Industrial District

Existing Uses: **North:** Warehouse/Storage
South: Union Pacific Railway
East: Warehouse/Storage
West: Single Family Homes and Equipment Rental

Total Tract Size: 3.86 acres

Master Plan Designation: The City-Wide Master Plan designates this property as Business Park.

Major Street Plan: The Major Street Plan classifies Berger Avenue as a local street and Kaw Drive as a Class A Thoroughfare.

Advertisement: The Wyandotte Echo – May 16, 2019
Letters to Property Owner – May 16, 2019, June 4, 2019 and July 11, 2019

Public Hearings: July 8, 2019 and July 25, 2019

Public Opposition: No one appeared in opposition at the July 8, 2019 City Planning Commission meeting.

PROPOSAL

Detailed Outline of Requested Action: The applicant, Deborah Jones with Jones BBQ has requested a special use permit to have live jazz from 11:00 am to 11:30 pm on Thursday and Friday, along with alcohol sales in conjunction with an existing barbecue restaurant, Jones BBQ, located in a strip center at 6706 Kaw Drive.

City Ordinance Requirements: 27-592 through 27-606

FACTORS TO BE CONSIDERED

1. The Character of the Neighborhood.

The neighborhood is largely industrial, with several nearby warehouse/storage facilities and automotive related uses, however there is also a residential block to the immediate west of this shopping complex.

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 laid out above. The proposed use may have compatibility issues with the adjacent residential 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.*

The removal of the restrictions would not have any detrimental effects on nearby industrial uses; however it could have a negative effect on residential properties.

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

The property is not vacant. This application is for an accessory use of live entertainment at a restaurant.

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.*

It is not anticipated that the proposed use will result in an increase 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. It could substantially injure the appropriate use of adjoining residential property by creating a nuisance.

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 primary concern would be the potential for noise that could impact neighboring residences.

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

This is not an issue.

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

This is not 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 gain to the public health, safety and welfare would be minimal. If the landowner is not able to have live entertainment, they could still operate as their primary restaurant business.

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

This is not an issue.

PREVIOUS ACTIONS

None

NEIGHBORHOOD MEETING

The applicant held a neighborhood meeting on May 30, 2019. No one was in attendance.

KEY ISSUES

Noise

PLANNING COMMISSION RECOMMENDATION

The Planning Commission voted 6 to 0 to recommend **APPROVAL** of Special Use Permit Application #SP-2019-71, subject to:

Business License Comments:

1. If approved, applicant will need to file and maintain current annual entertainment license.

Urban Planning and Land Use Comments:

1. Subject to approval, this special use permit shall be valid for one (1) year.

Applicant Response: Yes.

2. The applicant has stated that the form of live entertainment will be Jazz music on the patio. Staff has concerns that loud music or a dance club/ lounge atmosphere would be a nuisance to nearby residences. Please explain how you will address these potential issues.

Applicant Response: The residential lot is not near us. No dance club atmosphere. There will just be a man on a keyboard.

3. What are the hours of operation for the restaurant? In addition to Thursday and Friday, 11:00 am- 11:00 pm, are any other days proposed for live events to be held?

Applicant Response: Hours of Operation: Tue-Sat 10:45 am to 3:00 pm
Keyboard Entertainment: Thursday, Friday and Saturday 11:00 am to 1:00 pm

4. Is alcohol currently served on the premises? What hours are alcohol served?

Applicant Response: Beer only, during open hours.

5. The business must use an ID card reader when live entertainment is occurring if alcohol is present.

Applicant Response: Yes, we check ID.

6. Is on-site security being provided? If so, what security measures are being taken to ensure patron safety? Please provide a security plan.

Applicant Response: Staff will provide security. We are a very small business.

7. Please provide photos of the space where live events will be held.

Applicant Response: Photos provided in attachments.

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

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-2019-71 subject to all comments and suggestions outlined in this staff report.

ATTACHMENTS

July 8, 2019 City Planning Commission Minutes
Zoning Map
Neighborhood Meeting Affidavit, Sign-In and Minutes
Photos

REVIEW OF INFORMATION AND SCHEDULE

Action	Planning Commission	Unified Government Commission
Public Hearing	July 8, 2019	July 25, 2019
Special Use	Approval	

STAFF CONTACT: **Kimberly Portillo**
 kportillo@wycokck.org

MOTIONS

I move the Unified Government Board of Commissioners **APPROVE** Petition #SP-2019-71 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-2019-71 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.

July 8, 2019 City Planning Commission Minutes:

Hearing Starts 1:09:30 and the applicant was not present, so the application was moved to the end of the meeting. The application was recalled at 2:38:57 and the applicant was still not present.

SPECIAL USE PERMIT APPLICATION #SP-2019-71 – DEBORAH JONES WITH JONES BAR-B-Q – SYNOPSIS: Special Use Permit for live entertainment in conjunction with restaurant at 6706 Kaw Drive. ***Detailed Outline of Requested Action:*** The applicant, Deborah Jones with Jones BBQ has requested a special use permit to have live jazz from 11:00 am to 11:30 pm on Thursday and Friday, along with alcohol sales in conjunction with an existing barbecue restaurant, Jones BBQ, located in a strip center at 6706 Kaw Drive.

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 July 8, 2019
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 May 15, 2019; and
7. The Notices to property owners dated May 16, 2019 and June 4, 2019

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

Present in Opposition:

- ❖ No one appeared

Staff Recommendation Starts 2:39:17: Planning Director Richardson stated the applicant is not present. This is a lunch time activity and is not controversial. The staff recommends approval subject to the stipulations in the staff report.

Motion and Vote Starts 2:40:29:

On motion by Dr. Neal, seconded by Dr. Serda, the Planning Commission voted as follows to recommend **APPROVAL** of Special Use Permit #SP-2019-71:

Carson	Chairman
Connelly	No
Ernst	Aye

Huey	Aye
Neal	Aye
Reasons	Aye
Serda	Aye
Cho	Not Present
Jones	Not Present
Miller	Not Present
Pauley	Not Present

Motion to RECOMMEND APPROVAL Passed 5 to 1
Subject to:

Business License Comments:

1. If approved, applicant will need to file and maintain current annual entertainment license.

Urban Planning and Land Use Comments:

1. Subject to approval, this special use permit shall be valid for one (1) year.

Applicant Response: Yes.

2. The applicant has stated that the form of live entertainment will be Jazz music on the patio. Staff has concerns that loud music or a dance club/ lounge atmosphere would be a nuisance to nearby residences. Please explain how you will address these potential issues.

Applicant Response: The residential lot is not near us. No dance club atmosphere. There will just be a man on a keyboard.

3. What are the hours of operation for the restaurant? In addition to Thursday and Friday, 11:00 am- 11:00 pm, are any other days proposed for live events to be held?

Applicant Response: Hours of Operation: Tue-Sat 10:45 am to 3:00 pm
Keyboard Entertainment: Thursday, Friday and Saturday 11:00 am to 1:00 pm

4. Is alcohol currently served on the premises? What hours are alcohol served?

Applicant Response: Beer only, during open hours.

5. The business must use an ID card reader when live entertainment is occurring if alcohol is present.

Applicant Response: Yes, we check ID.

6. Is on-site security being provided? If so, what security measures are being taken to ensure patron safety? Please provide a security plan.

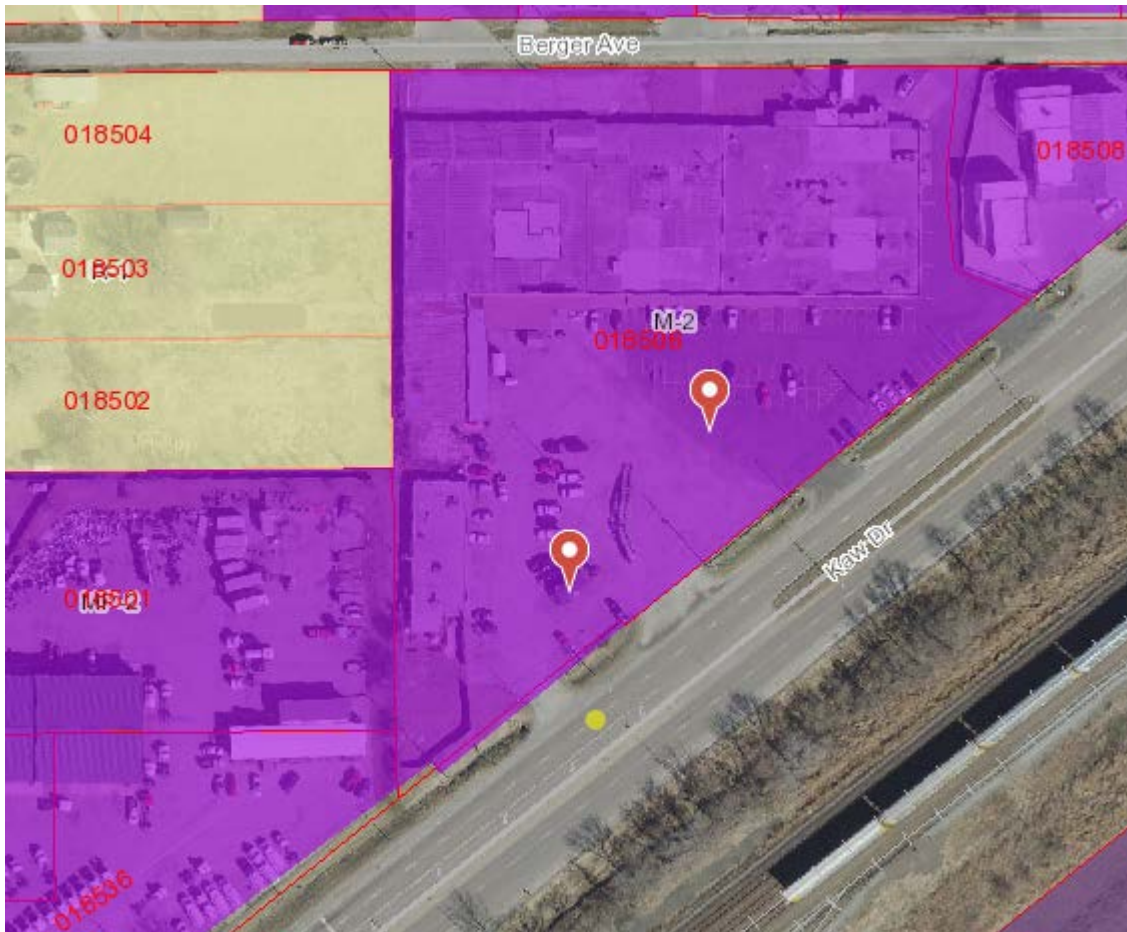
Applicant Response: Staff will provide security. We are a very small business.

7. Please provide photos of the space where live events will be held.

Applicant Response: Photos provided in attachments.

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:
2) None



AFFIDAVIT – NEIGHBORHOOD MEETING

STATE OF _____)
) SS:
COUNTY OF _____)

Comes now Deborah Josephine Jones Thompson of lawful age, sound mind and open his/her oath states as follows:

1. That I am the petitioner for Petition # SP-2019-71
2. That I conducted a neighborhood meeting on May 30, 2019.
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.

Deborah Josephine Jones Thompson
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 5th day of June, 2019
My commission expires Oct 19 of Oct, 2022

Julie M. Simmons
Notary Public



Meeting May 30, 2019

Sign In Sheet

① Mary & Jelena Jones OK

No One Showed UP
Mary Jones

SAMPLE MINUTES:

Application Number _____

Date and Location: 3:00 pm May 30, 2019

Meeting called to order at: 6906 Kaw Dr. H.C.Ks. 66111

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:

Minutes taken by:









Staff Request for Commission Action

Tracking No. 19850

Full Commission Meeting Date: 7/25/19

Committee: Economic Development & Finance

Date of Standing Committee Action:

(If none, please explain): 7/8/19

Publication Required: Yes

<u>Date:</u> 7/12/2019	<u>Contact Name:</u> Katherine Carttar	<u>Contact Phone:</u> x5176	<u>Contact Email:</u> kcarttar@wycokck.org	<u>Department/Division:</u> Economic Development
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Item Description:

Ordinance and Resolution Approving and Adopting a Home Rule Economic Development Incentive and Adopting the Development Agreement for the Boulevard Lofts Project.

Action Requested:

Approve and fast-track to July 11th Full Commission

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Ordinance and Resolution Approving and Adopting the Boulevard Lofts DA, Blvd Lofts DA final draft - for 7-8 ED&F

Published in the *Wyandotte Echo* _____

ORDINANCE NO. O-_____
RESOLUTION NO. R-_____

**AN ORDINANCE AND RESOLUTION APPROVING AND ADOPTING A HOME RULE
ECONOMIC DEVELOPMENT INCENTIVE AND ADOPTING THE DEVELOPMENT
AGREEMENT FOR THE BOULEVARD LOFTS PROJECT**

WHEREAS, Article 12, § 5 of the Constitution of the State of Kansas (the “Home Rule Amendment”) empowers cities to determine their local affairs and government and provides that such power and authority granted thereby to cities shall be liberally construed for the purpose of giving to cities the largest measure of self-government; and

WHEREAS, the Unified Government, acting in its capacity as a city of the first class, is a city within the meaning of the Home Rule Amendment; and

WHEREAS, the governing body of the Unified Government has considered the needs of the City for new residential development in the northeast area, and associated infrastructure for the stimulation and fostering of economic development in the City and its environs in order to enhance and provide for the general and economic development and welfare of the City and its citizens; and

WHEREAS, Boulevard Lofts, LP (“Developer”) desires to build new, high quality, affordable apartments at or about the area of 8th and Washington and 8th and Everett in Kansas City, Kansas (the “Project”); and

WHEREAS, the timely redevelopment of the Property is in the best interests of the parties and the health, safety, and welfare of the Unified Government’s residents; and

WHEREAS, the parties agree that the Project is not financially feasible without the public-private partnership as set forth in the Development Agreement attached hereto as Exhibit 1, in which the Wyandotte County and Kansas City, Kansas portion of the real property taxes collected from the Property are used to reimburse certain eligible Project costs, and therefore desire to enter into the Agreement to provide necessary financing for the Project.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS:**

Section 1. That the Unified Government Board of Commissioners hereby adopts the Development Agreement for the Boulevard Lofts Project in substantially the form attached hereto as Exhibit 1.

Section 2. That the Unified Government hereby approves and adopts the use of its home rule powers to use the Wyandotte County and Kansas City, Kansas portion of the real

property taxes collected from the Property to reimburse certain eligible Project costs, as set forth in the Development Agreement.

Section 3. That the County Administrator is hereby authorized to execute in the name of the Unified Government of Wyandotte County/Kansas City, Kansas, the Development Agreement, and any other certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution and that the County Administrator and all other Unified Government officials are authorized to take any further action necessary to carry out and comply with the intent of this Resolution.

**APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS, THIS ____ DAY OF JULY 2019.**

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

DEVELOPMENT AGREEMENT
FOR
THE BOULEVARD LOFTS PROJECT

between the

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

and

Boulevard Lofts, LP

DATED AS OF _____, 2019

**DEVELOPMENT AGREEMENT FOR
THE BOULEVARD LOFTS PROJECT**

THIS AGREEMENT is entered into between the **UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS**, a municipal corporation organized and existing pursuant to the laws of the State of Kansas as a consolidated city-county having all the powers, functions and duties of a county and a city of the first class (the "**Unified Government**"), and **BOULEVARD LOFTS, LP**, a Kansas limited partnership, and together with the Unified Government, the "**Parties**"), and is dated as of the date set forth on the cover page of this Agreement.

RECITALS

WHEREAS, the Developer wishes to design, develop, and construct the Project on real property generally located at 819 Everett Avenue; 821 Everett Avenue; 829 Everett Avenue; 841 Everett Avenue; 847 Everett Avenue; 849 Everett Avenue; 851 Everett Avenue; 830 Washington Avenue; and 1304 H N 8th Street, all properties located in Kansas City, Wyandotte County, Kansas (the "Project Site"), as generally depicted on Exhibit A, as attached hereto;

WHEREAS, the Developer owns the Project Site and has all rights to occupy and develop the Project Site as set forth herein;

WHEREAS, the Unified Government recognizes that there is need for new, high quality affordable residential options in the northeast area of Kansas City, Kansas and that the Project will stimulate the growth of new businesses in the area and further revitalize the northeast area.

WHEREAS, development of the Project on the Project Site would create jobs, stimulate the Unified Government economy through additional real property taxes, sales taxes, and other indirect spending at nearby businesses from residents living at the Project Site, all of which would promote the public good, health, and welfare within Wyandotte County; and

WHEREAS, the Parties agree that the Project is not financially feasible without the public-private partnership as set forth in this Agreement and therefore the Parties wish to enter into this Agreement to provide the necessary financing for the Project.

NOW, THEREFORE, in consideration of the foregoing, and of the mutual covenants and agreements herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties do hereby agree as follows:

ARTICLE I
DEFINITIONS AND RULES OF CONSTRUCTION

Section 1.01. Rules of Construction. For all purposes of this Agreement, except as otherwise expressly provided or unless the context otherwise requires, the following rules of construction apply in construing the provisions of this Agreement.

- A. The terms defined in this Article include the plural as well as the singular.
- B. All accounting terms not otherwise defined herein shall have the meanings assigned to them, and all computations herein provided for shall be made, in accordance with generally accepted accounting principles.
- C. All references herein to "generally accepted accounting principles" refer to such principles in effect on the date of the determination, certification, computation, or other action to be taken hereunder using or involving such terms.
- D. All references in this instrument to designated "Articles", "Sections", and other subdivisions are to be the designated Articles, Sections, and other subdivisions of this instrument as originally executed.
- E. The words "herein," "hereof" and "hereunder" and other words of similar import refer to this Agreement as a whole and not to any particular Article, Section, or other subdivision.
- F. The Article and Section headings herein are for convenience only and shall not affect the construction hereof.
- G. The representations, covenants, and recitations set forth in the foregoing recitals are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth in this Section.

Section 1.02. Definitions of Words and Terms. Capitalized words used in this Agreement shall have the meanings set forth in the Recitals to this Agreement or they shall have the following meanings:

"Action" has the meaning set forth in **Section 8.01**.

"Affiliate" means any person, entity, or group of persons or entities which controls the Developer, which the Developer controls or which is under common control with the Developer. As used herein, the term "control" shall mean the possession, directly or indirectly, of the power to direct or cause the direction of management and policies, whether through the ownership of voting securities, by contract or otherwise.

"Agreement" means this Agreement, as amended from time to time.

"Annual gross rent" means the annual total of all rents collected for all units in the project.

"Applicable Law and Requirements" means any applicable constitution, treaty, statute, rule, regulation, ordinance, order, directive, code, interpretation, judgment, decree, injunction, writ, determination, award, permit, license, authorization, directive, requirement or decision of or agreement with or by Governmental Authorities. Applicable Law and Requirements shall include, without limitation, the Kansas Cash-Basis Law (K.S.A. § 10-1101, et. seq.) and the budget provisions found at K.S.A. § 79-2925 *et. seq.*

"Certificate of Reimbursable Project Costs" means a certificate relating to Project Costs in substantially the form attached hereto as Exhibit C.

"City" means the City of Kansas City, Kansas.

"Construction Plans" means plans, drawings, specifications and related documents, and construction schedules for the construction of the Project, together with all supplements, amendments, or corrections, submitted by the Developer and approved by the Unified Government in accordance with this Agreement.

"County" means Wyandotte County, Kansas.

"Developer" means Boulevard Lofts, LP, a Kansas limited partnership, and any successors and assigns approved or otherwise permitted pursuant to this Agreement.

"Developer Event of Default" means any event or occurrence defined in Section 9.01.

"Developer Representative" means Kelley Hrabe and such other person or persons at the time designated to act on behalf of the Developer in matters relating to this Agreement as evidenced by a written

certificate furnished to the Unified Government containing the specimen signature of such person or persons and signed on behalf of the Developer.

"Event of Default" means any event or occurrence as defined in Article IX of this Agreement.

"Excusable Delays" means any delay beyond the reasonable control of the Party affected, caused by damage or destruction by fire or other casualty, power failure, strike, unavailability of labor or materials, delays in the processing of Permitted Subsequent Approvals as a result of unreasonable delay on the part of the applicable Governmental Authorities, adverse weather conditions such as, by way of illustration and not limitation, severe rain storms or below freezing temperatures of abnormal degree or abnormal duration, tornadoes, and any other events or conditions, which shall include but not be limited to any litigation interfering with or delaying the construction of all or any portion of the Project in accordance with this Agreement, which in fact prevents the Party so affected from discharging its respective obligations hereunder. Notwithstanding the foregoing, the parties hereby understand and agree that "Excusable Delays" shall not include delays resulting from the inability of a Party to obtain financing or to proceed with its obligations under this Agreement because of a lack of funds.

"Governmental Approvals" means all plat approvals, re-zoning or other zoning changes, site plan approvals, conditional use permits, variances, building permits, architectural review or other subdivision, zoning, or similar approvals required for the implementation of the Project and consistent with the Site Plan and this Agreement.

"Governmental Authorities" means any and all jurisdictions, entities, courts, boards, agencies, commissions, offices, divisions, subdivisions, departments, bodies or authorities of any type of any governmental unit (federal, state or local) whether now or hereafter in existence.

"Investor-approved rent" means the estimated annual total of all rents to be collected for all units in the Project for the year, as those rents were calculated by the project investor and based on the appraisal. Such amount is increased by a factor of two percent from year to year, as set forth in Exhibit J.

"KHRC-approved rent" means the annual total of all rents authorized by the Kansas Housing Resources Corporation for all units in the project for the year. Such amount is increased by a factor of two percent from year to year, as set forth in Exhibit J.

"Parties" means the Developer and the Unified Government and their successors and assigns.

"Pay As You Go" has the meaning set forth in Section 3.03.

"Permitted Subsequent Approvals" means the zoning and building permits and other governmental approvals customarily obtained prior to construction which have not been obtained on the date that this Agreement is executed, which the Unified Government or other governmental entity has not yet determined to grant.

"Plans" means Site Plans, Construction Plans and all other Governmental Approvals necessary to construct the Project in accordance with Unified Government code, applicable laws of Governmental Authorities, and this Agreement.

"Project" means the design, development, and construction of fifty (50) affordable housing units on the Project Site to be known as the "Boulevard Lofts".

"Project Budget" means the project budget as prepared and designed by the Developer, as set forth in Exhibit E.

"Project Costs" means the costs of designing, developing, and constructing the Project, as estimated in the Project Budget.

"Project Site" has the meaning set forth in the Recitals hereto to the extent acquired by the Developer in its sole discretion.

"Reimbursable Project Costs" means all costs that are certified for reimbursement by the Unified Government as set forth herein, as set forth in Exhibit F.

"Reimbursable Project Costs Cap" means \$200,000 in Reimbursable Project Costs. The Reimbursable Project Costs Cap shall be subject to reduction as set forth in Section 3.07 and Exhibit F of this Agreement.

"Real Property Tax Revenues" means the revenues actually received by the Unified Government from the real property taxes levied by Wyandotte County and by the City of Kansas City, Kansas against those portions of the Project Site occupied by Developer from time to time.

"Site Plan" means the final site plan for the Project Site submitted by the Developer to the Unified Government and approved by the Unified Government pursuant to applicable Unified Government ordinances, regulations, and Unified Government code provisions, which may either be approved as a whole or approved in phases or stages.

"Unified Government" means the Unified Government of Wyandotte County/Kansas City, Kansas.

"Unified Government Event of Default" means any event or occurrence defined in Section 9.02.

"Unified Government Representative" means the County Administrator and/or Deputy County Administrator, and such other person or persons at the time designated to act on behalf of the Unified Government in matters relating to this Agreement.

"Unified Government Indemnified Parties" has the meaning set forth in Section 8.01.

ARTICLE II

REPRESENTATIONS AND WARRANTIES

Section 2.01 Representations of Unified Government. The Unified Government makes the following representations and warranties, which are true and correct on the date hereof:

A. Due Authority. The Unified Government has full constitutional and lawful right, power and authority, under current applicable law, to execute and deliver and perform the terms and obligations of this Agreement, and this Agreement has been duly and validly authorized and approved by all necessary Unified Government proceedings, findings, and actions. Accordingly, this Agreement constitutes the legal valid and binding obligation of the Unified Government, enforceable in accordance with its terms.

B. No Defaults or Violation of Law. The execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, and the fulfillment of the terms and conditions hereof do not and will not conflict with or result in a breach of any of the terms or conditions of any agreement or instrument to which it is now a party, and do not and will not constitute a default under any of the foregoing.

C. No Litigation. There is no litigation, proceeding or investigation pending or, to the knowledge of the Unified Government, threatened against the Unified Government with respect to this Agreement. In addition, no litigation, proceeding or investigation is pending or, to the knowledge of the Unified Government, threatened against the Unified Government seeking to restrain, enjoin or in any way limit the approval or issuance and delivery of this Agreement or which would in any manner challenge or adversely affect the existence or powers of the Unified Government to enter into and carry out the transactions described in or contemplated by the execution, delivery, validity, or performance by the Unified Government of the terms and provisions of this Agreement.

D. Governmental or Corporate Consents. Other than the resolution approved by the Unified Government's Commission to authorize the execution and delivery of this Agreement, no other consent or approval is required to be obtained from, and no action need be taken by, or document filed with, any governmental body or corporate entity in connection with the execution and delivery by the Unified Government of this Agreement.

E. No Default. No default or Event of Default has occurred and is continuing, and no event has occurred and is continuing which with the lapse of time or the giving of notice, or both, would constitute a default or an event of default in any material respect on the part of the Unified Government under this Agreement.

Section 2.02. Representations of the Developer.

The Developer makes the following representations and warranties, which are true and correct on the date hereof:

A. Due Authority. The Developer has all necessary power and authority to execute and deliver and perform the terms and obligations of this Agreement and to execute and deliver the documents required of the Developer herein, and such execution and delivery has been duly and validly authorized and approved by all necessary proceedings. Accordingly, this Agreement constitutes the legal valid and binding obligation of the Developer, enforceable in accordance with its terms.

B. No Defaults or Violation of Law. The execution and delivery of this Agreement, the consummation of the transactions contemplated hereby, and the fulfillment of the terms and conditions hereof do not and will not conflict with or result in a breach of any of the terms or conditions of any corporate or organizational restriction or of any agreement or instrument to which it is now a party, and do not and will not constitute a default under any of the foregoing.

C. No Litigation. No litigation, proceeding or investigation is pending or, to the knowledge of the Developer, threatened against the Project, the Developer or, except as disclosed to the Unified Government, any officer, director, member, or shareholder of the Developer. In addition, no litigation, proceeding, or investigation is pending or, to the knowledge of the Developer, threatened against the Developer seeking to restrain, enjoin or in any way limit the approval or issuance and delivery of this Agreement or which would in any manner challenge or adversely affect the existence or powers of the Developer to enter into and carry out the transactions described in or contemplated by the execution, delivery, validity or performance by the Developer, of the terms and provisions of this Agreement.

D. No Material Change. (1) The Developer has not incurred any material liabilities or entered into any material transactions other than in the ordinary course of business except for the transactions

contemplated by this Agreement and (2) there has been no material adverse change in the business, financial position, prospects, or results of operations of the Developer, which could affect the Developer's ability to perform its obligations pursuant to this Agreement from that shown in the financial information provided by the Developer to the Unified Government prior to the execution of this Agreement.

E. Governmental or Corporate Consents. No consent or approval is required to be obtained from, and no action need be taken by, or document filed with, any governmental body or corporate entity in connection with the execution, delivery, and performance by the Developer of this Agreement, other than Permitted Subsequent Approvals.

F. No Default. No default or Event of Default has occurred and is continuing, and no event has occurred and is continuing which with the lapse of time or the giving of notice, or both, would constitute a default or an event of default in any material respect on the part of the Developer under this Agreement, or any other material agreement or material instrument to which the Developer is a party or by which the Developer is or may be bound .

G. Approvals. Except for Permitted Subsequent Approvals, the Developer has received and is in good standing with respect to all certificates, licenses, inspections, franchises, consents, immunities, permits, authorizations and approvals, governmental or otherwise, necessary to conduct and to continue to conduct its business as heretofore conducted by it and to own or lease and operate its properties as now owned or leased by it. Except for Permitted Subsequent Approvals, the Developer has obtained all certificates, licenses, inspections, franchises, consent s, immunities, permits, authorizations and approvals, governmental or otherwise, necessary to acquire, construct, equip, operate, and maintain the Project. The Developer reasonably believes that all such certificates, licenses, consents, permits, authorizations, or approvals which have not yet been obtained will be obtained in due course.

H. Construction Permits. Except for Permitted Subsequent Approvals, all governmental permits and licenses required by applicable law to construct, occupy, and operate the Project have been issued and are in full force and effect or, if the present stage of development does not allow such issuance, the Developer reasonably believes, after due inquiry of the appropriate governmental officials, that such permits and licenses will be issued in a timely manner in order to permit the Project to be constructed.

I. Compliance with Laws. The Developer is in compliance with all valid laws, ordinances, orders, decrees, decisions, rules, regulations, and requirements of every duly constituted governmental authority, commission, and court applicable to any of its affairs, business, and operations as contemplated by this Agreement.

J. Other Disclosures. The information furnished to the Unified Government by the Developer in connection with the matters covered in this Agreement are true and correct and do not contain any untrue statement of any material fact and do not omit to state any material fact required to be stated therein or

necessary to make any statement made therein, in the light of the circumstances under which it was made, not misleading.

K. Project. The Developer represents and warrants that the Project Site is sufficient to construct the Project as contemplated in this Agreement.

Section 2.03. Developer's Acquisition of the Project Site. At the time that this Agreement is executed, Developer represents that it has already purchased or has the contractual right to purchase fee simple title to all the real property within the Project Site. All of the real property to be acquired by the Developer, subject to the rights of assignment under **Article VII**, shall be held in the name of the Developer and shall be subject to the terms, conditions and covenants contained in this Agreement immediately upon acquisition and prior to any encumbrances placed thereon.

ARTICLE III

REIMBURSEMENT OF PROJECT COSTS

Section 3.01. Project Costs, Generally. In consideration for the Developer's agreement to construct the Project, the Unified Government agrees to reimburse the Developer for Reimbursable Project Costs, subject to the Reimbursable Project Costs Cap, and subject to all of the terms and conditions of this Agreement, including the pre-conditions for reimbursement as set forth herein. The Parties anticipate that the Developer will be reimbursed on a Pay As You Go basis as further set forth in this Agreement. Though neither party has given the other any assurances or guarantees regarding the Real Property Tax Revenues or reimbursements to be paid pursuant to the terms of this Agreement, the parties hereby agree that the Reimbursable Project Costs Cap and the incentives set forth herein were based upon the estimated reimbursable project costs set forth in Exhibit F, attached hereto.

Section 3.02. Developer to Advance Costs. Upon Developer's determination to move forward with the design, development, and construction of any phase of the Project, the Developer agrees to advance all Project Costs as necessary to complete such phase of the Project, all subject to the Developer's right to terminate this Agreement as set forth in Section 7.03(c).

Section 3.03. Unified Government's Obligation to Reimburse Developer.

A. Source of Reimbursement. Subject to the terms of this Agreement and the conditions in this Section, and provided that no Developer Event of Default has occurred hereunder that has not been timely cured, then the Unified Government hereby agrees to reimburse Developer for Reimbursable Project Costs on a "Pay As You Go" basis in a total amount not to exceed the Reimbursable Project Costs Cap. On a bi-annual basis, the Unified Government hereby agrees that Developer shall be reimbursed for its

Reimbursable Project Costs solely from the Real Property Tax Revenues available at such time (the "Pay As You Go" method). The Parties agree that all reimbursement to the Developer shall be made only on a Pay As You Go basis, and nothing in this Agreement shall in any way obligate the Unified Government to issue bonds or other obligations to reimburse Developer. The Parties also agree that nothing in this Agreement shall in any way obligate the Unified Government to reimburse Developer for (i) any cost that is not a Reimbursable Project Cost, or (ii) any Reimbursable Project Costs in excess of the Reimbursable Project Costs Cap.

B. Timing of Reimbursement. The Unified Government shall have no obligation to reimburse Developer until Real Property Tax Revenues, as applicable, are available. Subject to the terms and conditions set forth in this Agreement, the Unified Government hereby agrees to make bi-annual reimbursement payments to Developer from the available Real Property Tax Revenues (with the first payment on or before March 31st and the second payment on or before June 30th) as follows:

C. Conditions for Reimbursement. The Parties hereby understand and agree that the Unified Government shall have no obligation to reimburse the Developer for any Reimbursable Project Costs if:

(i) Developer has not yet completed and opened the facility for business and is actively leasing units to the public. This shall be a precondition to any reimbursement of Reimbursable Project Costs hereunder.

(ii) Subsequent to opening for business, the Project shall fail to Continuously Operate (as defined in **Section 5.03** below) on the Project Site.

(iii) Developer shall transfer the Project Site, or without complying with the terms and conditions of **Article VII** hereof, including without limitation, any required consent or approval of the Unified Government.

(iv) A Developer Event of Default shall occur hereunder and has not been timely cured.

Additionally, the parties hereby understand and agree that the reimbursements set forth in this Agreement shall be subject to annual appropriation by the Unified Government's Commission.

Term and Percentage of Reimbursement. Subject to the Reimbursable Project Costs Cap, Real Property Tax Revenues associated with the following portions of the Project Site shall be made available to Developer on a Pay As You Go basis to reimburse Reimbursable Project Costs in accordance with the terms as follows, as well as all other terms of this Agreement: a portion of Unified Government's Real Property Tax Revenues (The City of Kansas City, Kansas and Wyandotte County only) until such time as the Reimbursable Project Costs Cap is met, subject to the limitation set forth in **Section 3.08**.

The 10-year term for Real Property Tax Revenues for the Project shall commence on January 1 of the year in which the County first fully appraises the completed project improvements for such Project, or upon such earlier date upon mutual agreement of the Unified Government and Developer.

D. Outside Date for Reimbursement. Notwithstanding anything else set forth in this Agreement to the contrary, the Parties hereby agree that the reimbursements contemplated herein shall end on or before the date on which Developer is reimbursed with Real Property Tax Revenues for tax year 2030. In no event shall the Unified Government make any reimbursements of Real Property Tax Revenues after such time.

Section 3.04. Developer Reimbursement Process.

A. All requests for reimbursement of Reimbursable Project Costs shall be made in a Certificate of Reimbursable Project Costs in substantial compliance with the form attached hereto as **Exhibit C**. Requests for reimbursement shall be submitted by the Developer to the Unified Government (or its designated representatives) as a package. The Developer shall provide itemized invoices, real estate contracts, lien waivers, receipts, or other information reasonably requested, if any, to confirm that any such cost has been paid and qualifies as a Reimbursable Project Cost, and shall further provide a summary sheet detailing the costs requested to be reimbursed. Such summary sheet shall show the date such cost was paid, the payee, a brief description of the type of cost paid, and the amount paid. The Developer shall provide such additional information as reasonably requested by the Unified Government (or its designated representatives) to confirm that such costs have been paid and qualify as Reimbursable Project Costs.

B. The Unified Government reserves the right to have its engineer or other agents or employees inspect all work in respect of which a Certificate of Reimbursable Project Costs is submitted, to examine the Developer's and others' records relating to all expenses related to the invoices to be paid, and to obtain from such parties such other information as is reasonably necessary for the Unified Government to evaluate compliance with the terms hereof.

C. The Unified Government shall have 30 calendar days after receipt of any Certificate of Reimbursable Project Costs to review and respond by written notice to the Developer. If the submitted Certificate of Reimbursable Project Costs and supporting documentation demonstrates that (1) the request is for valid Reimbursable Project Costs, (2) the work has been completed and the expense has been paid, (3) Developer is not in material default under this Agreement, and (4) there is no fraud on the part of the Developer; then the Unified Government shall reasonably approve the Certificate of Reimbursable Project Costs. If the Unified Government reasonably disapproves of the Certificate of Reimbursable Project Costs, the Unified Government shall notify the Developer in writing of the reason for such disapproval within such 30-day period. Approval of the Certificate of Reimbursable Project Costs will not be unreasonably withheld.

Section 3.05. Right to Inspect and Audit. The Developer agrees that, up to one year after completion of the Project and opening for leasing to the public, the Unified Government, with reasonable advance notice and during normal business hours, shall have the right and authority to review, audit, and copy, from time to time, all the Developer's books and records relating to the Reimbursable Project Costs associated with the Project (including, but not limited to, all general contractor's sworn statements, general contracts, subcontracts, material purchase orders, waivers of lien, paid receipts and invoices).

Section 3.06. Limitation on Unified Government's Payment Obligations. Notwithstanding any other term or provision of this Agreement, the Unified Government's obligation to reimburse the Developer for Reimbursable Project Costs shall be limited to available Real Property Tax Revenues and shall not be payable from any other source.

Section 3.07. Reduction of Caps. The parties agree that in the event that Developer fails to meet the LBE/MBE/WBE goals set forth in **Exhibit I**, the Reimbursable Project Costs Cap shall be reduced as set forth therein.

Section 3.08. Full and Partial Payment Authorized. Notwithstanding any other provision of this Agreement to the contrary, Reimbursable Project Costs shall be paid as follows:

A. An amount equal to one hundred percent (100%) of the Real Property Tax Revenues for the year, less the Unified Government Administrative Fee, if the annual gross rent is an amount that is equal to or less than the Investor-approved rent for the year;

B. An amount equal to seventy-five percent (75%) of the Real Property Tax Revenues for the year, less the Unified Government Administrative Fee, if the annual gross rent is an amount that is greater than the Investor-approved rent for the year but less than the KHRC-approved rent for the year; or

C. An amount equal to fifty percent (50%) of the Real property Tax Revenues for the year, less the Unified Government Administrative Fee, if the annual gross rent is an amount that is equal to or greater than the KHRC-approved rent for the year.

ARTICLE IV

THE PROJECT

Section 4.01. Undertaking of Developer. Developer hereby agrees, subject to the terms and conditions hereinafter provided, to construct, complete, and operate the Project, subject to the Developer's right to terminate this Agreement at any time under Section 7.03(c) hereof, at which time the Parties shall

have no further obligations hereunder. The performance of all activities by Developer hereunder shall be as an independent contractor and not as an agent of the Unified Government, except as otherwise specifically provided herein.

Section 4.02. Project Budget. Upon construction of the Project, in whole or in part, it shall be constructed substantially in accordance with the Project Budget.

Section 4.03. Design of Project. In order to further the development of the Redevelopment District, the Unified Government hereby authorizes the Developer to construct, or cause to be constructed, the Project according to the final Plans approved by the Unified Government.

Section 4.04. Rights of Access. Representatives of the Unified Government shall have the right of access to the Project Site, without charges or fees, at normal construction hours during the period of construction, for the purpose of ensuring compliance with this Agreement, including, but not limited to, the inspection of the work being performed in constructing, renovating, improving, equipping, repairing, and installing the project, so long as they comply with all safety rules. Except in case of emergency, prior to any such access, such representatives of the Unified Government will check in with the on-site manager. Such representatives of the Unified Government shall carry proper identification, shall insure their own safety, shall assume the risk of injury, and shall not interfere with the construction activity.

ARTICLE V

USE OF THE PROJECT SITE

Section 5.01. Land Use Restrictions. At all times while this Agreement is in effect:

A. No Tax-Exempt Organizations. This Agreement shall be terminated if the Developer sells or leases any property within the Project Site to a tax-exempt organization, except that this prohibition shall not prevent the granting of any temporary or permanent easements necessary to facilitate the construction of the Project, and further provided, that such sale or lease shall be permitted if the transaction does not impact the tax status of the property or if a payment in lieu of taxes agreement mutually agreeable to the Parties is established, or if the UG otherwise consents to such sale or lease.

Section 5.02. Operation of Project. The parties hereby agree as follows:

A. The Project shall comply with all applicable building and zoning, health, environmental, and safety codes and laws, and all other Applicable Laws and Regulations. The Developer shall, at its own expense, secure or cause to be secured any and all permits which may be required by the Unified

Government and any other governmental agency having jurisdiction for the construction and operation of the Project, including but not limited to obtaining all necessary rental licenses and paying any necessary fees to obtain required permits and licenses.

Section 5.03. Continuous Operation. Developer hereby agrees that after the opening of the Project, Developer shall thereafter "Continuously Operate" by continuously conducting business on the Project Site during the Term of this Agreement For purposes of this Agreement, "Continuously Operate" shall mean leasing residential units to members of the public for habitation year round, without interruption except for such unavoidable stoppages due to emergency repair work, fire, or damage and destruction caused by acts of nature.

Section 5.04. Taxes, Assessments, Encumbrances and Liens.

A. So long as the Developer owns real property within the Project Site, the Developer shall pay when due all real estate taxes and assessments on the property it owns within the Project Site. In the event that the Developer shall fail to pay all such applicable real estate taxes and assessments, the parties understand and agree that the Unified Government may suspend all reimbursements of Reimbursable Project Costs during any time that such real estate taxes and assessments on the property the Developer owns within the Project Site remain unpaid. Notwithstanding the foregoing, nothing contained in this Agreement shall prohibit the Developer from contesting the assessed value of the properties, improvements or the taxes thereon in good faith by appropriate proceedings; provided however that (i) Developer shall pay any and all amounts that are contested under protest while any such proceedings are pending, and (ii) the Unified Government shall suspend all reimbursements of Real Property Tax Revenues during any time that such proceedings are pending final resolution. The Developer and any other owners of real property within the Project Site shall promptly notify the Unified Government in writing of a protest of real estate taxes or valuation of the Developer's or such other owners' property within the Project Site.

B. Subject to **Section 5.06**, Developer agrees that no mechanics' or other liens shall be established or remain against the Project or Project Site, or the funds in connection with any of the Project, for labor or materials furnished in connection with any acquisition, construction, additions, modifications, improvements, repairs, renewals, or replacements so made. However, the Developer shall not be in default if mechanics' or other liens are filed or established and the Developer contests in good faith said mechanics' liens and in such event may permit the items so contested to remain undischarged and unsatisfied during the period of such contest and any appeal therefrom. The Developer hereby agrees and covenants to indemnify and hold harmless the Unified Government in the event any liens are filed against the Project as a result of acts of the Developer, its agents or independent contractors.

C. Developer hereby covenants and agrees that it shall not take any actions or adopt any practices or procedures which are designed to, or which may or will have the effect of, eliminating, reducing or diverting in any way any [sales taxes, use taxes, and/or] property taxes payable to the Unified Government [or the State] in connection with sales made or services from, in or on and about the Project Site.

Section 5.05. Financing During Construction; Rights of Holders.

A. No Encumbrances Except Mortgages during Construction. Notwithstanding any other provision of this Agreement, mortgages are permitted for the acquisition, construction, renovation, improvement, equipping, repair, and installation of the Project and to secure permanent financing thereafter. However, nothing contained in this paragraph is intended to permit or require the subordination of general property taxes, special assessments or any other statutorily authorized governmental lien to be subordinate in the priority of payment to such mortgages.

B. Holder Not Obligated to Construct Improvements. The holder of any mortgage authorized by this Agreement shall not be obligated by the provisions of this Agreement to construct or complete the Project or to guarantee such construction or completion. Nothing in this Agreement shall be deemed to construe, permit, or authorize any such holder to devote the Project to any uses or to construct any improvements thereon, other than those uses or improvements provided for or authorized by this Agreement.

C. Notice of Default to Mortgage Holders. With respect to any mortgage granted by Developer as provided herein, whenever the Unified Government shall deliver any notice or demand to Developer with respect to any breach or default by the Developer in completion of construction of the Project, the Unified Government shall at the same time deliver to each holder of record of any mortgage authorized by this Agreement a copy of such notice or demand, but only if Unified Government has been requested to do so in writing by Developer .

D. Construction Period Financing. The restrictions on Developer financing in this Section are intended to and shall apply only to financing during the construction period for the improvements and any financing obtained in connection therewith. Nothing in this Agreement is intended or shall be construed to prevent the Developer from obtaining any financing for the Project or any aspect thereof.

Section 5.06. Covenant for Non-Discrimination. The Developer covenants by and for itself and any successors in interest that there shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, sexual orientation, gender identity, marital status, age, disability, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the Project Site, nor shall the Developer itself or any person claiming under or through it establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy of tenants, lessees, subtenants, sublessees, or vendees of the Project Site.

The covenant established in this Section shall, without regard to technical classification and designation, be binding for the benefit and in favor of the Unified Government, its successors and assigns,

and any successor in interest to the Project or any part thereof. The covenants contained in this Section shall remain for so long as this Agreement is in effect.

ARTICLE VI

REIMBURSEMENT OF REIMBURSABLE PROJECT COSTS

Section 6.01. Unified Government's Administrative Fee. Prior to the calculation of the first bi-annual reimbursement in any calendar year of any Reimbursable Project Costs to Developer as set forth herein from time to time, the parties hereby agree that the Unified Government shall first pay itself an administrative fee of \$2,000 for such calendar year (the "Unified Government Administrative Fee"). Such administrative fees shall have priority over reimbursement of Reimbursable Project Costs but shall not be applied to the Reimbursable Project Costs Cap.

Section 6.02. Disbursement of Real Property Tax Revenues. All disbursements of Real Property Tax Revenues shall be made only to reimburse Reimbursable Project Costs. The Unified Government shall have sole control of such disbursements.

ARTICLE VII

ASSIGNMENT; TRANSFER

Section 7.01. Transfer of Obligations.

A. The rights, duties and obligations hereunder of the Developer may not be assigned, in whole or in part, to another entity, without the prior approval of the Unified Government Commission by resolution following verification by the Unified Government Chief Counsel that the assignment complies with the terms of this Agreement. Any proposed assignee shall have qualifications and financial responsibility, as reasonably determined by the County Administrator, necessary and adequate to fulfill the obligations of the Developer with respect to the portion of the Project Site being transferred. Any proposed assignee shall, by instrument in writing, for itself and its successors and assigns, and expressly for the benefit of the Unified Government, assume all of the obligations of the Developer under this Agreement and agree to be subject to all the conditions and restrictions to which the Developer is subject (or, in the event the transfer is of or relates to a portion of the Project Site, such obligations, conditions and restrictions to the extent that they relate to such portion). The Developer shall not be relieved from any obligations set forth herein unless and until the Unified Government specifically agrees to release the Developer. The Developer agrees, at Developer's cost, to promptly record all assignments in the office of the Register of Deeds of Wyandotte County, Kansas, in a timely manner following the execution of such agreements. The terms of **Section 5.01(A)** shall apply to any transfers to entities exempt from property taxation.

B. The Parties' obligations pursuant to this Agreement, unless earlier satisfied, shall inure to and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties as if they were in every case specifically named and shall be construed as a covenant running with the land, enforceable against the purchasers or other transferees as if such purchaser or transferee were originally a party and bound by this Agreement. Notwithstanding the foregoing, no tenant of any part of the Project Site shall be bound by any obligation of the Developer solely by virtue of being a tenant; provided, however, that no transferee or owner of property within the Project Site except the Developer shall be entitled to any rights whatsoever or claim upon the reimbursements of Sales Tax Revenues or the Real Property Tax Revenues as set forth herein, except as specifically authorized in writing by the Developer.

C. The foregoing restrictions on assignment, transfer and conveyance and the restriction in **Section 7.03** shall not apply to (a) any security interest granted to secure indebtedness to any construction or permanent lender, or (b) the sale, rental and leasing of portions of the Project Site for the uses permitted under the terms of this Agreement.

Section 7.02. Developer Reorganization. Nothing herein shall prohibit (or require Unified Government approval to allow) the Developer from forming additional development or ownership entities to replace or joint venture with the Developer for the purpose of business and/or income tax planning; provided that one or more of the principals of the Developer maintains management control of any new or restructured company. The Developer shall provide the Unified Government written notice of any such restructuring within thirty (30) days of any such restructuring.

Section 7.03. Prohibition Against Transfer of Project, Buildings, or Structures Therein.

A. During the Term of this Agreement, the Developer shall not, except as permitted by this Agreement, without prior written approval of the Unified Government, which shall not be unreasonably withheld, conditioned or delayed, make any total sale, transfer, conveyance, assignment or lease of the Project Site. This prohibition shall not be deemed to prevent the granting of temporary or permanent easements or permits to facilitate the development of the Project Site or to prohibit or restrict the sale or leasing of any part or parts of a building, structure or land commencing on completion.

B. As a condition to such transfer, the Unified Government may require such transferee to agree to be bound, in whole or in part, by the provisions of this Agreement.

C. Notwithstanding the foregoing, Developer may terminate this Agreement at any time and thereafter transfer or sell the real property that makes up the Project Site without any Unified Government approval or consent.

ARTICLE VIII
GENERAL COVENANTS

Section 8.01. Indemnification of Unified Government.

A. Developer agrees to indemnify and hold the Unified Government, its employees, agents and independent contractors and consultants (collectively, the **"Unified Government Indemnified Parties"**) harmless from and against any and all suits, claims, costs of defense, damages, injuries, liabilities, judgments, costs and/or expenses, including court costs and reasonable attorney's fees, resulting from, arising out of, or in any way connected with:

1. the acquisition of the Project Site;
2. the management, design, construction, development and completion of the Project by the Developer,
3. the use or occupation of the Project Site by Developer or anyone acting by, through, or under the Developer;
4. damage or injury, actual or claimed, of whatsoever kind or character to persons or property occurring or allegedly occurring in, on, or about the Project Site;
5. any breach, default, or failure to perform by the Developer under this Agreement;
6. any act by an employee of the Unified Government at the Project Site which is within or under the control of the Developer or pursued for the benefit of, or on behalf of, the Developer;
7. the Developer's actions and undertaking in implementation of the Project or this Agreement; and
8. any delay or expense resulting from any litigation filed against the Developer by any member or shareholder of the Developer, any prospective investor, prospective partner or joint venture partner, lender, co-proposer, architect, contractor, consultant, or other vendor.

This section shall not apply to negligence or willful misconduct of the Unified Government or its officers, employees or agents. This section includes, but is not limited to, any repair, cleanup, remediation, detoxification, or preparation and implementation of any removal, remediation, response, closure or other plan (regardless of whether undertaken due to governmental action) concerning any hazardous substance or hazardous wastes including petroleum and its fractions as defined in (i) the Comprehensive Environmental Response, Compensation and Liability Act ("**CERCLA**"; 42 U.S.C. Section 9601, et seq.), (ii) the Resource Conservation and Recovery Act ("**RCRA**"; 42 U.S.C. Section 6901, et seq.), (iii) Article 34, Chapter 65, K.S.A., and all amendments thereto, and any other Applicable Laws and Requirements at the Project Site or any other place where Developer owns or has control of real property pursuant to any of Developer's activities under this Agreement. The foregoing indemnity is intended to operate as an agreement pursuant to Section 107(e) of CERCLA to assure, protect, hold harmless, and indemnify Unified Government from liability.

B. In the event any suit, action, investigation, claim, or proceeding (collectively, an "**Action**") is begun or made as a result of which the Developer may become obligated to one or more of the Unified Government Indemnified Parties hereunder, the Unified Government Indemnified Party shall give prompt notice to Developer of the occurrence of such event, but the failure to notify Developer will not relieve Developer of any liability that it may have to a Unified Government Indemnified Party. After receipt of such notice, Developer may elect to defend, contest, or otherwise protect a Unified Government Indemnified Party against any such Action, at the cost and expense of Developer, utilizing counsel approved by a Unified Government Indemnified Party. The Unified Government Indemnified Party shall have the right, but not the obligation, to participate, at the Unified Government Indemnified Party's own cost and expense, in the defense thereof by counsel of the Unified Government Indemnified Party's choice. In the event that Developer shall fail timely to defend, contest or otherwise protect a Unified Government Indemnified Party against such Action, the Unified Government Indemnified Party shall have the right to do so, and (if such defense is undertaken by the Unified Government Indemnified Party after notice to Developer asserting Developer's failure to timely defend, contest, or otherwise protect against such Action), the Unified Government Indemnified Party may submit any bills for fees and costs received from its counsel to Developer for payment for services that were rendered no sooner than thirty (30) days after such notice is provided to Developer, and within thirty (30) business days after such submission of such bills for fees and costs, Developer shall transfer to the Unified Government Indemnified Party sufficient funds to pay such bills. Developer acknowledges that such bills may be redacted to delete any information which would constitute attorney-client communication or attorney work product.

C. A Unified Government Indemnified Party shall submit to Developer any settlement proposal that the Unified Government Indemnified Party shall receive. Developer shall be liable for the payment of any amounts paid in settlement of any Action to the extent that Developer consents to such settlement. Neither Developer nor the Unified Government Indemnified Party will unreasonably withhold its consent to a proposed settlement.

D. Developer expressly confirms and agrees that it has provided this indemnification and assumes the obligations under this Agreement imposed upon Developer in order to induce the Unified Government to enter into this Agreement. To the fullest extent permitted by law, a Unified Government Indemnified Party shall have the right to maintain an action in any court of competent jurisdiction to enforce and/or to recover damages for breach of the rights to indemnification created by, or provided pursuant to, this Agreement, and the right to apply any deposit or other funds submitted by Developer to the Unified Government Indemnified Party in payment of the damages suffered by it, as is necessary to protect the Unified Government Indemnified Party from loss. If such court action is successful, the Unified Government Indemnified Party shall be reimbursed by Developer for all fees and expenses (including attorneys' fees) actually and reasonably incurred in connection with such action (including, without limitation, the investigation, defense, settlement, or appeal of such action).

E. The right to indemnification set forth in this Agreement with respect to events or circumstances that occurred or arose during the term of this Agreement shall survive the termination of this Agreement.

Section 8.02. Non-liability of Officials, Employees and Agents of the Unified Government.

No recourse shall be had for the reimbursement of the Project Costs or for any claim based thereon or upon any representation, obligation, covenant, or agreement contained in this Agreement against any past, present or future official, officer, employee or agent of the Unified Government, under any rule of law or equity, statute or constitution or by the enforcement of any assessment or penalty or otherwise, and all such liability of any such officials, officers, employees or agents as such is hereby expressly waived and released as a condition of and consideration for the execution of this Agreement.

Section 8.03. Power of the Unified Government. Notwithstanding anything set forth herein to the contrary, no provision contained herein shall in any manner diminish or usurp the inherent rights and powers of the Unified Government to act in its capacity as a public body. Further, nothing herein shall relieve the Developer from complying with all Applicable Laws and Requirements.

Section 8.04. LBE/MBE/WBE Employment Opportunity Goals. Developer agrees to comply with the goals set forth on Exhibit I attached hereto and made a part hereof, in order to identify and provide employment opportunities for local businesses and contractors, women and local minority owned businesses in connection with the Project.

ARTICLE IX

DEFAULTS AND REMEDIES

Section 9.01. Developer Event of Default. Subject to **Section 9.05**, the occurrence and continuance of any of the following events shall constitute a **"Developer Event of Default"** hereunder:

A. Subsequent to opening for business, the Project shall fail to Continuously Operate (as defined in **Section 5.03**) on the Project Site.

B. Developer shall transfer the Project Site or this Agreement without complying with the terms and conditions of **Article VII** hereof, including without limitation, any required consent or approval of the Unified Government

C. A default in the performance of any obligation or breach of any covenant or agreement of the Developer in this Agreement (other than a covenant or agreement, a default in the performance or breach of which is specifically dealt with elsewhere in this Section), and continuance of such default or breach for a period of 30 days after the Unified Government has delivered to Developer a written notice specifying such default or breach and requiring it to be remedied; provided, that if such default or breach cannot be

fully remedied within such 30-day period, but the Developer is diligently attempting to remedy such default or breach, such default or breach shall not constitute an event of default if the Developer shall promptly upon receipt of such notice diligently commence to remedy such default or breach (but in all events within such 30-day period) and shall thereafter prosecute and complete the same with due diligence and dispatch.

Section 9.02. Unified Government Event of Default. Except as further provided herein, and subject to **Section 9.05**, a **"Unified Government Event of Default"** shall mean a Default in the performance of any obligation or breach of any other covenant or agreement of the Unified Government in this Agreement (other than a covenant or agreement, a default in the performance, or breach of which is specifically dealt with elsewhere in this Section), and continuance of such default or breach for a period of 30 days after there has been given to the Unified Government by the Developer a written notice specifying such default or breach and requiring it to be remedied; provided, that if such default or breach cannot be fully remedied within such 30-day period, but can reasonably be expected to be fully remedied and the Unified Government is diligently attempting to remedy such default or breach, such default or breach shall not constitute an event of default if the Unified Government shall immediately upon receipt of such notice diligently commence to remedy such default or breach (but in all events within such 30-day period) and shall thereafter prosecute and complete the same with due diligence and dispatch.

Section 9.03. Remedies Upon a Developer Event of Default.

A. Upon the occurrence and continuance of a Developer Event of Default, the Unified Government shall have the following rights and remedies, in addition to any other rights and remedies provided under this Agreement or by law:

1. The Unified Government shall have the right to terminate this Agreement, in which event the Unified Government shall have no further obligation to reimburse the Developer for any amounts advanced under this Agreement or costs otherwise incurred or paid by Developer and the Unified Government shall thereafter retain Real Property Tax Revenues.

2. The Unified Government may pursue any available remedy at law or in equity by suit, action, mandamus, or other proceeding to enforce and compel the specific performance of the duties and obligations of the Developer as set forth in this Agreement, to enforce or preserve any other rights or interests of the Unified Government under this Agreement or otherwise existing at law or in equity and to recover any damages incurred by the Unified Government resulting from such Developer Event of Default, all subject to the Developer's right to terminate this Agreement at any time under Section 7.03(c) hereof, at which time the Parties shall have no further obligations hereunder.

B. If the Unified Government has instituted any proceeding to enforce any right or remedy under this Agreement by suit or otherwise, and such proceeding has been discontinued or abandoned for any reason, or has been determined adversely to the Unified Government, then and in every case the Unified Government and the Developer shall, subject to any determination in such proceeding, be restored to their former positions and rights hereunder, and thereafter all rights and remedies of the Unified Government shall continue as though no such proceeding had been instituted.

C. The exercise by the Unified Government of any one remedy shall not preclude the exercise by it, at the same or different times, of any other remedies for the same default or breach. No waiver made by the Unified Government shall apply to obligations beyond those expressly waived.

D. Any delay by the Unified Government in instituting or prosecuting any such actions or proceedings or otherwise asserting its rights under this Section shall not operate as a waiver of such rights or limit it in any way. No waiver in fact made by the Unified Government of any specific default by the Developer shall be considered or treated as a waiver of the rights with respect to any other defaults, or with respect to the particular default except to the extent specifically waived.

E. In the event of such default, the Unified Government may take such actions, or pursue such remedies, as exist hereunder, or at law or in equity, and Developer covenants to pay and to indemnify the Unified Government against all reasonable costs and charges, including attorney's fees, lawfully and reasonably incurred by or on behalf of the Unified Government in connection with the enforcement of such actions or remedies.

Section 9.04. Remedies Upon a Unified Government Event of Default.

A. Upon the occurrence and continuance of a Unified Government Event of Default the Developer shall have the following rights and remedies, in addition to any other rights and remedies provided under this Agreement or by law:

1. The Developer shall have the right to terminate this Agreement, at which time neither party shall have any further obligations hereunder.

2. The Developer may pursue any available remedy at law or in equity by suit, action, mandamus or other proceeding to enforce and compel the performance of the duties and obligations of the Unified Government as set forth in this Agreement, to enforce or preserve any other rights or interests of the Developer under this Agreement or otherwise existing at law or in equity and to recover any damages incurred by the Developer resulting from such Unified Government Event of Default.

B. If the Developer has instituted any proceeding to enforce any right or remedy under this Agreement by suit or otherwise, and such proceeding has been discontinued or abandoned for any reason, or has been determined adversely to the Developer, then and in every case the Developer and the Unified Government shall, subject to any determination in such proceeding, be restored to their former positions and rights hereunder, and thereafter all rights and remedies of the Developer shall continue as though no such proceeding had been instituted.

C. The exercise by the Developer of any one remedy shall not preclude the exercise by it, at the same or different times, of any other remedies for the same default or breach. No waiver made by the Developer shall apply to obligations beyond those expressly waived.

D. Any delay by the Developer in instituting or prosecuting any such actions or proceedings or otherwise asserting its rights under this paragraph shall not operate as a waiver of such rights or limit it in any way. No waiver in fact made by the Developer of any specific default by the Developer shall be considered or treated as a waiver of the rights with respect to any other defaults, or with respect to the particular default except to the extent specifically waived.

Section 9.05. Excusable Delays. Neither the Unified Government nor the Developer shall be deemed to be in default of this Agreement because of an Excusable Delay.

Section 9.06. Legal Actions. Any legal actions related to or arising out of this Agreement must be instituted in the District Court of Wyandotte County, Kansas or, if federal jurisdiction exists, in the United States District Court for the District of Kansas.

ARTICLE X

GENERAL PROVISIONS

Section 10.01. Mutual Assistance. The Unified Government and the Developer agree to take such actions, including the execution and delivery of such documents, instruments, petitions, and certifications as may be reasonably necessary or appropriate to carry out the terms, provisions and intent of this Agreement and to reasonably aid and assist each other in carrying out said terms, provisions and intent.

Section 10.02. Effect of Violation of the Terms and Provisions of this Agreement; No Partnership. The Unified Government is deemed the beneficiary of the terms and provisions of this Agreement, for and in its own rights and for the purposes of protecting the interests of the community and other parties, public or private, in whose favor and for whose benefit this Agreement and the covenants running with the land have been provided. The Agreement shall run in favor of the Unified Government, without regard to whether the Unified Government has been, remains, or is an owner of any land or interest

therein in the Project or the Project Site. The Unified Government shall have the right, if the Agreement or covenants are breached, to exercise all rights and remedies, and to maintain any actions or suits at law or in equity or other proper proceedings to enforce the curing of such breaches to which it or any other beneficiaries of this Agreement and covenants may be entitled. Nothing contained herein shall be construed as creating a partnership between the Developer and the Unified Government.

Section 10.03. Time of Essence. Time is of the essence of this Agreement. The Parties will make every reasonable effort to expedite the subject matters hereof and acknowledge that the successful performance of this Agreement requires their continued cooperation.

Section 10.04. Amendments. This Agreement may be amended only by the mutual consent of the Parties, by the adoption of a resolution of the Unified Government approving said amendment, as provided by law, and by the execution of said amendment by the Parties or their successors in interest.

Section 10.05. Agreement Controls. Except as otherwise expressly provided herein, this Agreement supersedes all prior agreements, negotiations and discussions relative to the subject matter hereof and is a full integration of the agreement of the Parties.

Section 10.06. Conflicts of Interest.

A. No member of the Unified Government's governing body or of any branch of the Unified Government's government that has any power of review or approval of any of the Developer's undertakings shall participate in any decisions relating thereto which affect such person's personal interest or the interests of any corporation or partnership in which such person is directly or indirectly interested. Any person having such interest shall immediately, upon knowledge of such possible conflict, disclose, in writing, to the Unified Government the nature of such interest and seek a determination with respect to such interest by the Unified Government and, in the meantime, shall not participate in any actions or discussions relating to the activities herein proscribed.

B. Developer warrants that it has not paid or given and will not pay or give any officer, employee, or agent of the Unified Government any money or other consideration for obtaining this Agreement. Developer further represents that, to its best knowledge and belief, no officer, employee or agent of the Unified Government who exercises or has exercised any functions or responsibilities with respect to the Project during his or her tenure, or who is in a position to participate in a decision making process or gain insider information with regard to the Project, has or will have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed in connection with the Project, or in any activity, or benefit therefrom, which is part of the Project at any time during or after such person's tenure.

Section 10.07. Term. Unless earlier terminated as provided herein, this Agreement shall remain in full force and effect until the earlier to occur of: (i) Developer has received reimbursement from the UG for all Reimbursable Project Costs, subject to the Reimbursable Project Costs Cap; and (ii) the term of Real Property Tax Revenues reimbursement to Developer for all portions of the Project Site have expired, or (iii) the outside dates for reimbursement set forth in **Section 3.03(D)** hereof.

Section 10.08. Validity and Severability. It is the intention of the parties that the provisions of this Agreement shall be enforced to the fullest extent permissible under the laws and public policies of the State of Kansas, and that the unenforceability (or modification to conform with such laws or public policies) of any provision hereof shall not render unenforceable, or impair, the remainder of this Agreement. Accordingly, if any provision of this Agreement shall be deemed invalid or unenforceable in whole or in part, this Agreement shall be deemed amended to delete or modify, in whole or in part, if necessary, the invalid or unenforceable provision or provisions, or portions thereof, and to alter the balance of this Agreement in order to render the same valid and enforceable.

Section 10.09. Required Disclosures. The Developer shall immediately notify the Unified Government of the occurrence of any material event which would cause any of the information furnished to the Unified Government by the Developer in connection with the matters covered in this Agreement to contain any untrue statement of any material fact or to omit to state any material fact required to be stated therein or necessary to make any statement made therein, in the light of the circumstances under which it was made, not misleading.

Section 10.10. Tax Implications. The Developer acknowledges and represents that (1) neither the Unified Government nor any of its officials, employees, consultants, attorneys or other agents has provided to the Developer any advice regarding the federal or state income tax implications or consequences of this Agreement and the transactions contemplated hereby, and (2) the Developer is relying solely upon its own tax advisors in this regard.

Section 10.11. Authorized Parties. Whenever under the provisions of this Agreement and other related documents, instruments or any supplemental agreement, a request, demand, approval, notice or consent of the Unified Government or the Developer is required, or the Unified Government or the Developer is required to agree or to take some action at the request of the other Party, such approval or such consent or such request shall be given for the Unified Government, unless otherwise provided herein, by the Unified Government Representative and for the Developer by any officer of Developer so authorized; and any person shall be authorized to act on any such agreement, request, demand, approval, notice or consent or other action and neither Party shall have any complaint against the other as a result of any such action taken. The Unified Government Representative may seek the advice, consent or approval of the Unified Government Commission before providing any supplemental agreement, request, demand, approval, notice, or consent for the Unified Government pursuant to this Section.

Section 10.12. Notice. All notices and requests required pursuant to this Agreement shall be sent as follows:

To the Unified Government:

Unified Government Clerk Municipal Building
701 North 7th Street
Kansas City, Kansas 66101

With a copy to:

Chief Counsel
Legal Department
Municipal Building
701 North 7th Street
Kansas City, Kansas 66101

To the Developer:

Boulevard Lofts, LP
Attn: Kelley Hrabec
770 East 5th Street
Kansas City, Missouri 64106

or at such other addresses as the Parties may indicate in writing to the other either by personal delivery, courier, or by registered mail, return receipt requested, with proof of delivery thereof. Mailed notices shall be deemed effective on the third day after mailing; all other notices shall be effective when delivered.

Section 10.13. Kansas Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Kansas.

Section 10.14. Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same agreement.

Section 10.15. Recordation of Agreement. The Parties agree to execute and deliver an original of this Agreement and any amendments or supplements hereto, in proper form for recording and/or indexing in the appropriate land or governmental records, including, but not limited to, recording in the real estate records of Wyandotte County, Kansas. This Agreement shall be promptly recorded by the Developer at Developer's cost after execution, and proof of recording shall be provided to the Unified Government.

THIS AGREEMENT has been executed as of the date first hereinabove written.

UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS

By: _____

David Alvey

Mayor/CEO

(Seal)

ATTEST

By: _____

Unified Government Clerk

ACKNOWLEDGEMENT

STATE OF KANSAS)

) **SS.**

COUNTY OF WYANDOTTE)

BE IT REMEMBERED, that on this ____ day of _____, 2019, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came David Alvey, Mayor/CEO of the Unified Government of Wyandotte County/Kansas City, Kansas, a municipal corporation organized and existing pursuant to the laws of the State of Kansas as a consolidated city-county having all the powers, functions and duties of a county and a city of the first class, who is personally known to me to be the same person who executed, as such official, the within instrument on behalf of and with the authority of said Unified Government, and such person duly acknowledged the execution of the same to be the free act and deed of said Unified Government.

WITNESS my hand and official seal.

Notary Public

My Commission Expires:

[SEAL]

THIS AGREEMENT has been executed as of the date first hereinabove written.

BOULEVARD LOFTS, LP, a Kansas limited partnership

By: BOULEVARD LOFTS GP, LLC, a Kansas limited liability company, its General Partner

By: _____
Kelley Hrabe, Manager

ACKNOWLEDGEMENT

STATE OF KANSAS)
)
) ss.
COUNTY OF WYANDOTTE)

BE IT REMEMBERED, that on this ____ day of _____, 2019, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Kelley Hrabe, Manager of Boulevard Lofts GP, LLC, a limited liability company existing pursuant to the laws of the State of Kansas, the General Partner of Boulevard Lofts, LP, a limited partnership (the “Partnership”) existing pursuant to the laws of the State of Kansas who is personally known to me to be the same person who executed, as such official, the within instrument on behalf of and with the authority of said Partnership, and such person duly acknowledged the execution of the same to be the free act and deed of said Partnership.

WITNESS my hand and official seal.

Notary Public

My Commission Expires:

[SEAL]

EXHIBIT A

LEGAL DESCRIPTION OF PROJECT SITE

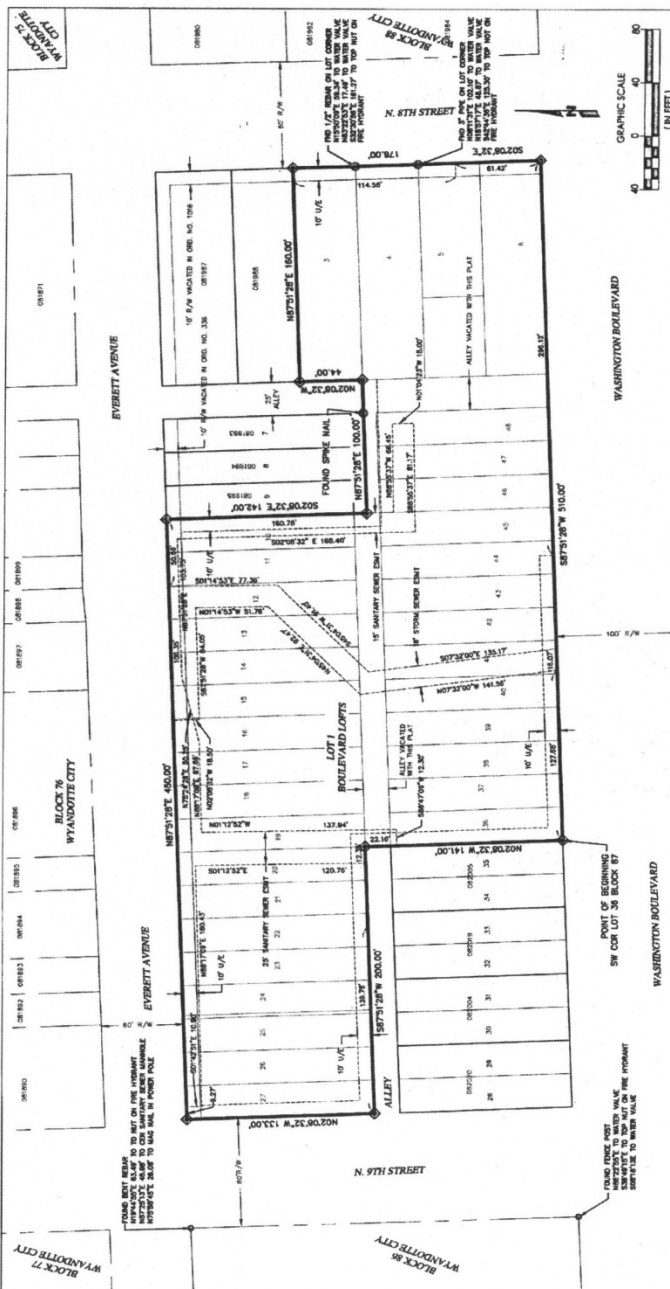
LOT 1, BOULEVARD LOFTS, A SUBDIVISION IN KANSAS CITY, WYANDOTTE COUNTY, KANSAS.

EXHIBIT B

DEPICTION OF PROJECT SITE / CONCEPT PLAN

BLOCK 87 OF WYANDOTTE CITY, A SUBDIVISION IN THE CITY OF KANSAS CITY, WYANDOTTE COUNTY, KANSAS

OWNERS CERTIFICATION AND DEDICATION
We, the undersigned, certify that we are the owners of the above described land, and that we have cased these tracts of land to be subdivided as shown on this plat that it shall hereafter be known as BOULEVARD LOFTS



080214	080223	080227	080228	080229	080230
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SERIOUS CRITICISM
I hereby certify that I am a duly Registered Land Surveyor under the laws of the State of Kansas, and that to the best of my knowledge the above recited survey was made by me, or under my direct supervision, and that said survey was conducted under my direct authority.

Samuel J. Colwell, Kansas P.L.S. No. 1291



EXHIBIT C

FORM OF CERTIFICATE OF REIMBURSABLE PROJECT COSTS

CERTIFICATE OF REIMBURSABLE PROJECT COSTS

TO: Unified Government of Wyandotte County/Kansas City, Kansas
Attention: County Administrator
RE: Boulevard Lofts Project

Terms not otherwise defined herein shall have the meaning ascribed to such terms in the Development Agreement between the Unified Government and the Developer, dated _____, 2019.

In connection with the Agreement, the undersigned hereby states and certifies that:

1. Each item listed on Schedule 1 hereto is a Reimbursable Project Cost and was incurred in connection with the cons
2. These Project Costs have been paid by the Developer and are reimbursable under the Agreement.
3. Each item listed on Schedule 1 has not previously been paid or reimbursed from Real Property Tax Revenues, and no part thereof has been included in any other certificate previously filed with the Unified Government.
4. There has not been filed with or served upon the Developer any notice of any lien, right of lien or attachment upon or claim affecting the right of any person, firm or corporation to receive payment of the amounts stated in this request, except to the extent any such lien is being contested in good faith.
5. All necessary permits and approvals required for the work for which this certificate relates were issued and were in full force and effect at the time such work was being performed.
6. All work for which payment or reimbursement is requested has been performed in a good and workmanlike manner and in accordance with the Agreement.
7. The Developer is not in default or breach of any term or condition of the Agreement, and no event has occurred and no condition exists which constitutes a Developer Event of Default under the Agreement.

8. All of the Developer's representations set forth in the Agreement remain true and correct as of the date hereof.

Dated this _____ day of _____, 2019.

BOULEVARD LOFTS, LP, a Kansas limited partnership

By: BOULEVARD LOFTS GP, LLC, a Kansas limited liability company, its General Partner

By: _____
Kelley Hrabe, Manager

Approved for Payment this _____ day of _____, 2019.

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

By: _____

Title: _____

SCHEDULE 1
TO
CERTIFICATE OF REIMBURSABLE PROJECT COSTS

Description of Project Costs:

EXHIBIT D

FORM OF CERTIFICATE OF SUBSTANTIAL COMPLETION

*Pursuant to **Section 4.07** of the Agreement, the Unified Government shall, within ten (10) days following delivery of this Certificate, carry out such inspections as it deems necessary to verify to its reasonable satisfaction the accuracy of the certifications contained in this Certificate.*

CERTIFICATE OF SUBSTANTIAL COMPLETION

The undersigned, Boulevard Lofts, LP, a Kansas limited partnership (the "Developer"), pursuant to that certain Development Agreement for the Boulevard Lofts Project dated as of _____, 2019, between the Unified Government of Wyandotte County/Kansas City, Kansas (the "Unified Government") and the Developer (the "Agreement"), hereby certifies to the Unified Government as follows:

1. That as of _____, 20__, the construction, renovation, repairing, equipping and constructing of the Project (as such term is defined in the Agreement) has been substantially completed in accordance with the Agreement.
2. The Project has been completed in a workmanlike manner and in accordance with the Construction Plans (as those terms are defined in the Agreement).
3. Lien waivers for applicable portions of the Project have been obtained, or, to the extent that a good faith dispute exists with respect to the payment of any construction cost with respect to the Project, Developer has provided the Unified Government with a bond or other security reasonably acceptable to the Unified Government.
4. This Certificate of Substantial Completion is accompanied by (a) the project architect's certificate of substantial completion on AIA Form G-704 (or the substantial equivalent thereof), a copy of which is attached hereto as Appendix A (and by this reference incorporated herein), certifying that the Project has been substantially completed in accordance with the Agreement; and (b) a copy of the Certificate(s) of Occupancy issued by the Unified Government Building Official with respect to each building to be constructed within the Project.
5. This Certificate of Substantial Completion is being issued by the Developer to the Unified Government in accordance with the Agreement to evidence the Developer's satisfaction of all obligations and covenants with respect to the Project.
6. The Unified Government's acceptance and the recordation of this Certificate with the Wyandotte County Register of Deeds shall evidence the satisfaction of the Developer's obligations to construct this phase of the Project.

This Certificate shall be recorded in the office of the Wyandotte County Recorder of Deeds. This Certificate is given without prejudice to any rights against third parties which exist as of the date heretofor which may subsequently come into being.

Terms not otherwise defined herein shall have the meaning ascribed to such terms in the Agreement.

IN WITNESS WHEREOF, the undersigned has hereunto set his/her hand this _____ day of _____, 20__.

BOULEVARD LOFTS, LP, a Kansas limited partnership

By: BOULEVARD LOFTS GP, LLC, a Kansas limited liability company, its General Partner

By: _____
Kelley Hrabe, Manager

ACCEPTED:

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS

By: _____

Name: _____

Title: _____

(Insert Notary Form(s) and Legal Description)

EXHIBIT E

PROJECT BUDGET

BOULEVARD LOFTS BUDGET

Land and Building Acquisition	\$ 149,200	1.4%
Construction "Hard" Costs	\$ 7,668,750	72.1%
Developer Fee	\$ 800,000	7.5%
Developer Overhead	\$ 100,000	
Soft Costs	\$ 1,686,532	15.9%
Reserves	\$ 227,000	2.1%

TOTAL USES OF FUNDS	<u>\$ 10,631,482</u>	<u>100.0%</u>
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EXHIBIT F

REIMBURSABLE PROJECT COSTS

Item	Amount	Comment
Acquisition	\$150,000.00	Property Developer had to acquire to meet code requirements
Public alley improvements	\$20,000.00	Improvements to the public alley off of Everett Ave.
Right of Way improvements	\$20,000.00	Landscaping, curbs, lights, etc.
Everett Ave. clean-up	\$10,000.00	Clean up on the existing land bank properties
Total	\$200,000.00	

EXHIBIT G
DESIGN STANDARDS

1. Compliance with the City-wide master plans.
2. Compliance with the design criteria and material board approved by the Director of Planning.

EXHIBIT H

RESTRICTED LAND USES WITHIN THE PROJECT SITE

1. Any use which emits an obnoxious odor, noise, or sound which can be heard or smelled outside of any building in the Project (except that this provision shall not prohibit normal cooking odors which are associated with a first-class restaurant operation);
2. Any operation primarily used as a storage warehouse operation and any assembling, manufacturing, distilling, refining, smelting, agricultural or mining operation;
3. Any "second hand" store" or "surplus" store, thrift shop or other business principally engaged in the sale of used merchandise;
4. Any mobile home park, trailer court, labor camp, junkyard or stockyards (except that this provision shall not prohibit);
5. Any dumping, disposing, incineration, or reduction of garbage (exclusive of garbage compactors located near the rear of any building);
6. Any fire sale, going out of business sale, bankruptcy sale (unless pursuant to a court order) or auction house operation;
7. Any central laundry, central dry-cleaning plant or laundromat (except that this provision shall not prohibit nominal supportive facilities for on-site services oriented to pickup and delivery by the ultimate consumer as the same may be found in first-class shopping centers);
8. (Reserved)
9. Any bowling alley or skating rink;
10. Any movie theater, night club or live performance theater;
11. Any veterinary hospital or animal raising facility (except that this prohibition shall not prohibit pet shops or pet supply superstores and veterinary services which are incidental thereto);
12. Any mortuary, funeral home or crematory;
13. Any adult book store, adult video store, adult movie theater or other establishment selling, renting or exhibiting pornographic materials or drug-related paraphernalia (except that this provision shall not prohibit the operation of a bookstore or video store which carries a broad inventory of books or videos and other materials directed towards the interest of the general public [as opposed to specific segment thereof]);
14. Any bar or tavern without a full-service kitchen.
15. Any flea market, amusement or video arcade, pool or billiard hall, car wash, tattoo parlor or dance hall (except that this provision shall not prohibit a restaurant from including video games as an incidental use to its operations);
16. With respect to spaces over 5,500 square feet, any training or educational facility, including, but not limited to, beauty schools, barber colleges, reading rooms, places of instruction or other operations catering primarily to students or trainees rather than to customers (except that this provision shall not prohibit on-site employee training [whether for employment at the Project or at another business location of such occupant] by an occupant incidental to the conduct of its business at the Project);
17. Any church, school, day care center or related religious or educational facility or religious reading room;

18. Any massage parlor (except that this provision shall not prohibit massages in connection with a beauty salon, health club or athletic facility); and
19. Any casino or other gambling facility or operation, including but not limited to, off-track or sports betting parlors, table games such as black-jack or poker, slot machines, video gambling machines and similar devices, and bingo halls (except that this provision shall not prohibit government sponsored gambling activities or charitable gambling activities if such activities are incidental to the business operation being conducted by the occupant)

EXHIBIT I

LBE/WBE/MBE PARTICIPATION AND EMPLOYMENT OPPORTUNITY AGREEMENT

This Exhibit sets forth the guidelines for the utilization of local business, minority, and women enterprises and local resident, minority, and women participation and equal employment opportunity referenced in **Section 8.2** of the Boulevard Lofts Development Agreement (the "**Agreement**") between the Unified Government of Wyandotte County/Kansas City, Kansas (the "**UG**") and Boulevard Lofts, LP, a Kansas limited partnership (the "**Developer**"). The parties agree as follows:

I. SCOPE

These procedures are applicable to the Construction of the Project, including but not limited to all aspects of the construction of the Improvements and all related facilities, including labor, materials and supplies, and construction-related services, but not including: (i) Specialized Services; or (ii) legal, architectural and pre-construction consulting services already performed or contracted for prior to the Effective Date of the Agreement (as defined therein), which shall specifically be excluded from both the numerator and the denominator in determining whether the Construction goals set forth herein have been met.

II. DEFINITIONS

All capitalized terms used in this Exhibit shall have the meaning ascribed to them in the Agreement and made a part thereof, or as otherwise set forth herein.

A. "Best Efforts" has the meaning set forth in Section III.C.3.b. herein.

B. "Construction" means all aspects of the construction of the Improvements, all related facilities, and the Project, including labor, materials and supplies, and construction-related services, whether performed or contracted for by or on behalf of Developer; provided, however, "Construction" shall not include: (i) services performed or associated with tenant improvements or any services requested by tenants of the Project, provided that this exception shall only apply to tenants who are third parties unaffiliated with Developer; (ii) Specialized Services; (iii) Professional Services; or (iv) legal, architectural and pre-construction consulting services already performed or contracted for prior to the Effective Date of the Agreement.

C. "Contractor" means the Proposer selected by Developer for the design, development, or construction of the Project.

D. "Local Business Enterprise or LBE" means a business headquartered or which maintains a major branch that performs the significant functions of the business in Wyandotte County or a business of which at least 51% of the stock, equity, or beneficial interest is owned, held, or controlled and whose day-to-day management is under the control of an individual residing in Wyandotte County. There is no formal certification process for LBE designation. It is determined and assigned based on the criteria referenced in this definition and payment of all applicable Wyandotte County taxes and/or licensing fees.

E. "Local Resident" means an individual that, during his or her employment with the Project, maintains his or her place of domicile in Wyandotte County.

F. "Minority Business Enterprise or MBE" means a business of which at least 51% of the stock, equity, or beneficial interest is owned, held, or controlled and/or whose day-to-day management is under the control of a person who is a member of an American ethnic minority group including African-American, Asian-Indian, Asian-Pacific, Hispanic and Native American.

G. "Professional Services" means advisory or consulting activities including, but not limited to, architectural, engineering, legal, accounting, financial, marketing, environmental studies, and financial services contracted for by or on behalf of Developer for the design, development, and construction of the Project but specifically excluding: (i) professional services that have historically been sourced and performed at the holding company level by Developer (such as legal and accounting services, for example); (ii) Specialized Services; (iii) Construction; and (iv) legal, architectural and pre-construction consulting services already performed or contracted for prior to the Effective Date of the Agreement.

H. "Proposer" means a person who submits a proposal in response to a solicitation for proposals issued by Developer or one of its Contractors with respect to the design, development, or construction of the Project, or with respect to ongoing maintenance and operations of the Project.

I. "Specialized Services" means expertise, services, or products, the application of which are unique to the construction of the Project and which are only available through sole or limited source providers or national vendors. Specialized Services shall also include the services provided by the Contractors and designers who have been involved with and have previous experience on similar projects with Developer and which Developer has engaged or intends to engage to perform similar services for the Project.

K. "Women Business Enterprise or WBE" means a business of which at least 51% of the stock, equity, or beneficial interest is owned, held, or controlled and/or whose day-to-day management is under the control of one or more women who are U.S. citizens or legal resident aliens.

III. DESIGN, DEVELOPMENT, AND CONSTRUCTION OF THE PROJECT

A. GOALS FOR LBE/MBE/WBE PARTICIPATION.

1. Project Design, Development, and Construction Goals.

Developer will use its Best Efforts to meet the following goals based upon the total cost of Construction of the Project and all related facilities undertaken by Developer, but not including Specialized Services. In no event shall Developer be required to incur higher costs as a result of its commitment to attempt to meet such goals. In the event Developer obtains bids for any aspect of the Project for which a bid by a Proposer qualifying as an LBE, MBE, or WBE is not the lowest or best bid, Developer shall not be required to meet the LBE/MBE/WBE participation percentage goals for that aspect of the Project. These goals are based upon a disparity study performed for the Kansas City Metropolitan Area for LBE, MBE, and WBE participation. These goals are not to act as quotas or set asides.

	Construction
LBE	5%
MBE	5%
WBE	5%

It is the intent of the UG to give preference to the utilization of LBEs so long as all other factors relating to the award of an individual contract are equal. If the factors relating to an award of an individual contract are equal, Developer shall give preference to the utilization of LBEs over the utilization of MBEs and WBEs. The Developer shall strive to meet each individual goal listed.

2. Contract Specific Goals.

The parties agree that the goals are set forth for Construction of the Project as a whole, excluding Specialized Services, and the UG will reasonably agree to different specific goals for specific contracts or portions of contracts to be awarded by Developer, when proposed by the Developer, relating to the Construction of the Project, based upon the availability of qualified LBEs and certified MBEs and WBEs to perform the specific scopes of work delineated in Developer's Project Utilization Plan (as described herein).

3. Eligibility for Credit.

a. Only LBE businesses that are qualified and/or MBE or WBE businesses that are certified or undergoing certification at the time of submittal of the subject bid or proposal and ultimately certified as MBEs or WBEs by the Kansas Department of Commerce, State of Missouri, Missouri Department of Transportation, City of Kansas City, Missouri, MidAmerica Minority Business Development Council, Women's Business Enterprise National Council, or any other public or private entity reasonably acceptable to the UG and the Developer (each an "approved" business), may be counted towards the participation goals in Section III.A.1. above.

b. In the event that a contract has been awarded on the Project to an approved LBE/MBE/WBE business, and such LBE/MBE/WBE business later becomes unapproved prior to the completion and acceptance of all the work to be provided under such contract, then Developer shall nonetheless receive credit towards the goal for that the entire portion of work performed or services provided up to the point such business becomes unapproved.

4. Construction Workforce.

a. Recruitment and outreach. Developer will use its Best Efforts to employ and to ensure its Contractors employ Local Residents, minorities, and women in all aspects of the Construction of the Project except for Specialized Services. These efforts shall include but not be limited to:

i. advertising in appropriate publications describing the work available, pay scales, and application procedures and maintaining a log or copies of these ads showing the date of publication and identifying the publication;

ii. working with local community organizations, minority and women's community organizations, and other appropriate organizations to seek qualified Local Residents, minorities, and women (a list of these organizations may be provided by the UG upon request); and

iii. working with the UG to promote diversity and inclusion in all aspects of the Project.

Documentation of these and any other steps taken shall be submitted to the UG prior to the beginning of the bidding process.

b. Employment Procedures. Developer and its Contractors shall implement equal employment opportunity hiring and job action procedures as those terms are commonly understood.

B. DEVELOPMENT AND PROJECT UTILIZATION PLANS.

1. Submissions, Content, and Fulfillment of Project Utilization Plan.

a. Fourteen (14) calendar days before the solicitation of the first proposal for the Construction of part of the Project, which is issued by Developer after the execution of the Agreement, Developer will submit a Project Utilization Plan to the UG for review and approval. The Project Utilization Plan shall be on the form attached to this Exhibit as Attachment A or on another form provided or approved by the UG. This Project Utilization Plan shall set forth, to the best of Developer's knowledge: all categories of work that will be covered within solicitations that Developer or its Contractors intend to issue for all Construction providers necessary for the construction of the Project; an estimate of the dollar value of all work covered by these solicitations; an estimate of the dollar value of work within each identified work category; the dollar value of the work for each identified work category that is projected to be performed by LBEs, MBEs and WBEs; any known potential joint ventures with LBEs, MBEs, and WBEs within each identified work category; an overall schedule of all work projected to be performed related to the design, development, and construction of the Project, laid out sequentially over time; and the actions Developer intends to take, with respect to each of these solicitations, to make its Best Efforts to meet the goals set forth in Section III.A.1. of this Exhibit.

b. Developer, in the Project Utilization Plan, shall designate one person as the Project Manager to serve as the point of contact with the UG on all matters related to the Project Utilization Plan. Developer shall provide the Project Manager's name, physical office address, e-mail address, and phone number to the UG. The Project Manager shall be an individual with administrative authority with regard to enforcement of the stipulations located within this Exhibit.

c. The goals of Section III.A.1 may be met by the expenditure of dollars with approved LBE/MBE/WBE prime Contractors, material suppliers (either by Developer or a prime Contractor), subcontractors (either by Developer or a prime Contractor), or through joint ventures with approved LBEs, MBEs or WBEs.

i. Certified MBE and WBE prime Contractor Proposers may count their own participation toward a goal for which they qualify, and may divide their own participation between two goals, but their participation may not be double-counted. These prime Contractor Proposers shall receive credit towards the goals for the dollar value of the contract.

ii. Approved or certified LBE/MBE/WBE material suppliers, regular dealers, and manufacturers shall be credited towards the goals for the dollar value of the contract.

iii. A joint venture involving an approved LBE/MBE/WBE as a partner may be counted towards the applicable goal only to the extent of the dollar amount that the approved LBE/MBE/WBE is responsible for and at risk, except, however, if the LBE/MBE/WBE is the majority partner in the joint venture, the entire joint venture contract amount shall be counted, less any work subcontracted to the non-LBE/MBE/WBE joint venture partner. To receive credit, the approved LBE/MBE/WBE must be responsible for a clearly defined portion of the work, profits, risks, assets, and liabilities of the joint venture.

iv. Participation by a certified MBE owned by a minority woman may be counted as MBE participation or as WBE participation; however, this participation cannot be double-counted. A certified MBE or WBE may also be counted towards the LBE goal, if qualified as LBE. The amount of participation by these businesses may be divided between the MBE or the WBE goals. A qualified LBE that is certified as MBE and WBE shall be counted toward the LBE and the MBE or WBE goals, but shall not be counted toward both the MBE and WBE goals.

v. Only the participation of LBEs, MBEs, and WBEs that provide a commercially useful function required for the work of the specific solicitation shall be counted toward achievement of the goals. The LBE/MBE/WBE must be responsible for the execution of a distinct element of the work by actually performing, managing, or supervising its function in the work identified in the solicitation. Brokering is not credited. Purchases from LBEs, MBEs, and WBEs that constitute indirect or general overhead costs to a projected Proposer's business may not be counted toward the goals. Costs directly incurred solely to perform the work with respect to a Project contract may be counted toward the goals.

2. Evaluation of Project Utilization Plans.

a. The UG will review Developer's Project Utilization Plan respecting each category of work identified by Developer. In conducting its review, the UG shall evaluate the extent to which the actions Developer proposes to take to meet the goals constitute Best Efforts, as set forth in Section III.C.3.b. below. In no event shall Developer or any of its Contractors be required to engage any LBE/MBE/WBE that is not the low bidder or is not qualified or capable of performing the work to acceptable standards in the reasonable discretion of Developer.

b. Changes to the Project Utilization Plan after its initial submission to the UG shall be reviewed and approved or rejected by the UG within thirty (30) days following submission of the same by Developer, and such changes shall be deemed to be approved by the UG if not rejected within such thirty (30) day period.

C. CONTRACT AWARD COMPLIANCE PROCEDURES.

1. Solicitation Documents.

The solicitation documents for each contract for which goals are established shall contain a description of the requirements set forth in this Exhibit; the LBE/MBE/WBE goals; and the areas of projected subcontracting. Five (5) calendar days before the issuance of each solicitation, Developer shall submit the solicitation documents and the bid list to the UG. This submittal is mandatory for each bid subject to LBE/MBE/WBE goals.

2. Developer's Report of Solicitation Results.

Within seven (7) working days after the date set for receipt of proposals by each solicitation issued for Developer for the construction of the Project, the Project Manager shall submit to the UG, on a form provided or approved by the UG, a Report of Solicitation Results (the "Report") fully describing all proposals received in response to the solicitation. The Report shall: (1) state the estimated total dollar value of the work covered by the solicitation; (2) state the names of all Proposers; (3) state the total dollar value of work covered by proposals submitted by approved LBEs, MBEs, and/or WBEs (4) provide all relevant information concerning each joint venture Proposer; and (5) state the name of all subcontractors to Proposers (to the extent then available) that are approved LBEs, MBEs, and/or WBEs, and the dollar value of work covered by proposed subcontracts between Proposers and LBEs, MBEs and/or WBEs. The Report shall also indicate to which of the Proposers, including joint venture Proposers, the Developer or any of its Contractors is intending to award contracts resulting from the solicitation. In addition, with respect to any LBE/MBE/WBE goal established in the Project Utilization Plan that it appears from the proposals received will not be met, Developer shall include in the Report a precise description of all Best Efforts it has undertaken or caused to be undertaken to meet the established goals. These submittals are mandatory for all solicitations subject to LBE/MBE/WBE goals.

3. UG Review of Developer's Report of Solicitation Results.

a. Within seven (7) calendar days of receiving a Report for review, the UG, based on its review of the Report, shall advise Developer whether it appears that, in light of Developer's indication of the Proposers to whom it intends to award contracts, Developer will meet the goals set forth in the Project Utilization Plan or if not, whether Developer has established Best Efforts to meet these goals, and shall state the reasons for this conclusion, referring to the specific Best Efforts criteria contained in Section III.C.3.b. below. As a part of its review, the UG may

ascertain whether LBE/MBE/WBE subcontractors agree with the dollar value of the work and the scope of the work, as identified in the proposal.

b. For each Project Utilization Plan goal that is not achieved, Developer shall be deemed to have used “**Best Efforts**” to meet the Project Utilization Plan goals for construction set forth in Section III.A.1. of this Exhibit if Developer shall have taken substantially all the following actions:

i. Developer is seeking or has sought timely assistance of the UG to identify qualified LBEs, MBEs, and WBEs;

ii. Developer is advertising or has advertised contract opportunities in local, minority, and women media;

iii. Developer is providing or has provided reasonable written notice of opportunities and informational meetings to approved LBEs, MBEs, and WBEs;

iv. Developer is following up or has followed up initial solicitations of interest by contacting LBEs, MBEs, and WBEs;

v. Developer is segmenting or has segmented portions of the work to increase the likelihood of LBE/MBE/WBE participation, where feasible;

vi. Developer is providing or has provided interested LBEs, MBEs, and WBEs with timely and accurate information about the plans, specifications, requirements, deadlines, and bidding procedures of the contracts;

vii. Developer is negotiating or has negotiated in good faith with interested LBEs, MBEs, and WBEs, not rejecting them as unqualified without sound reasons, based on a thorough review of their capabilities and prior work histories;

viii. If applicable, Developer is seeking or has sought to educate and assist LBEs, MBEs, and WBEs in obtaining bonding, lines of credit, or insurance required to perform the contract; and

ix. Developer is working or has worked with local, minority, and women contracting, professional, civic, and community organizations, government

officers, or any other organization or persons, as identified by the UG, that provide assistance in the recruitment of LBEs, MBEs and WBEs.

Failure by the Developer to take all of the foregoing actions shall not be determinative that Developer has not used its Best Efforts.

4. Signed Contracts.

Within twenty-one (21) working days of provision of the UG's evaluation of the Report to Developer, the Project Manager shall submit signed contracts with successful Proposers to the UG.

D. SUBCONTRACTOR RELATIONS.

1. Documentation of Subcontracting Agreements.

All subcontracting services shall be evidenced by a written agreement stating, at a minimum, the scope of work to be performed and the amount to be paid for performance of the work. Unit price subcontracts are acceptable if appropriate to the type of work being performed.

2. Documentation of Schedules.

a. For Construction contracts, the Contractor must present a work schedule that includes when the LBE/MBE/WBE subcontractors will be utilized at the job site. This schedule is due on or before the pre-construction meeting with the UG and the Project Manager representing Developer.

3. Substitutions, Additions, or Deletions.

Where a substitution for a LBE/MBE/WBE subcontractor must occur after submission of proposals by the Project Manager to the UG, the Project Manager must submit the proposed change or substitution to the UG for review. The UG shall have no authority to approve or reject any change or substitution. The sole purpose of the review by the UG shall be to determine whether the LBE/MBE/WBE should be counted toward achievement of the goals of Section III.A.1.

IV. UG'S ASSISTANCE TO DEVELOPER

The UG shall use its best efforts to provide assistance to Developer in fulfilling its obligations as set forth in this Exhibit. Developer assumes all responsibility for its Best Efforts in meeting the goals and

complying with the procedures and processes set forth herein. The UG assumes no duty or responsibility to the Developer with respect to Developer's fulfillment of the goals set forth in this Exhibit by reason of the provision of assistance to Developer. Examples of assistance the UG may provide include but are not limited to:

A. providing information and technical assistance regarding the Project to Developer and its agents, including Contractors, subcontractors, LBEs, MBEs, WBEs, officials, and other interested persons;

B. developing and maintaining a registry of approved LBE/MBE/WBE businesses;

C. assisting with identifying potential LBEs, MBEs, and WBEs and reviewing their qualifications to participate in the Project;

D. updating Developer and its agents on current or proposed affirmative action legislation that may affect the Project;

E. recommending contract specific goals, as appropriate;

F. providing assistance in pre-award activities, such as provision of model or example Project Utilization Plans and work segmentation;

G. reviewing Developer, Contractor, and subcontractor performance and LBE/MBE/WBE participation on the Project;

H. providing advice relative to utilization and compliance matters;

I. conducting compliance reviews and audits of LBE/MBE/WBE participation;

J. evaluating requests for substitutions, additions, and deletions;

K. assisting Developer and its agents in addressing issues related to the goals and procedures set forth in this Exhibit;

L. reviewing payments to subcontractors, as documented by monthly reports submitted by Developer;

M. reviewing complaints from LBEs, MBEs WBEs, Contractors, subcontractors, and any other interested persons regarding these goals and procedures;

N. assisting in Developer's development of forms to document compliance with these procedures; and

O. reviewing and approving utilization plans and contract award submittals.

V. DEVELOPER COMPLIANCE RECORDS AND REPORTS.

A. RECORDS.

Developer shall maintain those records as may reasonably be required to demonstrate compliance with (and/or its Best Efforts to comply with) the goals and procedures set forth in this Exhibit. These records shall be available to the UG upon reasonable notice.

B. DEVELOPMENT AND PROJECT UTILIZATION PLAN REPORTS.

Developer shall update the Project Utilization Plan quarterly on the forms attached hereto as Attachments B and C or another form provided or approved by the UG and shall include information requested thereon. In addition, each quarterly report shall include the following for each LBE, MBE or WBE whose participation is utilized by Developer to be applied to the goals set forth herein: business name and address of each LBE, MBE and WBE and a brief description of the work to be performed by each. Developer also shall document the change orders to contracts awarded in each quarterly report.

C. REMEDIES.

If Developer should fail to provide a Report required by this Exhibit, and fail to cure such failure within thirty (30) days after receipt of written notice from the UG specifying such failure, then such failure to cure shall constitute an event of default and the UG shall have those remedies set forth in Section 9 of the Agreement. In addition, the UG shall have the right to stop processing reimbursement requests until Developer complies with reporting requirements.

If, after reviewing Developer's Reports, the UG believes that the participation goals contained in this Exhibit have not been met, and that the Best Efforts described herein have not been met, then the UG

shall inform Developer of this determination in writing. If, within thirty (30) days following its receipt of said written determination from the UG, Developer fails to demonstrate to the UG's reasonable satisfaction that either: (i) the goals contained in this Exhibit have been met; or (ii) the goals contained in this Exhibit may not have been met but the Best Efforts described herein have been met, then the UG shall have the right to reduce the Reimbursable Project Cap Costs to One Hundred Fifty Thousand Dollars and NO/100 (\$150,000.00) as the UG's sole and exclusive remedy for such failure. The UG shall also have the right to renegotiate LBE, MBE, and WBE goals for future construction projects.

**UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY,
KANSAS**

BOULEVARD LOFTS, LP

By:_____

Douglas G. Bach

County Administrator

Date:_____, 2019

By:_____

Name:_____

Title:_____

Date:_____, 2019

Attachment A

Unified Government

Date:_____

Project Utilization Plan

Project Name:_____

Bid Package	Estimated Contract Value	Estimated LBE Value	Estimate d LBE %	Estimated MBE Value	Estimate d MBE %	Estimated WBE Value	Estimate d WBE %	Total Combined Value	Total Combined %

DIVERSITY TOTAL	0			0	#DIV/0!	0	#REF!		

LBE/MBE/WBE Utilization Report

Exhibit L - 61

Attachment C

LBE/MBE/WBE COMPLIANCE

SUMMARY REPORT

EXPENDITURES FOR REPORTING PERIOD

GOODS SUPPLIES and OTHER SERVICES	Total	Class	Percent	Comments
Total \$ Awarded				
Total \$ Expended				
Total \$ MBE		% MBE		
Total \$ WBE		%WBE		
Total \$ M/WBE		%M/WBE		

MINORITY AND WOMEN EMPLOYEES

List the name, address, trade, classification, date hired, sex and ethnic origin for each minority/women employed by your company.

Name & Address	Trade	Classification	Date Hired	Sex	Ethnic Origin

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EXHIBIT J

**TABLE OF KHRC-APPROVED RENTS AND INVESTOR-APPROVED RENTS FOR TAX
YEARS 2020 THROUGH 2030**

	Inflation	Tax Year 2020	Tax Year 2021	Tax Year 2022	Tax Year 2023	Tax Year 2024
KHRC- approved rents	2%	Partial	\$453,660.00	\$462,733.20	\$471,987.86	\$481,427.62
Investor- approved rents	2%	Partial	\$442,380.00	\$451,227.60	\$460,252.15	\$469,457.20

	Tax Year 2025	Tax Year 2026	Tax Year 2027	Tax Year 2028	Tax Year 2029	Tax Year 2030
KHRC- approved rents	\$491,056.17	\$500,877.30	\$510,894.84	\$521,112.74	\$531,534.99	\$542,165.69
Investor- approved rents	\$478,457.20	\$488,423.27	\$498,191.73	\$508,155.57	\$518,318.68	\$528,685.05



Staff Request for Commission Action

Tracking No. 19858

Full Commission Meeting Date: 7/25/19

Committee: Economic Development & Finance

Date of Standing Committee Action: 7/8/19

(If none, please explain):

Publication Required: No

<u>Date:</u> 7/12/2019	<u>Contact Name:</u> Katherine Carttar	<u>Contact Phone:</u> x5176	<u>Contact Email:</u> kcarttar@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> A ORDINANCE TERMINATING THE 2007 MIDTOWN TIF PROJECT PLAN				
<u>Action Requested:</u> APPROVE AND ADVANCE TO 7/25/19 FULL COMMISSION				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Ordinance Repealing 2007 Midtown TIF Project Plan (07-25-2019 Meeting)				

(Published in *The Wyandotte Echo* on August 1, 2019)

ORDINANCE NO. ____

AN ORDINANCE OF THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS TERMINATING THE REDEVELOPMENT PROJECT PLAN FOR THE MIDTOWN REDEVELOPMENT DISTRICT, REPEALING ORDINANCE O-29-07 AND REMOVING CERTAIN PROPERTY FROM THE MIDTOWN REDEVELOPMENT DISTRICT.

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”), acting in its capacity as a city of the first class, adopted Resolution No. R-145-06 on November 16, 2006, declaring blight within the City; and

WHEREAS, the Unified Government, acting in its capacity as a city of the first class, established a redevelopment district, consisting of a single development project area (the “Midtown Redevelopment District”) pursuant to K.S.A. 12-1770 et seq. as amended (the “Act”) pursuant to Ordinance No. O-139-06 on December 21, 2006; and

WHEREAS, after notice and public hearing as required by the Act, the Unified Government adopted Ordinance No. O-29-07 on March 22, 2007, approving the Redevelopment Project Plan for the Midtown Redevelopment District (the “Project Plan”); and

WHEREAS, the Project Plan was never undertaken or implemented and the Unified Government desires to terminate the Project Plan; and

WHEREAS, Article 12, § 5 of the Constitution of the State of Kansas (the “Home Rule Amendment”) empowers cities to determine their local affairs and government and provides that such power and authority granted thereby to cities shall be liberally construed for the purpose of giving to cities the largest measure of self-government; and

WHEREAS, the Unified Government is a duly organized and existing municipal corporation under the laws of the State of Kansas, is a consolidated city-county having all the powers, functions and duties of a county and of a city of the first class, and is a city within the meaning of the Home Rule Amendment; and

WHEREAS, there is no enactment of the Kansas legislature which provides the procedure to terminate an approved redevelopment plan when such plan has not been undertaken or implemented; and

WHEREAS, the Unified Government has determined that it is necessary and desirable to adopt this Ordinance to terminate the Project Plan; and

WHEREAS, the Unified Government has determined that certain property should be removed from the Midtown Redevelopment District; and

WHEREAS, the property to be removed from the Midtown Redevelopment District consists of the real property shown on the map attached hereto as **Exhibit A** and legally described on **Exhibit B**; and

WHEREAS, the remaining property in the Midtown Redevelopment District shall consist of the real property shown on the map attached hereto as **Exhibit C** and legally described on **Exhibit D**.

NOW, THEREFORE, BE IT BE IT ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

SECTION 1. The Governing Body hereby finds that the Project Plan was never undertaken or implemented, and that the Project Plan should now be terminated.

SECTION 2. The Governing Body hereby finds and determines that the real property shown on the map attached hereto as **Exhibit A** and legally described on **Exhibit B** should be removed from the Midtown Redevelopment District, and from and after the effective date of this Ordinance, the remaining property in the Midtown Redevelopment District shall consist of the real property shown on the map attached hereto as **Exhibit C** and legally described on **Exhibit D**.

SECTION 3. The Governing Body further finds and determines that the real property to be removed as described in **Exhibits A and B** constitutes more than 15% of the land area within the Midtown Redevelopment District, as originally created pursuant to Ordinance No. O-139-06 adopted on December 21, 2006. Therefore, pursuant to K.S.A. 12-1771(g), the base year assessed value of the Midtown Redevelopment District shall be revised to reflect the base year assessed valuation of the remaining real property as of the date of the original establishment of the Midtown Redevelopment District.

SECTION 4. The Mayor/CEO, County Administrator, Unified Government Clerk and other officials and employees of the Unified Government, including the Chief Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Ordinance.

SECTION 5. Ordinance No. O-29-07 is hereby repealed.

SECTION 6. This Ordinance shall become effective from and after its passage by the Governing Body, signature by the Mayor/CEO, and publication once in the official City newspaper.

PASSED by the Governing Body of the Unified Government this July 25, 2019.

SIGNED by the Mayor/CEO this July 25, 2019.

Mayor/CEO

ATTEST:

Unified Government Clerk

Exhibit A

Map of Property to be Removed from the Midtown Redevelopment District

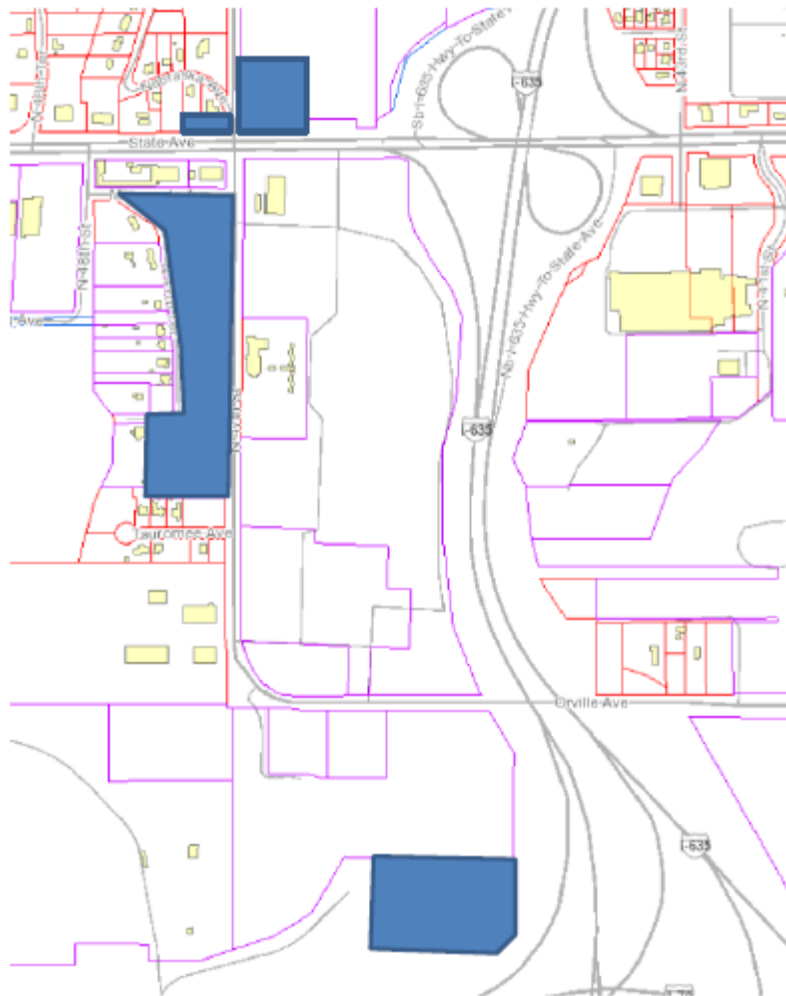


Exhibit B

Legal Description of Property to be Removed from the Midtown Redevelopment District

Exhibit C

Map of Revised Midtown Redevelopment District Boundaries

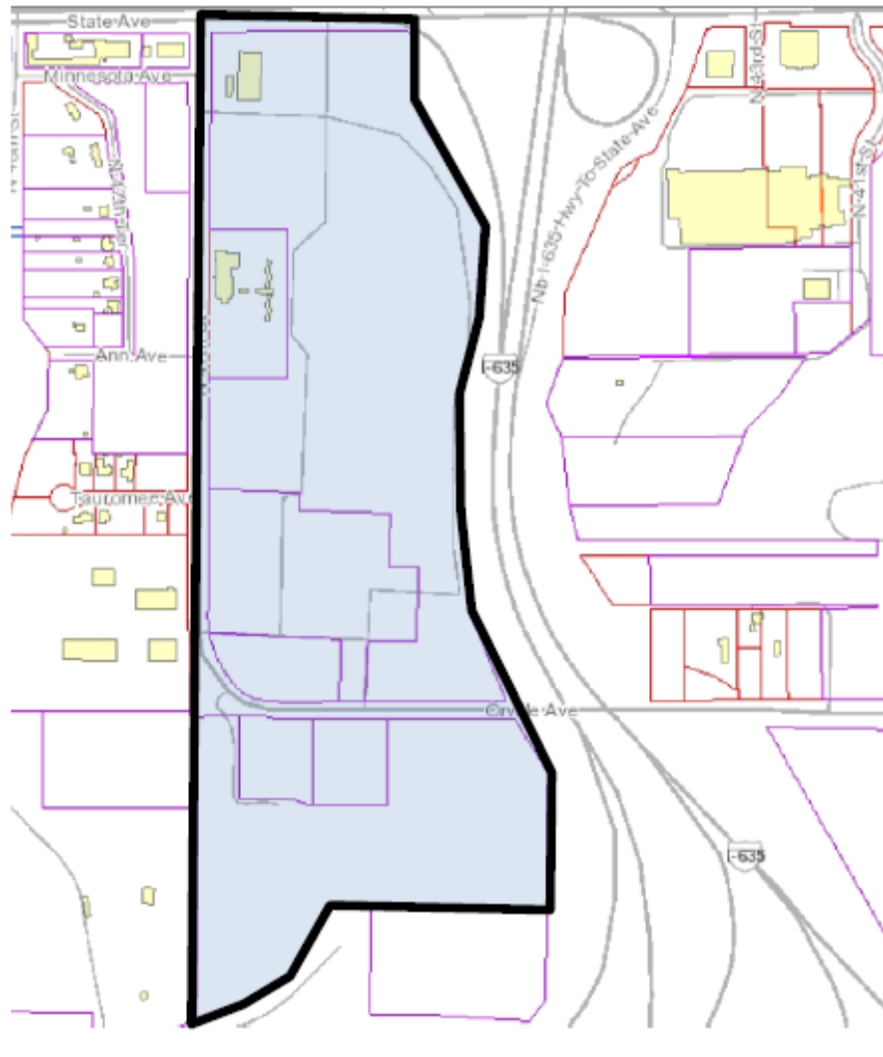


Exhibit D

Legal Description of Revised Midtown Redevelopment District Boundaries



Staff Request for Commission Action

Tracking No. 19859

Full Commission Meeting Date: 7/25/19

Committee: Economic Development & Finance

Date of Standing Committee Action: 7/8/19

(If none, please explain):

Publication Required: Yes

<u>Date:</u> 7/12/2019	<u>Contact Name:</u> Katherine Carttar	<u>Contact Phone:</u> x5176	<u>Contact Email:</u> kcarttar@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> RESOLUTION CALLING FOR A PUBLIC HEARING ON MIDTOWN TIF DISTRICT AMENDMENT AND PROJECT AREA 1 PROJECT PLAN				
<u>Action Requested:</u> APPROVAL AND ADVANCE TO 7/25/19 FULL COMMISSION				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Project Area and Plan Resolution (07-25-2019 Meeting), Doc2				

(Published in *The Wyandotte Echo* on August 15, 2019)

RESOLUTION NO. ____

A RESOLUTION OF THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING REGARDING THE DIVISION OF A REDEVELOPMENT DISTRICT INTO 4 REDEVELOPMENT PROJECT AREAS, ADOPTION OF AN AMENDED REDEVELOPMENT DISTRICT PLAN AND ADOPTION OF THE PROJECT AREA 1 REDEVELOPMENT PROJECT PLAN PURSUANT TO K.S.A. 12-1770 ET SEQ.

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”), acting in its capacity as a city of the first class, established a redevelopment district, consisting of a single development project area (the “Midtown Redevelopment District”) pursuant to K.S.A. 12-1770 et seq. as amended (the “Act”) pursuant to Ordinance No. O-139-06 on December 21, 2006; and

WHEREAS, on July 25, 2019, the Unified Government adopted Ordinance No. O-____-19 removing certain property from the Midtown Redevelopment District boundaries; and

WHEREAS, the Unified Government is considering the division of the new Midtown Redevelopment District into four (4) separate redevelopment project areas, the adoption of an amended redevelopment district plan and the adoption of the Tax Increment Financing Redevelopment Project Plan (Midtown Redevelopment District – Project Area 1 dated July 1, 2019 (the “Project Area 1 Redevelopment Project Plan”) pursuant to the Act.

WHEREAS, on July 8, 2019 the Planning Commission of the Unified Government made a finding that the Project Area 1 Redevelopment Project Plan is consistent with the intent of the Unified Government’s comprehensive plan for the development of the Unified Government; and

WHEREAS, a copy of the Project Area 1 Redevelopment Project Plan has been delivered by the Unified Government to the Board of County Commissioners and to the Board of Education of U.S.D. No. 500, Wyandotte County, Kansas (Kansas City); and

WHEREAS, the Unified Government Commission desires to establish August 29, 2019 as the date for the public hearing to consider the division of the Midtown Redevelopment District into four (4) redevelopment project areas, the adoption of an amended redevelopment district plan and the adoption of the Project Area 1 Redevelopment Project Plan and authorize dissemination of notice as required by the Act.

NOW, THEREFORE, BE IT BE IT RESOLVED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

SECTION ONE: Notice is hereby given that a public hearing will be held by the Unified Government to consider the division of the Midtown Redevelopment District into four (4) redevelopment project areas, the adoption of an amended redevelopment district plan and the adoption of the Project Area 1 Redevelopment Project Plan on August 29, 2019 in the Commission Chambers, lobby level of the Municipal Office Building located at 701 North 7th Street, Kansas City, Kansas, commencing at 7:00 p.m.

SECTION TWO: The revised boundaries of the Midtown Redevelopment District (per Ordinance No. O-____-19) are legally described on the attached **Exhibit A**.

SECTION THREE: A map of the Midtown Redevelopment District and each of the proposed redevelopment project areas is attached hereto as **Exhibit B**.

SECTION FOUR: The amended redevelopment district plan for the Midtown Redevelopment District provides for redevelopment projects within four redevelopment project areas and described as follows:

Project Area 1.

The buildings and facilities to be constructed or improved in Project Area 1 may be described in a general manner as (1) a warehouse and distribution facility, inclusive of office space, (2) a utility-scale, ground-mounted, photovoltaic system, and (3) parking and associated public and private infrastructure.

Project Area 2.

The buildings and facilities to be constructed or improved in Project Area 2 may be described in a general manner as commercial development consisting of inline retail, retail pad sites, parking, and associated public and private infrastructure.

Project Area 3.

The buildings and facilities to be constructed or improved in Project Area 3 may be described in a general manner as commercial development consisting of retail, office and other commercial buildings, hotel or other lodging accommodations, multi-family residential units, parking and associated public and private infrastructure.

Project Area 4.

The buildings and facilities to be constructed or improved in Project Area 4 may be described in a general manner as a commercial development consisting of some or all of the following uses: retail, office and other commercial buildings, parking and associated public and private infrastructure.

SECTION FIVE: Copies of the Project Area 1 Redevelopment Project Plan, including a summary of the feasibility study, the relocation assistance plan and financial guarantees of the developer and a description and map of the Midtown Redevelopment District and the redevelopment project areas are available for inspection during regular office hours in the offices of Unified Government Clerk, Municipal Office Building, 701 N. 7th Street, Kansas City, Kansas, Monday through Friday (other than holidays) between 8:00 p.m. and 5:00 p.m.

SECTION SIX: The Unified Government Clerk shall give all notices as required by the Act.

SECTION SEVEN: The Mayor/CEO, County Administrator, Unified Government Clerk and other officials and employees of the Unified Government, including the Chief Counsel, and Gilmore & Bell, P.C., Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this resolution.

SECTION EIGHT: This Resolution shall become effective upon its adoption by the Governing Body of the Unified Government.

ADOPTED by the Governing Body of the Unified Government of Wyandotte County/Kansas City, Kansas this July 25, 2019.

SIGNED by the Mayor/CEO this _____ day of July, 2019.

Mayor/CEO

ATTEST:

Unified Government Clerk

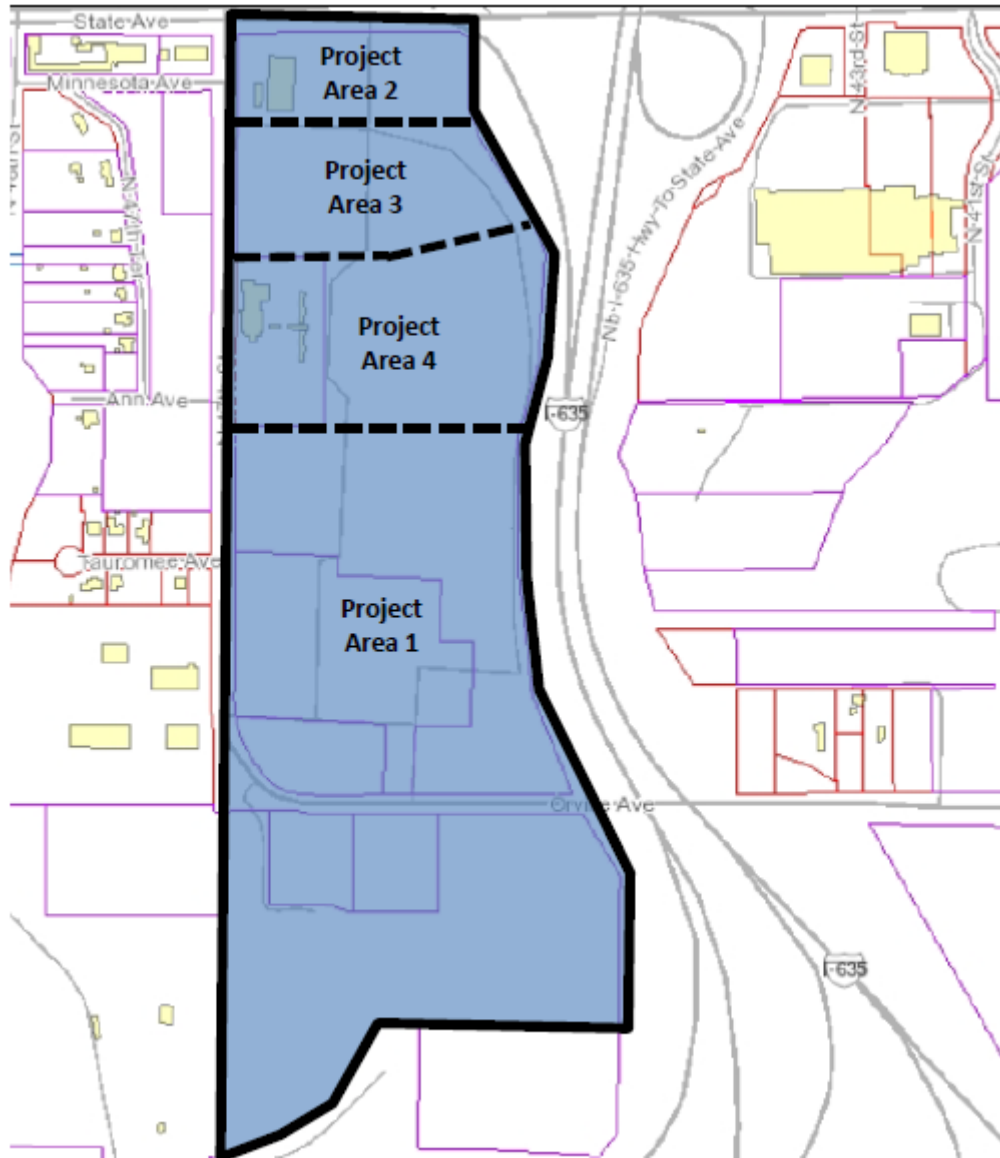
(SEAL)

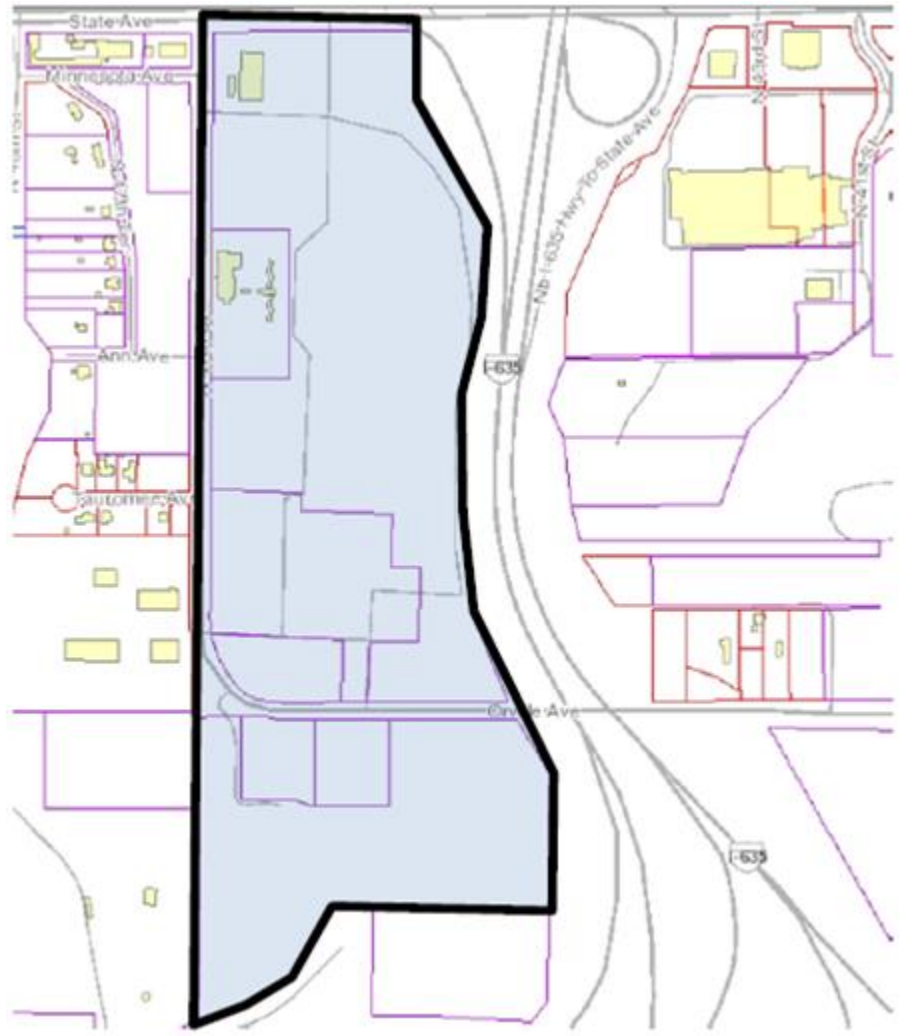
EXHIBIT A

LEGAL DESCRIPTION OF REVISED MIDTOWN REDEVELOPMENT DISTRICT

EXHIBIT B

MAP OF REVISED REDEVELOPMENT DISTRICT AND REDEVELOPMENT PROJECT AREAS





19884



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400
FAX (913) 573-5435

July 16, 2019

Mrs. Bridgette D. Cobbins
Unified Government Clerk
East Building

Re: Subdivision Plat Approval KCKPS NUTRITION SERVICES

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of KCKPS NUTRITION SERVICES located East of Meadowlark Lane along Stave Avenue being developed by KCKPS Nutrition Services.

At this time, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

Brent E. Thompson, PS., CPM
County Surveyor

Troy Shaw, P.E.
County Engineer

Attachments

FILED 
JUL 19 2019
UNIFIED GOVERNMENT

19882



**UNIFIED GOVERNMENT OF WYANDOTTE COUNTY
& KANSAS CITY, KANSAS
PUBLIC WORKS DEPARTMENT**

ONE McDOWELL PLAZA

701 NORTH 7TH STREET, 66101

(913) 573-5400
FAX (913) 573-5435

July 10th 2019

Mrs. Bridgette D. Cobbins
Unified Government Clerk
East Building

Re: Subdivision Plat Approval PRIMROSE AT KUMC FINAL PLAT

Dear Mrs. Cobbins:

Please be advised that the Engineering Division has reviewed the attached plat of PRIMROSE AT KUMC FINAL PLAT located at West 36th Avenue east of Rainbow Boulevard being developed by Kansas University of Endowment Association.

At this time, we recommend that the Commissioners accept this plat and authorize the Mayor/CEO and Unified Government Clerk signatures. I am providing you with two mylars for signature, and one (1) paper copy for Commission review. Please place this on the next scheduled Commission agenda.

After the Mayor has signed the plat, it should be referred to Planning Division for further processing.

Respectfully submitted,

Brent E. Thompson, PS., CPM
County Surveyor

Troy Shaw, P.E.
County Engineer

Attachments

FILED *cg*
JUL 11 2019
UNIFIED GOVERNMENT CLERK

[illegible]

on the accompanying plot, which subdivision shall hereafter be known as "Prinrose at KING."

Lot 1
University—Roanoke

On this 12th day of August, 2019, before me, a notary public in and for said county and state, the President of the Kansas University Endowment Association, a Kansas not for profit corporation, sole member of Kansas limited liability company, who is personally known to me to be the same person who executed the foregoing instrument, acknowledged the execution of the same to me, and he duly acknowledged the execution of the same to me and deed of said limited liability company.

My appointment expires:

Notary: [Signature] State: [Blank]

[Stamp: Notary Public - State of Kansas, My Commission Expires 07/15/09, J. M. Jones]



Olsson, LS-114
twisett@olsson.com

Kansas City, Kansas Planning Commission

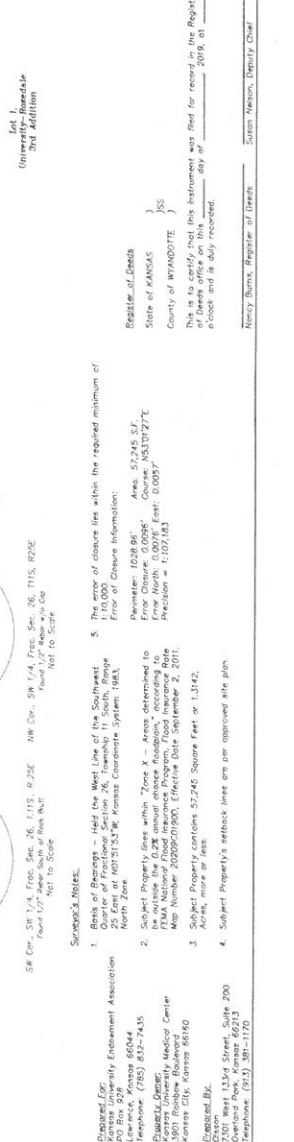
By: Jeff Kame Chairman
Robin H. Richardson, AICP Secretary

2. 30' (C.A.)

This survey has been reviewed for filing, pursuant to KSA 58-2003, 58-2005, and 58-2011, for content only compliance with those provisions. No other warranties are extended or implied.

Revised by: B. L. Thompson 1277
County Surveys, 12/1/11
Date 2/1/11

Deputy Chief	David Alvey, Mayor	Bridgette D. Cobbin, Unified Clerk
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DATE: Jun 07, 2019 9:04am
XREFS: 150269.XBASF K:\Medical Center CH2
USER: m.boghos

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

REGULAR SESSION
THURSDAY, JUNE 13, 2019

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, June 13, 2019, 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, Melissa Sieben, Emerick Cross, and Alan Howze, Assistant County Administrators; Patrick Waters, Senior Attorney; Ken Moore, Chief Legal Counsel; James Bain, Assistant Counsel; Kathleen VonAchen, Chief Financial Officer; Debbie Jonscher, Deputy Chief Financial Officer; Pamela Kahao, Accounting Manager; Katherine Carttar, Director of Economic Development; Bridgette Cobbins, Unified Government Clerk; Maureen Mahoney, Chief of Staff in Mayor's Office; Lynn Melton, Assistant to the Mayor; Chris Slaughter, Land Bank Manager; Rance Quinn, Police Major; Terry Ziegler, Police Chief; and Captain Ronald Schumaker, Sergeant-at-Arms.

Mayor Alvey called the meeting to order.

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

INVOCATION was given by Reverend Bryan W. Mann, Bethel Seventh Day Adventist Church.

Mayor Alvey asked the Clerk if there were any revisions to tonight's agenda. **Bridgette Cobbins, UG Clerk,** said there are no revisions.

MAYOR'S AGENDA

Item No. 1 – 19803...PRESENTATION: POLICE DEPARTMENT AWARDS

Synopsis: Presentation of Police Department awards, submitted by Terry Zeigler, Police Chief.

Terry Zeigler, Police Chief, said thank you Mayor and Commissioners, Mr. Bach, appreciate you giving us the opportunity to handout some service awards tonight during the Commission meeting. I'm going to ask Major Quinn to come up and MC.

Rance Quinn, Police Major, said thank you for allowing us to recognize the great work done by our officers everyday out on the streets. The first award that we will be presenting tonight is the Meritorious Service Award. I would like Officer Andrews to come forward please. On this incident also Wyandotte County Deputy, Andrew O'Neal, would have been receiving award as well; however, he could not make it this evening.

The Meritorious Service Award—a department member who performs an exceptional act unaware of great personal danger prior to initiating the act but performs in a commendable manner upon becoming aware of the danger is eligible for the Exemplary Service Award for Meritorious Service.

On February 23, 2019 units responded to the 7300 block of State Avenue on a suicidal party. On arrival, a male was seen on the 3rd story balcony with a rope around his neck tied to the railing and yelling he wanted to die. The KCK Fire Department forced entry into the residence. Officer Andrews and Deputy O'Neal ran to the balcony where the male had started to climb over saying he wanted to die. The male was armed with a large knife. Officer Andrews was able to disarm the male while Deputy O'Neal cut the rope from the railing. The male continually struggled against the Officer and Deputy who were able to wrestle him down and take him into protective custody. He was transported to the hospital for evaluation. The Officer and Deputy have received the Meritorious Service Award.

If I could have Officer Anthony Johnson please come forward. He is also receiving the Meritorious Service Award this evening. On October 14, 2018, Officer Anthony Johnson was on a disturbance in the 2400 block of North 18th Street when he was approached by an unidentified citizen stating there was another disturbance in another area of the parking lot. Officer Johnson followed the citizen to the disturbance where a male subject was sitting inside a vehicle. The driver of the vehicle is pointing an unknown object at the citizen who led Johnson to that location. The driver began to move his vehicle and Johnson gave verbal commands to stop. The driver then turned towards Officer Johnson and pointed a black handgun at Officer Johnson. Officer Johnson was

able to draw his weapon and fire several rounds at the suspect while defending himself. The vehicle sped away and was later recovered abandoned. A small amount of blood was located inside the vehicle, which confirmed the identity of the driver. The Officer is receiving the Meritorious Service Award.

If I could have the members of the Narcotics Unit and Intelligence Unit to please come forward. They will be receiving the Lancaster/Melton Award of Merit. This is awarded to the hardworking officers that put their colleagues and the citizens of Kansas City, Kansas, above themselves. This includes, but it is not limited to, officers who make an outstanding arrest or dedicate long and countless hours to accomplish an extensive task that makes Kansas City, Kansas, a better and safer place to live and work.

On May 16, 2019, the KCKPD had seven reported narcotic overdoses. Each of the overdoses were thought to be cocaine laced with fentanyl. Fentanyl is a synthetic opioids 50 to 100 times more potent than morphine. The potent nature of the fentanyl is life-threatening. The Narcotics and Intel Unit sprang into action, working countless hours of tireless dedication, that enable them to track down the source of this deadly drug within a few short days before it harmed and/or killed other members of our community. The Narcotics and Intel Units are receiving the Lancaster/ Melton Award of Merit.

For this next incident I will be presenting, or we will be presenting, a couple of different awards. If I can have Officer Jared Johnstone and Dispatcher Pam Carver come to the front, please. Officer Johnstone will be receiving the Valor Award, which is department members who has distinguished themselves by conspicuous bravery, heroism or other outstanding action, and were aware of great personal danger prior to the performance of the act, are eligible for the Exemplary Service Award for Valor. Sergeant Wade Smith will also be receiving this award; however, he could not make it this evening. Dispatcher Pam Carver will be receiving a Certificate of Accommodation and Coin. It's a department entity or member who performs an act that distinguishes itself by exceptionally admirable quality, service to the department, the community or the manner or member personally for performance of duty or duties clearly above, which would be normally expected, thus bringing in credit to the department or community is eligible for the Certificate of Accommodation.

On April 25, 2019, officers were dispatched to an armed robbery in progress at CVS at 3750 State Avenue. The 911 call taker, Detective Angela Parriott, received crucial information

and kept the caller calm to handle the incident safely. The information included advising the dispatcher that shots were being fired inside the location and directing the caller to safety. The dispatcher, Pam Carver, handled the situation in a calm and controlled manner that allowed the needed information to be heard by the officers and alerted various units of the critical incident. Arriving units came into contact with a suspect, armed with a handgun, that began shooting at the officers. Sergeant Wade Smith and Officer Jared Johnstone returned fire defending themselves in a life-threatening situation. The suspect was struck and taken into custody by the officers.

Detective Angela Parriott would have received a Distinguished Service Award; however, she could not make it this evening. So, Officer Johnstone is receiving the Valor Award, and Dispatcher Carver is receiving the Certificate of Accommodation.

Chief Ziegler said, Mayor and Commissioners, thank you for allowing us to give out the service awards tonight.

Mayor Alvey said, Chief Ziegler, thanks to all the members of the Police Department here today, civilian and non-civilian, and thank you for stepping out there every day to protect and defend this community.

Action: Recognition was given.

CONSENT AGENDA

Mayor Alvey asked 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, 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 McKiernan made a motion, seconded by Commissioner Johnson, to approve the Consent Agenda.** Roll call was taken on the motion and there were ten "Ayes," Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

Item No. 1 – 19795...ORDINANCE: BPU BARBER ROAD TO ROSEDALE 161KV TRANSMISSION LINE

Synopsis: An ordinance authorizing the Chief Counsel to initiate legal proceedings to acquire property for the BPU Barber Road to Rosedale 161kV Transmission Line, submitted by E. James Bain, Assistant Counsel. On May 30, 2019, the Commission unanimously adopted Resolution No. R-31-19, declaring the project to be a necessary and valid public improvement project and authorizing a survey of lands for said project.

Action: **ORDINANCE NO. O-37-19**, “An ordinance condemning land for the location, laying-out, construction, installation, expansion, repair, maintenance, operation and use of the Board of Public Utilities electrical transmission line between the Barber Road substation and the Rosedale substation location, within Wyandotte County, Kansas; and directing the Chief Counsel to institute eminent domain proceedings as provided by law to acquire the tracts and parcels of land described in this ordinance.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the ordinance.** Roll call was taken on the motion and there were ten “Ayes”, Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

Item No. 2 – 19796...ORDINANCE: BPU ARMOURDALE TO ROSEDALE 161KV TRANSMISSION LINE

Synopsis: An ordinance authorizing the Chief Counsel to initiate legal proceedings to acquire property for the BPU Armourdale to Rosedale 161kV Transmission Line, submitted by E. James Bain, Assistant Counsel. On May 30, 2019, the Commission unanimously adopted Resolution No. R-32-19, declaring the project to be a necessary and valid public improvement project and authorizing a survey of lands for said project.

Action: **ORDINANCE NO. O-38-19**, “An ordinance condemning land for the location, laying-out, construction, installation, expansion, repair, maintenance, operation and use of a Board of Public Utilities electrical transmission line between the Armourdale substation and the Rosedale substation, all in Kansas City, Wyandotte County, Kansas; and directing the Chief Counsel to institute eminent domain proceedings as provided by law to acquire the tracts and parcels of land described in this ordinance.” **Commissioner McKiernan made a motion, seconded by**

Commissioner Johnson, to approve the ordinance. Roll call was taken on the motion and there were ten “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

Item No. 3 – 19800...ORDINANCE: PIPER CREEK REGIONAL IMPROVEMENTS PHASE 1 - CMIP 6046

Synopsis: An ordinance authorizing the Chief Counsel to initiate legal proceedings to acquire property for Piper Creek Regional Improvements, Phase 1, CMIP 6046, submitted by E. James Bain, Assistant Counsel. Due to a clerical error, it is necessary to amend the description and scope of work, as provided by Ordinance No. O-23-19. On April 11, 2019, the Commission unanimously approved Ordinance No. O-23-19, declaring the project to be a necessary and valid public improvement project and authorizing a survey of lands to be acquired for said project.

Action: **ORDINANCE NO. O-39-19**, “An ordinance condemning land for the location, laying-out, construction, installation, expansion, repair, maintenance, operation and use of a sanitary sewer collection main system to serve the Piper Creek watershed area, including the installation of two gravity-flow collector mains along Piper Creek and its primary tributary; a pump station near K-7 & Leavenworth Road; and sanitary sewer force, known as the Piper Creek Regional Improvements Phase 1 – CMIP # 6046, all in Wyandotte County, Kansas City, Kansas; and directing the Chief Counsel to institute eminent domain proceedings as provided by law to acquire the tracts and parcels of land described in this ordinance.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the ordinance.** Roll call was taken on the motion and there were ten “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

Item No. 4 – 19760...ORDINANCE: KCK 501 MINNESOTA ALL, INC. HOME RULE ECONOMIC DEVELOPMENT GRANT

Synopsis: An ordinance authorizing a home rule economic development grant to 501 Minnesota ALL, Inc., authorizing the issuance of general obligation bonds to fund the grant; authorizing a ground lease and lease agreement with KCK 501 Minnesota, Inc., for the purpose of obtaining

New Market Tax Credits in connection with the Downtown Grocery project, submitted by Katherine Carttar, Director of Economic Development. On June 3, 2019, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-40-19**, “An ordinance authorizing a home rule economic development grant to KCK 501 Minnesota ALL, Inc., a Kansas non-profit corporation; authorizing the issuance of general obligation bonds to fund the grant; authorizing a ground lease and lease agreement with KCK 501 Minnesota, Inc., a Kansas non-profit corporation; and authorizing various other documents and actions, all for the purpose of obtaining New Market Tax Credits in connection with the Downtown Grocery project.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the ordinance.** Roll call was taken on the motion and there were ten “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

Item No. 5 – 19756...ORDINANCE AND RESOLUTION: DOWNTOWN GROCERY GENERAL OBLIGATION BONDS

Synopsis: An ordinance and resolution authorizing the issuance of \$1,420,000 principal amount of Taxable General Obligation Improvement Bonds, Series 2019-C, for the purpose of providing funds for the Downtown Grocery project, with such bonds to be purchased by the Local Initiatives Support Corporation (LISC), submitted by Katherine Carttar, Director of Economic Development. On June 3, 2019, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-41-19**, “An ordinance authorizing and providing for the issuance of Taxable General Obligation Improvement Bonds, Series 2019-C, of the Unified Government of Wyandotte County/Kansas City, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto.” **Commissioner McKiernan made a motion, seconded by Commissioner**

Johnson, to approve the ordinance. Roll call was taken on the motion and there were ten “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

Action: **RESOLUTION NO. R-34-19**, “A resolution prescribing the form and details of and authorizing and directing the sale and delivery of Taxable General Obligation Improvement Bonds, Series 2019-C, of the Unified Government of Wyandotte County/Kansas City, Kansas, previously authorized by Ordinance No. O-41-19 of the issuer; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to adopt the resolution.** Roll call was taken on the motion and there were ten “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

Item No. 6 – 19758...ORDINANCE: AMEND BOARDING PROCEDURES AND REQUIREMENTS FOR VACANT AND UNFIT PROPERTIES

Synopsis: An ordinance amending the boarding procedures and requirements for vacant and unfit properties, amending Chapter 8, submitted by Wayne Wilson, Neighborhood Resource Center. On June 3, 2019, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-42-19**, “An ordinance relating to Chapter 8, amending Section 432 regarding amendments to the 2012 International Property Maintenance Code.” **Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to approve the ordinance.** Roll call was taken on the motion and there were ten “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

Item No. 7 – 19790...NOMINATION: BOARDS AND COMMISSIONS

Synopsis: Nomination for Boards and Commissions:

Advisory Committee on Human Relations & Disability Issues - Gary Enrique Bradley Lopez
6/13/19 to 3/31/22, submitted by Commissioner Townsend.

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

Item No. 8 – MINUTES

Synopsis: Minutes from regular session of May 9, 2019; and special sessions of May 23 and 30, 2019.

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

Item No. 9 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated May 30 and June 6, 2019.

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

PUBLIC HEARING AGENDA

Item No. 1 – 1975... PUBLIC HEARING/2 RESOLUTIONS: TURNER LOGISTICS IRBS AND DEVELOPMENT AGREEMENT

Synopsis: Conduct a public hearing to consider a resolution regarding the UG's intent to issue an amount not to exceed \$155M of IRBs for the Turner Logistics Center for the benefit of NorthPoint Development, LLC, submitted by Katherine Carttar, Director of Economic Development. On June 3, 2019, the Economic Development and Finance Standing Committee, chaired by Commissioner

Burroughs, voted unanimously to approve and forward to full commission. It is also requested to adopt a resolution approving the development agreement for Turner Logistics Center. On May 9, 2019, the full commission held this item over to the June 13, 2019 full commission meeting.

Mayor Alvey said, we have a public hearing to consider a resolution of intent to issue industrial revenue bonds for the Turner Logistics Center. In addition, we have a resolution approving the development agreement for the Turner Logistics Center. Before we take public comments, I'll ask staff to make some opening remarks.

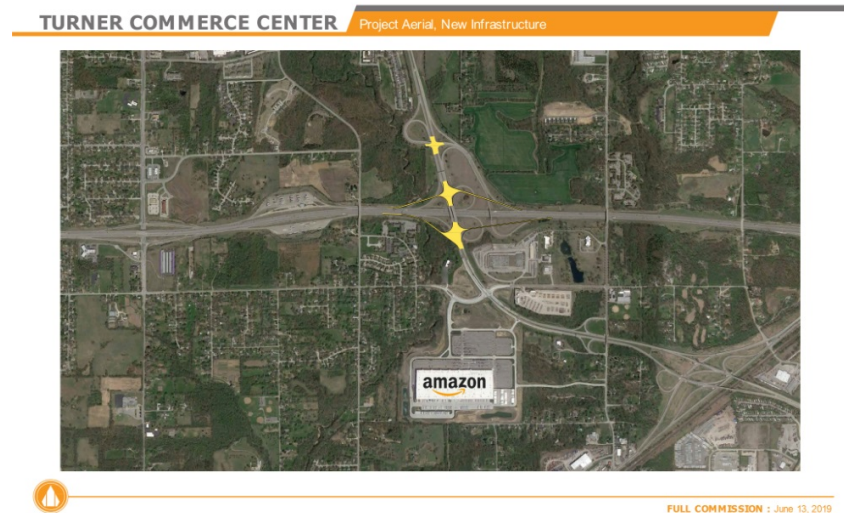
Doug Bach, County Administrator, said the first item on this agenda is regarding the Turner Logistics Center. We're very pleased to move forward with this \$150M development this evening. It was one that really takes advantage of a new investment that we're making along with the State of Kansas and the Federal Government before that project is even underway. With that, I'm going to turn this over to Katherine Carttar, our Director of Economic Development, to present the project and our action this evening.



Katherine Carttar, Director of Economic Development, said the Turner Logistics Center, we're going to go through just kind of, I know most of you have seen this but for the viewing public, we'll go through a few slides and kind of reiterate what the program is and what the project is. I also have Brent Miles here from NorthPoint Development, who will also be presenting with me and will be here for any questions.

June 13, 2019

Part of this project really is the interchange here at Turner Diagonal. This is a project that has needed to kind of be reorganized and realigned for many decades. This is something that both the Unified Government as well as KDOT and others have been trying to get the funding to do for quite some time. About six months ago, we were awarded a BUILD grant from the Federal Highway Administration and this will allow us to move forward with this realignment.



Basically, what will happen here, is rather than kind of the spaghetti of ramps that it is currently, it will be a nice, very simple, diamond-shape that you've seen in a lot of other areas. This will make it much easier for truck traffic to get through, as well as pedestrians to cross I -70, as well as opening up a good amount of land for development that has been kind of landlocked up into this point. Because of the federal money that is involved, this will be a prevailing wage project, and it will be a combination of federal money, KDOT, UG, as well as the developer, NorthPoint, is also contributing to the project.

NORTHPOINT DEVELOPMENT At a Glance

66.8 MM SF
INDUSTRIAL SPACE DEVELOPED
& MANAGED SINCE 2012

\$5.5 BILLION
TOTAL CAPITAL RAISED
SINCE 2012

13.3 MM SF
INDUSTRIAL SPACE CURRENTLY
UNDER CONSTRUCTION

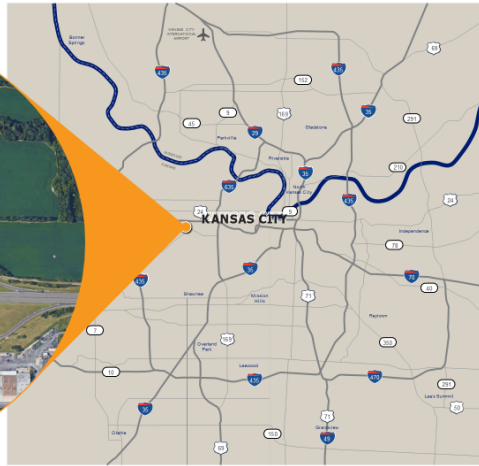
11.7 MM SF
INDUSTRIAL SPACE
LEASED IN 2018

164+ INDUSTRIAL CLIENTS

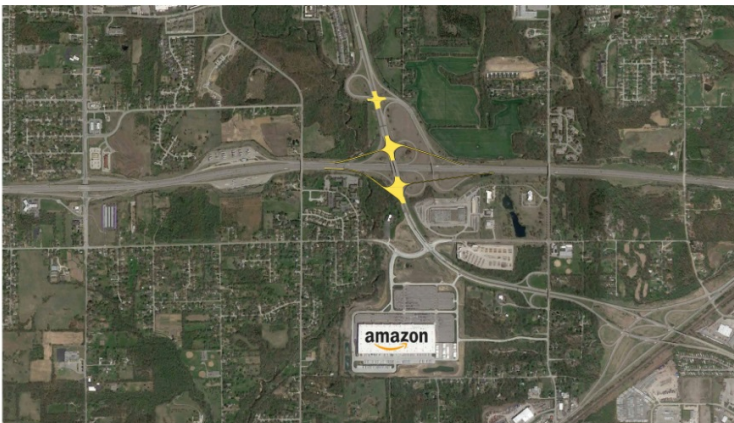
References available from our clients; a few are represented below



Brent Miles, NorthPoint Development, said I just wanted to give a quick little snapshot here about NorthPoint since you haven't seen us for a while. I'm proud of this. We are now the second and closely becoming the largest privately held industrial landlord in the United States. So, we started as you know about eight years ago and we own about just shy of 69 million square feet of industrial space in 15 states across the country. We're General Motors largest landlord in the country, Tree.com's largest landlord, but we have our hometown roots, obviously still here, and as you all know, Wyandotte County in particular, is very, very important to me. We have a good track record with you all from our redevelopment of the former GM site down in Fairfax, the RACER Trust with GM, the Public Levee, and the redevelopment of that, the demolition of nine buildings in Kaw Point and we own buildings on Kansas Avenue. We're multi-family out in Village West area so, we're proud of that. We're proud that we've got a development agreement with you all and I think we've went above and beyond our development agreement every time. Sometimes when it even wasn't required, we went above and beyond our development agreement, and I'll address that a little bit tonight.



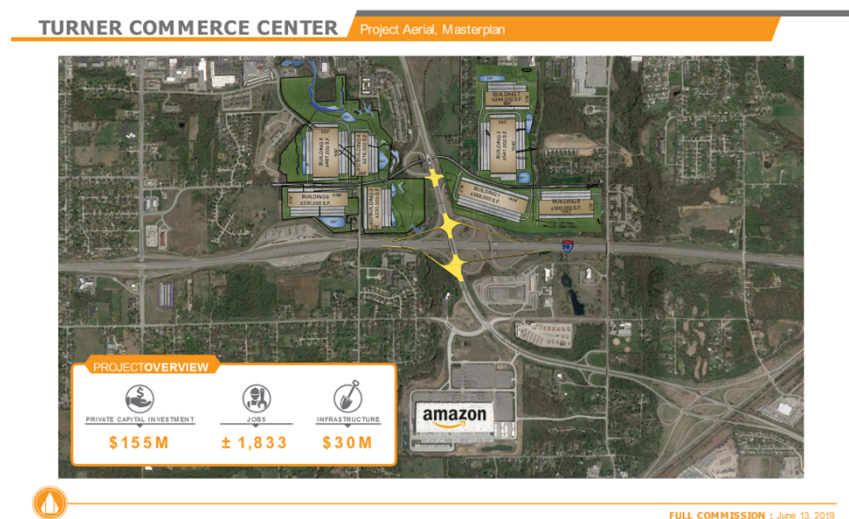
TURNER COMMERCE CENTER Project Aerial, New Infrastructure



June 13, 2019

when I was in a meeting. I called Doug back and he said, we got the money and it was a really, really big event for all of us.

The impact of this, I just want to kind of—you see these on paper, but maybe it doesn't resonate, \$155M and that's just our money, that doesn't count what the tenants put into the building. This, the size of this park, just in perspective, this park will be about the size that the Wilhites have built over, you guys been here longer than me, 30 to 40 years, so, this represents a massive industrial park. It's the largest industrial park you've had in the County since the things were done in Edwardsville. It's the largest planned industrial park in the County. I wouldn't really count the Wilhites as a planned industrial park.



This is a really big investment, really big park. We estimate on the conservative side about 1800 jobs, I think it'll be more than that. If you look at what we've done in Riverside, on a per square foot basis, it should eclipse 2000 - 2500 jobs, but just conservatively, I think it'd be about 1800 jobs and then, obviously, leveraging about \$30M in infrastructure funds.

NORTHPOINT DEVELOPMENT Industrial Building Examples



FULL COMMISSION : June 13, 2019

You know what we build, you've seen Kaw Point, you've seen the GM building down in Fairfax. This is what we built in Riverside, a class A institutional grade building.

TURNER COMMERCE CENTER Community Impact

- ☒ Capital Investment of \$50M and above
- ☒ Development in a distressed area
- ☒ Minority, women and locally owned business participation
- ☒ Environmental design / sustainable development



FULL COMMISSION : June 13, 2019

The development agreement itself, obviously you have a metric system we've agreed to. We've, obviously, committed more than \$50M in capital investment. We're in a distressed area by your standards. This is federally highly distressed by census tract standards, which is how your map was derived. We've agreed to the highest of the local minority/women participation. We've agreed to the environmental design incorporated right into our buildings. That used to be LEED certification, it's now Green Globes, is the new certification that everyone's doing on industrial.

While you can't do it, I want you to hear directly from me why you can't put this in the development agreement. It isn't something that you can negotiate as your lawyers will tell you.

June 13, 2019

We have interviewed two contractors, both of those contractors for this job, are folks that are chasing the interchange project, both are union contractors. You have my verbal commitment, as you had on Kaw Point, which we did do that, this job, for the most part on infrastructure, we'll be using high amount of union contractors. I know that's important to many of you, it's important to me. Again, I know the state law, but I'm telling you, because of the size of the project and the amount of money that we're putting into it, the probability of the union work on this is high. On the building side, that's going to be a mixed bag, just bluntly. Kaw, we had a mixed bag. Steel, yes, concrete probably no, roofing probably yes, so you just get into the individual trades.

We plan on starting our infrastructure grading, sewer, water, to go in tandem with the interchange. We're highly communicative with KDOT and the KTA, and the timeline of the design-build contract. We want that interchange to open, and we want our building to open literally within the same week. We are prospecting already for this site. I think that we will come out of the chute with at least one building and I wouldn't be surprised if we have that building 50% leased in the first year and starting a second building to expedite your timeline. Katherine mentioned a cost share agreement. We have a cash infusion out of NorthPoint in to make your cost share. That was a major factor in your grading system of how we got the federal funds, and then, obviously, we've agreed to a PILOT that repays the Unified Government back over time for their cost share of the agreement as well.

We think it's a great project. We've spent a lot of hours, and a lot of trips to DC and Topeka, trying to get to tonight. And as I jokingly say, we're almost to the starting line. I'll answer any questions that you guys might have.

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

Greg Kindle, President of the Wyandotte Economic Development Council, and a resident of KCK. Mayor, Commissioners, UG team, I'm here in support of issuing the industrial revenue bonds, the development agreement, and the creation of a community improvement district that you'll hear next between the Unified Government and NorthPoint Development. If the trend continues as it has over the last five years, we lease or put under construction about 2 million square feet annually. We need the estimated 2.7 million square feet that's being planned to meet the market demand and to create a long-term property tax generator. There is a significant amount

of public infrastructure that needs to be improved in this site as we all know. I think the agreement as proposed does a good job of using public and private funds to move this forward. As important, is the utilization of this area for job creation.

We look forward to the opportunity to work with NorthPoint as new living wage jobs are created to help position Wyandotte County residents as the first option in collaboration with our workforce partners like KCK Community College in the same corridor. NorthPoint Development has shown their ability to transform sites and to follow through on their commitments at multiple locations in Kansas City, Kansas, and to move the census tracts out of being a distressed census tracts designation as Brent noted. I commend the developer and the UG for once again being creative in putting this together and I urge you all to support this project.

Mayor Alvey asked is there anyone who would like to speak in opposition.

Rick Wyrick said I'm a resident of Wyandotte County. It's not for or against, we're just curious about the plans of the project for the people who live there. You know our concern is, you know, it's moving to industrial where we're residential. So, what does that mean for my property value. I've seen properties and industrial just, you know, go to half value. So, for us living there, what does that mean? Are we going to have to pay for sewers? Are we going to have to deal with trucks and lighting? We just have a lot of questions and it's hard to see, there's nothing out there's nothing.

Mayor Alvey said, Brent.

Mr. Miles said, Mayor and Commission, the plan that you see here, obviously, has housing near. I won't go into any details unless you'd like me to. We've made offers and under acquisition for a number of houses along 69th Street. I specifically invited Matt Watkins here tonight. I just asked Matt if we can follow up with this gentleman and talk to him about an offer or whatever it is. We want to use care in who can be acquired and, obviously, for those who can't, we're going to, obviously, be working with Rob and his team landscaping, setback, lighting, all the things that we know—noise, those are all things that we understand that will be of concern to the Commission and the Planning Commission. I would just say that we can do—we're in the acquisition mode as well as we'll be cognizant of being a good community partner.

Mayor Alvey asked have you scheduled a time to get together. **Mr. Miles** said I did not catch the gentleman's name so I don't know if Matt, we have a list of folks, so maybe we can step out after this hearing and we can catch up with him.

Mr. Wyrick said there's just a lot of ifs. You know, I just hate planning our life on ifs.

Jason Faust said I live on 69th Street immediately adjacent to this project. I'd like to begin by commenting that this public meeting is the first ray of sunlight on this project. While the proponents of the endeavor have used quite a lot of rosy language and salacious numbers to show their side of the argument, tonight's meeting is the first time that I've been exposed to any of this slideshow presentation to indicate anything more detail than the documents that were published as part of the agenda for tonight's meeting.

In addition to the previous commenters question about needing to get additional information and lots of questions answered about this project because essentially, they're going to be replacing a residential use, surrounding me, my house on three sides with heavy industrial or industrial to some degree, so, I would need to know quite a lot of information.

Additionally, the proposed ordinance for tonight is to create a Community Improvement District. I would need to have quite a lot of information about what exactly that entails. What type of zoning is going to be applied, what type of rules and regulations, what type of amenities that affords to the developer, and quite a lot of details there? So, I would definitely press that point as part of this development and also additional public release of this information as we move forward.

I would also add to that, Mr. Mayor, sorry, to my knowledge here in the audience there's only two persons here from our street and I'm not aware if any of our neighbors heard from the ones that the gentleman has referenced, speaking to me about land acquisition have even been made aware of the existence of this proposal.

Mr. Miles asked, Katherine, would you speak.

Ms. Carttar said this is the fourth public meeting that we've had on this topic, but you know, when it comes to—it is a private project when all is said and done so you know any of the land acquisition and things like that, we have the developer deal with and we get involved if absolutely necessary.

In terms of the CID, there would be no additional assessment on the property owners in the area, that is solely on the industrial space that would be located there.

Mayor Alvey said but, clearly, there would be a need for more communication with the gentlemen and the folks who live there. So, with commitment from NorthPoint to carry through on that. **Mr. Miles** said okay.

Mayor Alvey closed the public hearing.

Commissioner Philbrook said I'm sorry that there's folks that were not aware about what's going on there. I know that there was probably some information that was mailed out, but you may have been outside of that perimeter and, therefore, didn't know. I had several people ask me about it that lived on that street and I had a conversation with them about what was going on and told them that if they were interested who to contact and talk to, but it was not either one of these two folks that came forward.

The other thing that I do want to say about this project is that this has been—they've been working on this for quite a while and I want to thank NorthPoint, going way back to the Amazon thing, about giving up their property there, because that's what they were going to do on that location and letting Amazon come in and helping assist in that conversation. Also, having Brent Miles, his folks with NorthPoint, spend so many trips back east to get the money approved for us to get that interchange taken care of, because that is definitely made a major problem at this point and it did lock up a lot of properties. It will take probably, I don't know, take 15 years to get maybe all of this done. So, it's not going to happen tomorrow. But the beginning is going to happen as fast as NorthPoint can get the ball rolling.

I look forward to seeing—there's some properties that were actually bought that had no promise of being anything, but a wooded lot, which I love wooded lots and I like to walk through them, but it wasn't making any money for it and it actually was some of our property. They actually bought it instead of us giving it to them, which thank you very much for buying the property from the UG.

The other thing is that I really want to see, I'm excited about this, but I want to watch it as it develops and see how it comes out, what kind of people come in. I also do want to see that our local folks get hired so, community college, I'm sure you know, we'll be working on those

pipelines, they already are, along with the high school working on pipelining people into the community college. So, this is a big win-win. In the past from what my experience with NorthPoint is, is they are very good neighbors. Even if you have a house close by, it may look better than what your yard looked like next-door previously. So, thank you very much for coming forward and coming into our community and working with us.

Commissioner Kane said, Mr. Miles, could you please step back up. **Mr. Miles** said good evening Commissioner. **Commissioner Kane** said you know this was coming. Mr. Miles and I go back the whole 14 years I've been commissioner. Even when he was on the A team and went to the B team, but the comment was made about a living wage. Do we have an approximate what that would be? **Mr. Miles** said we don't have any tenants for this building. We're building them speculative.

If you look at what we did in Riverside, I view this as our replacement to Riverside. I think that's always been our goal with Turner. Riverside is down to its last building. In Riverside, I looked because I knew you would ask probably, Angela can back me up on this. In Riverside we're averaging somewhere north of 50,000, maybe just over 52,000. And now a lot of those, majority of those, are automotive related.

As you know, you have to be within 16 miles to be a tier one because of the new cut off times for the plant. We can do that from Turner. We've been doing that from Riverside to service both GM and Ford, so about 60% of our employment base in Riverside is automotive related. We've got wheel wells, we've got dashboards, we've got center consoles. All that's manufacturing. I think that you're going to see that same mix or a very similar mix over here.

Now, you're going to have the folks, for example, in Riverside. We have Grainger and they pay \$14 to \$16 an hour for warehouse jobs. That's what we saw. I think you're going to see that more heavily towards the manufacturing in here because I think it's going to serve as a Kansas Avenue corridor. It's going to service as Fairfax with new product because you just can't put this kind of park in Armourdale, in Argentine, in Fairfax anymore because you can't acquire. It's hard to acquire as much property.

Commissioner Kane said one last thing. I appreciate you that we can't do the prevailing wage issue, but if you need any phone numbers of any of the unions in the metropolitan area, I would gladly give them to you. **Mr. Miles** said I'm sure. I'm surprised you haven't texted me already.

Action: **RESOLUTION NO. R-36-19**, “A resolution determining the intent of the Unified Government of Wyandotte County/Kansas City, Kansas, to issue its industrial revenue bonds in multiple series in the aggregate amount of approximately \$155,000,000 to finance the costs of acquiring, construction, improving and equipping a logistics center for the benefit of NorthPoint Development, LLC, and its successors and assigns (master resolution of intent).” **Commissioner Philbrook made a motion, seconded by Commissioner Bynum, to adopt the resolution.** Roll call was taken on the motion and there were ten “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

Action: **RESOLUTION NO. R-35-19**, “A resolution adopting and authorizing the approval of the Development Agreement for the Turner Logistics Center.” **Commissioner Philbrook made a motion, seconded by Commissioner Bynum, to adopt the resolution.** Roll call was taken on the motion and there were ten “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

Item No. 2 – 19759... PUBLIC HEARING/ORDINANCE: CREATE TURNER LOGISTICS COMMUNITY IMPROVEMENT DISTRICT

Synopsis: Conduct a public hearing to consider an ordinance creating the Turner Logistics Community Improvement District (CID), submitted by Katherine Carttar, Director of Economic Development. On June 3, 2019, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Katherine Carttar, Director of Economic Development, said this goes in tandem with the one that you just approved. This is a community improvement district for the Turner Logistics Center. The only way that this will come into play is if NorthPoint does not meet their minimum building requirements, that is a million square feet of space within five years. The way that we have structured this is in order to get paid back, basically, kind of reimbursed for the money that we are fronting for the interchange, we have worked it out so that can be reimbursed through this project. If they do not hit that million square feet in five years, then we would have a CID ready to go that

would make up for the balance. Again, we don't anticipate this will ever have to come into play, but we have it kind of in our back pocket just in case. If they do hit the minimum building requirements, then we'll just rip this up and move along with the IRB and everything else in the development agreement that you just approved.

Commissioner Philbrook asked could you explain what a CID is for the public. **Ms. Carttar** said yes, of course. A Community Improvement District. It can be a number of different things, but you're basically assessing an additional tax on yourself. In this case, this would be a special assessment. This would be a per square foot additional property tax that would be levied. That extra, additional funding that would come out of that additional tax, in this case, would come back to the Unified Government to pay for the infrastructure.

Mayor Alvey said, again, the tax would only be on the development itself and not on neighbors. **Ms. Carttar** said correct.

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

Mayor Alvey asked would anyone present like to speak in opposition. No one appeared in opposition.

Mayor Alvey closed the public hearing.

Action: **ORDINANCE NO. O-43-19** “An ordinance authorizing the creation of the Turner Logistics Center Community Improvement District in the Unified Government of Wyandotte County/Kansas City, Kansas; authorizing the making of certain project improvements relating thereto; approving the estimated costs of such project improvements; levying special assessments within such district and providing for the method of financing the same.” **Commissioner McKiernan made a motion, seconded by Commissioner Philbrook, to approve the ordinance.** Roll call was taken on the motion and there were ten “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

STANDING COMMITTEE AGENDA

Item No. 1 – 19752...RESOLUTION: SALE AND LEASE OF 834 ARMSTRONG AVENUE

Synopsis: A resolution authorizing the sale and lease of surplus property at 834 Armstrong Avenue (known as the YMCA of Greater Kansas City) to Y Lofts, LP, submitted by Katherine Carttar, Director of Economic Development. On June 3, 2019, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted 4 to 1 to approve and forward to full commission.

Commissioner Burroughs said there was much discussion. The overall support for the project does have merit. We addressed the parking issues, access to the parking lot for the local businesses, and I believe there has been a remedy with the private investor. That was really about all the questions outside of a partnership with the developer and the local government. I believe that has been addressed also.

Commissioner Murguia said I'll just say what I said at standing committee, though that's not what's on the agenda tonight of whether or not to approve the project. One of the reasons I voted no is because I am concerned about the number of low-income housing units that are being built downtown. It seems like I've served on the Economic Development Standing Committee for a number of years, and the only projects that we ever get are tax credit or low income. I'm concerned. Data and research have said for years that concentrating poverty is not sustainable. I do have some concerns about that, but tonight, this is in regard to the parking lot and the lease agreement. I just wanted to make mention of that.

Commissioner McKiernan said I appreciate the concern. I do think this is the first step in what ultimately will be a project that is very beneficial for our downtown, very beneficial for Kansas City, Kansas. When the rest of this project comes back, not just this parking lot piece, I'll get into some of the reasons that I think it will be so beneficial.

Action: **RESOLUTION NO. R-37-19** “A resolution authorizing the sale and lease of certain property located at 834 Armstrong Avenue Kansas City, Kansas (former YMCA of Greater Kansas City) to Y Lofts, LP.” **Commissioner McKiernan**

June 13, 2019

made a motion, seconded by Commissioner Bynum, to adopt the resolution.

Roll call was taken on the motion and there were ten “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane.

ADMINISTRATORS AGENDA

Item No. 1 – 19792...PRESENTATION: 2019 CAFR

Synopsis: Presentation of the 2018 Comprehensive Annual Financial Report (CAFR,) submitted by Pamela Kahao, Accounting Manager.

Doug Bach, County Administrator, said annually, we go through and have an audit done of our financial activity within the government by an outside auditor. This is our time of the year to come forward and report on the activity of that and what was found as they went through and did our audit. Presentation this evening will be led by our Deputy Chief Financial Officer, Debbie Jonscher, as well as our CFO and our outside auditors.



Debbie Jonscher, Deputy Chief Financial Officer, said as Mr. Bach said, we are here to report the results of our 2018 Annual Financial Report.

What is a Comprehensive Annual Financial Report (CAFR)?

- Set of financial statements for a government
 - Comply with GAAP and GASB
 - Audited by independent auditor
 - Consists of three sections:
 - **Introductory** section
 - **Financial** section
 - “High points” in Management Discussion and Analysis (MD&A) that describes previous year’s results and key factors influencing results.
 - **Statistical** section provides 24 tables of data
- UG’s CAFR located in Accounting departmental directory of UG’s public website: <http://www.wycokck.org/Accounting.aspx>

2

We'll just talk a little bit about what the Comprehensive Annual Financial Report is. We refer to it as the CAFR. It is a set of financial statements for the government. We comply with Generally Accepted Accounting Principles and the Governmental Accounting Standards Board. Our financial statements are audited by an independent auditor. We have Allen, Gibbs & Houlik and we have Tara Laughlin here with them to report on information later in the presentation.

The CAFR consists of three sections: the Introductory Section, the Financial Section, which contains the management discussion and analysis. That gives you a summary of all of the information contained. That section also includes financial statements as well as notes to the financial statements. The third section is the Statistical Section, which has 24 tables of data giving out 10 years’ worth of information. The CAFR, I’ve listed the address where we’ll put the CAFR out online. It has not been posted yet, but it will be posted within the next week.

Why is it important?

- Transparency
 - The act of being easily seen through or recognized; open, frank, candid
- Accountants let the numbers “*tell the story*”
 - CAFR reports **actual** financial results of the prior year
 - Differs from a budget which is a fiscal **plan** for the future
- Financial statements required by State law and bond documents
 - Stakeholders need to know how we are doing
 - (i.e., citizens, bondholders, grant providers, donors)

3

Why it's important to have a financial report? We want to be transparent to all of our citizens and all our stakeholders. The numbers tell the story. When we work on the budget, we're actually working on a fiscal plan for the future. The CAFR reports the actual financial reports for the prior year. The financial statements are required by state law and the bond documents.

2018 CAFR Highlights – Key Take-aways

- **Governmental Funds' deficit net position improved by \$12.3M** *(pg. 24)*
 - although still in a deficit position of \$2.5M
- **Re-stated retiree death & disability (OPEB) increased prior year liability by \$3.6M** *(pgs. 59; 86-88)*
 - GASB 75 and changes in OPEB actuarial assumptions to include Death & Disability in the calculation
- **Net Pension liability remained relatively flat** *(pgs. 77-81)*
 - from \$173.4M to \$173.3M
- **General obligation debt grew by \$28.8M** *(pg. 59-69)*

4

To get some highlights for the 2018 CAFR, the governmental funds deficit net position improved this year in 2018 by \$12.3 million. Last year, we were at a deficit of \$14.5 million. While we're still in a deficit position, we are now at a deficit of \$2.5 million. The re-stated retiree death and disability liability increased by \$3.6 million. This is the first time this calculation was done. Last year we did implement GASB 75 for changes in the OPEB actuarial assumptions. OPEB stands for Other Post-Employment Benefits. We did see a reduction in our liability when we implemented last year, so this was a little bit of an increase. The net pension liability remained relatively flat, and general obligation debt grew by \$28.8 million.

2018 CAFR Highlights – MD&A *(continued)*

- **Modest \$274K increase in General Fund property tax revenue due to:**
 - assessed value increase
 - two City-General Fund mill decrease
- **Fund Balance of General Fund decreased by \$968K** *(pg. 27)*
 - General Fund reserves are 19.3%
- **Dedicated sales tax of \$10M for public safety and infrastructure** *(pg. 116)*
 - set to expire June 2020-taxpayers voted for re-passage to sunset in 2030

5

We also had a modest increase in the General Fund property tax revenues of \$274,000. This was due to assess value increase, as well as we had a 2 mill decrease on the City General Fund side. Fund balance for the General Fund decreased by about \$968,000. General Fund reserves are at 19.3%. The dedicated sales tax fund brings in about \$10M for public safety and infrastructure. This tax was set to expire in June of 2020; however, it was renewed by public vote and will now sunset in 2030.

2018 Financial Results

Two perspectives for consideration

1. Near term position
Traditional fund statements
2. Financial position
Government-wide financial statements



6

Now we'll go into a little bit of the financial results. We do use various accounting basis when reporting our information. For the near term, we have traditional fund statements that are reported on a modified accrual basis. I'm going to cover information related to those statements, and then I'm going to turn it over to Kathleen to cover the financial position for the government-wide financial statements.

Public Sector Challenge

- Primary goal of private-sector is to make a profit.
- Governments have economic goals, but their principal objective is societal – to provide service to citizens.



7

Just to note, the public sector challenge—the primary goal of the private sector is to make a profit. For governments, we have an economic goal and that's to provide service to our citizens.

Near-term Financing Perspective

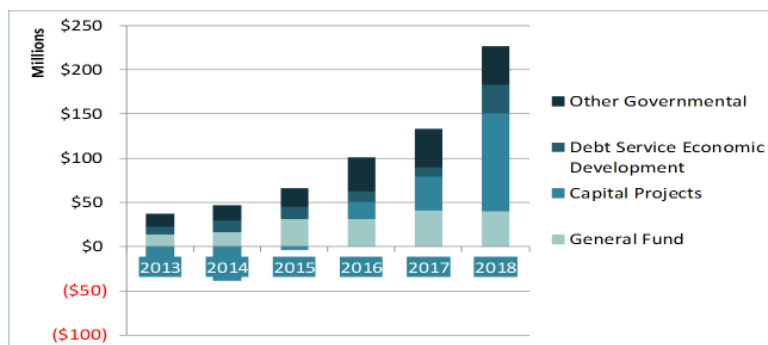
Traditional Fund Statements (UG only)



8

I did want to note that the traditional fund statement information I'm going to go over only covers the Unified Government. We do include the financial information for the Board of Utilities in our report, however, this information that I'm going to be discussing is only for the Unified Government.

Near-term Financing Governmental Fund Balances (Page 25)



9

Just looking at governmental fund balances we reported here for the last six years. We've got the General Fund, Capital Projects Fund, Debt Service, and our other governmental. One thing I did want to note is in 2018, the fund balance grows here and that's attributable to the Capital Projects

Fund. The reason that is because in 2018, we issued about 33 million in public building commission bonds. Those were issued prior to the project starting. Usually we issue temporary notes until the project's completed, then we do the permanent financing. For the Public Building Commission bonds, we issue those projects in advance of the project being completed.

Near-term Financing

General Fund – Fund Balance Policy

(Page 25 & 27)

- *Policy Revision - It shall be the goal of the Unified Government to maintain a minimum fund balance in the General Fund of 2-months of expenditures and transfers (17%).*
- *GFOA Best Practice = 17 percent (2-months operating expenditures)*
- *Unified Government policy also includes an 1-month operating reserve for economic uncertainty and emergencies, to be accumulated over the future five years.*

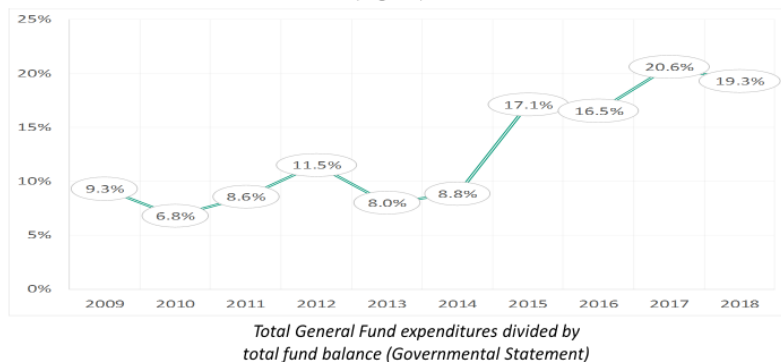
2018 General Fund Balance	39,988,884
2018 General Fund Actual expenditures	207,379,000
17% of 2018 General Fund Actual expenditures	35,254,430
Fund balance as a percent of 2018 actual	19.3%
Fund balance above policy minimum	4,734,454

10

Talk a little bit about our government, our General Fund, Fund Balance Policy. We adopted a policy that states our goal to maintain a minimum fund balance in the General Fund at two months of expenditures and transfers. That's 17%. For 2018, we ended the year at 19.3%. We had expenditures of just under \$40 million. To get to 17%, we would have had expenditures at \$35 million. We were actually—the fund balance above the policy minimum was about \$4.7 million.

Near-term Financing

General Fund – Fund Balance (Page 27)



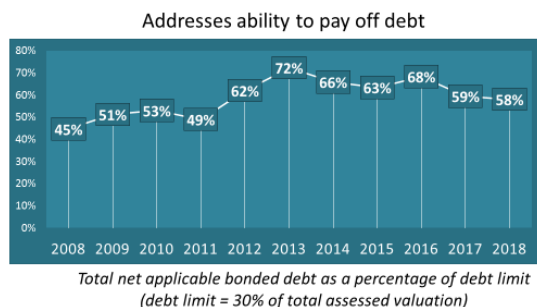
11

This graph just shows the fund balance over the last 10 years. You can see in 2009, we started out at about 9.3%. In 2015, we did reach the 17.1% and now in 2018, we're at 19.3.

Financial Position

Debt Capacity

(Page 191)



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This next slide just shows our debt capacity. We presented this information before, just showing where our capacity is. The current debt limit is 30% of the assessed value. What this graph is showing is for 2018, we are at 58% of our debt limit.

Financial Position

Government-wide Financial Statements

(both UG and BPU)



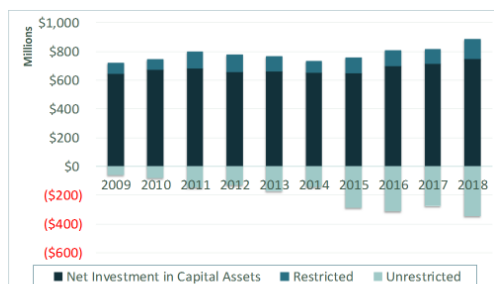
13

Kathleen VonAchen, Chief Financial Officer, said the Government-wide Financial Statements are two sets of statements that begin on page 23. That's page 23 and 24. They actually combine the entire Unified Government, including the BPU, and present them as if it were a business. It's important pages to take a look at.

Financial Position

Composition of Net Position

(Page 23)



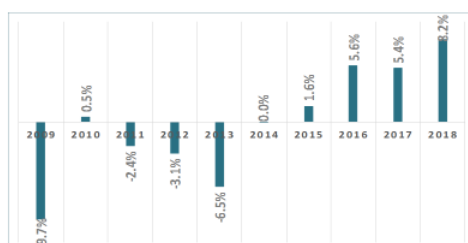
14

I'm going to just go straight to the bottom line, which is the net position, that's the line at the bottom. Over the course since 2009, this is the composition of our net position. It's broken up into three categories: net investment in capital assets, which is the darker area; restricted, which is the medium blue, which is floating on the top; and then unrestricted, which is the lighter blue at the bottom. In this past year, our net position has improved, as we've mentioned. This also includes BPU, by the way. Our unrestricted amounts have gone down—the deficit position of the unrestricted amount increased. Part of that is the result of activities in our internal service funds related to workers' compensation and health benefits.

Financial Position

(Page 24)

Did the Unified Government's financial position improve or deteriorate?

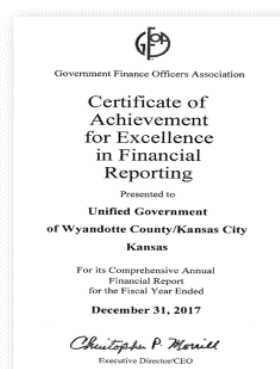


Change in net position divided by beginning net position.

15

This slide talks about the Unified Government's financial position improve or deteriorate. What it presents is a net position, the change in the net position divided by the beginning net position; basically, comparing the beginning and the end. As you can see, in this past year, it increased by 8.2%. In the prior year, it increased by 5.4%.

Unified Government Recipient of:
 Government Finance Officers Association
***Certificate of Achievement for Excellence
 in Financial Reporting***
 19 Consecutive Years



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I did want to point out that the Unified Government's Accounting Division of the Finance Department has won this award. The Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting. We've won this award over the past consecutive 19 years. We won it again last year, so here it is right here. Of course, it's only done by the teamwork of all of our UG departments who provide us information to the auditor and to others, as well as the ongoing day-to-day operations by everyone following our internal controls. It's a real achievement. It's actually very important for the credit rating agencies. Next year, it will be 20 consecutive years.

CORRECTIVE PLAN 2017

- Changed the audit support document filing and tracking system
- Used State Confirmations to agree revenue accrual entries, where available
- Agreed ending system balances to audit workpapers for anticipated balances
- Working in sync with our external auditors enhanced or changed existing workpapers to increase accuracy and efficiency
- Pivot on auditors workpapers to complement our internal audit workpapers
- Performed walk-throughs in accounting processes to enhance processes to improve accuracy and timeliness of work
- Utilized the financial system trial balances to confirm end of year balances

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One item I also want to mention and acknowledge is that back in 2007, there were a variety of financial findings or audit findings, all of which were cleared. One in particular, up until 2016, one in particular was one called the Finding for the Audit, or for the Accounting and Financial Reporting. That one we've had for a long time. In 2016 audit, it was taken away and we had no audit findings at all for one year. Then we had some transition or some mix-up in staffing and we

June 13, 2019

ended up getting that finding last year again, as you might remember. I'm very happy to announce that in order to get rid of that finding, again, our current Accounting Manager, Pam Kahao, who's in the audience here with us, put together a corrective action in order to get the finding done. She accomplished it and now we no longer have that finding. It's no longer a significant deficiency. I want to thank her for that.

This is some of the work she did this past year. Of course, I also have to thank Debbie Jonscher for her support and assistance in this process as well.

Recognition

- Unified Government Board of Commissioners
- Unified Government Departmental Staff
- Doug Bach, County Administrator
- Kathleen VonAchen, Chief Financial Officer
- Deborah Jonscher, Deputy Chief Financial Officer
- Accounting Division Staff
- Ron Green, Payroll Manager
- Reginald Lindsey, Budget Manager
- Rick Mikesic, County Treasurer
- External Audit Team: Allen, Gibbs & Houlik, L.C.



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I'd like to recognize all of you, the Board of Commissioners for your support of the Finance Department; all the department staff because they all process accounts payable, accounts receivable, all of those financial areas; Doug Bach; Debbie Jonscher; all the Accounting Division staff; Ron Green, who is our Payroll Manager, very important. He manages a huge cost center for us. Reginald Lindsey, who you see quite a bit, is our Budget Manager; Rick Mikesic, our County Treasurer; and then, of course, the external audit team of HGH, who will be presenting here next. I'll introduce Tara, who will be discussing the required communications on this audit. We have provided you a draft document because, basically, we didn't have enough time to get the actual books back from the printer in time for the meeting. You will be receiving a hard copy of the actual books, unless you want to just stay with the PDF.

INTRODUCTION Allen, Gibbs, & Houlik, L.C.
Ms. Tara Laughlin, Vice President, Assurance

AGH, L.C. Required Communications



Tara Laughlin, Allen, Gibbs, & Houlik, said I'm a vice president in our Insurance Services Department, focusing primarily with governmental entity audits, financial statement audits. As Kathleen mentioned, I'm here tonight to present the results on the audit side of the fiscal year 2018 CAFR. I first off just want to thank Kathleen, Debbie, Pam, and all of their staff throughout the process. Everybody worked well together. It made the audit go really smoothly.

Any goal of an audit is to make sure that the Comprehensive Annual Financial Report, that you received a copy of, accurately reflects the books and records of the Unified Government so that you can rely on it as users and readers of those financial statements. I'm happy to report that is the case. We are issuing an unmodified opinion on those financial statements, which is better known as a clean opinion. It's the highest level of opinion you can receive on financial statements. What that says is, those financials do accurately reflect the books and records and activity that happened during fiscal year '18 in the Unified Government.

I am required annually to discuss certain topics with the governing board. You should have received a copy of our letter to the governing board that has all those required communications outlined in them. As far as the types of items I'm required to communicate really hasn't changed much from the prior year, so, I'm going to hit on the highlights that impacted fiscal year '18 specifically.

First off, as far as new accounting principles go, new standards go that gets adopted into the financial statements for the Unified Government itself, there wasn't too many significant changes this year. When you're looking at last year's CAFR to this year's CAFR, as far as the accounting goes, there's been no significant changes in that area for the Unified Government. You will note, although we are not the auditors for the BPU, you will note when you're looking at the Comprehensive Annual Financial Report and the BPU information, that they did adopt this year

the other post-employment benefits standard which increased their liability related to retiree health care costs. You're going to see an adjustment to beginning net position in the BPU activity of roughly \$40 million. That is because of a new accounting standard, which the Unified Government early adopted last year for their OPEB plan. I do want to point that out even though we're not their auditors. If you're looking through that, that's why you see such a significant change in that BPU column.

All numbers within the financial statements aren't hard and fast. There are some estimates that have to take place. We are required to communicate that to you. As far as this year, there's no new estimates within the financial statements themselves. The estimates are things, for example, for your net pension liability, the Unified Government's participation in the KPERS pension plan, that OPEB plan that we've already discussed this evening, as well as some estimates, for example, for your work comp, liability, potential payouts, all those are estimates. From an audit standard perspective, we do obtain an understanding of how management goes about making those estimates. We review information and data that's used to calculate those estimates. In all cases, we have found that management's estimates are reasonable and are based on reasonable, complete, and accurate information.

One other area we are to discuss annually is any audit adjustments that are done during the audit period. At this point, I do want to kind of piggyback on what Kathleen has already said this evening. This year, the significant deficiency was removed mainly because the number of audit adjustments that we performed this year, as well as the dollar value going into those adjustments, declined significantly. After that transition year last year, Pam took over kind of some of the year-end report prep processes that we may have assisted with a little bit more heavily in 2017 versus this year. All that extra hard work paid off. She addressed those corrective action plans that were posted up there earlier, and we were able to remove that significant deficiency. If you're looking through this year's letter and last year's letter, it is shorter because that significant deficiency was removed.

We are also required to report on any uncorrected misstatements. I always like to explain this because initially, it doesn't look like a very good term. Sometimes during the audit process, there are some items that come up during the process that management determines not to be significant or would mislead readers or users of the financial statements, so it's not reflected in the current year financial statements. We review all of that as well and we agree with management that it's not misleading. Those are provided to you in the back of the letter in Separate Schedule so

you can see what those items are that weren't actually reflected within the fiscal year '18 financials. However, those items self-correct so it's not like they don't get recorded, they're just not recorded in fiscal year '18. They're going to be recorded in the fiscal year '19. Usually those items are items that are just tiny issues. The overall dollar value of that was roughly about \$875,000 for the Unified Government as a whole. When you look at the big picture, those items are relatively smaller items.

Buried kind of in the middle of this letter is a header labeled Other Disclosures. I always like to point this out because within that paragraph, we discuss that we had no disagreements with management, no disagreements over accounting practices involved to report information within the financial statements. I always think that's very important to point out that there is a good relationship, a good working relationship between the auditors and management and questions we ask or information we ask for is always provided timely in order to get through the audit process.

The very last section of that letter, we do provide just some general information over risk areas that impact all entities, whether it's corporate entities or government entities. They're not necessarily UG specific risks, but they're risks that are just out there in the environment that we like to provide some background information to governing bodies just to be aware that those items are out there. Those really relate to the cyber security or information security risks. Every day, people are trying to hack into every system or steal money through email. We always like to provide that background information, just a little bit of research, that way you're aware of those risks that are out there. When you're in other meetings, you might think about some questions that you might want to ask regarding how those risks are being mitigated within the government itself.

Mayor Alvey said thank you so much. Congratulations again on the award. Thank you so much for your hard work.

Action: For information only.

Mayor Alvey said let's go to Item No. 2. It relates to the sale of a car wash facility at 9801 Troop Avenue.

**Item No. 2 – 19797...ACKNOWLEDGEMENT AND ASSUMPTION AGREEMENT
BETWEEN THE UNIFIED GOVERNMENT AND BROWND OG 9801 LLC**

June 13, 2019

Synopsis: Acknowledgement and Assumption Agreement between the Unified Government and Browndog 9801 LLC, relating to the sale of a car wash facility at Lot 6 of Project Area 2A (9801 Troup Avenue), submitted Katherine Carttar, Director of Economic Development.

Doug Bach, County Administrator, said I will probably start with just a little bit of an introduction to this. This is a facility that's out and related to the Vacation Village where Schlitterbahn is located. Early today, we had an announcement that came out that was made that Schlitterbahn had sold their Texas water parks to Cedar Fair, which is the owner of Worlds of Fun in our community, in the Kansas City area. They also included with this an option to buy the Schlitterbahn Waterpark in Kansas City, Kansas, for an additional \$6 million. This is one that is unrelated to the two items that are on the agenda tonight. But since it was actively part of our community and part of the development area that's out there, I thought that I would go ahead and make that mentioned. We've been informed that we believe the representatives from Cedar Fair will be contacting me in the near future and we'll have some conversation about how they can move forward with acquisition of that and discussion on the option that they have in that area. I don't really have anything else or other knowledge on that to be able to report. I wanted to let you know at least know what I know about that and what's been published. We look forward to that.

The two items on the agenda tonight are items we have in our agreement. If the owner of the property is there to sell property, we often do this in our major development areas. If they go to transfer property to a different owner, we make them come back to us. We're able to review the owner, look at them, make sure that they are being assigned all the other terms of the development agreement so they have to carry on and keep all that up. That's really our tool to turn that over to them and then they have to move forward with it.

The first one of the two is the car wash that exists on the site.

The second one on the agenda is for the vacant lot south of the convenience store that's out there anticipated to be a new Spira healthcare.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Kane, to approve.** Roll call was taken on the motion and there were nine "Ayes," Markley, Walters, Philbrook, Bynum, Townsend, McKiernan, Murguia, Johnson, Kane; and one "No," Burroughs.

Item No. 3 – 19801...ACKNOWLEDGEMENT AND ASSUMPTION AGREEMENT (SC INVESTORS KCK) AND FIRST AMENDMENT TO ACKNOWLEDGEMENT AGREEMENT (SVV I AND BOMARTO LEGENDS)

Doug Bach, County Administrator, said I would recommend approval of Item No. 3. It requires a separate vote.

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

COMMISSIONERS’ AGENDA

No items

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

LAND BANK BOARD OF TRUSTEES’ CONSENT AGENDA

Mayor Alvey asked if anyone on the Commission or anyone in attendance tonight wish to set-aside any item on the Land Bank Board of Trustees’ Consent Agenda. If an item is not set-aside, all items will be voted on by one vote. **Tscher Manck** asked to set aside No. 2.

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

Item No. 1 – 19753...LAND BANK BUSINESS: TRANSFERS TO LAND BANK

Synopsis: Communication requesting consideration of the following Land Bank applications, submitted by Chris Slaughter, Land Bank Manager.

Transfers to Land Bank

1269 & 1273 Kansas Ave. - Unified Government

(Owner of 1267 Kansas Ave. has applied for these properties and would like both properties to increase space for family.)

1527 S. 34th St. - City of Kansas City, KS

(Owner of 1528 Woodland has applied for this property to be a yard extension.)

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

Item No. 2 – 19754...LAND BANK BUSINESS: APPLICATIONS

Synopsis: Communication requesting consideration of the following Land Bank applications, submitted by Chris Slaughter, Land Bank Manager.

Applications

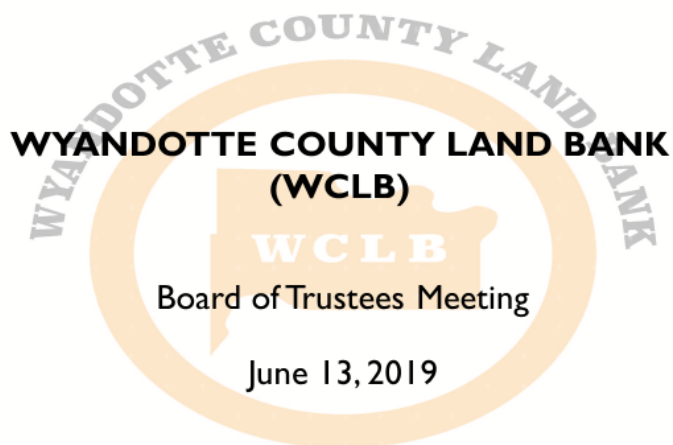
1040 Splitlog Ave. - Jose Coreas-Arevalo, yard extension

1273 Kansas Ave. - Sandra Aguirre, property acquisition

1269 Kansas Ave. - Sandra Aguirre, yard extension

1506 N. 55th Dr. A - Jase Properties, LLC, yard extension

1527 S. 34th St. - Samantha Lopez, yard extension



WYANDOTTE COUNTY LAND BANK APPLICATIONS

- ▶ 5 Applications
 - ▶ 4 – Yard Extension
 - ▶ 1 – Property Acquisitions

All applicants are current on their taxes
and have no Code Violations



Chris Slaughter, Land Bank Manager, said tonight, we have five applications that are up for approval. We have four yard extensions and one property acquisition.

YARD EXTENSION – 1040 SPLITLOG AVE
JOSE COREAS-AREVALO – 1042 SPLITLOG AVE



The first one we have is a yard extension for 1040 Splitlog, which is on your screen in red. The applicant is at 1042 Splitlog, which is outlined in black to the west.

YARD EXTENSION – 1269 KANSAS AVE
 PROPERTY ACQUISITION – 1273 KANSAS AVE
 SANDRA AGUIRRE – 1267 KANSAS AVE



Next, we have property acquisition and a yard extension. The applicant lives at 1267, here outlined in black. Outlined in red are the two Land Bank properties which are also approved as transfers tonight.

YARD EXTENSION – 1506 N 55TH DR A
 JASE PROPERTIES, LLC – 1502 N 55TH DR B



Next is 1502, the applicant, North 55th. The one in yellow is actually the Land Bank property, 1506 N. 55th.

YARD EXTENSION – 1527 S 34TH ST
SAMANTHA LOPEZ – 1528 WOODLAND BLVD



We have the applicant at 1527 South 34th Street. The property that was transferred for approval tonight also is 1528 Woodland Boulevard.

**WYANDOTTE COUNTY LAND BANK
TRANSFERS TO LAND BANK**

**REQUESTING FINAL APPROVAL
OF THE
APPLICATION REQUESTS**

Those are requests for final approval.

Mayor Alvey asked is anyone present who would like to speak in support. No one appeared in support.

Mayor Alvey asked is anyone present who would like to speak in opposition.

June 13, 2019

Tscher Manck, Wyandotte County, Kansas, said on April 25, Mr. Slaughter came before you all. He asked could it be a hold put on the Northeast side. On the 9th it was approved, and also put into effect about a two-year lease program. To my understanding, that was also Wyandotte County-wide. I want to know how come the three gentlemen who were here applying to do yard extensions were turned down, but these five are able to buy them without a two-year lease program. It was supposed to be one Ms. Murguia brought it up on the Monday night meeting. She asked about it and they never really answered it. I'm trying to figure out why is it okay for this side of town to be able to buy.

One, of the people, they couldn't put in two applications for a yard extension, so he helped him by saying they were going to do a house requisition and a yard extension. They turned down Mr. Owens and the two young men who wanted to do that very same thing on the northend of town. He said that the two-year lease program was supposed to be for Wyandotte County. Why is it a difference on that side of town and not on this side of town?

Mr. Slaughter said the hold that was in place that was later reinstated is just for the Northeast area. There're no applications tonight in that area. I want to state for the record that nobody has been turned down; nobody has been denied, just the ones in those areas just haven't been brought before you for final consideration.

Ms. Manck said so the leasing program said that everyone had to lease the property or the lot for two years before selling it. That was not limited to the Northeast side. That was Wyandotte county-wide. I want to know why nobody argued about that side.

Mayor Alvey said and I'm sorry. You're not allowed to come back up.

Mr. Slaughter said as you remember, I think it was last month we approved the lease program. The lease program is available. These applications were in the queue. They have indicated that they do not want to lease; they want to purchase. That's why they're here tonight.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken on the motion and there were nine "Ayes,"

Markley, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Johnson, Kane; and one “No,” Walters.

PUBLIC ANNOUNCEMENTS

No items

**MAYOR ALVEY
ADJOURNED THE MEETING AT 8:07 P.M.
June 13, 2019**

Bridgette D. Cobbins
Unified Government Clerk

de

June 13, 2019

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

**PLANNING & ZONING AND
REGULAR SESSION
JUNE 27, 2019**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, June 27, 2019, with ten 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; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. Commissioner Johnson, Fourth District, was absent. The following officials were also in attendance: Doug Bach, County Administrator; Gordon Criswell, Melissa Sieben, and Emerick Cross, Assistant County Administrators; Bridgette Cobbins, Unified Government Clerk; Robin Richardson, Director of Planning; Janet Parker, Administrative Assistant; Misty Brown, Deputy Chief Counsel; Mike Taylor, Public Relations Director; James Bain, Assistant Counsel; John Droppelmann, Deputy Chief/Fire Marshal; Jeremy Rogers, Director of Parks & Recreation; Phyllis Wallace, Director of CDDO; and Captain Ronald Schumaker, Sergeant-at-Arms.

MAYOR ALVEY called the meeting to order.

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

Mayor Alvey said before we have our invocation, we will observe a moment of silence for Judge Phil Sieve, who recently passed away. Judge Sieve was appointed to the District Court in 1980. From 1985 – 2008, he served as Administrative Judge.

INVOCATION was given by Reverend Artrell Harris of Roswell Church of Christ.

Mayor Alvey asked the Clerk if there are any revisions to tonight's agenda. **Bridgette Cobbins, UG Clerk,** said it has been requested that Special Use Permit Application Item No. 1—this item

has been withdrawn at the request of the petitioner. Again, that's Special Use Permit Application Item No. 1.

Mayor Alvey said tonight, we have two distinct parts to our meeting. The Planning and Zoning portion will be handled first followed by the regular Commission meeting. I'd ask the Clerk to read the statement, required by law, governing the Planning and Zoning portion of our meeting, followed by the items on the Planning and Zoning Consent Agenda.

Bridgette Cobbins, UG Clerk, read the statement, required by law, governing the Planning and Zoning portion of the meeting.

Ms. Cobbins asked if any member of the Commission wished to disclose contact with proponents or opponents on any item on the Planning and Zoning Agenda.

Commissioner McKiernan said I've had contact with proponents of #SP-2019-48. **Commissioner Bynum** said I've had contact with opponents of Item A1, Change of Zone #3187 and the accompanying #SP-2019-47. **Commissioner Townsend** said I've had contact with proponents of #SP-2019-41 and #SP-2019-85. **Commissioner Markley** said I've had contact with parties for #SP-2019-72.

Ms. Cobbins read the items on the Planning and Zoning Consent Agenda.

Mayor Alvey asked does any member of the Commission or anyone in attendance tonight, wish to set-aside any item on the Planning and Zoning Consent Agenda. If an item is not set-aside, all items on the Planning and Zoning Consent Agenda will be voted on by one vote to follow the recommendation of the Planning Commission. There were no set-asides.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the Planning and Zoning Consent Agenda, to approve all the items as submitted.** Roll call was taken on the motion and there were nine "Ayes,"

Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

PLANNING AND ZONING CONSENT AGENDA

CHANGE OF ZONE APPLICATIONS

ITEM NO. 1 – 19812...CHANGE OF ZONE APPLICATION #3187 - VERONICA WESSELHOFT

Synopsis: Change of zone from C-1 Limited Business District to C-2 General Business District for a used car lot at 2120 Park Drive,
and

SPECIAL USE PERMIT APPLICATION ITEM NO. 8 – 19822...#SP-2019-47 – VERONICA WESSELHOFT

Synopsis: Special use permit for a used car lot at 2120 Park Drive, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 5 to 0 to recommend denial of Change of Zone Application #3187 and Special Use Permit Application #SP-2019-47 due to mom-response and non-compliance from the applicant.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to deny Change of Zone Application #3187 and Special Use Permit Application #SP-2019-47. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 2 – 19813...CHANGE OF ZONE APPLICATION #3194 – TOM NOTTE WITH NOTTE AND ASSOCIATES, PA

Synopsis: Change of zone from C-1 Limited Business District to CP-3 Planned Commercial District for a contractor's office at 8525 Parallel Parkway,
and

MASTER PLAN AMENDMENT APPLICATION ITEM NO. 1 – 19839...#MP-2019-4

Synopsis: Master Plan Amendment from Low-Density Residential (City-Wide) to Community Commercial (City-Wide Master Plan) at 8525 Parallel Parkway, Director of Planning submitted

by Robin Richardson, Director of Planning. The Planning Commission voted 5 to 0 to recommend approval of Master Plan Amendment #MP-2019-4 and Change of Zone Application #3194, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, a \$50.00 ordinance publication fee shall be submitted to the Urban Planning and Land Use Department immediately following the Unified Government Board of Commissioners meeting.
2. A variance for parking reduction has been applied for both buildings, 8525 and 8529 Parallel Parkway, even though the owner is only going to occupy 8525 Parallel Parkway.
Applicant Response: Agreed, the second will be leased or sold in the future and the owner wants to apply for variance on both lots to have them approved now instead of waiting.
3. The building has been vacant since 2014, where previously an automotive repair shop operated for 12 years.
Applicant Response: Agreed.
4. Please provide a floor plan of the buildings.
Applicant Response: Agreed. Refer to plans of buildings 8525 attached digitally sheet A-101, and A-102. There are no current plans for the building at 8529 because there is no work scheduled for that building at this time but will be at a future date.
5. What type of contractor's business will operate in the building?
Applicant Response: The contractor is a concrete contractor.
6. Will work vehicles be parked outside in front of the overhead doors during the day and/or overnight?
Applicant Response: Vehicles will be parked at various times during the day outside. They can be parked inside overnight.
7. Per Sec. 27-467(c)(6) Any outside storage or keeping of parts, equipment, inoperable vehicles or residual materials which is necessary, normally related and accessory to the principal use of the premises shall be screened from view from off the premises. Such outside storage shall be limited to areas directly adjacent to the main building, not including more than 20 percent of the area of the main building and not in a required yard.
The site plan depicts a gravel drive leading to the rear of the building. Do you intend to have any outside storage in the rear of the property?
A 6' privacy fence with masonry columns every 32' on center shall be constructed along the rear property line to screen any materials from the residences to the south.
Applicant Response: There shall be no storage of any kind at the rear of the building, therefore, no need for a screen wall.
8. The trash enclosure shall be comprised of a 6' solid architectural screen wall with masonry column posts.
Applicant Response: Refer to the digitally attached screen wall detail 4 / A-200 showing materials and height. Refer to digitally attached sheet AS-100 for location and size of closure.
9. Any lighting proposed on the building or in the parking lot shall have 90-degree cutoff fixtures and not exceed one foot-candle at the property line in all directions.
Applicant Response: Agreed. 90-degree cutoffs will have to be installed for compliance with lighting comment.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: none.
2. Items that are conditions of approval (stipulations):
Provide handrail calculations in accordance with UG retaining wall checklists i.e. guardrail shall resist overturning by 50 pounds per linear foot (plf) load and a 200-pound concentrated load applied at the top of the rail (42" above top of wall)

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Change of Zone Application #3194 and Master Plan Amendment #MP-2019-4, subject to the stipulations. Roll call was taken on the motion and there were nine "Ayes," Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 19814...SPECIAL USE PERMIT APPLICATION #SP-2019-3 - BLAKELUND MORONEY WITH MORONEY MOTORS, LLC

Synopsis: Special use permit for automotive sales at 3131 Merriam Lane, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 5 to 0 to uphold its previous recommendation and recommends denial based on the failure of the applicant to meet with staff and submit engineering plans.

Action: The item has been withdrawn at the request of the petitioner.

ITEM NO. 2 – 19815... SPECIAL USE PERMIT APPLICATION #SP-2019-35 - LOLITA SANDERS

Synopsis: Special use permit for a child educational center (previous Special Use Permit #SP-2016-31 expired 5/26/2018) at 1316 Armstrong Avenue, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-35, subject to:

Urban Planning and Land Use Comments:

1. Since being granted the special use permit, have there been any complaints from the neighbors, especially related to excessive noise from cars or children, traffic congestion/street parking issues, or appearance of the yard or structure?

Applicant Response: After receiving the special use permit, and due to a change in my life, the daycare was not up and running. Unfortunately, I don't have any information regarding the traffic/congestion or any parking issues. As I stated before, I don't foresee an issue regarding traffic or parking since drop off and pick up will be staggered based on the parents work hours.

2. On the development application for renewal, applicant's comments regarding proposed uses (Question 4) and additional information (Question 6) were identical to the comments made on the original development application from 2016. In light of that, what is the current number of children attending the day care, and how many staff members/volunteers currently work at the day care?

Applicant Response: The capacity that I will be licensed for will be 10 to 12. I will be the only provider/worker and I may have 1 volunteer.

Staff Response: It should be noted that applicant never used the special use permit issued in 2016. This explains why her application responses were the same, and also allows for those answers to be used for this staff recommendation.

3. If renewed, application will be held to the following stipulations:
 - a. Applicant must be licensed by State of Kansas and approved by Wyandotte County Health Department.
 - b. Parking in designated areas only to minimize traffic issue.
 - c. Structure (outside and inside) and yard must be code complaint at all times (lawn mowed, free of debris, etc.).
 - d. Special Use Permit approval for two years.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Change of Zone Application #SP-2019-35 for two years, subject to the stipulations. Roll call was taken on the motion and there were nine "Ayes," Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 3 – 19816... SPECIAL USE PERMIT APPLICATION #SP-2019-38 - THOMAS W. MORGAN III

Synopsis: Home occupation special use permit for an Airbnb at 431 North Thompson Street, submitted by Robin Richardson, Director of Planning. This is the applicant's primary residence; however, he intends to rent out the entire home when he is out of town or not staying at the residence. The applicant lists both bedrooms (two-bedroom residence) are available for short-term

rental. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-38, subject to:

Urban Planning and Land Use Comments:

1. Describe how you will communicate with neighbors.
Applicant Response: I currently have contact information for the neighbors around me – they also have my contact information. I am sending out written notice to each of them regarding the status of the Airbnb and will include my contact information again in case they need it.
2. Describe how you will pay appropriate lodging taxes.
Applicant Response: Taxes are to be collected by Airbnb and HomeAway.
3. How many rooms are rented?
Applicant Response: The entire house, which includes two bedrooms will be rented.
4. What is the maximum number of vehicles and where will they park?
Applicant Response: Unknown due to the circumstances of each individual renter, however; a private parking space in my garage will be available for use as well as off-street parking, which is typically readily available.
Staff Response: The guests need to park in the garage and be offered one space on the street, where available, for a total of two spaces.
5. How often are guests in the residence?
Applicant Response: When I am out of town or not staying at the residence, which varies depending on month and my work schedule. Expecting a maximum of 10-15 days per month.
6. Do you have a rental license from the Unified Government for the facility?
Applicant Response: No, I spoke with the Unified Government regarding this issue and since I am not expecting anyone to be renting for 28 or more consecutive days, I did not need to obtain a rental license.
7. Provide a detailed description of the area(s) rented for Airbnb/other rental operations. Include bedrooms, bathrooms, common areas, etc.
Applicant Response: The entire single-family residence will be available to rent. This includes two bedrooms, two full bathrooms, a living room, dining area and kitchen. Also included is a back deck, fenced in private backyard and one detached garage. The property was recently renovated and is extremely safe and well-constructed, including an alarm system.
8. Describe how you will maintain a safe environment including:
 - a. Working smoke detectors in each bedroom plus each level of the unit/house.
 - b. GFCI outlets are required in bathrooms.
 - c. Double keyed locks are not allowed.
 - d. Copper cannot be used for gas supply lines.
 - e. Windows must be operable, not blocked or boarded.
 - f. Handrails are required at sets of 4 or more stairs/risers.
 - g. Hot water tank and furnace must be vented properly and operational.
 - h. Electric panel and circuits must be safe.*Applicant Response:* Whole home was renovated from the studs out in 2017 and 2018 and all required permits and inspections were completed. This provides that the home is very

safe with modern upgrades including new electrical, new roof, new plumbing, new HVAC. All of the above requirements needed for a safe rental have been met.

9. Who is responsible for issues that may arise when tenants are renting the house, if neighbors have concerns, or to clean and prepare the house between tenants? Who is responsible when you are out of town or staying away from the home?

Applicant Response: I will be the go-to contact for this property if any issues arise. I am also in the process of finding a cleaner who will clean between tenants if I am unable to do it myself. I will personally try to do it as often as possible, though. If I am out-of-town and there is an issue, I have family who are willing to help out if necessary.

10. Per Business Licensing: If approved, the applicant will need to file the occupation tax application with our office for the business activity.

Applicant Response: Not a problem regarding the occupation tax application.

11. Approval for one year.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-35 for one year, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, and Kane.

ITEM NO. 4 – 19818...SPECIAL USE PERMIT APPLICATION #SP-2019-41 - IRVIN JACKSON, JR. WITH JACKSON TRUCKING

Synopsis: Special use permit for the temporary use of land to park two semi-trucks at 3232 Sewell Avenue, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-41, subject to:

Urban Planning and Land Use Comments:

1. Jackson Trucking has no current record for business activity located in the city. If approved, applicant will need to file and maintain a current occupation tax application. Jackson Trucking will file a current occupation tax application.

Applicant Response: Jackson Trucking has no current business activity located in the city.

2. Provide photos of the vehicles and photos of the area they will be parked.

Applicant Response: Photos provided.

3. With both semi-trucks parked on site, how many off-street spaces are available for passenger vehicles? Provide a site drawing to indicate proposed structures, truck parking, and passenger vehicle parking.

Applicant Response: Jackson Trucking has two spaces for trucks and six offsite vehicle parking spaces available.

4. Submit notarized signature of ownership applicant page.
Applicant Response: Submitted.
5. How often are the vehicles parked at the home?
Applicant Response: Two trucks are parked at the site every evening.
6. Staff has concerns about the volume of air-braking and general noise the trucks would make. What hours are you proposing for departure and returns? How will you combat potential noise concerns of neighbors?
Applicant Response: Air brake noise is small to minimum when brakes are applied, pre-trip inspections are required daily. Trucks are very well maintained. Trucks leave at 8:00 am, return time 5:00 pm. No noise complaints from neighbors in 25 plus years.
7. Vehicles must be parked on an improved hard surface.
Applicant Response: Vehicles are parked on hard asphalt surface.
8. What times do the trucks depart and arrive at the home.
Applicant Response: Trucks leave at 8:00 am from property and return by 5:00 pm.
9. Approval for one year, if approved.
Applicant Response: Jackson Trucking understands the one-year permit if approved.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-41 for one year, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 5 – 19819... SPECIAL USE PERMIT APPLICATION #SP-2019-43 - DENNIS COVINGTON WITH USD 500

Synopsis: Renewal of a special use permit (#SP-2017-15 - expired 3/30/2019) for modular classrooms for Lindbergh Elementary School at 641 North 57th Street, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-43, subject to:

Urban Planning and Land Use Comments:

1. Have the modular classrooms continued to remain in the same place since the issuing of your last special use permit in 2017?
Applicant Response: Yes, no revisions or modifications.
2. A modular classroom is typically temporary in nature, with this in mind, is there an anticipated end date? Are there currently any plans to add on to the school?
Applicant Response: There are currently no plans for additions; it will remain a desire of the District to remove modular units as resources allow.
3. Provide current pictures of the temporary classrooms.

Applicant Response: Pictures submitted.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-43 for two years, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 6 – 19820... SPECIAL USE PERMIT APPLICATION #SP-2019-44 - DENNIS COVINGTON WITH USD 500

Synopsis: Renewal of a special use permit (#SP-2017-16 - expired 3/30/3019) for modular classrooms for Eugene Ware Elementary School at 4820 Oakland Avenue, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-44, subject to:

Urban Planning and Land Use Comments:

1. Have the modular classrooms continued to remain in the same place since the issuing of your last special use permit in 2017?
Applicant Response: Yes, no revisions or modifications.
2. A modular classroom is typically temporary in nature, with this in mind is there an anticipated end date? Are there currently any plans to add on to the school?
Applicant Response: There are currently no plans for additions; it will remain a desire of the District to remove modular units as resources allows.
3. Could you please provide current pictures of the modular buildings?
Applicant Response: Pictures submitted.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-44 for two years, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 7 – 19821... SPECIAL USE PERMIT APPLICATION #SP-2019-45 - DENNIS COVINGTON WITH USD 500

Synopsis: Renewal of a special use permit (#SP-2017-17 - expired 3/30/2019) for modular classrooms for Sumner Academy at 1610 North 8th Street, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-45, subject to:

Urban Planning and Land Use Comments:

1. Have the modular classrooms continued to remain in the same place since the issuing of your last special use permit in 2017?
Applicant Response: Yes, no revisions or modifications.
2. A modular classroom is typically temporary in nature, with this in mind, is there an anticipated end date? Are there currently any plans to add on to the school?
Applicant Response: There are currently no plans for additions; it will remain a desire of the District to remove modular units as resources allow.
3. Could you please provide current pictures of the modular buildings?
Applicant Response: Pictures submitted.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-45 for two years, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 8 – 19822...SPECIAL USE PERMIT APPLICATION #SP-2019-47 - VERONICA WESSELHOFT

Synopsis: Special use permit for a used car lot at 2120 Park Drive, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 5 to 0 to recommend denial of Special Use Permit Application #SP-2019-47.

Action: This item was previously heard with Change of Zone #3187.

ITEM NO. 9 – 19823... SPECIAL USE PERMIT APPLICATION #SP-2019-48 - JOHN L. PETERSON WITH PETERSON LAW

Synopsis: Renewal/expansion of a special use permit (#SP-2009-38 - expires 6/30/2019) for a restaurant and bar at 412 North 5th Street, submitted by Robin Richardson, Director of Planning. The applicant, L & B Breit, Inc, have requested a special use permit for continuation of a bar and restaurant at 412 North 5th Street. This will be their fourth special use permit for this use. A variance application has also been filed to allow reduced parking requirements needed due to expansion of the seating area onto the back patio. The applicant The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-48, subject to:

Business License: Comments

Applicant has filed and maintained a current occupation tax application filing for the business activities since 2002.

Urban Planning and Land Use Comments:

1. Staff has become aware that there have been increased areas accessible to patrons. Please explain the use of the outdoor areas to the west and north of the building. A variance will likely be needed through Board of Zoning Appeals.

Applicant Response: There has been a minor increase in the accessible areas to patrons to the west and north of the existing building. The west area is used in conjunction with the existing patio; the north area is used perhaps once a year. A variance will be applied for as of this date for these areas.

Staff Comment: Variance application #2330 has been submitted for this issue.

2. Have there been any police calls or disturbances at the site within the term of the last special use permit?

Applicant Response: The term of the last renewal has been 10 years and there have been no police calls or disturbances during that time.

3. Provide updated photos showing the condition of the exterior of the property.

Applicant Response: Will be provided.

4. Provide an updated business plan that explains how you handle the following:

- a. Hours and days of operation
- b. Break down of hours and days of food service and alcohol sales
- c. Security plan
- d. Site maintenance and upkeep plan
- e. Consideration of concerns relating to noise pollution onto neighboring properties.
- f. Plans for expansion, i.e. outdoor seating area.

Applicant Response:

- a. Monday through Thursday, 11 am to 12 midnight. Friday and Saturday, 11am to 2 am.
- b. Referenced in a above.
- c. Provided if needed
- d. Will continue to maintain cleanliness and order of the patio area.

- e. Always aware of noise pollution but have had no complaints.
- f. No further plans other than what is described herein.
- 5. Outdoor lighting, if any, must be installed so as not to shine onto neighboring properties. Provide detail on how you will accomplish this. Lighting may not exceed 1-foot candle at the property line.
Applicant Response: Strings of patio lights sometimes illuminated, agree to any stipulation herein.
- 6. Recommended for approval for 10 years, not contingent on approval of variance application #2330 because the variance is for the patio expansion.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-48 for 10 years, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 10 – 19829...SPECIAL USE PERMIT APPLICATION #SP-2019-49 - SYLVIA BEDOLLA

Synopsis: Special use permit for the temporary use of land to park a business truck at 835 Splitlog Avenue, submitted by Robin Richardson, Director of Planning. The commercial vehicle is for a mobile auto-detailing business parked at a residential property at 835 Splitlog Avenue. The Planning Commission meeting voted 5 to 0 to recommend denial of Special Use Permit Application #SP-2019-49, subject to:

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to deny Special Use Permit Application #SP-2019-49. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 11 – 19830...SPECIAL USE PERMIT APPLICATION #SP-2019-53 - JAMES ALLEN BOGERT

Synopsis: Home occupation special use permit for a short-term rental/Airbnb at 217 Orchard Street, submitted by Robin Richardson, Director of Planning. This is the applicants’ primary

residence. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-53, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, this special use permit shall be valid for one year.
2. Have you consulted the neighbors prior to applying for the special use permit?
Applicant Response: I have consulted with my immediate neighbors and there are no issues or concerns to report.
3. How many people can your rental accommodate?
Applicant Response: 2 – 6 people.
4. What is the maximum number of vehicles and where will they park?
Applicant Response: I'm going to limit the number of vehicles to two. They can park in my driveway in front of my two-car garage off the street. They could also park one vehicle on Orchard St. if needed.
5. Do you have a business license?
Applicant Response: No, it's going to be my primary residence. If I'm required to get one, then I will.
6. Have you paid the lodging taxes associated with a short-term rental?
Applicant Response: I've ran a short-term rental before and am familiar with the taxes, i.e. transit occupancy tax, associated with it.
7. How often do you anticipate renting out your residence?
Applicant Response: Probably just on the weekends and/or when its desired
8. Describe how you will maintain a safe environment including:
 - a. Working smoke detectors in each bedroom plus each level of the unit/home
 - b. GFCI outlets are required in bathrooms
 - c. Double keyed locks are not allowed
 - d. Copper cannot be used for gas supply lines
 - e. Windows must be operable, not blocked or boarded
 - f. Handrails are required at sets of 4 or more stairs/risers
 - g. Hot water tank and furnace must be vented properly and operational
 - h. Electric panel and circuits must be safe*Applicant Response:* All electrical and plumbing have been done to code by licensed professionals. Everything is in working order and I plan on mounting two cameras on the exterior of the house for security. Parties and any illegal activity are not going to be allowed according to the house rules.

Business Licensing Comments:

If approved, applicant will need to file and maintain a current occupation tax application.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-53 for one year, subject to the stipulations. Roll call was taken on the motion and there were nine "Ayes,"

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Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 12 – 19831...SPECIAL USE PERMIT APPLICATION #SP-2019-59 - KELLY AND JAMES HORMANN WITH A BILLION BUBBLES

Synopsis: Home occupation special use permit for a pet grooming operation at 7114 Parallel Parkway, submitted by Robin Richardson, Director of Planning. The operation will be in the basement of the residence. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-59, subject to:

Business License Comments:

If approved, applicant will need to file and maintain a current occupation tax application

Urban Planning and Land Use Comments

1. The operations letter states that you will have a kennel area. How many animals will be kenneled at a time, and for how long? Will there be any overnight kenneling or long-term boarding?
Applicant Response: I would only want to groom five animals a day. So only five would be kenneled. But not all five would be kenneled at the same time. I would book them on the hour starting at 8 am and the last appointment at 12 or 1 pm. Each dog may take up to 2 to 3 hours, and there would be only one customer dropping off at a time. No overnight or long-term boarding will be provided.
2. How many clients would you have per day?
Applicant Response: Four to five clients a day.
3. How will you dispose of animal waste, fur trimmings and soap/chemical runoff?
Applicant Response: Animal waste and fur trimmings will be disposed of in the weekly trash pickup. The grooming shop will have its own trash can. Soap runoff will be washed down the drain.
4. Will any hazardous materials or chemicals be used in the grooming process, clean up, or other operations?
Applicant Response: No hazardous materials will be used at any time.
5. Parallel Parkway is a Class A thoroughfare that experiences high traffic volume. The potential for loose animals in this area could be both dangerous for drivers and a nuisance for residents. Describe the drop-off and pick-up process and how you will ensure no animals are let loose at any time.
Applicant Response: Because Parallel is such a busy road, I will have a strict leash/travel kennel policy of all clients.
6. Describe how you will keep noise at a manageable level so as not to disturb neighboring residences.
Applicant Response: I truly believe noise will not be an issue because my neighbors on both sides are a great distance away from the kennel space.
7. All clients must park on the private property of the residence.

Applicant Response: Yes, all of my clients will park in the lower driveway and have access to use my turnaround for exiting.

If approved, recommended for one year, subject to:

1. No signs.
2. No employees other than members of the immediate family residing on the premises.
3. No more than two clients doing drop-off or pick-up at any one time.
4. Hours of operation being 8:00 a.m. to 5:00 p.m.
5. No overnight boarding of animals.
6. Applicant must file and maintain an occupation tax application.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-59 for one year, subject to stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 13 – 19832... SPECIAL USE PERMIT APPLICATION #SP-2019-60 - MATT GALLINGER WITH AMERICAN CONCRETE PRODUCTS

Synopsis: Special use permit for the temporary use of land for an office trailer at 6945 Inland Drive, submitted by Robin Richardson, Director of Planning. The trailer will support the precast concrete product manufacturing taking place on the property and adjacent properties owned by the applicant company. The site was developed in 2017, and a trailer office is a transitory step to a full constructed office building or addition to the current building. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-60, subject to:

Urban Planning and Land Use Comments:

1. How long does applicant expect to utilize the trailer office? Is there a timeline or current plan for construction of a permanent office space? When did this come about as it was not part of original discussions with staff?

Applicant Response: We expect to use the trailer office until the market demand for additional manufacturing space is required. The 2017, site development was Phase 1. Market conditions will dictate the timeline for Phase 2, which will include an expansion with permanent office space. Best forecasting would be a 2-3-year timeline for the development of an additional phase.

Managing deliveries is a challenge and logistically something needed to change. The office trailer will be in a much better position to monitor goods in and out. Another reason is to provide additional space for customers and visitors to feel welcome at our plant.

2. Is the trailer currently on site and in use?
Applicant Response: Yes, the trailer is onsite, but it is not in use. Final installation is waiting on consideration of the special use permit.
3. Records show that American Concrete Products is delinquent on its occupational taxes for the 2019 tax year. Taxes must be paid to the County in full, or the company must supply the County with a payment schedule. Full payment of outstanding taxes or compliance with the minimum requirements of an acceptable payment schedule is a stipulation of obtaining and maintaining a valid special use permit.
Applicant Response: Occupational tax payment was completed on May 23, 2019.
Staff Response: Applicant has provided receipt of payment.
4. Trailer office must be established on a structurally sound and level surface and a safe distance from all heavy machinery or concrete operations.
Applicant Response: Noted, and the proposed location complies with the request.
5. All power sources for the trailer office must be in compliance with all relevant electrical codes and county ordinances.
Applicant Response: Noted, permits will be obtained for power source to comply with the request.
6. Approval is for two years.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-60 for two years, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 14 – 19833...SPECIAL USE PERMIT APPLICATION #SP-2019-61 - DAVID AND DEBORAH BEAUCHAMP

Synopsis: Home occupation special use permit for an Airbnb at 11827 Marxen Road, submitted by Robin Richardson, Director of Planning. The applicants plan to rent two guest rooms in their primary residence through short-term rental services such as Airbnb. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-61, subject to:

Business License Comments:

If approved, applicant will need to file and maintain a current occupation tax application.

Urban Planning and Land Use Comments

1. How will you communicate with the neighbors?

- Applicant Response:* We held a neighborhood information meeting on Monday, May 20, 2019. We also reached out to other neighbors in the area, other than the property owners that share our property line, to invite them to the meeting just to keep everyone informed. We posted the required sign in front of our home prior to the meeting. Our phone numbers are shared with our neighbors.
2. How will you pay appropriate lodging taxes?
Applicant Response: We will use the Airbnb application, not pay appropriate lodging taxes. We also will arrange to pay the required occupation tax through Business License Department.
 3. How many rooms are rented?
Applicant Response: Two. Specifically, our two downstairs bedrooms.
 4. What is the maximum number of people that will be staying at any one time?
Applicant Response: Four.
 5. What is the maximum number of vehicles and where will they park?
Applicant Response: Two vehicles in addition to our vehicles. We have available parking on our concrete driveway between our house and barn.
 6. How often are guests in the residence?
Applicant Response: We plan to make the rooms available approximately 80 percent of the year. We will see what the occupancy rate is after we open.
 7. Do you have a rental license from the Unified Government?
Applicant Response: We don't plan to have long-term guests of over 30 days. If that changes, we will make arrangements for a rental license.
 8. Provide a detailed description of the areas rented for Airbnb.
Applicant Response: Our two guest bedrooms on the lower level of our home will be the areas rented for Airbnb. Guests will also have use of common space on our lower level, lower patio, front porch, and property. Please see floor plans and pictures for additional information.
 9. Describe how you will maintain a safe environment including:
 - a. Working smoke detectors in each bedroom plus each level of the unit/house
 - b. GFCI outlets are required in bathrooms
 - c. Double keyed locks are not allowed
 - d. Copper cannot be used for gas supply lines
 - e. Windows must be operable, not blocked or boarded
 - f. Handrails are required at sets of 4 or more stairs/risers
 - g. Hot water tank and furnace must be vented properly and operational
 - h. Electric panel and circuits must be safe
- Applicant Response:* Yes, to all.

If approved, recommended for two years, subject to:

1. No signs.
2. No employees other than members of the immediate family residing on the premises.
3. Applicant must file and maintain current occupation tax application.
4. Above responses made by applicant.

Public Works Comments: none.

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Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit #SP-2019-61 for two years, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 15 – 19824... SPECIAL USE PERMIT APPLICATION #SP-2019-63 - STEVE BEAUMONT WITH BEAUMONT ENTERPRISES LLC

Synopsis: Renewal of a special use permit (#SP-2017-29 - expired 5/25/2019) for live entertainment in conjunction with Chateau Avalon at 701 Village West Parkway, submitted by Robin Richardson, Director of Planning. The live entertainment will be on the patio from 11 a.m. to 11 p.m. on Friday and Saturday nights. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-63, subject to:

Urban Planning and Land Use Comments:

1. Will the types of entertainment performances (live bands) remain the same?
Applicant Response: Thank you for the review of Staff Report. The vast majority of the business activity at the Chateau Avalon is on the weekends. This is why our primary use of the SP entertainment is for Friday and Saturday. However, there are some occasions where we would need to have live entertainment on other days of the week. These include special events for customers like Cerner and others that visit us on weekdays. While we host events and live entertainment rarely on weekdays, we would ask that the permit be made for seven days a week to accommodate for these occasions.
2. Approval will be for two years.
3. Live entertainment shall be limited to the patio from 11 am to 11 pm all days for the week.

Public Works Comments: none.

Business License Comments:

Applicant has maintained a current license with this office for annual entertainment

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-63, for two years, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 16 – 19834...SPEICAL USE PERMIT #SP-2019-64 - MICHAEL RHODES

Synopsis: Special use permit for a dirt fill at 13742 Polfer Road, submitted by Robin Richardson, Director of Planning. The applicant plans to add additional soil to the property in order to create a level pad, which is necessary in order to allow for future development. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-64, subject to:

Urban Planning and Land Use Comments:

1. Hauling permits are required for all trucks bringing in fill material or leaving the site with removed fill material.
Applicant Response: Emery Sapp will pull the necessary hauling permits before work commences.
Staff Response: Hauling permits for the trucks can be obtained through the Public Works Department.
2. The process of bringing in the soil and incorporating it into the property's existing soil composition brings up several questions.
 - a. How much soil (cubic feet) is expected to be brought in?
Applicant Response: Around 18,000 cubic yards will be imported to the site.
 - b. How will the soil be transported to the site, i.e. what is the expected axle weight of the vehicles coming to the site?
Applicant Response: The soil will be transported by end dumps and tandem axle dump trucks. The single axle weight will vary between 12k and 18K.
 - c. Will it be transported by several trucks in one day, or will it be brought in over the course of several weeks as more soil becomes available?
Applicant Response: The dirt import trucking operation should take several weeks to complete.
 - d. What times of day and days of the week would the soil be brought to the site?
Applicant Response: Daily operations will take place between 7:30 a.m. to 5:00 p.m.
 - e. Will the soil be dumped on-site and spread out at a later time, or will each load of soil be spread out right after it is dumped?
Applicant Response: The dirt will be dumped, spread and compacted daily.
3. What methods will be employed to ensure that no excessive dust caused by adding the soil will blow off the property and affect the neighbors?
Applicant Response: Emery Sapp will install a temporary construction entrance and water the dirt to prevent excess dust on the project.
4. If Applicant will charge entities for use of the site to drop fill loads, applicant will need to file an occupation tax application with this office for that business activity. However, if there is no charge made for entities to drop fill loads, there is considered to be no associated business activity.
Applicant Response: The 2019 Occupational Tax receipt has been provided.
5. Subject to approval, the applicant is required to obtain a grading permit from the Building Inspection Department.
6. Approval is for two years.

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Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-64 for two years, subject to the stipulation. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 17 – 19835...SPECIAL USE PERMIT APPLICATION #SP-2019-65 - KAREN MOLLOY WITH WOODYARD SOUTHSIDE HOLDING, LLC

Synopsis: Special use permit for live entertainment in conjunction with existing restaurant at 3001 Merriam Lane, submitted by Robin Richardson, Director of Planning. The entertainment is planned for weekend nights on an outside patio area at the applicants BBQ restaurant, with performances from 8pm to 11pm. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-65, subject to:

Urban Planning and Land Use Comments:

1. Who do you anticipate will be performing (e.g. solo artists, bands, local artists, music students, relatives, open mic performers, etc.)?
Applicant Response: Performers will be local musicians from KC Metro, no open mics or students, etc.
2. Will live music performances be aided by any sound simplifiers (i.e. microphone, speakers, etc.)? What types and how many devices do you anticipate that there will be?
Applicant Response: Live performance will have a small PA system with mics. Again, this is really just to augment the sound so it can be heard clearly in an outside venue. We will not, by any means, be "blowing anybody out" (not what we want at all).
3. What are the dimensions of the stage/performance area?
Applicant Response: The stage is a low 1-foot stage, that is about 15 x 20 all wood, looks like a deck.
4. Is there a contingency plan in place for additional parking spaces in the event that live music nights become quite popular and attracts a large number of additional customers?
Applicant Response: We have in the past asked our neighbor to the east if we could use his big back lot for overflow and he is amenable to that. Again, I don't really see this being an issue with big crowds. These are small local acts.
5. Provide pictures of Woodyard Bar-B-Que, with particular focus on the outdoor patio area.
Applicant Response: Pictures of back patio attached.
6. Provide pictures or rendering of the stage/performance area.
Applicant Response: Pictures of stage attached.
7. Be sure to keep all performances acoustic, as per the application.
Applicant Response: All performances will not be strictly acoustic; I must have put that in app by mistake. However, 80-90% will be. Any electric guitar, again, will be in the quiet

style (think bluesy, for example). Not the loud rock and roll, to which I think that you may be concerned about. This is going to be cool, laid back, good music. NOT loud blow your face off rock and roll. We want a laid-back vibe to coincide with the nice setting and some good 'cue. I also don't want the type of crowd that would come with loud rock and roll type music.

Staff Response: The amendment to the special use permit has been noted. Not all performances will be acoustic.

8. Be sure to end all performances (including warmup and equipment testing) by 11 pm on Friday and Saturday. No performances are allowed Sunday through Thursday.

Applicant Response: All acts will be Fri. and Sat. and will all be done no later than 11:00, generally before that.

9. If approved, applicant will need to file and maintain current annual entertainment license.

Applicant Response: No direct response.

Staff Response: Applicant sent a thorough email responding to all other questions and comments. The email, as a whole, will be understood to be a response to and acceptance of all questions and comments.

10. Additional parking has been expanded in gravel without a permit; this must be improved to comply with City Code.

Applicant Response: We have added tons of gravel to back area for parking.

Staff Response: The issue with the additional gravel that has been used for parking is that it is not in compliance with City Code. Paving the gravel parking lot will be a stipulation of receiving the special use permit.

11. Approval would be for two years.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-65. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 18 – 19836... SPECIAL USE PERMIT APPLICATION #SP-2019-66 - AMBER HEATHER WITH PIPER UNIFIED SCHOOL DISTRICT #203

Synopsis: Special use permit for the temporary use of land for a greenhouse at 3131 North 122nd Street, submitted by Robin Richardson, Director of Planning. The greenhouse will be used for educational purposes at Piper Elementary School. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-66, subject to:

Business License Comments:

Agricultural and Public Educational entities are exempt from paying the occupation tax. If approved, applicant should still file with this office as an exempt entity.

Urban Planning and Land Use Comments:

1. Will any hazardous materials or chemicals be used in the growing process?
Applicant Response: No.
2. How will you handle water runoff so as to prevent the potential release of chemicals into the storm sewer system?
Applicant Response: We will not have any hazardous chemicals.
3. Provide further detail regarding what will be done with the items that are grown. Will there be any selling of products?
Applicant Response: We will not be selling any products grown, only for student use and learning.
4. Will anyone other than school employees or students participate in the greenhouse activities?
Applicant Response: No.
5. If approved, applicant must obtain necessary permits through Building Inspections Department.
6. Approval for two years.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-66 for two years, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 19 – 19825...SPECIAL USE PERMIT APPLICATION #SP-2019-67 - JOHN L. PETERSON FOR KAW VALLEY COMPANIES, INC.

Synopsis: Renewal of a special use permit (#SP-2009-17 - expired 6/25/2019) for a sand plant/dredging operation at 2400 South 78th Street, submitted by Robin Richardson, Director of Planning. Applicant states that no neighbors or anyone from the public attended the meeting; the only attendees were applicant and Dan Hays, a corporate representative. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-67, subject to:

Urban Planning and Land Use Comments:

1. Has applicant or landowner received any complaints in the past 10 years related to sand production or transportation? This includes complaints about truck, machinery, or equipment traffic in and out of the site, noise at excessive volumes or inappropriate times, excessive dust, or sand runoff?

Applicant Response: No.

Staff Response: Renewal of the special use permit relies on the fact that no complaints have been made. The discovery of complaints previously made may affect the status of the renewed special use permit, including revocation.

2. Has applicant or landowner received any citations or notices from the UG or other governments or government agencies related to sand runoff entering bodies of water, or related to other environmental issues?

Applicant Response: No.

Staff Response: Renewal of the special use permit relies on the fact that no citations or notices have been given. The discovery of previously undiscovered citations may affect the status of the renewed special use permit, including revocation.

3. Applicant and sand production operation must follow all applicable local, State, and Federal regulations regarding sand production, mining/mineral extraction, and by-product disposal.

Applicant Response: Yes.

4. Kaw Valley should ensure it continues to file and maintain a current occupation tax application with the County for the sale of sand and rock materials.

Applicant Response: Yes.

5. Provide current photographs from the sand operation site, including the sand plant building(s) and evidence of runoff prevention/mitigation techniques.

Applicant Response: Will provide.

Staff Response: Applicant has provided photos of the sand mining operation.

6. Renewal of a special use permit for 10 years.

Applicant Response: Yes.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-67 for ten years, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 20 – 19826... SPECIAL USE PERMIT APPLICATION #SP-2019-68 - BILLY COBB WITH BEAR REAL ESTATE, LLC

Synopsis: Renewal of a home occupation special use permit (#SP-2018-60 - expires 6/28/2019) for an Airbnb at 2810 West 42nd Avenue, submitted by Robin Richardson, Director of Planning.

June 27, 2019

The applicant plans to use two studio units in a multi-family apartment building as short-term rentals through sites such as Airbnb and VRBO. The applicant does not live at the apartment building, located at 2810 West 42nd Avenue. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-68, subject to:

Business License Comments:

Bear Real Estate filed and renewed their occupation tax application for the Airbnb after their initial approval.

Urban Planning and Land Use Comments:

1. Have there been any issues with other tenants, neighbors or guests in the past year?
Applicant Response: We have not had many issues with these short-term rentals. The overwhelming majority of guests find our place to be a good value. It is well equipped, priced fairly and well maintained. The one guest we had an issue with did not affect anyone else in the building or neighborhood. They did not follow our rules regarding check-out time, they smoked cigarettes in the unit, left it very messy, and I think stole a few small items. Through this, we discovered that if we place our price too low, we increase our chance of getting a bad renter...rather than passing on a good deal to someone. The risk of getting a bad short-term tenant is not worth the extra income. In this specific instance, we dropped our price to around \$30-35/for the night because it was available and there was a major winter storm that wiped out power for many, many people in KC. We continued to hear about several people who did not have power for almost a week and needed a place to stay for a short time period. We ended up with a one-night rental from this individual that took advantage of our space. This is the only stay at either studios that I gave the tenant a one-star review. All other reviews have been five-star.
2. Describe how you have made yourself available to handle any concerns that arise in relation to the short-term rental units and how you will continue to do so.
Applicant Response: There have been very few instances that have required us to intervene because we maintain our property. However, when they have happened, we have responded quickly:
 - a. Smoke alarm beeping in the unit-we changed the battery within an hour of the tenant telling us about it.
 - b. Stopped up toilet-coordinated with the tenant about fixing it and repaired within the same day.
 - c. Parking-2 times in the last year we have had an Airbnb tenant park in one of our regular tenants' spots by mistake. These instances were both taken care of and this is not an issue.
 - d. We live locally and will continue our quick response to any issues that may arise. We take pride in what we do and want to be a great host, landlord and neighbor.
3. Applicant must continue to maintain occupation tax application through Business License Department.

Applicant Response: We will do this.

4. Have any tenants complained about the Airbnb?

Applicant Response: I have not had any complaints from long-term tenants about the Airbnb.

5. If approved, recommended for two years

Applicants Response: Agreed. Thank you.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-68 for two years, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 21 – 19827... SPECIAL USE PERMIT APPLICATION #SP-2019-69 - LAUREN LUECK WITH KVC FOUNDATION, INC.

Synopsis: Renewal of a special use permit (#SP-2017-64 - expired 5/31/2019) 12 non-violent adult patients at 4300 Brenner Road, submitted by Robin Richardson, Director of Planning. This property was approved in 1984 for an indefinite special use permit to provide residential and treatment care to older children and adolescents referred for care by the Social Rehabilitation Service of Kansas. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-69, subject to:

Urban Planning and Land Use Comments:

1. Please explain why the expansion of the time limits for adult patients is necessary.
Applicant Response: KVC is in partnership with the University of Kansas Health System to provide treatment for adults at our 4300 Brenner Dr. location. In late summer or early fall of 2019, KU intends to relocate their adult treatment beds to their Strawberry Hill campus. The beds are a necessity for the state of Kansas and the Northeast region. The expansion of time will allow us to ensure resources and access to appropriate treatment isn't disrupted while KU finishes construction at their new location.
2. Has anything changed in regards to the average length of stay for adults, the background and circumstances of the adults placed at this location, the area of the building for this use, how adults and youth are separated, or any other aspect of how this use is operated since the approval of the special use permit allowing adult patients was approved on January 11, 2018?

Applicant Response: There are currently no updates to provide regarding the treatment services or operating procedures between KVC and the University of Kansas Health System.

3. Have there been any complaints from neighbors since the original permit was approved?
Applicant Response: Neighbors continue to be concerned with providing treatment to adults at our 4300 Brenner location. We don't have specific complaints since the approval of the permit related to the adverse events directly impacting our neighbors.

Public Works Comments: none.

Business License Comments:

KVC is an exempt entity for paying the occupation tax. They have filed application with supporting documentation for their exempt status.

Staff Conclusion:

The extension of this permit is to allow KU to continue to treat 12 non-violent adults, while KU finishes their facility at 5th and Minnesota Avenue (formerly the EPA building.) Construction should conclude and be available Fall of 2019. Therefore, the special use permit shall expire on December 31, 2019.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-69 until December 31, 2019, subject to the stipulations. Roll call was taken on the motion and there were nine "Ayes," Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 22 – 19828... SPECIAL USE PERMIT APPLICATION #SP-2019-72 - JOHN L. PETERSON FOR KAW VALLEY COMPANIES, INC.

Synopsis: Renewal of a special use permit (#SP-2008-30 - expired 6/25/2019) to continue extracting material and fill with State approved rubble and recycling at 8300 Gibbs Road and 8205 Kaw Drive, submitted by Robin Richardson, Director of Planning. The pit on the property was previously used for dredging for periods in the past 15 years. A fill operation is now necessary for the property and the applicant is requesting a renewal of the existing permit for a period of 10 years. The Planning Commission voted 5 to 0 to recommend approval of Special Use Permit Application #SP-2019-72, subject to:

Urban Planning and Land Use Comments:

1. Has applicant or landowner received any complaints in the past 10 years related to the fill operation or transportation of fill material? This includes complaints about trucks, machinery, or equipment traffic in and out of the site, noise at excessive volumes or inappropriate times, excessive dust, or runoff?
Applicant Response: No.

Staff Response: Renewal of the special use permit relies on the fact that no complaints have been made. The discovery of complaints previously made may affect the status of the renewed special use permit, including revocation.

2. Has applicant or landowner received any citations or notices from the UG or other governments or government agencies related to fill material and runoff entering bodies of water, or related to other environmental issues?

Applicant Response: No.

Staff Response: Renewal of the special use permit relies on the fact that no citations or notices have been given. The discovery of previously undiscovered citations may affect the status of the renewed special use permit, including revocation.

3. Applicant and sand production operation must follow all applicable local, State, and Federal regulations regarding the fill operation, rubble, recyclable material, and by-product disposal.

Applicant Response: Yes.

4. Provide current photographs from the fill operation site.

Applicant Response: Will provide.

Staff Response: Applicant has provided photos of the fill operation site.

5. Kaw Valley should ensure it continues to file and maintain a current occupation tax application with the County for the sale of sand and rock materials.

Applicant Response: Yes.

6. Renewal of a Special Use Permit for 10 years.

Applicant Response: Yes.

7. Provide a plan to keep mud or dirt from tracking onto public streets.

Applicant Response: There will be a maintenance program in place.

Staff Response: Renewal of the special use permit relies on a maintenance program being in place and in use. The special use permit could be revoked if it is discovered that a maintenance program is not being followed.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: Provide staff with site plan that shows existing contours and proposed final contours
2. Items that are conditions of approval (stipulations): none.
3. Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-72 for ten years, subject to the stipulations. Roll call was taken on the motion and there were nine "Ayes," Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

VACATION APPLICATION

ITEM NO. 1 – 19837 UEVA...VACATION APPLICATION #U/E-2019-4 - AMY LUNGU WITH D & A HOMES, INC.

Synopsis: Vacation of utility easements at 11330 Webster Avenue, submitted by Robin H. Richardson, Director of Planning.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Vacation Application #U/E-2019-4 subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

PLAN REVIEW APPLICATION

ITEM NO. 1 – 19838...PLAN REVIEW APPLICATION #PR-2019-13 - MATT GIBBS WITH STATE4, LLC

Synopsis: Preliminary and final plan review for Aspen Dental at 7524 State Avenue, submitted by Robin Richardson, Director of Planning. The existing building will be demolished and replaced. The Planning Commission voted 5 to 0 to recommend approval of Plan Review Application #PR-2019-13, subject to:

Urban Planning and Land Use Comments:

Site/Parking

1. Review and respond to the attached Conservation District comments.
Applicant Response: Conservation requirements have been reviewed. We understand and acknowledge the comments and will incorporate as required.
2. Parking and paved areas are required to be not less than 6 feet from the property line. On the east side of the parking lot, the separation provided is 5’7”. Revise.
Applicant Response: Paved area has been revised to meet the 6’ requirement.
3. Provide a connection between the proposed internal sidewalks and the sidewalks along State Avenue and North 75th Place.
Applicant Response: Per email dated 24 May 2019 from Kimberly Portillo, this requirement has been waived.
Staff Comment: The applicant will make a connection to North 75th Place, but not State Avenue.

Landscaping

1. Update landscape data and plans to reflect the following:

June 27, 2019

- a. CP-2 Zoning requirement: 1 tree per 7,000 sq ft site area = 4 trees
- b. Commercial Design Guidelines 75% multiplier = 3 trees
- c. Total trees requirement per zoning: 7 trees

Applicant Response: 7 trees have been added.

- 2. New construction must provide at least a twenty-five-foot landscape zone between structures and/or parking lots and all public streets and access easements forty feet wide or greater.

In general, formal stand-alone trees are encouraged to be planted in landscape zones along major streets and medians. These trees should be planted as follows and do not count towards required zoning tree count: One tree with a minimum caliper of 2 inches (ornamental) evergreen trees (must be at least 6 feet tall when planted) provided for every 30 feet of street easement or frontage.

Applicant Response: Additional trees have been added to Sheet L-1.

- 3. Landscape berms and/or continuous rows of shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed a maximum height of 30 inches at maturity. Revise on north side of parking lot.

Applicant Response: Due to site triangle, distance constraints shrubs or any proposed plant material will be added.

- 4. All landscaping shall be irrigated.

Applicant Response: Landscape notes on Sheet L-1 reference the irrigation requirement.

Building

- 1. Provide material palette with sample materials.

Applicant Response: Digital palette was submitted. Samples have been ordered from all vendors and will be submitted once they have arrived.

- 2. For new construction, windows, windows with awnings, and covered pedestrian walkways should total at least 60% of the building frontage along public streets or parking lots. Revise north elevation to meet this requirement.

Applicant Response: Per email dated 24 May 2019 from Kimberly Portillo, this requirement has been waived.

Staff Comment: The applicant will use faux windows along the north façade to meet the intent of this requirement.

- 3. EIFS may comprise no more than 15% of any façade. Additionally, each façade shall be at least 50% masonry per the Commercial Design Guidelines. The City-Wide Master Plan requires that masonry materials shall be required on 65% of the sum total of all building facades. Please provide elevation material percentage breakdowns by façade and total building.

Applicant Response: Individual elevation breakdown has been added to sheet SD-1.

Staff Comment: The chart has been updated to show square feet of each material per façade, however, the percent values appear to be incorrect. (Example: North Façade is listed as 0sf of EIFS but listed as 16.8% EIFS). Since there is less than 50 percent EIFS on each façade, as calculated based on the square feet provided, staff gives approval. The percentages shown must be corrected prior to DRC submittal to reflect the numbers provided in square feet.

4. At least 75% of the length of building foundations facing public streets must be planted with ornamental plant material such as ornamental trees, flowering shrubs, perennials, and groundcovers.

Applicant Response: Sheet L-1 shows additional plantings along foundation.

5. 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.

Applicant Response: Once final connections are determined; landscaping will be provided to screen as required.

Staff Comment: Screening must be approved prior to issuance of a DRC building permit. In addition, the BPU transformer pad shall be completely screened on all sides with 6-foot junipers setback 10 feet from the door opening and 3 feet from the remaining three sides of the pad. Additionally, if the transformer doors open towards the parking lot, the 10-foot setback is established in the parking lot, therefore, the gate/enclosure shall be constructed in front of the transformer.

6. Rooftop mechanical equipment shall be screened from public view by an architectural screen.

Applicant Response: The building has parapets on four sides to provide screening for rooftop equipment.

7. Downspouts shall be internalized.

Applicant Response: All downspouts are internalized as designed.

8. All lighting shall have 90-degree cutoff fixtures.

Applicant Response: Photometric plan on SD-2 originally submitted was shown on the plan.

9. Provide color elevations and materials for dumpster enclosure. All trash receptacles shall be enclosed with a screening wall or fence constructed of the same material(s) 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 the streets or adjacent land uses.

Applicant Response: Dumpster elevations have been added to sheet SD-1.

Signage

1. All signage shall comply with the Sign Code, Chapter 27 Planning and Development, Article VIII Zoning, Division 11 Signs.

Applicant Response: We understand and acknowledge this comment.

2. Per the City-Wide Master Plan, freestanding pole/pylon signs are not permitted.

Applicant Response: We understand and acknowledge this comment.

Public Works Comments:

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

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Plan Review Application #PR-2019-13, subject to the stipulations. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

MISCELLANEOUS

ITEM NO. 1 – 19839...MISCELLANEOUS APPLICATION #MP-2019-4 - TOM NOLTE WITH NOLTE AND ASSOCIATES

Synopsis: Master plan amendment from Low-Density Residential (City-Wide) to Community Commercial (City-Wide Master Plan) at 8525 Parallel Parkway, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 5 to 0 to recommend approval of Miscellaneous Plan Application # MP-2019-4.

Action: This item was previously heard with Change of Zone #3194.

MISCELLANEOUS – ORDINANCE

ITEM NO. 1 – 19840...AN ORDINANCE rezoning property at 647 Southwest Boulevard (#3184) from M-2 General Industrial District to CP-3 Planned Commercial District, submitted by Robin Richardson, Director of Planning.

Action: **ORDINANCE NO. O-44-19**, “An ordinance rezoning property hereinafter described located at approximately 647 Southwest Boulevard in Kansas City, Kansas, by changing the same from its present zoning of M-2 General Industrial District to CP-3 Planned Commercial District.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

PLANNING AND ZONING NON-CONSENT AGENDA

SPECIAL USE PERMIT APPLICATION

ITEM NO. 1 – 19715...SPECIAL USE PERMIT APPLICATION #SP-2018-54 - R. SCOTT BEELER

Synopsis: Revocation of special use permit for the temporary use of land for storage of motor vehicles, including cars, SUVs, pick-up trucks and semi-truck trailers at 9700 Leavenworth Road, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 7 to 2 to recommend continuation of the special use permit, subject to original stipulations being amended to add the following:

1. Hours of operation are 7:30 a.m. to 7:30 p.m. The only exception is the changing of security shifts.
2. The approved timeframe is not extended beyond the original two-year approval. The special use permit will need to be renewed on or before May 31, 2020.
3. The maximum number of trips in or out of the site combined is 420 no matter how they are delivered. This would not count up to 60 transport trucks leaving the site.
4. The Unified Government expects 100% compliance with all stipulations. Close is not sufficient.
5. Proper transport paperwork and insurance to drive Kansas roads in all vehicles.

Robin Richardson, Director of Planning, said this comes to you recommended that the special use permit not be revoked; but that the vehicles be allowed to be parked on the site and be delivered either by driving them to the site with proper documentation required by the state to drive on our roads, or by a transport truck.

R. Scott Beeler, 10851 Mastin, Overland Park, KS, said I'm with Lathrop Gage and we represent Ruffin Woodlands Company. The matter comes back to you here. First, I want to say I appreciate very much that the matter was continued to tonight. I was in Birmingham, Alabama, the last of your scheduled meetings and could not appear.

You will recall, when we were here it, was to gain, and if I could use Commissioner Bynum's words, clarification on the stipulations that exists for the Woodlands' special use permit. As Mr. Richardson indicated, there was no revocation. There was no vote on a revocation taken here. It was simply remanded back under a theory that before any of the stipulations could change, they had to have direction from this body.

On page five, at least my version, page five of the staff report it even references the bullet at the top that says this application was referred to the Planning Commission on April 25 for

consideration/recommendation of two items. The very next session, in Key Issues No. 3A, codify all time of activity limited to 7:30 a.m. to 7:30 p.m.; and B, clarify how vehicles are delivered to the site. Those were the two issues. The Planning Commission did acknowledge that. We stipulated that the activity at the site in terms of delivery or removal of vehicles would be 7:30 a.m. to 7:30 p.m. We also clarified how delivery would occur. Mr. Richardson even indicated it will either be by truck, which is limited to the 60 semi trips a day, or by being driven and that number of cars is limited to 420. We've agreed to that stipulation as well. To be honest, I thought that was the end of it.

The middle of that page includes all of the adopted stipulations as originally adopted. You'll note, there is no reference to several of the stipulations that then appear at the bottom of the page and the Planning Commission recommendation. I want to reiterate that the Planning Commission, by law, is limited to the instructions you, as a body, give them. Those were to identify the time of activity and how the method of delivery would occur. I thought I'd be getting back the same list of the original adopted stipulations together with these two clarifications. Unfortunately, that is not what we got back. It now indicates the hours of operation are 7:30 a.m. to 7:30 p.m. The words, the only exception is the changing of security shifts. That wasn't anything taken up by this body or the Planning Commission. Now, I will offer that I responded to Mr. Richardson and said, what my concern is here, and Mr. Maracas sitting in the back of the room, you'll remember he's the general manager; he is not security. He goes to the site on a regular basis, night and day, to be sure that everything is okay. The last thing I wanted was some reference that even him traveling to the site is somehow a violation. It was not a stipulation. I respectfully asked that that be removed but we're here because it hasn't been.

No. 3 indicated—well, what we really don't need to even talk or bother you with No.3, but No. 4 was the real tripping point. The Unified Government expects 100% compliance with all stipulations. Close is not sufficient. That's not a stipulation. I object and I would object here and in every other form I was ever—that any client would be put to the task of some interpretation that something was a violation (in audible) because it was less than 100%, you automatically lose your property right under the Constitution and all the value that goes along with it. That was not a stipulation of this body. We've not even come under a vote for revocation, much less should we be under a zero-tolerance measure.

I want to remind that this is a large operation. We have never denied anything or said anything different. It can accommodate 12,000 and some cars a month, going in and out of there, under these stipulations. If they're five minutes earlier or they're five minutes late, we're going to hear about it. I can't agree. I would hope you would agree, I can't agree to say that it's a 100% compliance stipulation. Let me say out loud, we understand the expectation of compliance. Of course, we do. We have a special use permit that is subject to your review and a motion to revoke it. We understand.

When that allegation happens, it's not always true. We certainly want the opportunity to come in and state the facts and have you vote on those facts. What we don't want and cannot agree to, is that merely because we are alleged to have a technical violation of any sort that you don't have any say about it. You say it says right there, 100% compliance. I guess I'd have no choice in my vote. I have to vote to revoke. That does not belong here, ladies and gentlemen. I would dare say that you have not placed that stipulation in any special use permit you have issued. I am pretty confident when I say that and it doesn't belong here. I'm trying to avoid fights that we don't need to have. I've stipulated to all of the stipulations that were there before and the ones that we went back pursuant to Commissioner Bynum's request for clarification. That should be the end of it. I respectfully request that we move along.

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

Rebecca Joy Gardner, 9625 Leavenworth Rd., said I live directly across the street from the entrance to the Woodlands. My son and I live there. We're the only house that's actually affected by the ingoing and outcoming of cars. Lathrop engages a very good, a very successful, a very expensive large legal firm. I'm an individual and it seems sometimes like we speak different languages. I feel like David fighting Goliath. Their first agreement was broken. **Mayor Alvey** asked are you speaking in favor or in opposition. **Ms. Gardner** said both. **Mayor Alvey** said okay. **Ms. Gardner** said if that makes sense.

Their first agreement was broken. To Mr. Beeler, that wasn't a problem. To me, it was. The operating hours were broken, the vehicle numbers were off, the methods of transport were inconsistent; all three were broken. I am concerned about a new agreement for the same reasons.

They agreed to changes in the agreement. Verbally we were told that all driven transport cars would be counted, unlike last time. They agreed the 7:30 to 7:30 time was good. How do I know this is going to be true again?

The city should either monitor or ask for reports whether its monthly or quarterly or whatever to verify what's coming in and how they're coming in type of situation. I thought, and I may have misunderstood, that Mr. Beeler had said that last time that all the cars coming starting in August again, would be driven and no more transport trucks. They've changed that and now he says trucks and cars. He said 400. That's a lot of cars coming and turning right at your driveway. Especially, for me in the winter when its dark, the headlights come right into my house in my bedroom. If it doesn't wake me up, it wakes my dogs up and they wake me up.

I spoke with Mr. Beeler at one point about an abatement; a sound light abatement. A little wall that goes just across the front of my house. That would remedy the whole thing for me. If they can fix a lady's yard because a truck drove in it by mistake, I don't think that asking for that, which would remedy the whole situation—I just don't want to have the headlights coming in and I don't want the sound, especially not knowing how many are coming or by what means. I'm just a regular person. I can't afford a fancy lawyer like Mr. Beeler. I am not trying to squelch their making some money while they're waiting for other things to transpire be able to reopen the Woodlands.

Janice Witt, 2717 N. 88th Terrace, said I bet Scott Beeler is shocked to see me standing here in favor. I have a question. What is the amount of the taxes that are paid on the use of this property? Can we hold my time while we check? **Doug Bach, County Administrator**, said I believe the appraised value is somewhere around \$600,000 to \$700,000 on this property. **Ms. Witt** asked how much is coming in for this use that's being allowed on the property. **Mr. Bach** said nothing directly from this use. It would just be the property taxes that are paid for the property. **Ms. Witt** said just the standard property taxes. **Mr. Bach** said yes. **Janice Witt** said and the permits. So, how much are the permits costing? How much are the permits bringing in to the UG coffer? **Mr. Richardson** said the permit is under \$1,500 for the special use permit. **Ms. Witt** said under \$1,500. **Mr. Richardson** said yes. Their appraised value in 2019 was, I'm having trouble reading, it looks like eight, almost nine. Is that \$9M. Can you read that, Misty? I can't read that.

Ms. Witt said there's no financial benefit whatsoever for the UG or for the people of the UG, including the young lady that's in from of it. There is no benefit for the inconvenience that's being supported, that we're getting from the use of this, no taxes whatsoever, no funds are being offered. They pay their taxes. **Mr. Richardson** said they pay their taxes. **Ms. Witt** said 20 some thousand dollars a year on taxes. Okay, I would support—I think that we need to support our businesses, our small business. As well as we need to support our small businesses, it's very important that we take care of our citizens.

This young lady is asking for a wall. She is asking for a berm; she's asking for comfort in her home that has been there and she has lived there for quite some time. There are no taxes from the community coming in, no benefit for the community coming in. However, we are getting paid into for the regular tax base. I am asking that the wall for the citizen be allowed to be built and that Lathrop and Gage cover those fees with their client, and that the trucks stop until they give her a berm.

Mayor Alvey asked would anyone like to speak in opposition.

Laurie Torrez, 9828 Donahoo Rd., said I'm here in opposition. First of all, I think the Woodlands has appealed their taxes. That's first on the agenda. Second of all, on this paper you say that land storage for use of semi-tractor-trailers. That was never in there. If they're going to store tractor-trailers there, they're going to have all the neighbors sitting and listening to tractor-trailer trucks run all night long.

Second thing, the assumed insurance. When Mr. Beeler spoke April 25th at the Planning meeting, he was asked if there was insurance. He stated, assumed, I assume there's insurance on the vehicles. Again, I questioned the plates that are being ran on these vehicles on the roads. I question the insurance that is being, if there is insurance. He assumes there is; nobody knows. They haven't gone to the state and gotten their plates so nobody knows; nobody knows. One of your people, a senior citizen, a new 16-year-old driver that's out on the road.

Let's get into 100% of compliance. Mr. Beeler states there is nobody that's under that. If a bar stays open till 4' oclock in the morning, they're going to get zapped. They have to be in 100% compliance, just like the Woodlands should be. I think that's about it, but they do need to be in 100% compliance. If you let him say well, 7:45 p.m., no, they're going to take it to 8:45 p.m. It's

just like any bar, they have to close down at 1 or 3 o'clock in morning. They need to shut down at 3 a.m., not 3:05 am not 3:30 a.m. They do need to be in the high (inaudible) like they do need to be in 100% compliance.

Adrian Torrez, 9828 Donahoo Rd., said I haven't really done a lot of research to be able to give you a good idea of how I feel, but there was a commercial on recently called Captain Obvious. A gentleman dressed up like a captain would say, totally obvious and that's the way I feel right now. It's as if we wouldn't be here if the contracts were lived up to in the beginning. The only reason this all started was because we couldn't find a way to live by what was said. Now, we're told, let's move on. I can't live with a 100% compliance. No one does is what we were told. I think it's a good faith effort to try to live up to those things and not to come and make excuses to you as to why these can't happen. It's just logic. Keep your word.

The other thing that I'm bothered by, is that it seems that the violations that have happened are with the transport company, I guess its TLC Transport. We've never seen them here. It would seem that they should come up here and tell you look, we're sorry that it happened; we have new staff. Give me a reason. What we're expecting is to have Mr. Beeler hold TLC accountable, but does he have the authority? Can he get ahold of them and say look, I'm really tired of it. We're going to break our contract with you if you don't live up to it because I'm getting nailed at the commissioners' meeting. We haven't seen that. So, who are these people?

If they are that good and they do this for a living, because they are nationwide, they knew that traffic was going to come in. They knew they planned to drive the vehicles one at a time. It's not brand new. It's their business. Where are they? Are you able to hold them liable or do we expect Mr. Beeler to do that? If we do, you're going to be back here again.

Regardless of this in the end, it was up for revocation. How about we just make an agreement. Let's not do this again. We've had too much trouble with it.

Mayor Alvey closed the public hearing.

Mr. Beeler said I think everyone is aware of this, but if you notice there on the original adopted stipulations, No. 5 says withdrawal of the UPS truck trailer storage, that's never been part of this

application before this body. It was withdrawn before the very first hearing, and it is not part of it today.

The assumed insurance, I'm not for sure I understand the comments. The fact of the matter is, the stipulation which we've agreed to says that these cars will all have the appropriate paperwork, including insurance representation when the cars are moved by a driver. We understand that stipulation. It doesn't matter whether I know what it is, or I don't. That's a stipulation now that they will have it. They have to have it and we get that.

The plates, I'm not going to go back over that. Ms. Torrez brings that up a lot and good for her. A plate is not required. The Highway Patrol has verified that, so has your Police Department. With regard to the bar example, if I'm the bar owner, I control whether or not I lock the door at 4 o'clock. They've indicated here, we are dealing with third parties and transport companies. We are standing down on them and standing down hard. I'm the one who modified the contract to say 7:30 a.m. to 7:30 p.m., no matter how you get it there. That wasn't in there originally. It wasn't even in the stipulations originally, even though I've always said that's what we will try to adhere to.

Bottom line is, we've sort of been there, done that on this. The stipulations are now clarified and in place. We will do everything in our corporate power to make sure that they are adhered to. In the event that something comes out of the blue we're unaware of, I'm sure we'll be back here talking to you about it. We don't want that any more than you do, but that's what the system is and that's how you approach an alleged violation of an SUP.

Commissioner Kane asked, Mr. Beeler, can you come back up. First of all, they have to know where everyone of those vehicles is at every single time. They know how many that went in there and how many went out. That's surely not an issue. I do think it's a good idea, though, to build a berm with maybe some bushes so she wouldn't have that light coming into her room. I don't think a berm and bushes are that expensive to get pass this issue that we're at right now.

Mr. Beeler said, if you're asking me. **Commissioner Kane** said I am asking you. **Mr. Beeler** said the 7:30 a.m. to 7:30 p.m. change was done to be sure that it was daylight operation hours. In other words, to remove any concern that the cars were coming out and shining their lights in her window. That was the whole concern raised at the time and we agreed to the time. **Commissioner Kane** said in the wintertime it's still dark at 7:30. In the wintertime it's dark at

7:30 at night. **Mr. Beeler** said I can only—**Commissioner Kane** said I think it would be a really good suggestion on your part to take that as something just to ease the pain for the lady who lives across the street. **Mr. Beeler** said I will take that to my client, I promise. **Commissioner Kane** said I'm not sure I'm asking you to take this to your client. I think that's what part of the stipulations should be. **Mr. Beeler** said it's not the one back here now from the Planning Commission, so I don't know.

Commissioner Kane said we have the right to modify what they said. I think it would be a really good idea to put a berm there and some bushes to help the lady because she was semi for you and semi against you. You're only talking about a couple of thousand dollars. **Mr. Beeler** said I hear you loud and clear, Commissioner. I will pass that along. I will suggest to you, and please allow me to respectfully do that, that this body cannot order a member of the public to pay for an improvement on another public person's property. That's not within the authorization of this governing body. **Commissioner Kane** said I've been here 14 years and we've modified a lot of this for 14 years. I don't want to argue with you. What I want to do tell you is, in order to make this pass with the least amount of pain, I'm making that suggestion. As it comes around, it'll probably be a motion. I don't agree with what you said. We've made modifications on multiple things around here forever, and we always will because we're trying to make sure you get what you want and the people get what they want. **Mr. Beeler** said I'm not yelling, sir. **Commissioner Kane** said I'm not yelling yet. **Mr. Beeler** said sure. I will take it to the client.

Mayor Alvey asked, Rob, would you clarify legally. **Mr. Richardson** said I'm not an attorney, but we have required improvements on other properties in the past. They've not been challenged and other cities have as well. I'm not aware of anytime where that's been overturned, but like I said, it's not a legal opinion, it's just my experience in doing this in multiple cities.

Commissioner Bynum said I agree that Mr. Lathrop should be allowed to be on the site as he needs to. He may get there at 7 a.m., I don't know. I'm not sure how to modify that. I guess it would be in Item No. 1 of the Planning Commission's recommendation. If there would be a way to modify that. **Mr. Richardson** said, Commissioner, I believe the Planning Commission considered Mr. Lathrop a part of the security for the site. He would be in that. That's why that was stated that way.

Commissioner Bynum said I guess I need to understand what No. 1 means. It says hours of operations are 7:30 a.m. to 7:30 p.m., the only exception is security. **Mr. Richardson** said they probably won't have a 12-hour security shift. They will probably change security personnel during that 12 hours overnight at some point in time. We wanted them to be able to do that and wanted Mr. Lathrop to be able to visit the site. That would mean if they change—once a security guard leaves and another one comes in, that doesn't count against their total. We aren't going to penalize them for folks, for Mr. Lathrop or the security guards being changed between 7:30 p.m. and 7:30 a.m.

Commissioner Bynum said I'm just wondering if that needs clarification at all on our part. **Mr. Beeler** said I'm good with what Mr. Richardson is indicating. I just wanted it clear that if management was there, I don't know when securities will change and that kind of thing, but yes, the concept I agree with.

Mayor Alvey entertained a motion to approve Planning Commission's recommendation. I'm sorry, there is no recommendation to revoke. **Mr. Richardson** said correct. The recommendation are the five items on Page 5 of the staff report. Its been back and forth so six votes you can modify, you can approve, you can deny, you can revoke with six votes.

Commissioner Townsend said I did have a question, Mayor, and it goes to the issue that Commissioner Kane raised for the berm. I want to ask counsel, who is it that would have to agree to this? I understand that you're not agreeing because you have a client. So, who is the person or the entity that would have to agree to that one way or the other? **Mr. Richardson** said it's a stipulation. They don't have to agree; they just have to do it. **Commissioner Townsend** said okay, thank you. That's clarification enough for me.

Commissioner Bynum said what I heard Ms. Gardner ask for was a sound or light barrier. I guess I pictured something different, almost something that was attached to her window and whether that could be agreeable. **Mr. Richardson** said she described a wall, I believe. **Mr. Beeler** said part of the problem is just not knowing what to do; What's going to work. **Commissioner Bynum** asked what would work. **Mr. Beeler** said I just can't make that commitment.

Commissioner Kane said I accept what the Planning and Zoning did, with an addition of a berm and some bushes. It's not that expensive. I think it'll really work and will satisfy some of the people that are there. I know you don't like it, but I think that's the best thing to make this go forward.

Action: **Commissioner Kane made a motion, seconded by Commissioner Bynum, to approve Special Use Permit Application #SP-2018-54, subject to the stipulations and what he stated above to provide a berm and some bushes for the resident.**

Mr. Beeler said for clarification, is the 100% part of that or not, Commissioner? **Mayor Alvey** said yes, so far.

Roll call was taken on the motion and there were nine "Ayes," Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 2 – 19841...SPECIAL USE PERMIT APPLICATION #SP-2019-85 - FRANK LAVENDER, JR.

Synopsis: Short-term special use permit to host the Kansas City, Kansas Street Blues Festival on June 29, 2019 at 3924 North 49th Drive, submitted by Robin Richardson, Director of Planning. The applicant has applied for a short-term special use permit (less than ten days) to host the Kansas City Kansas Street Blues Festival on his 44.1-acre property on Saturday, June 29, 2019 from 1:30 PM to 11:00 PM at 3924 North 49th Drive.

Urban Planning and Land Use Comments:

1. Subject to approval, this short-term special use permit shall be valid on Saturday, June 29, 2019, from 1:30 PM to 11:00 PM.
2. The applicant has provided a site plan indicating the location of the parking area, stage and audience. Because the audience is north of the stage in a north-south orientation, sound generated from the performers and bands will project towards the power plant and not in the direction of the residences to the south and east.
3. Alcohol will not be sold on the property.
4. As mentioned in the proposal, on-site security will be provided. Shall comply with the Code of Ordinances regarding security staff.
5. Performances shall end by 11:00 PM.

Public Works Comments: none.

Robin Richardson, Director of Planning, said this was an approved activity last year. Mr. Lavender has applied to do this again this year. He was a little confused that he—this is an annual process that he has to go through, that’s why we’re kind of here at the last minute.

I will also say that this is a very rarely used exception in the zoning code that allows for a short-term special use permit activity to be approved by the Board of Commissioners without notice to the neighbors. There’s been no notice on this because of the short-term nature of it. It’s before you recommended it for approval by the staff.

Frank Lavender, 3924 N. 49th Dr. (event address), said I’d like to say that this event is a community service, I consider, as well as the other members of the organization. This is a non-profit organization. We don’t make a dime on this. As a matter of fact, the last three years we’ve lost \$16,000 putting this on. We do this to honor and recognize our musicians in the community that the majority of the people don’t even know that they exist. We’re trying to keep the music and the blues heritage alive in Kansas City, KS, because this the only event that does that. We appreciate you guys support for us trying to make this happen. Like I say, it’s a community service. It’s a passion of ours because we love music. We do this because we love our community.

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

Mayor Alvey asked if anyone was present who would like to speak in opposition. No one appeared in opposition.

Mayor Alvey closed public hearing.

Mr. Lavender said I don’t have any closing comments other than the fact that I would like to thank you and this Commission for the past and present support that you’ve given this function because without your support, it wouldn’t happen. I just want you to know that we all appreciate you.

Commissioner Bynum said I don't have a question; I have a comment. It's a great festival.

Action: **Commissioner Bynum made a motion, seconded by Commissioner Philbrook, to approve Special Use Permit Application #SP-2019-85.**

Commissioner Townsend said I would also like to echo my support for this event. Certainly, an organization that will risk going in the hole to continually promote this has at heart the best interest of the community, and also keeping the legacy of jazz, blues, and good entertainment alive on both sides of the river. I would also support this motion and ask that it be passed.

Commissioner Burroughs said I would ask that next year, should just be before us once again, as I assume it will be; that we have a more appropriate timeframe so that those that are bringing this issue forward don't have to wait until the eleventh hour in case there is an issue that we need to address. To have this brought forward in such a short amount of time, with the window coming up for the festival. I would hope that we would be a little more astute in bringing it forward earlier next year.

Mayor Alvey said I would assume that that was—**Mr. Richardson** said I spoke with Mr. Lavender at our Zoning meeting in April, I believe, up on Quindaro and notified him of the need for this. We did try.

Roll call was taken on the motion and there were nine "Ayes," Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

REGULAR CONSENT AGENDA

Mayor Alvey asked does any member of the Commission or anyone in attendance tonight wish to set aside any item on the regular Consent Agenda? If an item is not set-aside, all items on the regular Consent Agenda will be voted on by one vote.

Tscher Manck, 212 N. 38th St., asked to set-aside Item No. 7. **Doug Bach, County Administrator**, asked to set-aside Item No. 4.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the Consent Agenda. Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 1 – 19844... ADOPTION: 2019 FEDERAL LEGISLATIVE PROGRAM

Synopsis: Request adoption of the 2019 Federal Legislative Program, submitted by Mike Taylor, Public Relations Director.

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

ITEM NO. 2 – 19791...RESOLUTION: 131ST & LEAVENWORTH ROAD IMPROVEMENTS FOR PIPER ELEMENTARY SCHOOL - CMIP 1615

Synopsis: A resolution declaring the necessity and authorizing a survey of lands for the 131st & Leavenworth Road Improvements for Piper Elementary School, CMIP 1615, submitted by James Bain, Assistant Counsel. On June 17, 2019, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-38-19**, “A resolution declaring the necessity and authorizing a survey and descriptions of lands necessary to be condemned for the construction, maintenance, operation, use and repair of the 131st St. & Leavenworth Road Improvements for Piper Elementary School (CMIP 1615), all in Wyandotte County, Kansas.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 3 – 19793...EASTERN KANSAS MULTI-COUNTY TASK FORCE AGREEMENT

Synopsis: A resolution approving a Reciprocal Investigation Intergovernmental Local Agreement with the Eastern Kansas Multi-County Task Force, submitted by John Droppelmann, Fire Marshal. This task force provides investigative assistance for large, complex fire incidents.

On June 17, 2019, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-39-19**, “A resolution authorizing the Unified Government to enter into an agreement with Eastern Kansas Multi-County Task Force to provide investigative services.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 4 – 19806...REQUEST: FISHER PARK FITNESS COURT

Synopsis: Request to construct a national fitness court at Fisher Park, located at 39th Street and Fisher Avenue, submitted by Jeremy Rogers, Director of Parks & Recreation. On June 17, 2019, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Doug Bach, County Administrator, said this is a request for a fitness court that we were looking at Fisher Park. We found out today that one of our funders for the grant funding for this project has some concerns regarding the park. We found need to have further dialogue with them before we advance this. I am asking for this item to be set-aside or held over to a future Commission meeting. We will bring it back at the point if we’re able to resolve our differences with that funder. If not, we will look for a new site.

Action: **Commissioner Markley made a motion, seconded by Commissioner McKiernan, to hold this item over.** Roll call was taken on the motion and there

were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 5 – 19794...ORDINANCE: PURPOSES OF COMMISSION ON HUMAN RELATIONS & DISABILITIES ISSUES

Synopsis: An ordinance outlining the purposes of the Commission on Human Relations and Disabilities Issues, amending Section 18-23, submitted by Phyllis Wallace, Director of Human Services. On June 17, 2019, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-45-19**, “An ordinance relating to Chapter 18, Human Relations, amending Section 18-23 of the Unified Government Code.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 6 – 19787...ORDINANCE: COMMISSION ON HUMAN RELATIONS & DISABILITIES ISSUES

Synopsis: An ordinance designating what constitutes a quorum for the Commission on Human Relations and Disabilities Issues meetings, amending Section 18-25, submitted by Phyllis Wallace, Director of Human Services. On June 17, 2019, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-46-19**, “An ordinance relating to Chapter 18, Human Relations, amending Section 18-25 of the Unified Government Code.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken on the motion and there were nine “Ayes,” Markley, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Murguia, Kane.

ITEM NO. 7 – 19808...NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

Mindy Janelle Wills Fugarino - Juvenile Corrections Advisory Board, 6/27/19 - 6/27/22
submitted by Mayor David Alvey

Matt Warner - UG Board of Park Commissioners, 6/27/19 - 3/31/20, submitted by
Commissioner Ann Murguia

Daniel Serda - Board of Zoning Appeals/City Planning Commission, 6/27/19 - 3/31/20,
submitted by Commissioner Melissa Bynum

Anne McDonald - Housing Authority Board, 6/27/19 - 3/31/20, submitted by Commissioner
Brian McKiernan

Tscher Manck, 212 N. 38th St., said its actually only one portion of Item No. 7. It is Commissioner Murguia's appointment of Matt Warner to the Parks and Recreation Board. We have been previously from March until now and currently still fighting or going and petitioning them to take Metro 24 out. We feel like its unethical for the owner of the Metro 24 to vote if his company gets to stay there with free rent, utilities and taxes.

Mayor Alvey said let's be clear that the members of the Parks and Recreation Board do not vote on anything. They are simply an advisory board. They have no fiduciary power. They have no authority over any personnel, over scheduling; they simply hear from the community then move that back and advise our Parks and Rec. There is no ethical conflict here. **Tscher Manck** said Ms. Wyatt is here, but we learned last month that they do vote and that they're a policy making board. They were under training for such things and so that who we were speaking with. They do vote and we were going to request a vote for that.

Misty Brown, Deputy Chief Counsel, said I can understand why there could be some confusion, but the Mayor is correct. The Parks Board is an advisory board to the Commission. They may amongst themselves vote on what they're going to advise the Commission; but as the Mayor said, they have no fiduciary responsibilities. They don't vote on who would stay in, like if Metro 24 would be in the facility or not, so they are merely advisory.

Mayor Alvey said if anybody would like to speak in favor of or in opposition to this appointment, please come forward and state your name and residency.

Faith Rivera, 908 Hagemann St., said I am a Rosedale resident, second generation actually. The reason why I oppose this is—actually what does the Parks and Rec Board do if they don't have

any policies. Can you explain that? Is that okay to do that right now? **Ms. Brown** said the Parks Board is there to give advice to the Parks and Recreation Department about how they think the parks should be done. Different things with hours of operation of the parks. To be clear on that, they do not—what they believe or how they might feel as what should be a policy, is subject to the authority of the Commission.

Ms. Rivera said the Commissioner in question, I mean, she is for the Metro 24 so, please, I'm begging you. We've contacted you; we've been diligent as a community and have stand up and made a voice here for our community and said please don't do this for us. We have gone to the Park and Rec Board meetings and been diligent in our community, came together as a unity to say this is not what our community wants. Please, I can't just express it enough that our community does not want this and we've come for this. I'm a Rosedale resident. It is my community center. My kids went there. My kids dance there. My kids partied there. Our community was there. Please think about that. If he has an advice, it's advice that he would give.

Doug Bach, County Administrator, said I might add too, just to clarify, Ms. Rivera, so you understand. Our ethics code or actually they've ruled on it before too regarding elected body members if they want to come up and, as long as there's a bid on an RFP process that we conduct, its allowable for even elected commissioners or such to come through and participate and bid back for an item.

Ms. Rivera said it doesn't matter. The community has spoken and we don't want this. We've asked you guys; we've reached out to you for this information. So please, I understand what you're saying, but if he has anything to do with this Board, you're tainting Wyandotte County. You're tainting the UG. You keep tainting it. That's just what I'm trying to say. If you guys don't see it and we're telling you and we're asking you not to do it—**Mayor Alvey** said it's also possible that we simply disagree. **Ms. Rivera** said yes, thank you.

Carolyn Wyatt, 359 Troup, said I am an active Parks Board member. I think that it's a conflict of interest. The reason I say that is because we do vote. We vote there when we're there. I think that someone who is making income, who is getting paid or whatever, I think that makes it a conflict of interest. They have no interest in the center. They have no interest in the community. They have no interest in the kids when they put them out or put people out of the center.

I think you actually need to go and see what's going on as you allow this to happen. You need to go yourself and see actually what's happening in the community. We have centers that aren't actually being ran correctly because you don't want to fund it. You don't want programs in there for the kids. That's just not Argentine; that's Beatrice Lee. You're actually not funding it. You don't want to put a program person in there to run programs to outreach.

Maybe this isn't your community, but it's our community. I think that you need to take a look at it and see what's working and what's not working and make a change. That you think is working but it's for-profit. For-profit, it's not for us. For-profit could be for you, whoever's benefiting from it, but it's not the community and the people that live in that area. You actually need to take a look at it because most of you all—I've been here so many times for programs for Beatrice Lee. So many times I've been up here and I brought programs, not even one has they put in there for the community, not even two.

I think that as you commissioners, you need to be responsible for what we put you here for. Fund the center. Put a person upstairs. We have kids going to jail. They have no place to go; nothing to do. They're not your kids because you go home, you have it. Think about our kids.

Jajuan Taylor, Hill Crest Transitional Housing, said my thing is with the Metro 24 is that I believe that it shouldn't be in the community center. I recommend that you all put them into buildings. There're so many vacant buildings around here in Wyandotte County in general. So, why do you choose the community centers where the kids go play at? If it's not beneficial for community at all, then I don't think it should be in the community center. You can choose one of these buildings, put it around there, but the community center is were a lot of kids go.

I'm there at the community center every day. I help these kids out with basketball, whatever they need. We try to lead them and guide them in the right path to keep them and steer them away from the streets. If this Metro 24 is not beneficial for them, then a lot of these kids are going to turn to the wrong path. I got my own beliefs that that's kind of why the new detention center was built in a sense. I don't know exactly what you all got planned, I don't care, to be honest, but don't put them in the community center because we need this. I went through a lot of these community centers since I done grew up, graduated college, did my thing and now I'm coming back to try to save this because I heard about it and it came across me a couple times. I just really don't believe that they should be—I don't want it at all.

Dianna Gary, 1311 S. 33rd St., said I have lived in Wyandotte County for 34 years. Out of that 34 years my husband and I have volunteered over 20 years in the community center. We made sure that the kids are safe. We did youth nights for kids that were in middle school and high school. We did trick-or-treat villages for the younger kids. We had over 1,700 kids that would come through there. Nobody else has ever been able to do the youth nights because they are hard to keep kids under control so that they have a safe place to stay.

I do know that I did speak to Ruth today because we made a complaint with the ethics commission, that this was unethical for you to appoint the owner of a for-profit company that is in a non-exempt building.

We made a complaint with Ruth. She did tell me that she sent a memo to the Mayor and to Doug Bach and asked you to table this request, this vote until she investigated it. Apparently, you guys said no, that you're going to keep it on the agenda. She is our Ethics Commissioner. She's over you guys. She says she is still going to do the investigation, and we're going to follow behind her to make sure that anybody that had part of this is going to be. **Commissioner Townsend** said held accountable. **Ms. Gary**, said definitely.

Mr. McKiernan, I hope you think this over. Ms. Philbrook, all of you commissioners. You have people out here that are really concerned about you taking away those community centers. You can't privatize and keep a tax-exempt building at one time. It just isn't right. That's why you guys have to reapply for a tax exemption for the Miles Center.

I have documentation, and I know that Ms. Bynum took it all. I don't know if anybody looked it over, but I have it and it's going to go to the media, to our radio stations because if you can't give our small businesses a handout like you guys are with this gentleman from Metro 24, I'll let them go ahead and have them call you and let them see if you guys can give them some money, free rent and utilities also. I hope you guys vote against Matt Warner's position.

Janice Witt, 2717 N. 88th Terrace, asked were you guys aware that the Ethics Commissioner had asked is this true. First, I have to ask if that's true. Did the Ethics Commissioner ask that this vote be held? **Mr. Bach** said I've spoken to the Legislative Auditor and then also to Ruth Benien, who is our Ethics Administrator. After review of the information that was given to her, she agreed that there was no apparent conflict in this based on past ethics rulings that have been in place and

agreed that we should move forward with the action at hand. Though, she did say she would take a further look at it, but we have previous ethics opinions on this that showed that there is no conflict of interest.

Ms. Witt said so you're saying that she did not ask you to table the vote. **Mr. Bach** said she sent something over and asked about tabling the vote. Then we clarified that she would take a look—informed her of the situation. She said she was not aware of the situation at all. After she reviewed the information, she agreed with it that we were moving forward with it tonight would be the right move to make. She said she would probably take an additional look at it. **Ms. Witt** said I posted today because there are a lot of people calling me asking me about ethics, what is this.

In the preamble of your Ethics it states that you all will ensure that things that appear to be, let's just say dirty, are not done. This thing kind of looks dirty. I am certain that it's not going to change your mind that I stand here and say, you know what, it just doesn't pass the smell test that this guy is now being put on the board, on a board that will then allow him to vote on benefits that fall directly to him. If it were one of you, I would be up here saying, you're going to need to recuse yourself from this particular vote.

I understand that you're going to go ahead and make you vote regardless, but if it were one of you, I would be saying, don't you think you should recuse yourself from this thing and let's consider it. I would like to ask you to reconsider it. I would like to ask you, Mayor Alvey, to please become more involved, become more active in making sure that people don't view our Commission as a bully pool pit or a joke.

I will tell you there are things in place right now. There are recall elections. If you can't get the thing under control, the people have the right and authority to petition for a recall. I would hate to see that happen. I'd love to see you finish out your term and see what we come up with. That's my take. I believe that if there was any question from the Ethics Commissioner or the Ethics Chair, it should have simply gone away and then we all talked about it again and came back to play on a better day.

Ms. Brown said, Commission, I would just like to clarify that if Mr. Warner is appointed to be on the Parks Board, he would be required to recuse himself from any votes that he would have a direct financial interest in or any interest in whatsoever. It's not as if he could go and vote to do anything

that would benefit him, just like all of you commissioners are required to recuse yourself in matters like that. **Mayor Alvey** said correct. We are simply going to follow the procedures and the stipulations of our charter and we're going to follow those. If there are any concerns that the Ethics Administrator does investigate and find, then we will have to abide by those. That's simply what we do. We cannot do anything more than that. We cannot do anything less than that.

Commissioner Burroughs said in listening to the discussion, I think there was some melding of two issues. One of them being that the Metro Fitness or Metro 24, whatever it's called, is utilizing a public facility; and two is the appointment of an individual to the Parks Board. I think that maybe during the discussion those two issues have gotten melded together. I just want to ensure that what we are taking action on now is the appointment of an individual to the Parks Board and not the resolution of the issue about Metro 24 within the public facility. Is that correct? **Mayor Alvey** said yes, that's correct. We're simply considering whether to approve these nominations to the boards.

Commissioner Bynum said I wanted to clarify that as well because I think we have a lot of topics around the parks and the Parks Board. We might be well served to also receive or be given the training that our Parks Board members received, I don't know, a few weeks or a month ago, at their last Parks Board meeting. It would be good, I think, maybe for us and the public to understand because there's been a lot of discussion about three things really. The Parks Board, their powers and duties, the community centers and now this appointment. To me, three entirely separate items might be worth spending some time on clarifying all ordinances, all policies around these issues.

I did go back and looked at the minutes of the Parks Board meetings on our website. I'm sad to say the current minutes are not there. I looked at every set of minutes I could find for 2018. The only votes of the Parks Board that I could see were votes to approve the agenda and votes to approve the minutes. There were no other votes taken by the members of the Parks Board in 2018, which is another reason why I think we and the public needs the clarification around the duties of the Parks Board.

Tonight's action is a group vote of more than one appointment to a board and commission. It is four or five, if I'm not mistaken, all to be taken as one vote. If I stand in opposition to that, I'm opposing my own appointment to another board, so that concerns me as well. I certainly do

not want to or plan to stand in opposition to my own appointment to a board. I just feel like maybe we have multiple things to unravel here. One of which might be the way we bring forward appointments to our boards and commissions.

Commissioner Burroughs said this is for Legal, a question in reference to this. Can we divide the question and vote on them individually? **Ms. Brown** said no, not at this point. The agenda has been set with them all out as one vote. **Commissioner Burroughs** asked could we make an amendment to the motion to exclude or to include a nominee? **Ms. Brown** said we need to vote on them all as one block because that's how the agenda went out with it. If you wish to do that in the future, that you put on a different agenda, but as it has been put on there, it needs to be one vote.

Commissioner Burroughs said this probably isn't going to be a favorable motion because I do know we have appointments that need to move forward, but I'm going to make a motion that we table this until we here back from ethics and would hope that we would have some more clarity. I do believe there's an opportunity to vet some of this out without making a good situation bad or a bad situation better by having to go with a group vote for all. I don't like having to divide questions out. I would like the opportunity to maybe vet this through the Ethics and there's been an ethics request. I think with the discussion that was had a minute ago, I'm just going to ask that we table this till the next meeting.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Bynum, to hold the item over.** Roll call was taken on the motion and there were four "Ayes," Bynum, Burroughs, Townsend, McKiernan; and five "Nos," Markley, Walters, Philbrook, Murguia, Kane.

Action: **Commissioner Murguia made a motion, seconded by Commissioner Markley, to approve the appointments as is.** Roll call was taken on the motion and there were eight "Ayes," Markley, Walters, Philbrook, Bynum, Townsend, McKiernan, Murguia, Kane; and one "No," Burroughs.

ITEM NO. 8 – MINUTES

Synopsis: Minutes from regular session of May 30, 2019.

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

ITEM NO. 9 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated June 13 and 20, 2019.

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

COMMISSIONERS' AGENDA

ITEM NO. 1 – 19807... RECOMMENDATIONS: UG/HOLLYWOOD CASINO/SVV GRANTS

Synopsis: Recommendations from the Mayor and Commissioners for the 2019 UG/Hollywood Casino/Schlitterbahn Vacation Village grants, submitted by Emerick Cross, Assistant County Administrator.

Doug Bach, County Administrator, said this item comes to you as recommended by each commissioner as you’ve gone through, done your evaluation of the various applicants that have put in for this year’s awards. This item has been worked through and sent to the Commission for review. If you would like, we can have Mr. Cross come forward and present all the items in detail. If not, I would recommend this item for approval as presented.

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

Commissioner Kane said Mr. Bach, two questions. Can you tell us about the raccoons at the fire station, one. The other is I was told that the Department of Labor was at Fire Headquarters a couple of weeks ago. I’d like to know why they were here and what they came up with. **Mr. Bach** said raccoons at Fire Station 17, we discovered a few days ago. Our department took action to go in. We had contacted an outside agency, Animal Critters or something like that, to come in to make sure the facility was secure so nothing would come down into the living conditions or areas where our fire fighters are. We set out some traps to try to secure them. There’re also open areas for them to try to escape and leave the area. They’ll be up there a few days. We believe we have that situation being taken care of at this point.

Regarding the labor, they came in to take a look at a few different things throughout the Unified Government. I am not aware of findings. I have not been presented that information or what they have in hand at this time. **Commissioner Kane** said to my knowledge, they’ve only been here once in 14 years and we all knew about it. I would like to know when they’re here. I know it takes three or four weeks for them to get the answers, so whatever the answers that they give you, I’d like to get. **Mr. Bach** said certainly.

MAYOR ALVEY
ADJOURNED THE MEETING AT 8:17 P.M.
June 27, 2019

Bridgette D. Cobbins
 Unified Government Clerk

June 27, 2019

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

SPECIAL SESSION, THURSDAY, JUNE 27, 2019

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, June 27, 2019, with ten 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; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. Johnson, Commissioner Fourth District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Misty Brown, Deputy Chief Counsel; Bridgette Cobbins, Unified Government Clerk; Gordon Criswell, Alan Howze, Melissa Sieben, Assistant County Administrators; Jeff Fisher, Executive Director of Public Works; Mike Taylor, Public Relations Director; Kathleen VonAchen, Chief Financial Officer; Debbie Jonscher, Deputy Chief Financial Officer; Reginald Lindsey, Budget Manager; Budget Staff; Rocki Mayes, Executive Assistant to County Administrator; Lynn Melton, Assistant to Mayor; and Officer Tom Grote, Sergeant-at-Arms.

MAYOR ALVEY called the meeting to order.

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

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, June 27, 2019, at 5:00 p.m. in the Commission Chambers of the Municipal Office Building, for the Administrator's Budget presentation.

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 our Administrator will be presenting the Budget. Just a note, after the presentation of the budget and as you go through and if you have questions or thing you would like to explore further, please take note of those and forward those on to Mr. Bach and/or myself. Really, the best time for us to really kind of get into the discussion and allow plenty of time to prepare for the questions, will be July 8th. There is a Standing Committee beginning at 5:00 p.m. that day that we expect to last about 1 to 1.25 hours, so we would begin our discussion no early than 6:30 p.m. Monday July 8th. Again, if you have questions or thoughts at the conclusion of this, please send those to me and Mr. Bach and we will be able to prepare more fully.



Doug Bach, County Administrator, said for the Amended 2019 Budget and Proposed 2020 Budget. It's one of those budgets as we dug into it, we started to realize just how many activities were going on, how many initiatives we started in the course of this year or said we're going to move forward with, so building those into it. There's a lot in this years' budget and there's a lot of financial items to discuss, so we're going to jump right in and get to it.

June 27, 2019

COMMUNITY TRENDS



- ★ Reinvestment in Downtown KCK
 - ★ MERC Grocery Store
 - ★ KU Strawberry Hill Campus
 - ★ BLVD Lofts
- ★ All Four School Districts Expanding
- ★ Community Master Planning
 - ★ Northeast Area Master Plan completed
 - ★ Central Area Master Plan started
- ★ Crime Rate Decreasing
 - ★ Overall crime down 11%
 - ★ Homicides dropped 14.6%
- ★ Infrastructure and Development
 - ★ Turner Diagonal/Turner Logistics Park
 - ★ Leavenworth Road 2nd phase: 63rd – 78th
- ★ Property Values continue to increase across the community and delinquency rates are dropping



I'm going to start by talking about a few things going on in the community and the community trends that are out there. We're seeing a lot more reinvestment in our downtown area. The MERC Grocery Store is set to break ground in the middle of August. KU Strawberry Hill Campus, a \$61M project is scheduled for their ribbon cutting at the end of August and we just did a groundbreaking on the BLVD Lofts project.

All four of our school districts are expanding across the community. USD 500 has been in the middle of a project they have been doing for some time and have a new school that they will be moving forward on this year. The Turner School District is adding on into their area as is Bonner Springs and the Piper School District where they are adding a new Middle School.

We're doing Community Master Planning. We just completed what we did at the Northeast Master Plan and are starting a Central Area Master Plan.

Our crime rate is down across the community by 11% and our homicides have dropped by 14.5%, so very positive operational things we're doing.

Infrastructure, a couple of the large projects, we announced the Turner Diagonal Project in conjunction with Turner Logistics. It's a \$28M infrastructure project that puts in more than \$150M development and we're on our second phase of Leavenworth Road.

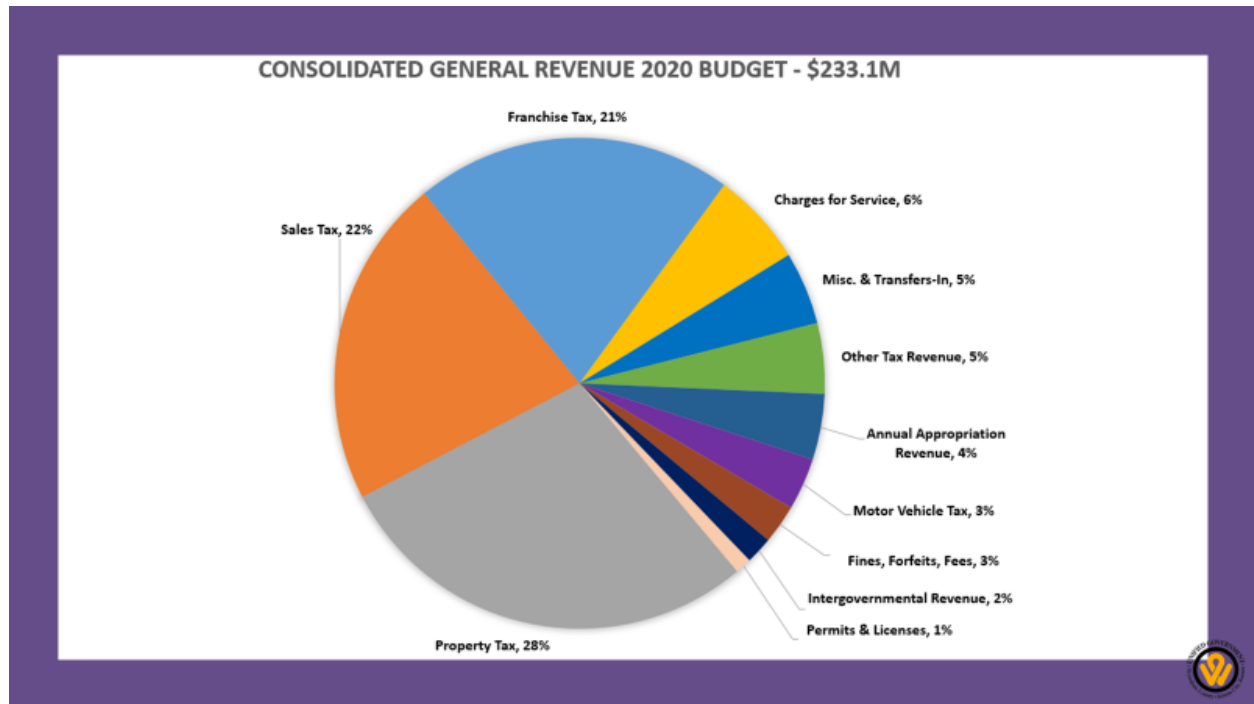
Across the community our property values are up showing that people are reinvesting and investing in our community.



Key Objectives that I'm looking at in building this years' budget, number one I look at what are the Commission goals and the six goals that we have out there we go through and structure those in, lay those out to the departments. When they start to do this and they understand which areas they're supposed to be putting as priorities. Also, I marry that with the fact that I know this governing body who does not want to see any kind of mill increase come forward to you.

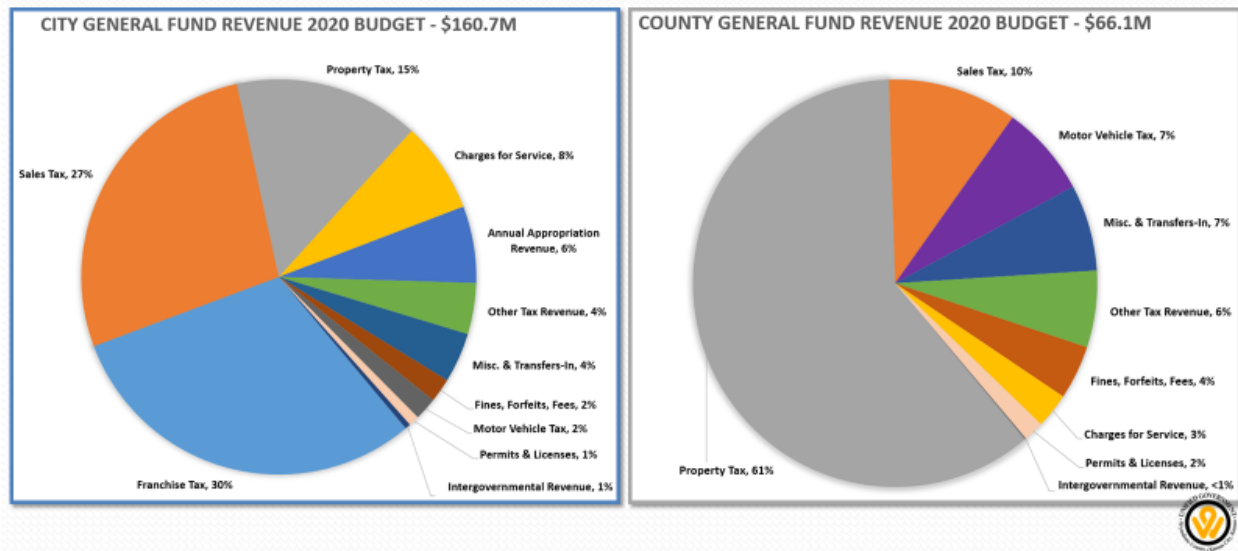
We've improved critical infrastructure, we look for long-term fiscal sustainability, improve the appearance and the safety of our neighborhoods and continued commitment to that. Targeting investment to drive future revenue growth and always trying to work to improve our operational efficiency and effectiveness.

At this point I'm going to turn this over to our Chief Financial Officer, Kathleen VonAchen, and she is going to take us through the revenue team and then I'm going to have our Budget Director as well as the other Assistants present key points to this budget. I will then come back up and close out and go from there.



Kathleen VonAchen, Chief Financial Officer, said we're going to talk about the Revenues and first we're going to start with the Consolidated General Fund. That includes the Parks, the City and the County General Funds. They total roughly \$233M and the pie chart you see up here breaks out each of the funding sources into a separate pie. The biggest being the Property Tax and that piece is 28% followed by Sales Tax at 22% and the Franchise Tax at 21% so we have a very diversified funding source—diversified revenue structure with funding sources from different categories. We're not overly reliant on one or another, but there have been shifts over the years mainly where we were more reliant on property tax than we are now. Now we're more reliant on sales tax. I should also point out there are Charges for Services which is also an important revenue source and Motor Vehicle.

CITY AND COUNTY GENERAL FUND REVENUE



Instead of Consolidated, what we're presenting here are two pie charts with the City on one side and the County on the other. You should take note that on the County side \$66M of it is the total of the County compared with the City which is \$160M, so it's quite a bit larger, but the County is very reliant on property tax constituting 61% of its total where the City's General Fund only receives about 15% of their total revenue from property tax. The City General Fund is very reliant on sales tax at 27% but more so on franchise tax which is now at 40%.

PROPERTY VALUATION



- ✦ Factors increasing revenue:
 - ✦ Total Assessed Valuation is up: City 5.6%; County 6.0%
 - ✦ Mill rates for 2020 to remain constant
- ✦ Factors decreasing actual revenues received:
 - ✦ Delinquency tax rates
 - ✦ Budgeted at 5.7% for both City/County
 - ✦ Improved from 7% in 2017 to 5.9% in 2018 (City)
- ✦ Net revenue increase = 4.4%

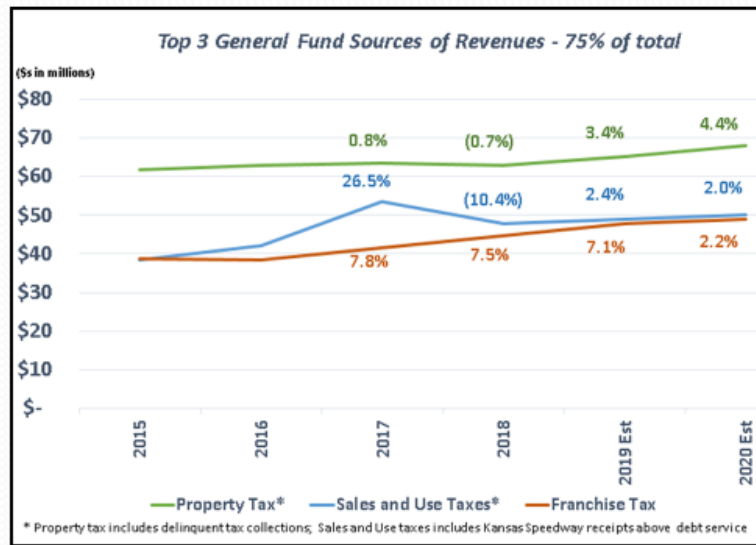


We're going to talk about property tax a little bit, it often comes up. You all met with the County Appraiser and she gave you some general idea of how valuations are going. We now have the finalized certified valuations through our UG Clerk. It turned out the City's total assessed valuation ended up being 5.6% and the County 6%. That includes not only commercial and residential real estate, it also includes new improvements, it also includes the state assessed utilities and it also includes personal property tax. Any of those sources increase and decrease independently from each other so the numbers you're seeing here are blended, a blend of all of those categories. Some of the factors that this sets up, you know, the valuation is very positive, 5.6 and 6%, and also the fact that we are staying consistent with keeping the mill at the current level.

Factors that may decrease the revenues received include a change in the rate in which our property taxpayers pay us which we refer to as the delinquency rate. In prior years we've had to budget data around the 7% level, but this past year it came to life that actually our collection levels have improved. Now instead of 7%, in 2018 the collection rate was 5.9% so a decrease by over a full percentage so in this '19 and '20 budget, the revenue estimate, I've changed the delinquency rate factor in my calculation for the estimate from 6.5 or so percent down to 5.7. That allows for us to collect more. It doesn't really allow us to collect, it helps us plan for more.

You have the increase and then you have some factors that decrease the revenue and as a result the net revenue increase over the prior year for 2020 is 4.4%.

REVENUE TRENDS



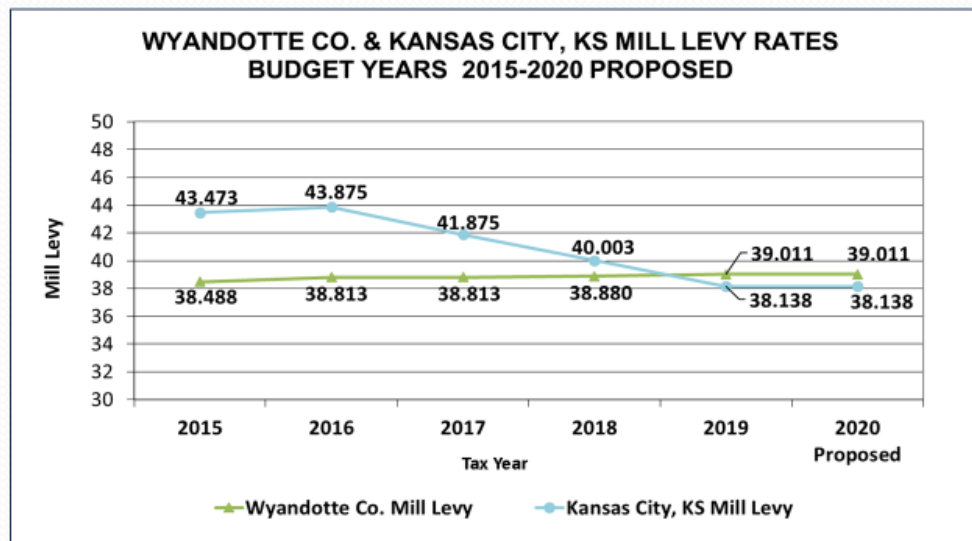
We like to take a look at some trends. Here's a five or six year analysis of the top three revenue sources. The top one is property tax and you can see—this is across all UG—oh no, this is just the General Fund and you can see that it had some very kind of slow or no growth in '17 and '18 and also '19 although '19 picks up a little bit, but that's because in each of those years the Commission instituted a 2-mill reduction. Even though there was property valuation increases during those years, the 2-mill reduction reduced the level of revenue. That's why in '17 you've only got an amount—maybe it's 6, yeah .8% where it ends at negative .7.

The blue line is the sales tax and we're going to talk more about sales tax during our upcoming budget workshop. You can see in '17 it bumps up quite a bit. It increased by 26% and that's because that's the first year which we collected the STAR Bond revenue, but there are also other reasons that go into that substantial increase in '17. Then it drops down in '18 by 10%. We've been studying what happened with this 10% decrease in 2018 because the funding or the distributions from the state were coming in very, very strong the first half of the year and suddenly in the latter half, it dropped off. When we meet again during our budget workshops we're going to talk more about sales tax.

The third source is franchise tax which is pretty consistent year-to-year. In '17 and '18 the BPU—this totals around \$40M and \$30M of it is the Payment-in-Lieu-of-Taxes related to the electrical plants and they instituted a 4% increase to begin in April of '17 and then another one in

April of 2018. That explains the 7.8 and 7.5% increase in '17 and '18 and again in '19 as the revenue annualizes and then it will stable out. I'm estimating it will stable out in 2020.

MILL LEVY RATE

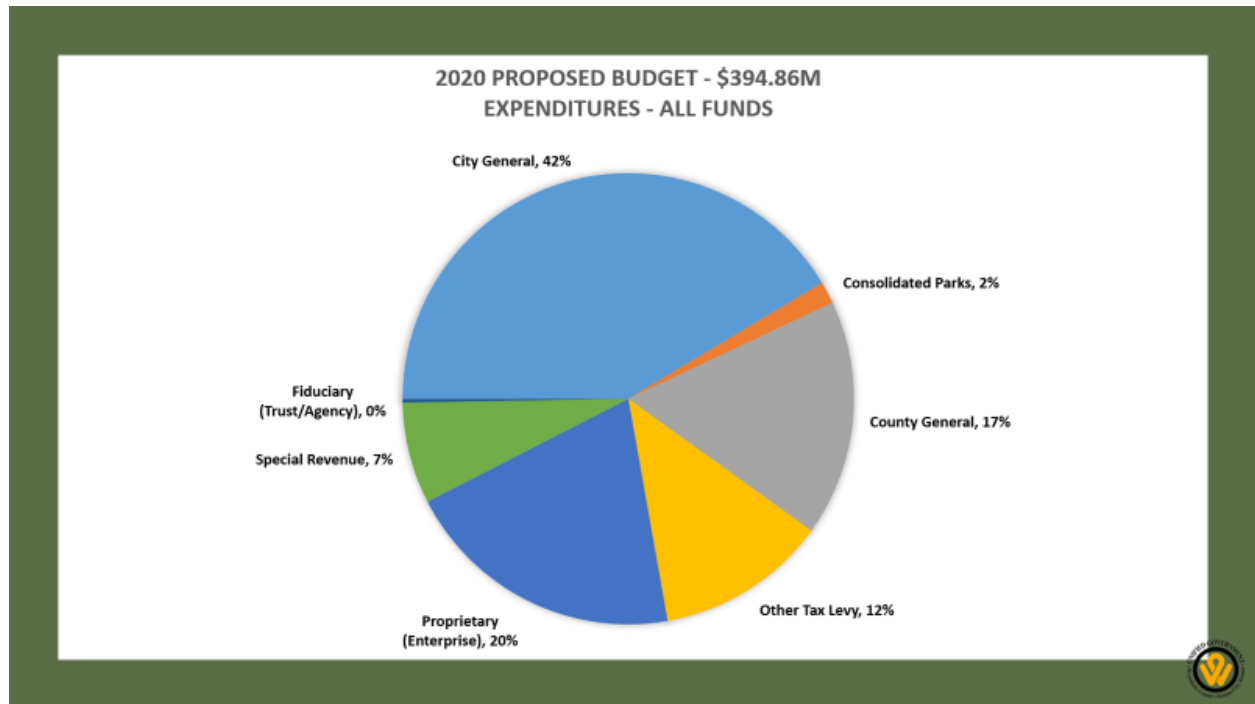


We just want to provide you with a graphical display of the mill rate, mill levy rates since 2015. As you know, before you, as the Commission, began adopting the reduction in mill levy rates we were—the City which is that blue line was at 43.4 mills for both '15 and '16 and then once we received the STAR Bond funds it began dropping that rate at a 2-mill level each year. That's a very conservative and prudent way of seeking tax reduction without impacting negatively the operations of the organization. So, we dropped it down to 40 and then you dropped it down to 39 and that's where we're keeping it at. That's what we're proposing for 2020 to leave it at the current level.

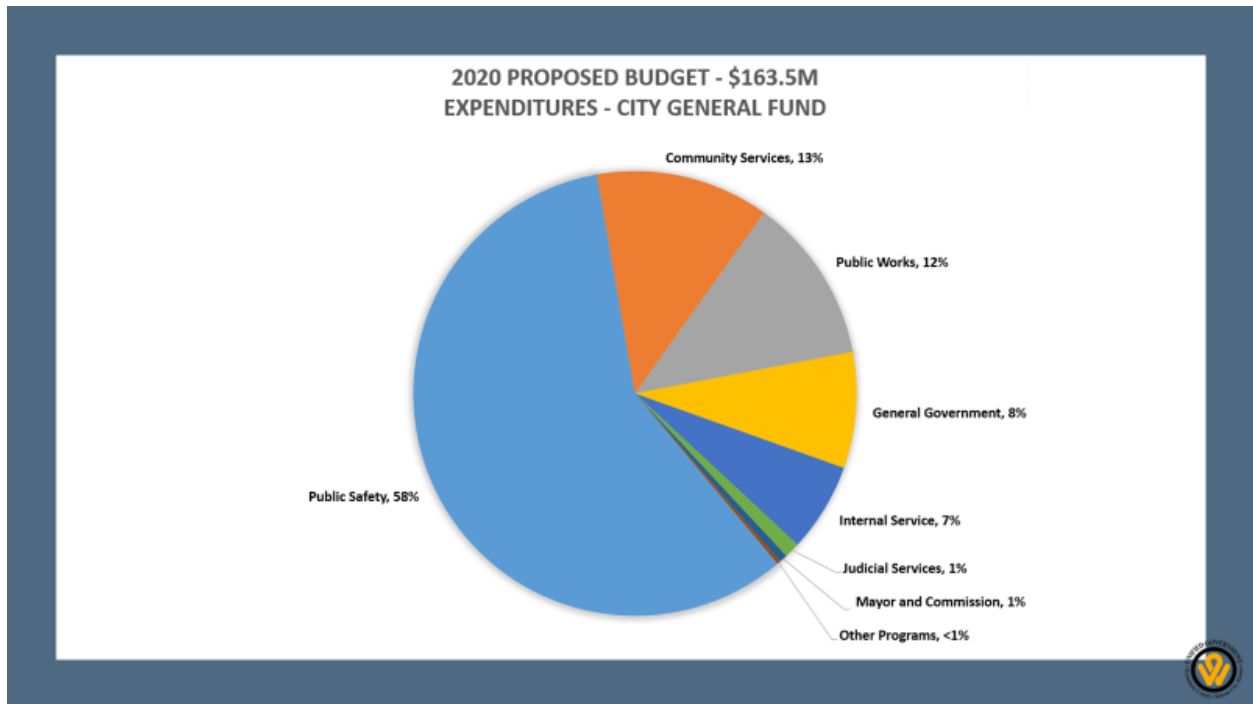
By the way, the green line is the County which you can see pretty much stays the same through that period.

Now I would like to introduce you to my Budget Director, Reginald Lindsey, who he and his team have worked very hard on the budget document which you just received tonight. I hope that you will read all of it because it is fantastic I think. I've got to say I'm very proud of them and I would also like to make sure that you take a look at that Capital section. It's really interesting and that's a new section.

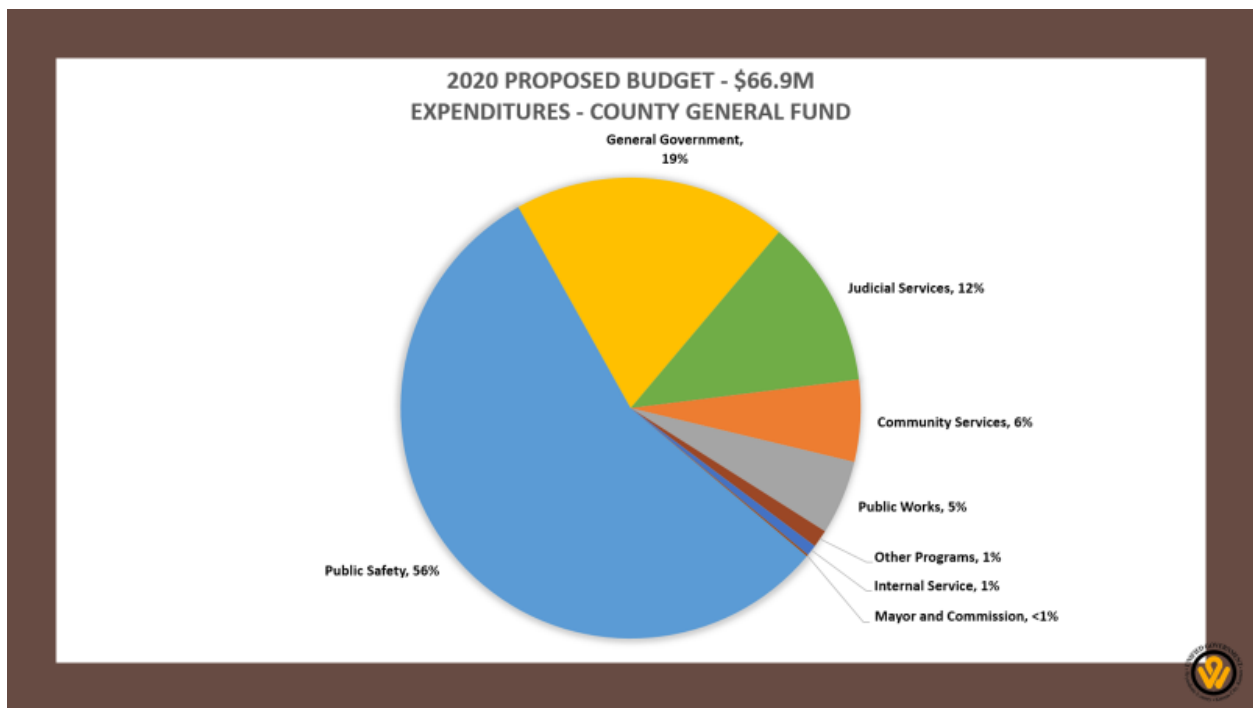
June 27, 2019



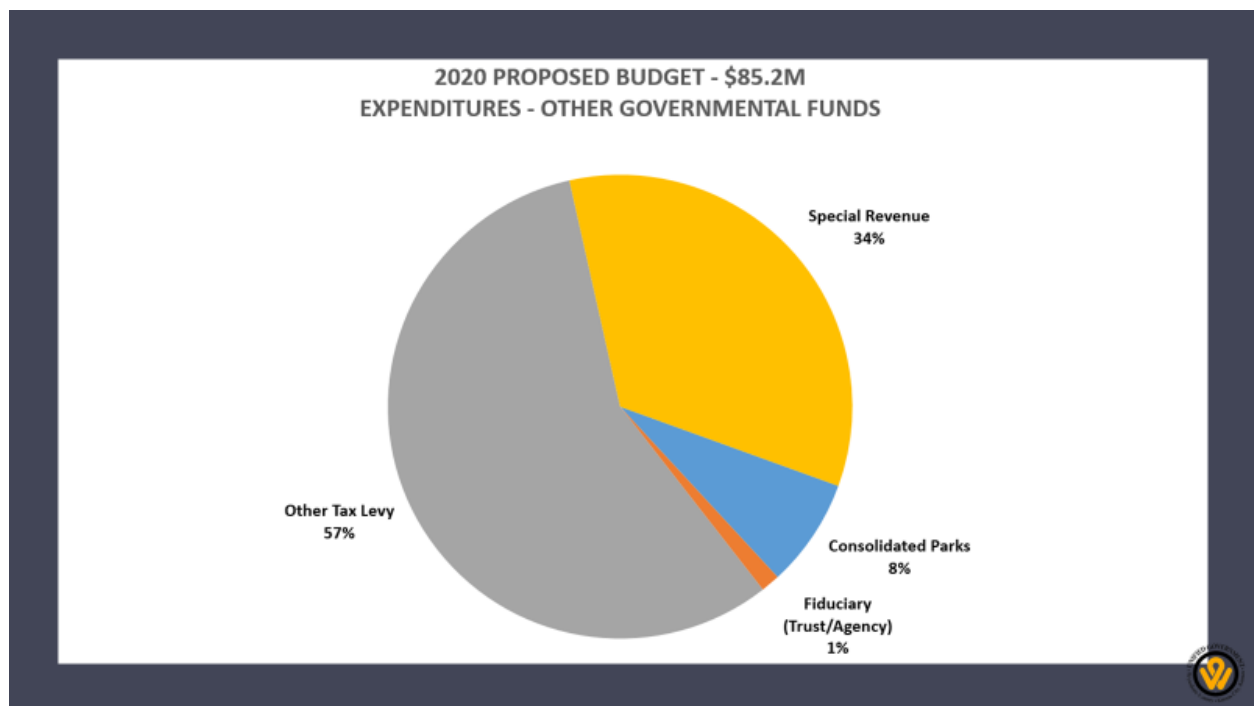
Reginald Lindsey, Budget Manager, said Kathleen touched on the revenue side of the budget. I'm going to talk about the expenditure side of the budget. We have a \$394M Expenditure Budget this year for 2020. We have 29 funds within that budget and it provides over 200 services. The pie chart here, we have the City General Fund which is \$163M. Then we also have the County General Fund which is \$67M. Those are the two biggest funds here. Then within the Enterprise Fund we have another big fund which is the Water Pollution Fund and it's a \$60M budget.



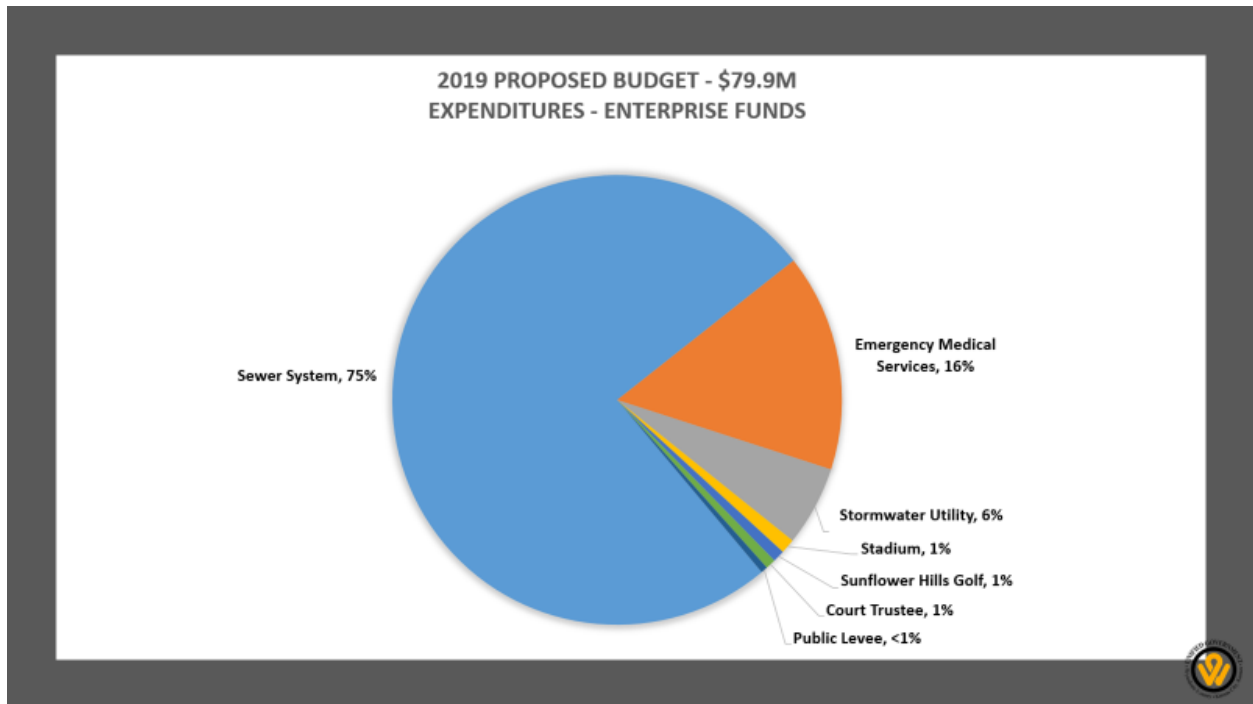
The next pie chart here is the City General Fund which I just said was \$163M. We're going to drill down into it. One big portion of it is Public Safety. It's a \$98M budget. We also have Community Services which is a \$20M budget and Public Works which is a \$19M budget.



Our other large General Fund is the County General Fund. Here is where we offer services to the whole county which would include Loring, Edwardsville and Bonner Springs. Here we have Public Safety also which is a \$38M budget and then also we have General Government which is a \$13M budget. The General Government includes things like Legal, Appraiser's Office, and Finance. Another category that's pretty large, which would be the third one, would be Judicial Services and it's 12% budget and it's a \$8.2M budget and that includes the District Attorney's Office and District Courts.



The next slide here is drilled down into 20 funds that weren't included in the City and the County General Fund. These 20 funds are \$8.5M. They include Other Tax Levies and in Other Tax Levies the biggest fund here would be our Bond & Interest Fund which is a \$32M budget and then another large fund area would be Special Revenue which is \$29M. Within there we have the Dedicated Sales Tax which is \$11M, then we also have Special Street & Highway which is almost \$8M. Within here another slice of the pie which is kind of here by itself is Consolidated Parks, that's a \$6.3M budget.



Then we have another set of funds which is our Enterprise Fund. These are self-supported funds. They don't have any tax dollars going into them, but they do charge for the services they provide. We have seven Enterprise Funds that total \$80M. The largest one is the Water Pollution Fund at \$60M and then EMS which is a \$12.5M budget and then the Storm Utility Fund which is \$4.5% budget.

GENERAL FUND - CITY			
	FY 2019 ORIGINAL BUDGET	FY 2019 AMENDED BUDGET	FY 2020 PROPOSED BUDGET
Revenues	156,630,921	155,834,971	158,363,391
Transfers-In	2,256,000	2,256,000	2,256,000
Subtotal: Sources	158,886,921	158,090,971	160,619,391
Expenditures	160,144,856	160,132,432	162,814,634
Transfers-Out	705,000	605,000	710,000
Subtotal: Uses	160,849,856	160,737,432	163,524,634
Net Change in Fund Balance	(1,962,935)	(2,646,461)	(2,905,243)
Cash Basis Ending Fund Balance	\$ 19,370,116	\$ 17,643,141	\$ 14,737,898
CAFR Ending Fund Balance	\$ 28,098,150	\$ 28,982,533	\$ 26,077,290
17% Target Reserve ➡	18.6%	19.2%	17.0%

On the screen currently is the City General Fund Fund Statement. Kathleen touched on revenues. I talked about expenditures and so here we can kind of see where we see the revenues we have coming in in 2020 and then we also see the expenditures we have going out in 2020. Basically, one of the things we have going on is from 2019 to 2020 we had a \$1.7M increase in revenues and on the expenditure side from 2019 to 2020 we had a \$2.7M increase in revenues. You can kind of see down here in the red the net change in fund balance, this basically is telling us that we're spending more money than we're bringing in and we're going to spend into our fund balance \$2.9M this year in the City General Fund.

GENERAL FUND - COUNTY			
	FY 2019 ORIGINAL BUDGET	FY 2019 AMENDED BUDGET	FY 2020 PROPOSED BUDGET
Beg. Fund Balance	\$ 4,168,321	\$ 5,912,563	\$ 5,688,207
Revenues	63,337,090	64,449,511	66,277,968
Transfers-In	0	0	0
Subtotal: Sources	63,337,090	64,449,511	66,277,968
Expenditures	62,571,900	63,313,867	65,322,495
Transfers-Out	1,360,000	1,360,000	1,560,000
Subtotal: Uses	63,931,900	64,673,867	66,882,495
Net Change in Fund Balance	(594,810)	(224,356)	(604,527)
Cash Basis Ending Fund Balance	\$ 3,573,511	\$ 5,688,207	\$ 5,083,680
CAFR Ending Fund Balance	\$ 8,537,557	\$ 7,373,487	\$ 6,768,960
17% Target Reserve →	13.4%	11.4%	10.1%

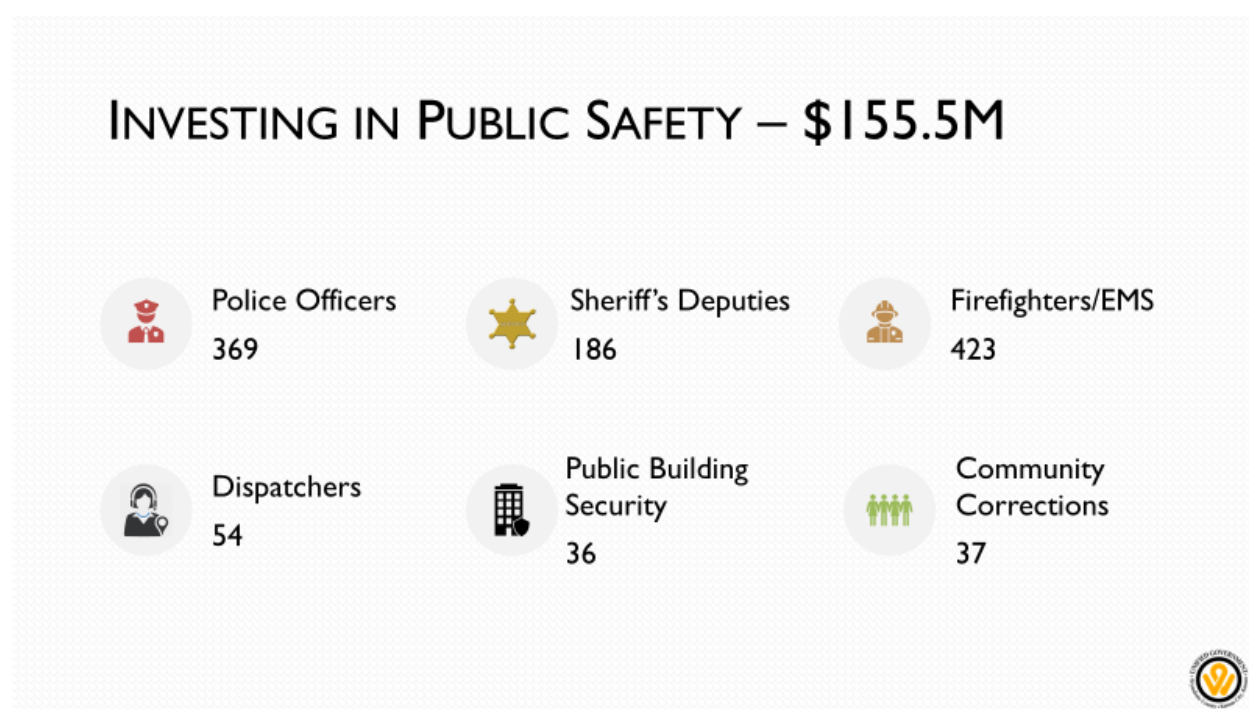
This fund statement right here is for the County General Fund. It's set up as the one we just looked at in the same way. In 2020 you can see where the revenues we had come in at \$66M. Last year they were \$63M. We had an increase of \$3.8M between 2019 and 2020. On the expenditure side we had a \$66M budget this year and last year we had a \$63M budget and that's an increase of \$2.9M so we're spending into the fund balance \$604K which basically also means we are spending \$604K more dollars than in revenues brought in.

BASE BUDGET INCREASES



- ✦ Personnel (69% of Budget)
 - ✦ Salaries: +2% COLA
 - ✦ Health Insurance: +8%
 - ✦ Payouts/Pension Penalties: +5%
- ✦ Contractual Obligations: 3-5%
 - ✦ Inmate Housing

Gordon Criswell, Assistant County Administrator, said now we get to drill down into what's really in the budget starting with the increases to our base budget. As you can see there Personnel which makes up 69% of our budget is a big driver to the increase in our base budget. We are also proposing in this budget a 2% cost-of-living adjustment for employees. We anticipate about an 8% increase in our health insurance costs and we have payouts and pensions and penalties at about 5%. Another big driver to the base budget is our contractual obligations mainly with Inmate Housing which includes the farmouts, medical, all in one category. Those are sort of the outliers, if you will, to our base budget increases.



I'm going to talk a little bit now about investing in Public Safety. As you are all aware, our citizen surveys ranks Public Safety as either number one or number two whenever we go out and survey our citizens. This chart just shows you across our organization the number of individuals who are in the public sector category. We have a considerable amount of dollars invested in Public Safety, everything from Police Officers all the way to Community Corrections and Dispatchers.

INVESTING IN PUBLIC SAFETY – \$5.4M

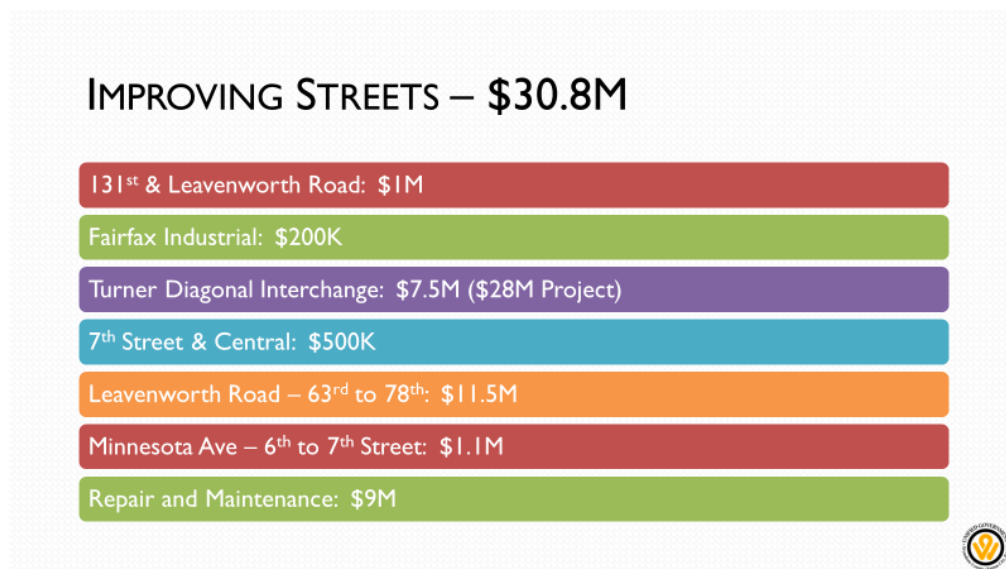


More specific investments in Public Safety, we are proposing additional investment in our building security to protect both the public and our employees in our public buildings. I would like to highlight the Dispatch Center. We've done some upgrades to our Dispatch Center. We have made that facility much more inviting putting in better lighting for employees there. That is a very stressful position and those individuals hear a lot of things when they get the calls and so upgrading their workspace will hopefully help us with the tension, but also ease some of the stress that these employees sustain on a day-to-day basis.

Another highlight would be repurposing our pod in the Detention Center so that we can move towards the double bunking which we have been working on for some time. As you know, the double bunking should help us with our inmate farmout costs and we will keep moving in that direction as we move to get our new juvenile detention facility on line.

The Courthouse Fire Alarm System, we have a system there now but we're making some upgrades to that system to meet newly code requirements, historic buildings, so we have some extra upgrades we need to put in to make sure we are code compliant.

Last, I would like to highlight our Fire Truck Lease Program. We are proposing that program to allow us to essentially buy six pieces of fire apparatus equipment for the price of five and over a 10-year period save about \$1M.



Melissa Sieben, Assistant County Administrator, said the next portions are primarily about infrastructure projects that I'm going to be covering with you. As you see at the top of the screen, we just recently discussed in our standing committee, but this is our improvements for the new Piper High School, 131st & Leavenworth Road.

We also have funding that we continue year over year for the Fairfax area to make enhancements to its infrastructure and also another major project that's moving through now is our Turner Diagonal project. I want to highlight here that the total cost to do the reconstruction of that interchange is almost \$30M, but our UG commitment, due to a federal grant, is about \$7.5M.

We also have money budgeted for the 7th & Central intersection to be improved in 2020 which will make going through that intersection at different times of the day easier for residents and businesses in the area.

Leavenworth Road, we've been working on that starting—my first recollection was 38th Street and we continue westward on that and we will in this next year be out at 78th Street with renovations to that roadway so making a big change in that part of the community.

The last project specific item on this sheet is the Minnesota Avenue repair and enhancements from 6th to 7th which will then match 7th to 8th and kind of create some nice continuity as we head toward our new facility for our grocery store and also the new KU Campus downtown.

Lastly, we have increased the amount of Preservation & Maintenance dollars in the budget so it will allow more crack sealing, reseal, chip seal, microsurfacing throughout the community to address the preservation of our street system.

PROTECTING NEIGHBORHOODS AND BUSINESSES – \$27.8M

Army Corps Argentine/Armourdale/Central Industrial District Levee Raise Project

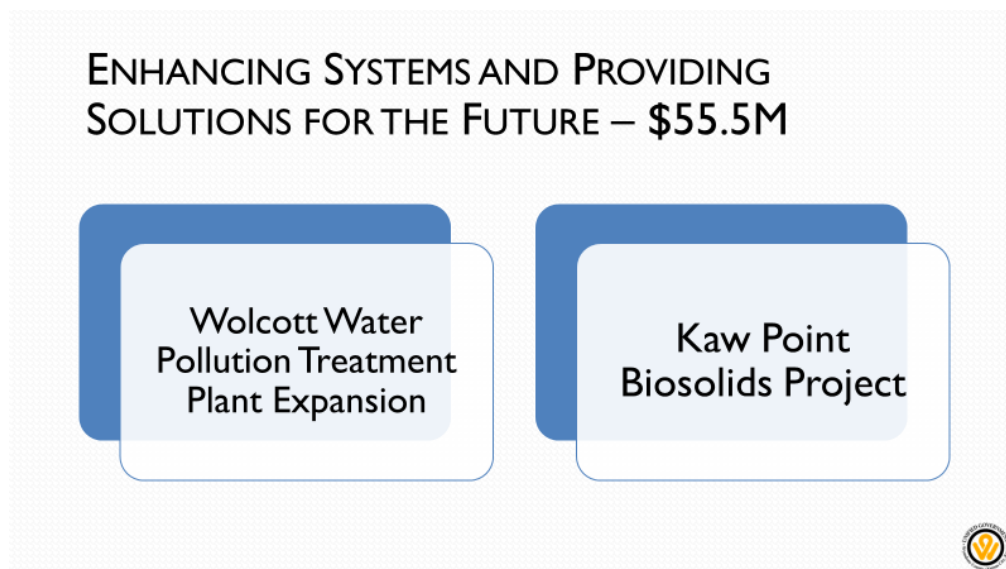
- \$453M Federal Grant
- Argentine Levee Pump Station
- Levee Land Acquisition

Turkey Creek Wingwall Repair



The next slide we have two major projects that we've been working with you on the last few months related to flooding and flooding related infrastructure. The first is Armourdale/Argentine Levee Raise on the Kaw River. This project, our portion of it primarily would be related to utility relocation and land acquisition. In the funding you see here there's that part where we're needing dollars to be able to do those acquisitions of public properties or portions of public property easements. Then, of course, the betterment that we've already brought to you for approval on the Argentine Levee to allow to have more capacity. This project wouldn't be possible without the huge grant that we received from the federal government of \$453M to create better flood protection for those areas.

The next one on this sheet is an emergency repair that the Commission has already approved and that's for the Turkey Creek Wingwall which is an outfall off of Turkey Creek into the Kansas River just below the continental main line for BNSF.



The next slide is two very exciting projects as far as municipal geeks are concerned. The first is replacement of our package plant out at the Wolcott area which is a major project that we'll actually start to see construction in this timeframe which is pretty exciting for our Water Pollution folks as well as those of us that want to see that package plant not fail before we get it out of there.

The last project on here is a really important one too because, you will remember, a few years ago we had to stop burning at our Kaw Point facility down in the bottoms for our sewer plant because of an EPA regulation change. This will actually allow us to stop landfilling which those costs have gone up expeditiously in the couple of years that we've had to landfill the remains of our solid waste process—or waste water processes and will allow us to then perhaps in the future sell off the renewable fuel to the market.



The second to the last slide I have here is on rate changes, increases, and non-rate changes. The first is Wastewater. Again, our continuing efforts to work on our partial consent decree will require a 5% adjustment in our wastewater rate that we're seeking your approval for 2020.

Our Stormwater rate, as you're all very aware, we've been through conversations on that and we will continue discussing how we address some of those inequities in our stormwater rate for residents and businesses and sort of what that looks like as we move into the year. This budget reflects the current \$4.50 fee that we charge every parcel.

Solid Waste, our contract allows for—does require a change to meet the CPI on a somewhat routine basis. Our last change or adjustment that we passed on was in 2015. The recommendation is for \$0.25 increase to maintain the funding for this important infrastructure that we provide to the community.

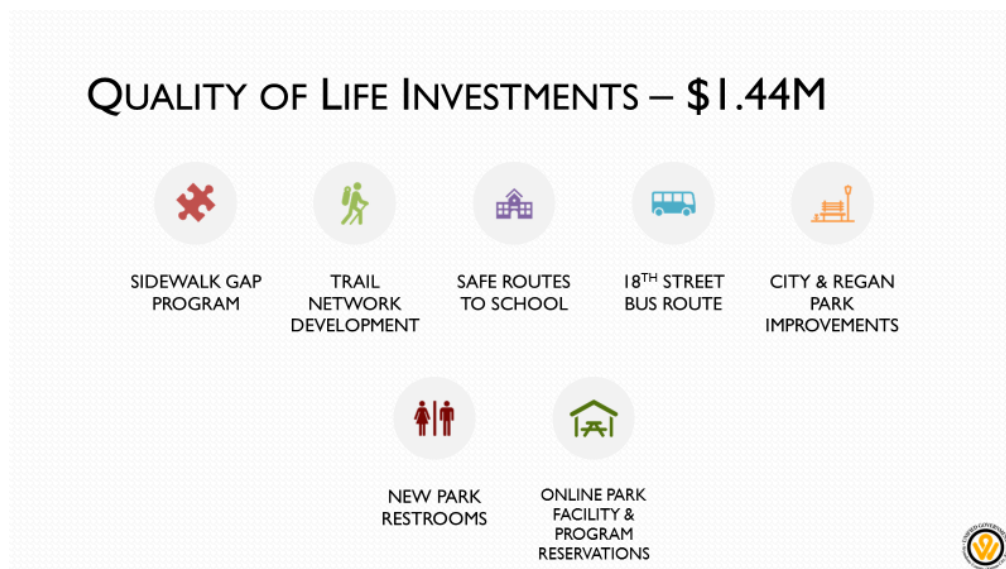
IMPROVING SAFETY & APPEARANCE OF NEIGHBORHOODS – \$1.4M

	Increase Capacity to Address Blighted Properties	2 nd Abatement Team & Equipment – 21 days
	Improving Appearance of UG Facilities and Grounds	Investing in Hardscape and Landscape Annex Parking Lot



The one I get really, really excited about, these are SOAR related items. The first on here is the addition of a second abatement team. Currently, you're aware, we have one abatement team that tries to cover all of our abatements or property blight in the community. That can be anything from mowing to junk and debris and other related hazards that might be on a property that need to be abated. This will get us, hopefully, down to around 21 days. I know the Commission has sought staff to try to get us to the 14-day turnaround which is when we're statutorily allowed to abate. This will get us closer. It won't get us there, but it's an improvement over where we're at today.

There's two items in the green part and the first part is the landscape and hardscape improvements. This is UG facilities and then around them things like sidewalks and landscape replacement. Our facilities are older and some of that landscaping doesn't look like it did when it was put in so we would like to work on that as part of our part of keeping up our facilities as the Commission suggested. The last recommendation we have is to expand the Annex parking lot out at 78th & State.



Alan Howze, Assistant County Administrator, said the next section here we will talk about some of the quality of life investments that are in this proposed budget and it's in keeping with the Commission's focus on neighborhoods and the fact how people experience their community and their government has directly impacted by the quality of life directly in their neighborhood. This budget poses some incremental modest investments to improve quality of life in several areas. Starting with the Sidewalk Gap Program, this is an effort to connect up sort of missing links in our sidewalk system for schools, parks, and neighborhoods to increase pedestrian access. This was an area that was highly ranked in the community survey.

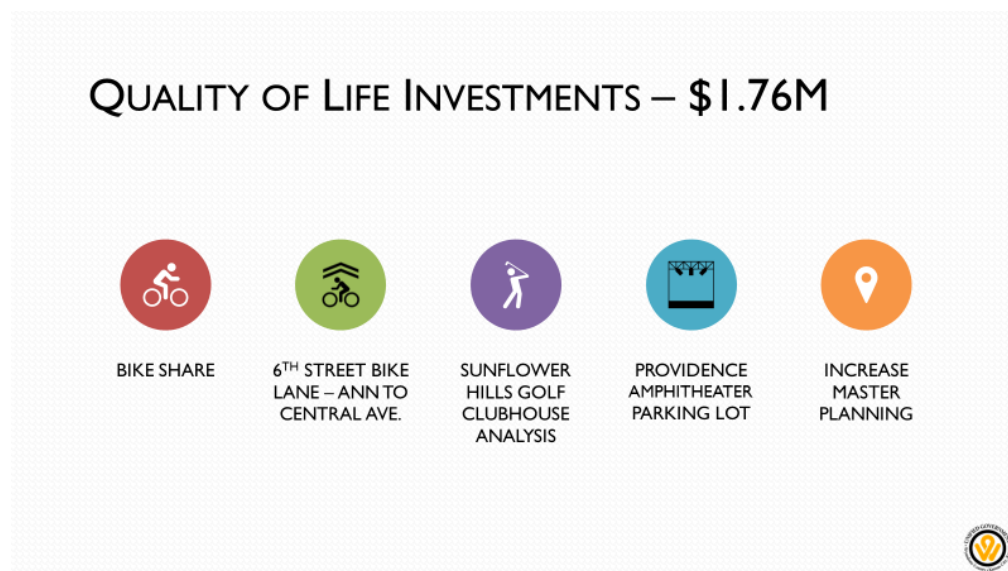
Related to that is the next one, the Trail Network Development. The proposed budget includes funding to continue the development of a trail network not only within our community but also to connect to surrounding communities and create more of an integrated network to provide transportation not only for recreational purposes but for people to get to and from employment opportunities.

The proposed budget includes additional funding for Safe Routes to Schools. As this Commission has been briefed on, we've made significant progress in Safe Routes to Schools over the last few years. This budget continues that investment and will connect up additional schools with pedestrian friendly access.

The 18th Street Bus Route, this is actually up and running right now. This is a federal grant that is administered by KCATA. This budget includes personnel to continue to support that. Those will be paid for by grants, but this is the first time they will show up in a budget.

It includes money for City and Regan Park Improvements. These are the CDBG dollars that are focused on City Park and are keeping with the NRSA and SOAR efforts in that area as well as creating City Park as a destination attraction for the entire community.

The proposed budget includes new park restrooms and this is one of those that seems minor but, in fact, has a significant impact on how people experience their parks and their quality of life particularly if you're a family with young children or active users of the parks. This is bringing new restrooms into those parks also with parks, looking to do an online Park Facility & Program Reservation System. That would allow people to self-serve themselves for signing up for facilities or reserve facilities to sign up for park programs both online as well as any of our community centers. They would be able to go to the B. Lee Center or the Argentine Rec Center and make those reservations and those sign-ups in those community centers which they can't do currently today. We think this is a significant improvement, not only to the operational efficiency, but also the customer service experience that we give to people.



Additionally, there are some quality of life investments focused around Bike Share. This is a Mid-America Regional Council Program of which we have a small grant share. This will set up Bike Share in the KU Med Campus area. Related to that we have the 6th Street Bike Lane projects and those, you may recall, who experienced the Better Block Project last year. This is kind of an extension to that concept of creating protected bike lane on 6th Street and it also ties in with the

development that we're seeing downtown and Central Avenue and creates a pedestrian bike friendly corridor in that area.

It includes Sunflower Hills Golf Course analysis to look at feasibility and utility of that facility for events so not just the golf course needs, but also for weddings, that sort of thing. There are other opportunities to generate revenue from that premier attraction in our community.

Likewise, Providence Amphitheater Parking Lot, attracts thousands and thousands of visitors to our community through the Amphitheater and other associated events. The parking lot needs to be resurfaced and we want to make sure that the quality of infrastructure in that location reflects the quality of the programming at the Amphitheater and/or commonwealth.

Lastly, the Increase in Master Planning, the Administrator spoke earlier about the Northeast Master Plan and the Central Area Plan. There is funding in this budget to begin to get into a regular cycle of doing master planning across the community in all the areas so that it's not a once every 20-year thing. It becomes more of a local living, breathing kind of document to help our community's plan.

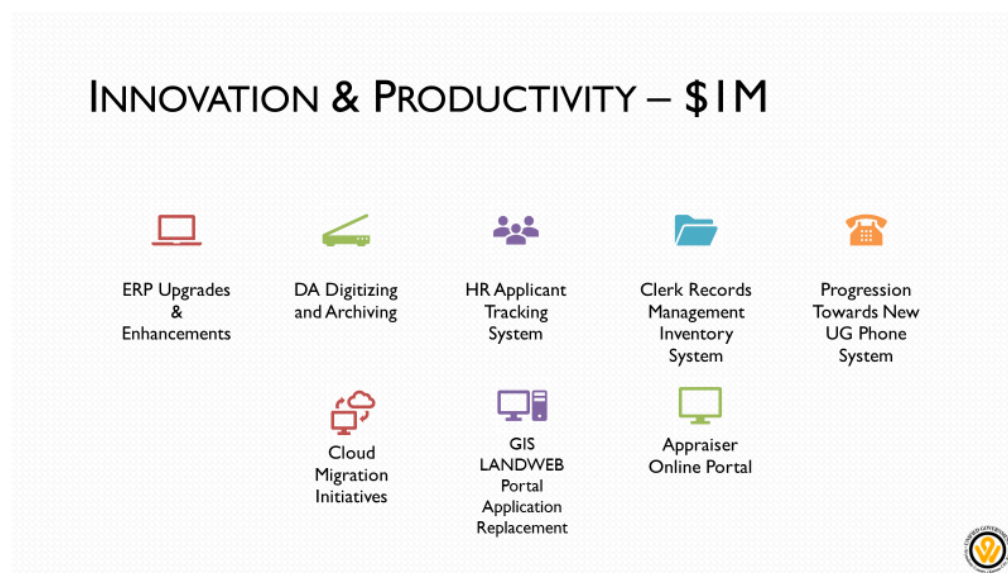
IMPROVING CUSTOMER SERVICE AND COMMUNICATION – \$450K

- ✦ Enhance Customer Service and Communications
 - ✦ Online Permitting and Payments
 - ✦ Online Plan Submission
 - ✦ Online Rental Housing Registrations
 - ✦ Online Occupational License Processing
 - ✦ Field Case Entry
 - ✦ 311 Closed Loop on Property Code Cases
 - ✦ Right of Way Management




The budget includes several investments in technology. One of these, and one of the most significant, is around our permitting and this a project that would touch with our NRC, our Planning, our Public Works. It would support the BPU and economic development and pulling together lots of different treads to allow for online permitting and payments, online plan submission for development plans and plan review by multiple parties, online rental housing

registrations, online occupational licensing processing, allow for remote field work by our NRC employees, our Code employees so they can enter stuff directly in and don't have to come back to the office and hand key stuff they have written down. It would allow us to get closer or to do the 311 closed loop on property code cases so that information on the status and resolution of those cases can then be communicated back directly to residents through 311. It supports the Public Works right-of-way management efforts to better manage our public right-of-way and public assets. It creates really a one-stop shop for permitting across all these areas.



Lastly, we have several Innovation & Productivity investments and these are a combination of investing in systems to support employee productivity as well as some core—some back office system upgrades like our ERP system which is our core financial system that all departments use. It supports the DA digitizing/archiving project to get records into a digital format.

One that the departments are particularly interested in is the HR Applicant Tracking System which will give us for the first time an online job portal for people to apply for jobs or departments to review and to hire applicants through that. It should speed the time to hire and significantly improve the overall hiring process.

The Clerk's Records Management Inventory System, this is coming out of the Clerk's Technology Fund and supports the efforts of the Clerk to manage and track all of the records they are responsible for, not only in City Hall, but in other facilities across the community.

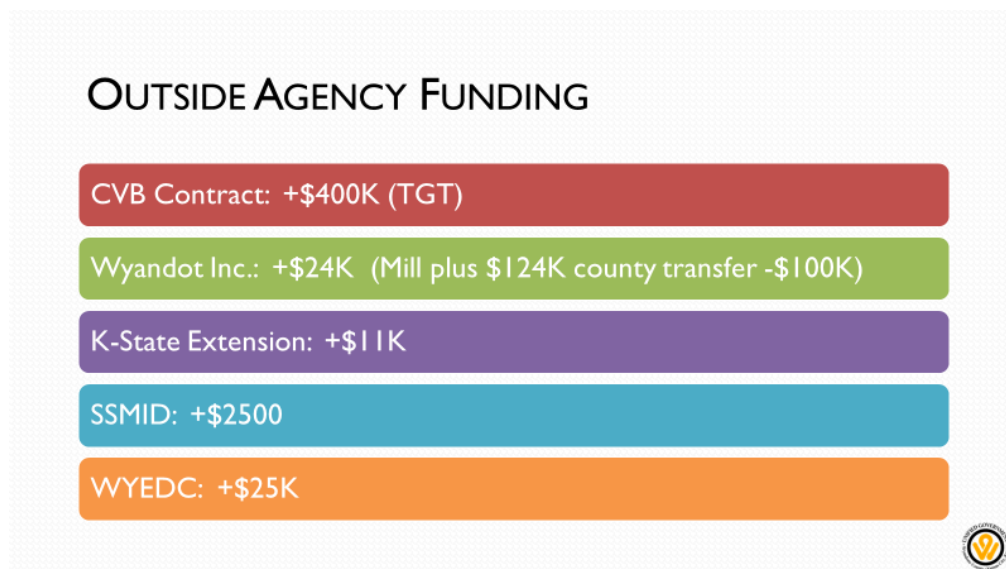
We have Progression towards the new UG Phone System as an outgrowth of the investment this Commission has made in fiber connectivity. We're moving away from the legacy phone system to a modern phone system. This should actually save us money significantly over time.

We are in the process of migrating some of our IT infrastructure to the Cloud. The purpose of this is to reduce our Capital expenditure so we have less to spend on maintaining a data center here in City Hall and it provides additional security and redundancy efforts for our technology for our departments who use these business critical systems.

The last two are GIS LANDWEB Portal. This is something that's used by lots of folks in our community including a lot of developers and architects and that sort of thing. It provides all kinds of different information about land records. It was developed in-house about 10 years ago. It is going to reach the end of its life and we're looking to replace that.

The Appraiser, likewise, is looking to expand the use of online portal tools to provide self-service. Instead of having to get open records requests as they currently do and then responding to those back to people in a manual process, it will allow self-service options for people to get the information from the Appraiser as well as to do things like submit their protest or to challenge their appraisals if they choose to do that for businesses and residents.

In total all these projects are aimed at improving the customer service and improving the efficiency of our operations.



Mr. Bach said Outside Agency Funding, that's a critical area for us as we look around at other areas we support. Our Convention & Visitor's Bureau is one of those. A couple years ago when our STAR Bonds came off line one big component of the STAR Bond funding was the Transient Guest Tax piece that went into that. When that came out the CVB asked us for additional funding. We gave them a modest increase and asked them to go back and look at what are the important areas over and above what I think they presented they presented to us at the time. Over the last year our members that were on their Board went through, they did some strategic planning, think about where that money is being invested. Really, when I say that, this is an investment to put money in places where it will return on our investments.

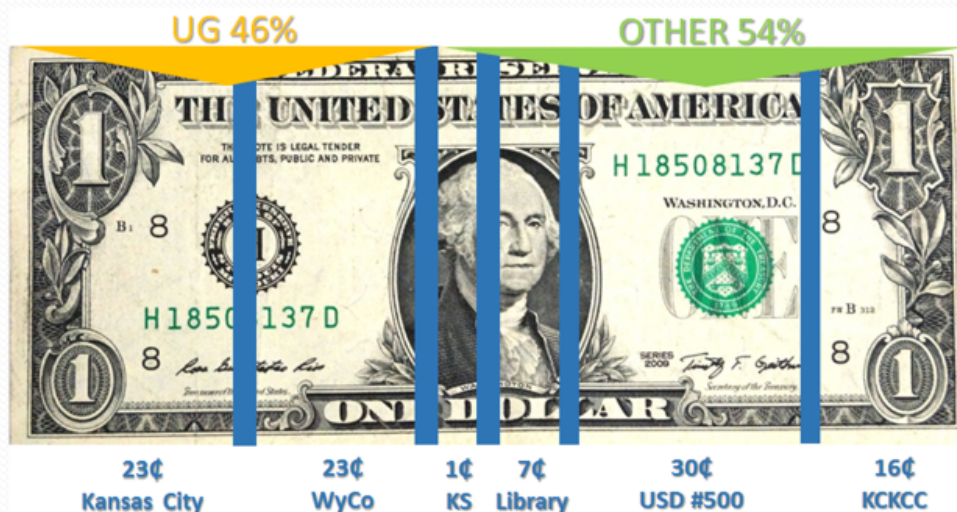
We're recommending in this budget to up their budget about \$400K. They are a little over \$1M now which is significant, but this adds to their operating for their online advertising what they do, but it also adds a component where they can actually go out and try to help buy-in events, tournaments, and such like that where we bring in out to our youth fields so it can then turn families that come in here and create thousands of room nights. This is an investment that in the end can bring back more money than we actually put into it in the creation of additional Transient Guest Tax dollars which are restricted and have to be spent on specific things like this. It can't go into our general operations.

Wyandot Inc. handles many of the people that have mental issues or crisis in our community. Really, every dollar we invest here probably saves us much more than that so we're

doing a modest increase with this group, but really, dollars spent there help keep individuals out of our prison system by the treatment they receive as they go in there.

We have some increase for our K-State Extension as well as our Downtown Shareholders group and we put some money into Wyandotte Economic Development which really is another investment to try to bring money back into our community, other investment back into community and we haven't given them any kind of increase for a couple of years.

HOW ONE OF YOUR 2020 TAX DOLLARS IS SPENT FOR HOUSEHOLD IN USD #500 (KANSAS CITY, KS SCHOOL DISTRICT)



As we look where we are from the tax dollar, the Unified Government is about \$0.46 on the dollar of what we expend. Our City and our County are evenly divided as to where we are in those expenses. As I look back on this budget, as we presented to you a couple of things that stand out for me, and that really comes to the fact that trying to balance a budget but we're looking at a negative year over year imbalance to where we're at. On the City side we're down a little bit. As Reggie pointed out we're about \$2.9M expending more than we're receiving this year, but that leaves us at 17% fund balance so that's a situation where we can take that and we can stay in that for a year or two but we need to try to keep that up. We've worked hard to get our fund balance up, we don't want to falloff that so it really puts us looking ahead for where we could be in that perspective.

On the County side we're about good from our expenditures to revenues so that's okay, but our fund balance is low so we have to continue to look at efficiencies there to build that up.



SUMMARY

- ✓ No mill rate increase
- ✓ Expenditures outpacing revenues
- ✓ 10% reduction in city contractual services and commodities budgets
- ✓ Utilizes fund balance
- ✓ Reduce future personnel costs through attrition
- ✓ Future expense reductions and efficiencies through Priority Based Budgeting
- ✓ Targeted spending to drive future revenue growth
- ✓ Investments in public safety, street maintenance, and quality of life



I will also say when we look at where those revenues are coming from, and I kind of bring that from a summary perspective, we have no mill rate increase built into this budget so that's critical as we go forward, but those expenditures are outpacing our revenues. I guess I will compare that over to our friends Lewis & Clark here up there in that corner and in the top picture. When we look at them today they've got their feet in the water down on the river. Well, much like our sales tax are down a little bit, we're hoping that will flow on down and we'll get our sales tax back up and we will be in a better position in the near future, but we can't count on that right now. So, we have to look to at where our efficiencies are that we can do things.

Within this budget I did go into our City operations and I cut 10% away from our contractual and commodities services in order to get us closer to where we can be from our balance production. That was about a \$2M operating hit that came back out of all those city departments.

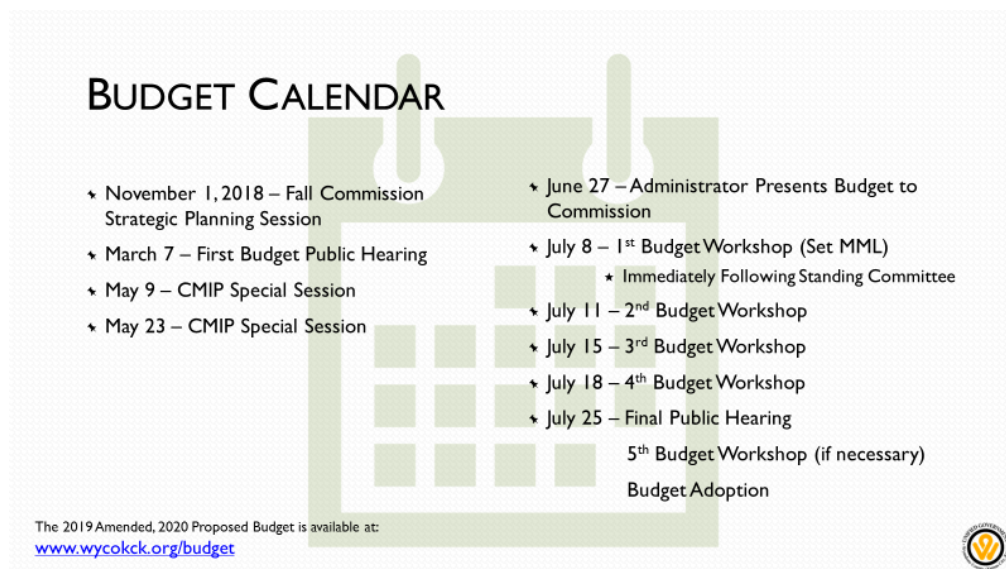
We're utilizing some of our fund balance. That's the \$2.9M. We're looking to reduce some of our future personnel costs through attrition. It's a difficult situation when I come to departments and say okay, you've had an employee leave our service, we're not going to fill them right now and that's where I look to efforts we will make with this governing body as we look forward to future reductions or efficiencies through our priority-based budgeting project. This is one where we started with you earlier in the year and we plan to move into it this fall where we

really get into the strategic cuts or efficiencies so we identify and say this is what we want to work with, where we want to make those changes.

I'll also note that as we look at the overall budget, and you saw the numbers that were presented to you, we have a \$394M budget. Our revenues are \$25M less than that so I talked about the General Funds overall. When we have a \$25M difference, you need to understand what's happening with that. The largest portion of that is very good, very intentional, it's work that we've all been after like in Water Pollution Control, that's an area we've gone to and said let's build up some of the revenues, spend cash toward projects. So, \$15M of that comes with that specific fund where we go out and about \$8M goes into cash funding projects in the coming year and then another 7 is stuff we went out and did temporary notes on and then we will pay those off before we take them into bonds. That's a very deliberate, intentional move to say let's one time expend cash, it's more efficient that way and going and attacking that.

Also, we have some Transient Guest Tax money where we built up that fund. We go after and we can pay for items that the Restricted Fund can pay for, you know, that's another \$1.5M so those are one-time expenditures that can go out and do that. The \$2.9M on the city side doesn't necessarily fall into that category and that's one we have to work on to say how can we change that trend so it's not negative over what it is positive from the year before.

This budget works hard to target the spending that drives future revenue growth and that's the theme we've been after. The Mayor has said that, that's a good point that we try to take in and try to think about. If we're going to invest money somewhere, we put it in streets or we put it in a specific park or area, what's the impact on the surrounding area around it and how does that help us raise up our overall revenue or close. It also keeps that investment toward Public Safety, Street Maintenance, and our Quality of Life.



With that I really come to my final. Here's our budget calendar. You all have spent a lot of time with this budget already. It's not like the first time though this is the document first coming together. We start planning on this it seems like as soon as we get out of a budget session and we go in and we do strategic planning in the fall. We talked about what our priorities are, what we're going to do, we have public hearings on March 7th to get input from the public as to where they think we should spend our money and we've been through a couple of Capital Equipment Project meetings as well to get input from everyone.

I will also note on the screen, for anyone watching, down in the lower left-hand corner, the budget is online now. I'm sure some of you have pulled it up from that standpoint and it's there. It's at www.wycokck.org/budget. You can go to our website at wycokck and get your way there, but that's a direct link to take you to it.

In closing, I would like to thank my Budget staff, all representatives from Finance, Debbie you as well, Budget that didn't speak today. This group works really hard to put it altogether. It's a small group. They're mighty, but they do a lot of work for us so I thank you very much. They will be there to help answer questions as we jump into the workshops and figure out what we need to do.

Mayor Alvey said we've got a lot to digest. Again, as we dig into this more deeply, take note of questions, things we need to pursue further. We've got multiple workshops to dive into this and to get through all the discussions. I think coming up with questions and sharpening those gives

staff an opportunity to give us a more comprehensive answer to some of the questions you may have. So, give them an opportunity to make sure they can answer your questions in public more thoroughly. I appreciate all your work.

MAYOR ALVEY ADJOURNED
THE MEETING AT 5:51 p.m.

dt

Bridgette D. Cobbins
Unified Government Clerk

June 27, 2019

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

SPECIAL SESSION, MONDAY, JULY 8, 2019

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Monday, July 8, 2019, with ten members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. Murguia, Commissioner Third District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Gordon Criswell, Alan Howze, Melissa Sieben, Emerick Cross, Assistant County Administrators; Kathleen VonAchen, Chief Financial Officer; Debbie Jonscher, Deputy Chief Financial Officer; Reginald Lindsey, Budget Manager; Budget Staff; Maureen Mahoney, Chief of Staff in Mayor's Office; Officer Doleshal, Sergeant-at-Arms.

MAYOR ALVEY called the meeting to order.

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

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Monday, July 8, 2019, immediately following the NCD/EDF Standing Committee meetings in the 5th floor conference room of the Municipal Office Building, for a Budget Workshop and setting the maximum mill levy. (Meeting started at 8:31 p.m.)

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 as the Clerk stated this evening is the first of several budget workshops, but given the long meeting prior, we will amend the meeting a little bit. We will move to set the maximum mill levy, but I will turn it over to Administrator Bach to describe what we will do prior to that.

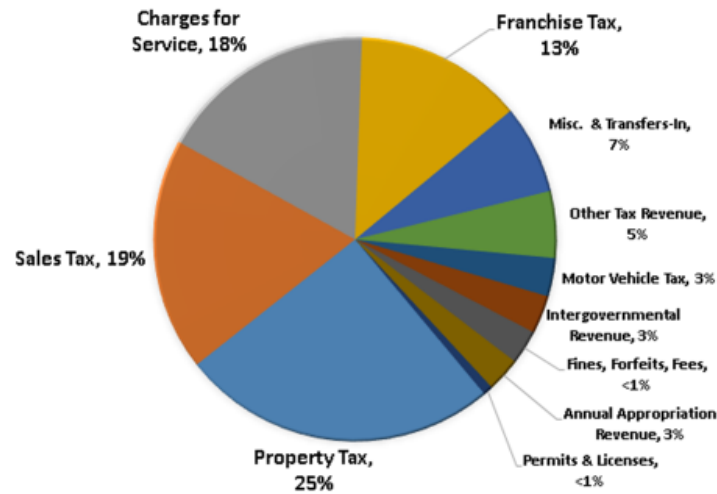
Doug Bach, County Administrator, said as you all noted by the information we sent out, we had planned to do a walkthrough of the budget, just an overview. As the Mayor said, I think it will work, we will just go directly to a few of the revenue slides to position us to where we're at. We will jump around a little bit from what we have in the book tonight and move back to the section where we get to really the heart and sole of the discussion or the action that needed to happen for our schedule. That's on the maximum mill levy and talk about that a little bit and allow you to have some discussions on that and spend more of your time on that.

Kathleen VonAchen, Chief Financial Officer, said on Thursday we will have our Budget Director, Reginald Lindsey, overview the entire budget document which I have here in front of me. It's about 700 pages, lots of great information, but we're going to kind of give you kind of an overview of each of those sections so the public and all of you know where to go to if you want to learn more information.

As we mentioned, we had planned to talk more about sales tax projections, other revenue sources and how that's estimated, but in the interest of time due to the long prior ED&F Committee meeting, we're just going to go straight to a conversation on our property tax. The property tax is the largest revenue source, our top revenue source in our General Fund, so we're going to skip over to that section.

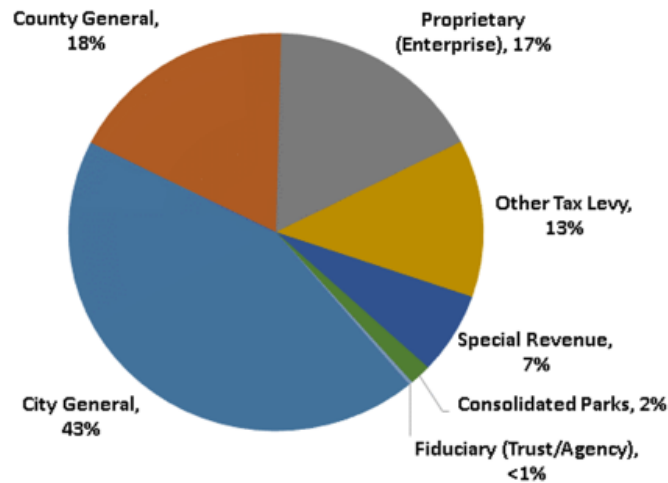
We're going to give you an overview of three of the revenue slides. These are pie charts that we had previously shown you during the budget presentation. This kind of recaps to refresh your memory.

UNIFIED GOVT 2020 REVENUE ESTIMATE - \$368.9M



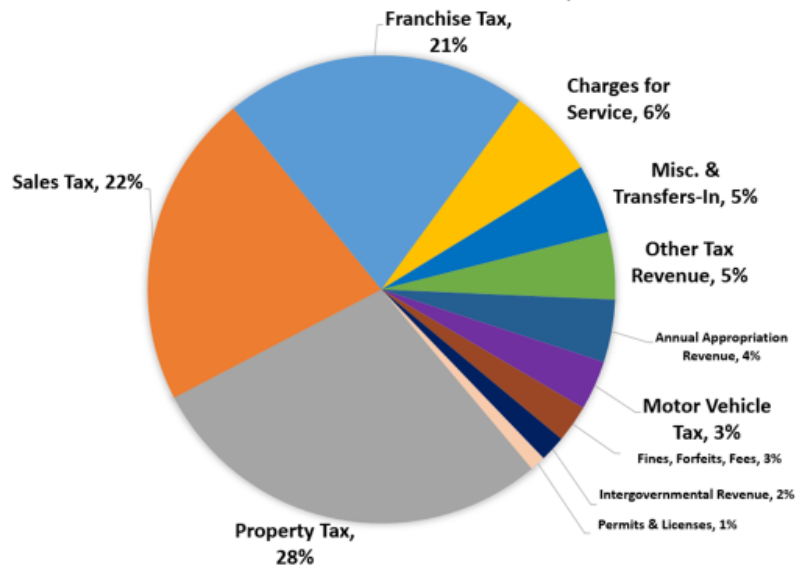
The total revenues of the entire UG, not just the General Fund, but all the UG revenues is \$369M and of those, 25% of them are property tax, 19% are sales tax. Charges for Services amount to 18%. Charges for Services are basically those services in which we provide a service and then we receive a charge or a fee in exchange for that service. The greatest proportions are sewer revenues, trash collection fees and storm water fees. Then we also have Franchise Taxes, not only what many would call the PILOT, BPU PILOT which is the electric and the water services that are provided. The BPU pays us a franchise fee based on the total gross revenues that they collect. There's also revenues from cable, from television, from gas, a variety of other services and utilities. Then, we have a whole slew categories here. All of those add up to \$368.9M.

UG 2020 REVENUES BY FUND CATEGORY - \$368.9M



The General Fund—that same amount is broken up by fund. The City General Fund comprises of 43% of these total revenues. The County General Fund 18%, Proprietary or Enterprise Funds make up 17% and all the other Tax Levy Funds make up 13%.

COMBINED GENERAL FUND 2020 REVENUE - \$233.1M



Because of the size of the General Fund we often focus a lot of our attention on the General Fund and so the total revenues for the General Fund amount to \$233M. Of that, 28% of them are from Property Tax, 22% from Sales, and 21% from Franchise Fees. Also, 3% of them are from Motor Vehicle Taxes and various transfers in and out from various other funds. The UG has roughly 29 or 30 funds. This Consolidated General Fund pie chart is only talking about three funds. That's the City General Fund, the County General Fund and the Parks General Fund.

As I mentioned before, the largest is Property Tax, so we're going to focus our attention and discussion on the Property Tax. From this point forward, I'm going to pass this on to our Deputy Chief Financial Officer, Debbie Jonscher. Discussion of the other revenues will take place at the future meeting probably on Thursday.

Certified Property Valuation released by the UG Clerk June 15, 2019

		2018 AV (final) for 2019 Amended Budget	2019 AV Est. for 2020 Budget	Variance	% Change	% of Total
		Per 10/2018 Rpt	Per 6/2019 Valuation Rpt			
Wyandotte County						
RE	(Existing)	1,133,946,197	1,208,187,488	74,241,291	6.55%	88%
RE	(New Impr/Remodel)	19,691,033	18,075,410	(1,615,623)	-8.20%	1%
	Utilities	90,353,466	98,703,991	8,350,525	9.24%	7%
Subtotal Real Estate Ad Valorem		1,243,990,696	1,324,966,889	80,976,193	6.51%	96%
PP	excludes motor vehicle	55,524,816	52,422,371	(3,102,445)	-5.59%	4%
Total County Assessed Value		1,299,515,512	1,377,389,260	77,873,748	5.99%	100%
Percentage Change from Prior Year		7.5%	6.0%			

Debbie Jonscher, Deputy Chief Financial Officer, said as Kathleen said we're going to talk about the Property Tax, the assessed valuation as well as the property tax revenue estimates that we've included for the budget.

This first slide shows the property valuation for Wyandotte County. Showing up there in the first column we have the 2018 Assessed Value, the final that was certified by the Clerk in October 2018 that we're using for the 2019 Amended Budget. Included in the valuation is existing real estate as well as new improvements, utilities, personal property, except it excludes motor

vehicle. For 2018 the total assessed value for the County was \$1,299,000,000. This was a 7.5% increase from the prior year for the assessed value that was certified in 2017.

The second column up there has the 2019 estimate that the Clerk certified on June 15, 2019. This shows the assessed value estimate that we're using for the 2020 budget. The total County assessed value for 2019 is \$1,377,000,000. This is a 6% increase over the 2018 valuation.

PROPERTY TAX REVENUE CALCULATION (2019 AMENDED BUDGET)

Fund	2019 Mill Levy (Budget Yr)	2018 Est. Total Assessed Value for 2019 Amended Budget	2019 Property Tax Revenue (before deductions) ^A	Delinquency Rate Deduction Estimate ^B	2019 Property Tax Revenue (after Delinquency deductions)	Hollywood Casino Tax Appeal/Refund ^C	2019 Property Tax Revenue (after all deductions)
County-General Fund	31.187	\$ 1,299,515,512	\$ 40,528,123	\$ (2,290,322)	\$ 38,237,801	\$ (347,041)	\$ 37,890,760
County-Bond & Interest Fund	2.202	\$ 1,299,515,512	\$ 2,861,746	\$ (161,723)	\$ 2,700,024	\$ (24,505)	\$ 2,675,518
County-Parks General Fund	1.391	\$ 1,299,515,512	\$ 1,807,692	\$ (102,156)	\$ 1,705,536	\$ (15,479)	\$ 1,690,057
Other Tax Levy Funds (County)	4.230	\$ 1,299,515,512	\$ 5,497,529	\$ (310,676)	\$ 5,186,853	\$ (47,075)	\$ 5,139,778
City General Fund	21.242	\$ 1,161,886,862	\$ 24,681,090	\$ (1,392,991)	\$ 23,288,099	\$ (242,654)	\$ 23,045,445
City Bond & Interest Fund	16.896	\$ 1,161,886,862	\$ 19,630,788	\$ (1,107,954)	\$ 18,522,835	\$ (193,002)	\$ 18,329,833
Totals	77.149		\$ 95,006,969	\$ (5,365,821)	\$ 89,641,148	\$ (869,757)	\$ 88,771,391

A. (Mill levy rate divided by 1000) multiplied by total assessed value; 2018 AV growth for the 2020 Proposed Budget estimated at City – 5.6% and County – 6.0%.

B. Includes delinquency non-collection estimate of 5.7% for the City and County.

C. Refund of taxes to #1 taxpayer in UG – Hollywood Casino; reduced AV as a result of expected tax appeal loss that will take effect in 2020 Budget Year.

This next slide just shows the Property Tax Revenue Calculations and how we get to our estimates that we include in the budget. This first slide is the 2019 Amended. You can see over on the side here we have all of the Tax Levy Funds for both the City and the County listed with their mill levy and their assessed value that was finalized in 2018. For the County, as I said, it was \$1,299,000,000 and then for the City funds it was \$1,161,000,000.

The next column shows the Property Tax Revenue that we would estimate before any deductions based on the assessed value and the mill levy that is set. So, for all of the Tax Levy funds we would expect to receive around \$95M for all Tax Levy funds and that would be before any deductions. We included delinquency this year for both the City and the County. We've included a 5.7% delinquency as well as other appeals and refunds that could be pending if we know about, so we subtract those out. Our 2019 estimate after all deductions is \$88.7M for all Tax Levy funds.

Mayor Alvey said that says at the top 2019. Is that a mistake that should be 2020? **Ms. Jonscher** said no, this is the 2019 Amended. Our next slide is going to be for the 2020 Budget. This is the 2018 value that was certified last November that we're using for the 2019 Amended Budget.

Ms. VonAchen said I just wanted to add two little points here. When we set the mill rate, of course, last year it was based on the certified value that came in in June. Now, this shows the slightly revised number that came in in October and then also the other change is that I adjusted the delinquency rate because before I think it was around 6.5% and now we've dropped it down to 5.7. The actual property tax revenue for the current year that we're estimating will be slightly improved than what was in the original budget.

PROPERTY TAX REVENUE CALCULATION (2020 PROPOSED BUDGET)

Fund		2019 Est. Total Assessed Value for 2020 Proposed Budget	2020 Property Tax Revenue (before deductions) ^A	Delinquency Rate Deduction Estimate ^B	2020 Property Tax Revenue (after Delinquency deductions)	Hollywood Casino Tax Appeal/Refund ^C	2020 Property Tax Revenue (after all deductions)
County-General Fund	31.187	\$ 1,377,389,260	\$ 42,956,779	\$ (2,428,755)	\$ 40,528,024	\$ (347,041)	\$ 40,180,983
County-Bond & Interest Fund	2.202	\$ 1,377,389,260	\$ 3,033,237	\$ (171,498)	\$ 2,861,739	\$ (24,505)	\$ 2,837,234
County-Parks General Fund	1.391	\$ 1,377,389,260	\$ 1,916,019	\$ (108,331)	\$ 1,807,688	\$ (15,479)	\$ 1,792,209
Other Tax Levy Funds (County)	4.230	\$ 1,377,389,260	\$ 5,826,970	\$ (329,454)	\$ 5,497,516	\$ (47,075)	\$ 5,450,440
City General Fund	21.242	\$ 1,227,237,384	\$ 26,069,282	\$ (1,472,118)	\$ 24,597,164	\$ (242,654)	\$ 24,354,510
City Bond & Interest Fund	16.896	\$ 1,227,237,384	\$ 20,734,925	\$ (1,170,890)	\$ 19,564,036	\$ (193,002)	\$ 19,371,034
Totals	77.149		\$ 100,537,212	\$ (5,681,045)	\$ 94,856,167	\$ (869,757)	\$ 93,986,410

A. (Mill levy rate divided by 1000) multiplied by total assessed value; 2018 AV growth for the 2020 Proposed Budget estimated at City – 5.6% and County – 6.0%.

B. Includes delinquency non-collection estimate of 5.7% for the City and County.

C. No mill levy adjustment in the 2020 Proposed budget

D. Refund of taxes to #1 taxpayer in UG – Hollywood Casino; reduced AV as a result of expected tax appeal loss that will take effect in 2020 Budget Year.

Ms. Jonscher said this next slide is what we're using for the 2020 Proposed Budget. Once again, we've got all of the Tax Levy funds with the mill rate that we're using for the 2020 Budget. We've updated the 2019 Estimated Assessed Value that the Clerk just certified in November. For the County funds it's \$1,377,000,000 and for the City funds it's \$1,227,000,000. Property Tax Revenue estimates before any deductions we would expect to collect around \$100M in property tax revenue. Then, we have the deductions—or the delinquency rate that, once again, we've

estimated at 5.7% minus any appeals and so for 2020 revenue collected we're estimating that within all the Tax Levy funds we would collect \$93.9M in property tax revenue.

VARIANCE BETWEEN 2020 PROPOSED BUDGET AND AMENDED 2019 BUDGET

Fund	Mill Levy Variance	Assessed Value Variance	Property Tax Revenue Variance (before deductions)	Delinquency Rate Reduction Estimate Variance	Property Tax Revenue (after Delinquency deductions)	Hollywood Casino Tax Appeal 2015 Refund	Property Tax Revenue Variance (after all deductions)
County-General Fund	0.000	\$ 77,873,748	\$ 2,428,657	\$ (138,433)	\$ 2,290,223	\$ -	\$ 2,290,223
County-Bond & Interest Fund	0.000	\$ 77,873,748	\$ 171,491	\$ (9,775)	\$ 161,716	\$ -	\$ 161,716
County-Parks General Fund	0.000	\$ 77,873,748	\$ 108,326	\$ (6,175)	\$ 102,152	\$ -	\$ 102,152
Other Tax Levy Funds (County)	0.000	\$ 77,873,748	\$ 329,441	\$ (18,778)	\$ 310,662	\$ 0	\$ 310,662
City General Fund	0.000	\$ 65,350,522	\$ 1,388,192	\$ (79,127)	\$ 1,309,065	\$ -	\$ 1,309,065
City Bond & Interest Fund	0.000	\$ 65,350,522	\$ 1,104,137	\$ (62,936)	\$ 1,041,201	\$ -	\$ 1,041,201
Totals	0.000		\$ 5,530,243	\$ (315,224)	\$ 5,215,019	\$ 0	\$ 5,215,019

This slide just shows the variance between those two. So, between—you know as we were saying \$88.7M in property tax revenues for 2019 and then \$93.9 in 2020 so our variance is \$5.2M between the 2019 Amended and 2020 Budget. We expect to collect \$5.2M more in 2020 than we did in 2019.

MAXIMUM MILL LEVY



Now we will move onto the slides for the Maximum Mill Levy.

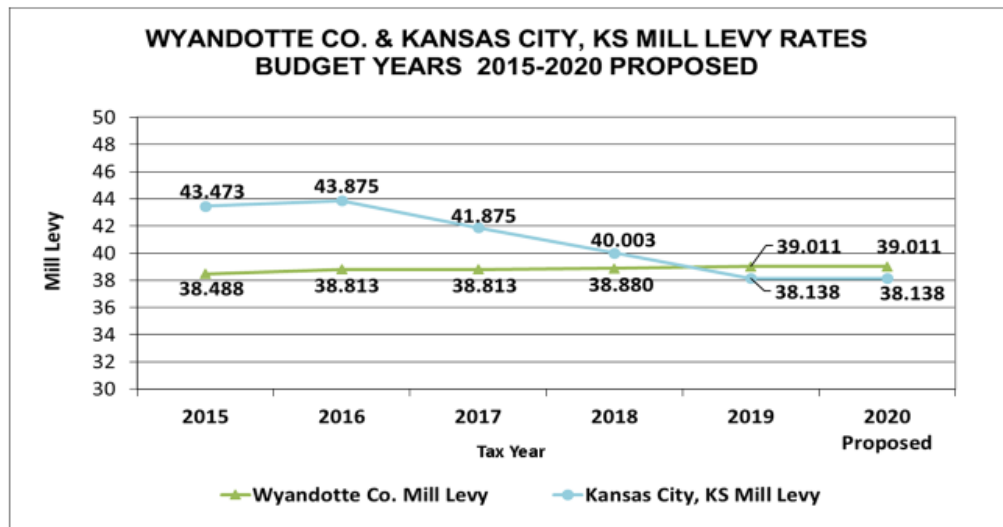
PROPERTY TAX REVENUE MILL LEVY KEY FACTS

	2020 Proposed Budget Document Reference	2019 Amended Budget	2020 Proposed Budget
CITY GENERAL FUND			
Total City General Fund Revenue	<i>Pg. 93</i>	\$ 158,090,971	\$ 160,619,391
Ad Valorem Property Tax Revenue ^(a)	<i>Pg. 91</i>	\$ 23,045,445	\$ 24,354,510
Percentage of Total Budget		14.6%	15.2%
City General Fund Mill Rate	<i>Pg. 42</i>	21.242	21.242
City General Fund Revenue per Mill		\$ 1,084,887	\$ 1,146,513
	2020 Proposed Budget Document Reference	2019 Amended Budget	2020 Proposed Budget
COUNTY GENERAL FUND			
Total County General Fund Revenue	<i>Pg. 95</i>	\$ 64,449,511	\$ 66,277,968
Ad Valorem Property Tax Revenue ^(a)	<i>Pg. 94</i>	\$ 37,890,760	\$ 40,180,983
Percentage of Total Budget		58.8%	60.6%
County General Fund Mill Rate	<i>Pg. 43</i>	31.187	31.187
County General Fund Revenue per Mill		\$ 1,214,950	\$ 1,288,385

^(a) Includes delinquency rate of 5.7% for City and County. Based on 2018 collection levels.

This sheet here we're just going to concentrate on the two largest tax levy funds, City General Fund and the County General Fund to just give some information about them. I'll concentrate on the 2020 Proposed Budget. For the City General Fund in total revenues total \$160.6M. Property Tax Revenues are \$24.3M or 15% of the total budget for the City General Fund. The mill rate is 21.242 which we've held constant with the 2019 Amended Budget and the amount per mill for the City General Fund is \$1.14M.

On the County General Fund total revenues are \$66.2M, of that property tax revenue accounts for \$40.1M or 60.6% of the total budget which shows how reliant the County fund is on property tax revenue. With a mill rate of 31.187 the General Fund generates \$1.288M per mill.



This is a graph of the Mill Levy Rates since 2015. The green represents Wyandotte County and it stayed fairly constant from 2015 to 2019 at 39.011 and we're proposing the same rate for 2020. The blue line is Kansas City, KS Mill Levy and you can see the drop here at 43.8 mills in 2016. In 2017, 2018 and 2019 we dropped the Levy 2-mills in each year bringing us to a rate in 2019 of 38.138 mills.

2020 Tax Rate (Maximum Mill Levy)

	2019 Mill Levy	Adminstrator's 2020 Proposed Mill Levy	Recommendation for Adoption 2020 Maximum Mill Levy
Kansas City, Kansas	38.138	38.138	38.138
Wyandotte County	39.011	39.011	39.011
Self-Supporting Municipal Improvement District	11.023	11.023	11.023
Wyandotte County Library	6.068	6.068	6.068

Motions to set the Maximum Mill Levy:

1. Motion to set the Maximum mill levy for the City of Kansas City, Kansas at: 38.138 mills
2. Motion to set the Maximum mill levy for Wyandotte County at: 39.011 mills
3. Motion to set the Maximum mill levy for the Self-Supporting Municipal Improvement District at: 11.023 mills
4. Motion to set the Maximum mill levy for the Wyandotte County Library at: 6.068 mills

2020 Proposed Budget Document/Financial Overview/Pages 42-45

These are the actions that you will set tonight. We will need to set the Maximum Mill Levy for the four entities listed above. The City of Kansas City, Kansas which has a mill levy of 38.138 mills, Wyandotte County at 39.011, the Self-Supporting Municipal Improvement District at 11.023 mills, and the Wyandotte County Library at 6.068 mills. We've shown the 2019 Mill Levy here, what's proposed in the 2020 Budget and the recommendation, if unchanged, for the Maximum Mill Levy.

Commissioner Markley said I'm just noticing that on some of the slides it says 38.137 and on some of the slides it says 38.138. Is that an error? If you go back a couple of slides, somewhere it said 38.137. **Ms. VonAchen** said it's probably just rounding. **Ms. Jonscher** said oh, this one is the County. **Commissioner Markley** said no, it was the County General Fund. It's a different slide. I mean it's fine. I just want to make sure were setting it at what we think we're setting it at. **Ms. VonAchen** said it's just rounding up. **Ms. Jonscher** said it could be rounding. This one here totals both City and County and so, these four here would total—**Ms. VonAchen** said oh yeah, the Parks—Parks is actually part of the County General Fund mill rate. **Ms. Jonscher** said these top four would be the County Levy totaling 39.011 and this would be the City Levy at 38.138. **Commissioner Markley** said just making sure.

Commissioner Bynum said go forward to the Maximum Mill Levy slide. Chief Counsel Moore, I really hate to do this to you again this year. The Wyandotte County Library Mill, is that the Piper, Edwardsville, Turner mill? **Ms. VonAchen** said yes. **Ken Moore, Chief Legal Counsel**, said correct. **Commissioner Bynum** said we will set that or our Library Board appointments will set it? **Mr. Moore** said they establish it, but you're the one that actually formalizes it. **Commissioner Bynum** said so that is not the mill levy for the KCK Libraries. **Mr. Moore** said no. **Commissioner Bynum** said that will come to us later. **Mr. Moore** said that's the mill levy that's referred as a PET (Piper, Edwardsville, Turner) District.

Commissioner Bynum said I'm asking for clarification because the 6.068 Wyandotte County Library mill levy, we will not actually set or we will? **Mr. Bach** said you will. This will be the number you will approve when you approve the total mill levy. You do not set that which comes within KCK 500. That is set by that elected board because it is under the school. **Commissioner Bynum** said but this mill levy for Wyandotte County outside of the KCK School District is in our control? **Ms. VonAchen** said yes. **Commissioner Bynum** said to raise or lower? **Commissioner Markley** said they recommend we approve. **Mr. Moore** said there is not a lot of latitude in actually setting this under the state statutes. **Commissioner Bynum** said I'm asking it for purposes of clarification with our community and transparency, but ultimately, we're going to approve it but we did not set it. **Mr. Bach** said it is set by that Board that takes the action to put that in position. As the County this is really your action to adopt it as part of the overall mill levy because we are the collector of all taxes for those other jurisdictions. It's still a little different even though the school can set theirs, we have to take this action on it.

Commissioner Bynum said that's just the second part of comment. If I live in KCK School District, which I do, this will not be the mill levy I pay at all for the library. **Mr. Bach** said that is correct. **Commissioner Bynum** said it will be an entirely—**Mr. Bach** said there is a different number that they have. **Commissioner Bynum** said we have no control on that mill levy. They will set it and adopt it. **Mr. Bach** said yes. **Ms. VonAchen** said the current year mill rate for the KCK USD 500 School is 11.086.

Ms. Jonscher said if there are no other questions, we've listed out the motions here to set the Maximum Mill Levy.

Commissioner Walters said I have a comment. I know we are setting Maximum Mill Levies and we're not bound to this. It just seems philosophically if our property tax revenue is going up 5.5 or 6% and our overall—I hope we will have some latitude of cutting that mill levy because I'm hoping that we're not going to increase over overall budget expenditures by 5.5 or 6%. I'm hoping we can look at and have a discussion about that.

Secondly, I would really like to make sure that we talk about trying to cut the interest payment mill levy portion.

Mr. Bach said I think that's a good point and it's part of what we didn't do tonight, talk about all those other revenues sources which I know you've seen some of those, but if you just tuned in from the public tonight, you wouldn't see all the other revenue sources that are not doing as well as where the property tax value did so they're down. Our overall expenditures are up about 2.5%, I believe, as proposed in this budget and he is right too.

Just to clarify that point again, this is how I built the budget that I proposed to you to keep the mill rate constant. You can adopt it at that rate tonight to publish it, you can't raise it above that level unless we go through a whole new publication process, but you can always lower it and you can set the mill rate at a lower number later on if you would like to do so. This is the max.

Commissioner Burroughs said you had graphs earlier showing the County and City mill—so you could see where the mills were and how they intersected and where they are today. Is there a chance that we could get a property tax valuation graph that shows the increase in property values, not just the number, and show how it might intersect somewhere across that graph so we can see the climb, see how rapid it's going up? I think a visual is a lot easier to digest than just the numbers. **Ms. VonAchen** said yes, of course, we can do that. In fact, that graph can be found on page 178 in the CAFR and it needs to be published. **Commissioner Burroughs** asked you already have it—oh in the CAFR Report. **Ms. VonAchen** said the CAFR is online. **Commissioner Burroughs** said I'll find it.

Action: **Commissioner McKiernan** made a motion, seconded by **Commissioner Markley**, to set the Maximum Mill Rate for the City of Kansas City, Kansas at 38.138. Roll call

was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Johnson, to set the Maximum Mill Rate for the County of Wyandotte at 39.011. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to set the Maximum Mill Rate for the Self-Supporting Municipal Improvement District at 11.023. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Markley, to set the Maximum Mill Rate for the Wyandotte County Library at 6.068. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Johnson, Kane, Markley.

FUTURE WORKSHOP TOPICS

- ⇒ Long Range Financial Plan
 - ⇒ Debt
 - ⇒ Water Pollution Control Funds/Projects
 - ⇒ Investment in Building Security
 - ⇒ Police Body Camera Project
 - ⇒ Review/Update of Project Budget



Mayor Alvey said we have several budget workshops planned. We're pretty busy this month. On Thursday we will be going back over the overview of the budget and then there are specific topics that will be addressed in some of the workshops: Debt, Water Pollution Control Funds and Projects, Investment in Building Security, the Police Body Camera Project, and, of course, Review/Update of Project Budget. Again, if you have any questions that you would like to be addressed, please send them on to me and to Mr. Bach so we can make sure we're prepared for that.

**MAYOR ALVEY ADJOURNED
THE MEETING AT 8:55 p.m.**

dt

Bridgette D. Cobbins
Unified Government Clerk

July 8, 2019

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

SPECIAL SESSION, THURSDAY, JULY 11, 2019

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, July 11, 2019, with ten members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District (arrived at 5:04 p.m.); Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. Murguia, Commissioner Third District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Gordon Criswell, Alan Howze, Melissa Sieben, Emerick Cross, Assistant County Administrators; Kathleen VonAchen, Chief Financial Officer; Debbie Jonscher, Deputy Chief Financial Officer; Reginald Lindsey, Budget Manager; Mike Peterson; Assistant Budget Manager; Matt Zayas, Management Analyst in Budget Department; Maureen Mahoney, Chief of Staff in Mayor's Office; Officer Doleshal, Sergeant-at-Arms.

MAYOR ALVEY called the meeting to order.

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

NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, July 11, 2019, at 5:00 p.m. in the 5th floor conference room of the Municipal Office Building for a Budget Workshop.

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 as the Clerk stated our meeting this evening is the second of several budget workshops. We do have two others scheduled; however, we believe that we may be able to progress through our discussions and perhaps not need to meet next Thursday, the 18th, assuming, again, that we make the progress we would like to make tonight and next week. If we can, we will work through all the topics scheduled for tonight during the 5:00 p.m. session, during the Special Session; however, if there is more discussion that needs to continue we anticipate a very short regular Commission agenda at 7:00 p.m. After that we could adjourn from that meeting and come back and complete the discussion afterwards.

AGENDA

- ⇒ Overview of Budget Document
 - ⇒ Changes to Project CMIP
- ⇒ Revenue Review
 - ⇒ Sales Tax Projections
 - ⇒ Fund Balance
- ⇒ Long Range Financial Plan
- ⇒ Debt
- ⇒ Future Workshop Dates

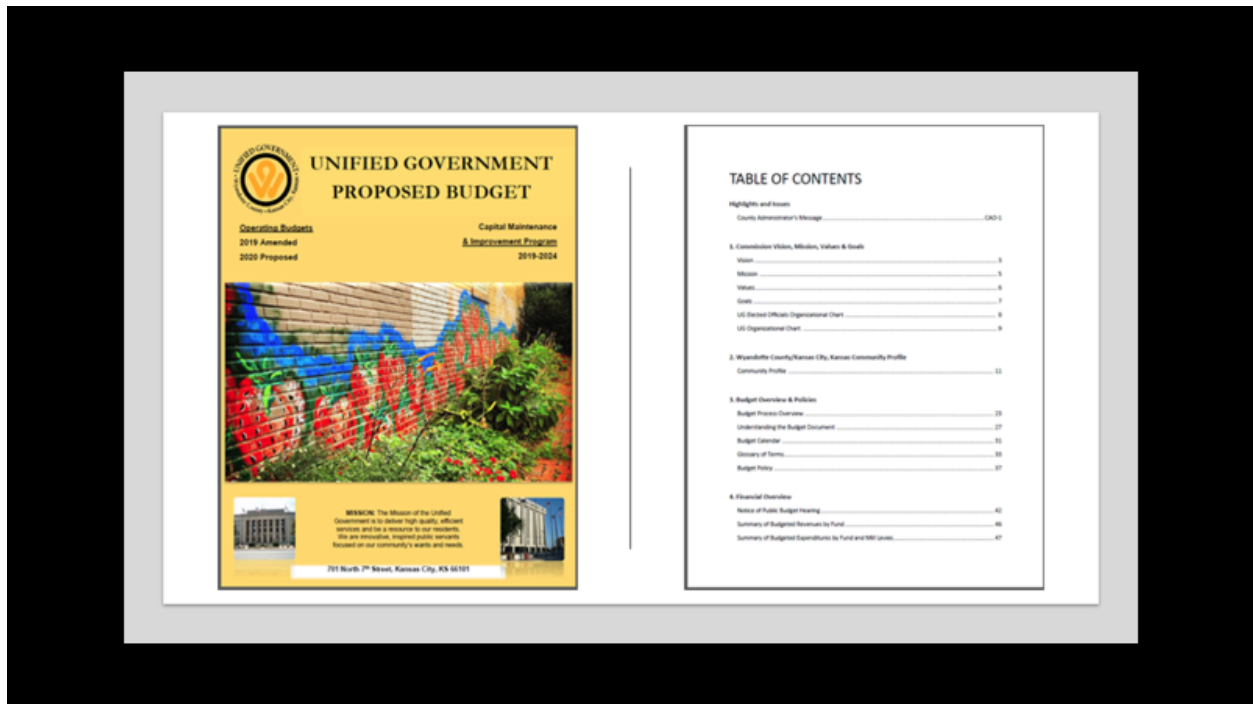


Doug Bach, County Administrator, said tonight's agenda is really one that is set out first that we're going to do an overview of the budget so that's the difference of the documents to kind of run through each section of it. We're going to do a review or changes that came from our CMIP project list from May. You will note when we go through that section most of the changes in that are either those that are the cause of, we moved the funds around or move it between funds for changing budgets or some of them, as I told you, I had gone back to staff, particularly that in the City fund and had them do some reductions. In some cases, the deductions were directed right toward Services and Commodities, but in some cases the department elected to make the cut off of their Capital piece and leave their Services and Commodities like they had originally budgeted. That's where you will see some of those cuts come back over and show up on the project list as we were balancing things before we came forward with the proposed budget at the end of June.

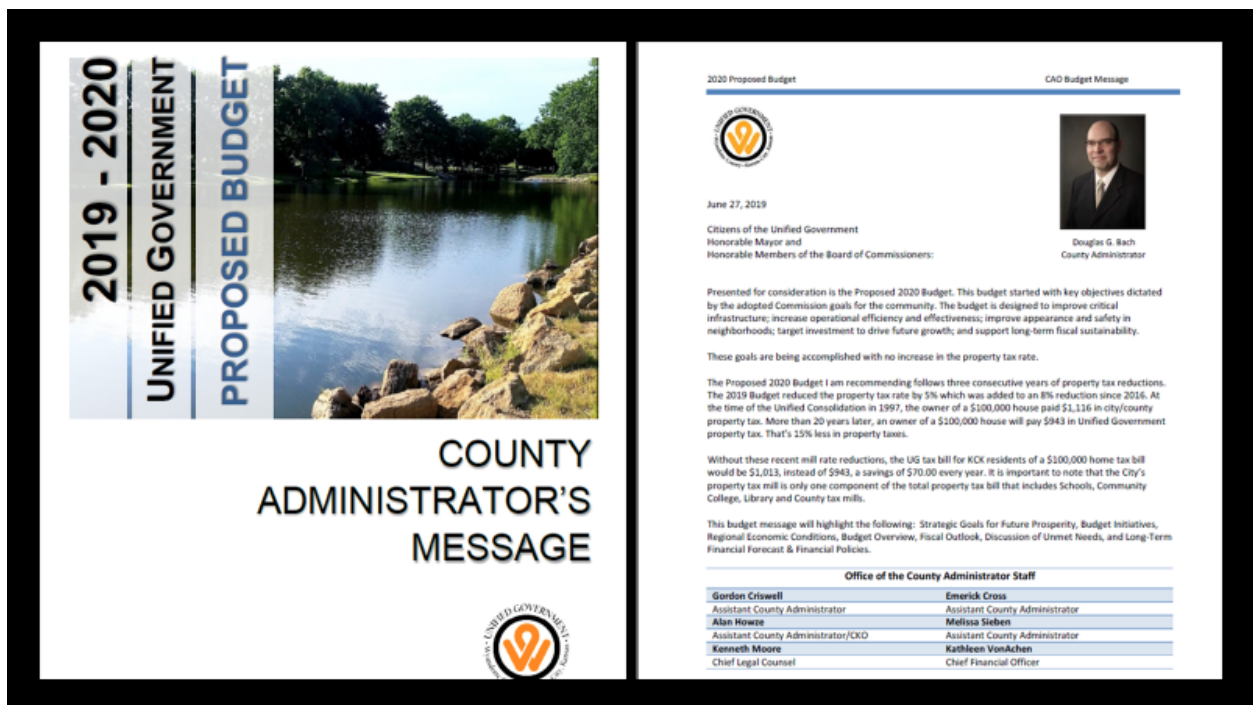
We will follow that with Revenue Forecasts. This is really a result of a lot of different questions and requests that have been made by commissioners to Kathleen and her staff, so we will be going through that information. Then, we have some discussion on Debt.



Reginald Lindsey, Budget Manager, said today I have with me Assistant Budget Manager, Michael Petersen; and Management Analyst, Matt Zayas. They are going to help me in presenting the budget document. They put in a lot of hard work and I don't want to take all the credit and I wanted to give them some opportunity to present their information.



I'm going to kickoff with the Table of Contents. Basically, we have the Table of Contents that is real nifty. It's clickable if you're looking at it in an electronic PDF, so you could click on the number here and it will take you straight to that page. I'm pretty sure a number of you probably have already figured that out.

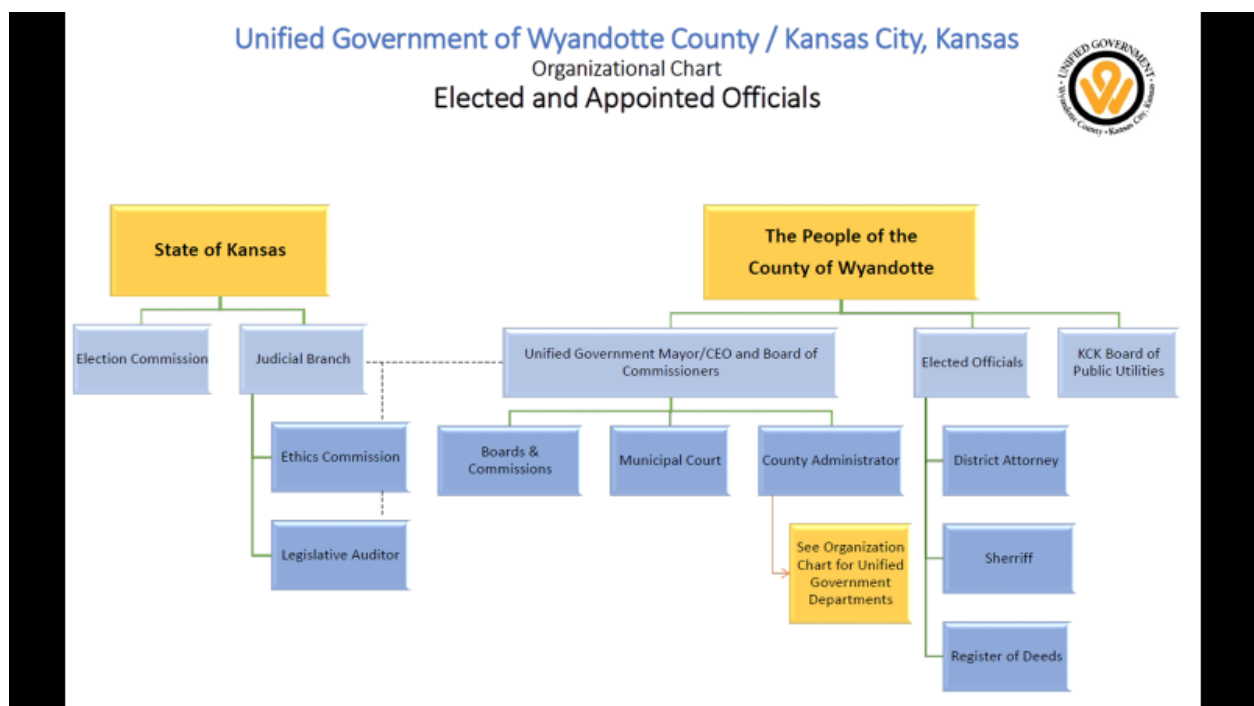


July 11, 2019

In the next section is the County Administrator's message. We have the actual message from the County Administrator and then we also have the presentation that was done on June 27th.

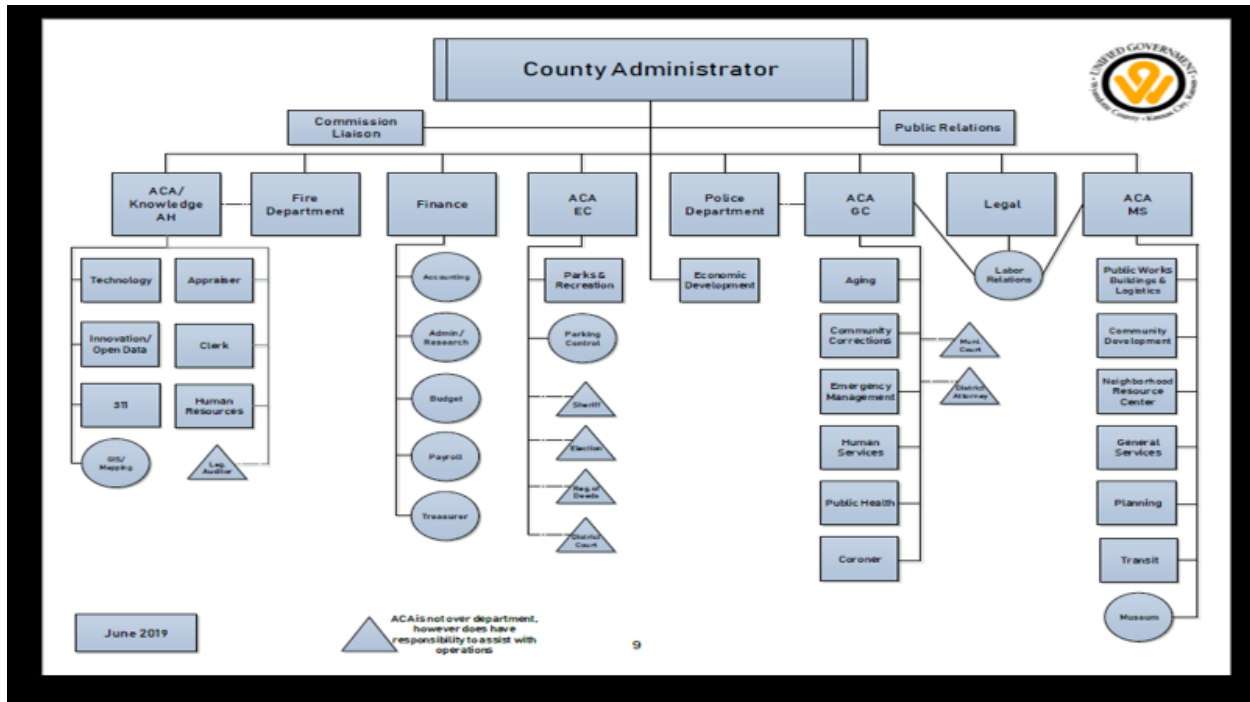


In the next section we have the Commissioner's Visions, Values & Goals.

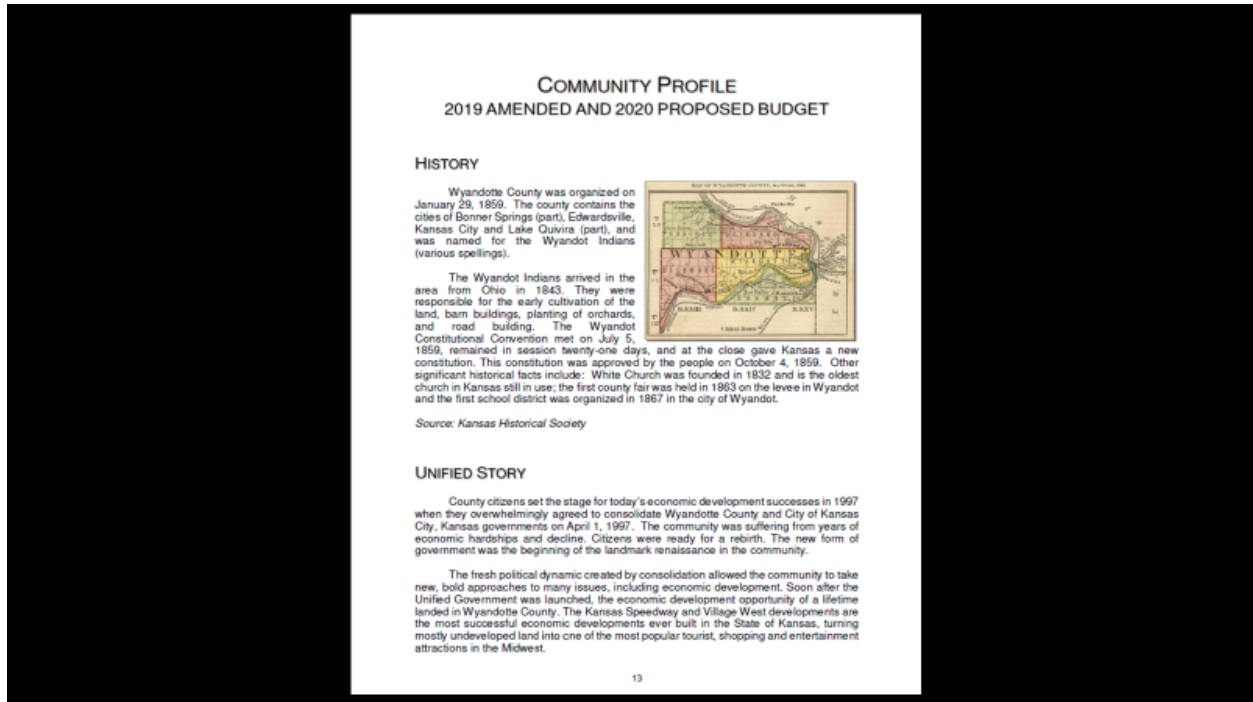


July 11, 2019

There you can find things like the Vision Statement, the Mission Statement, Strategic Plan Values, Strategic Goals. Also, you can see a hierarchy of elected and appointed officials.



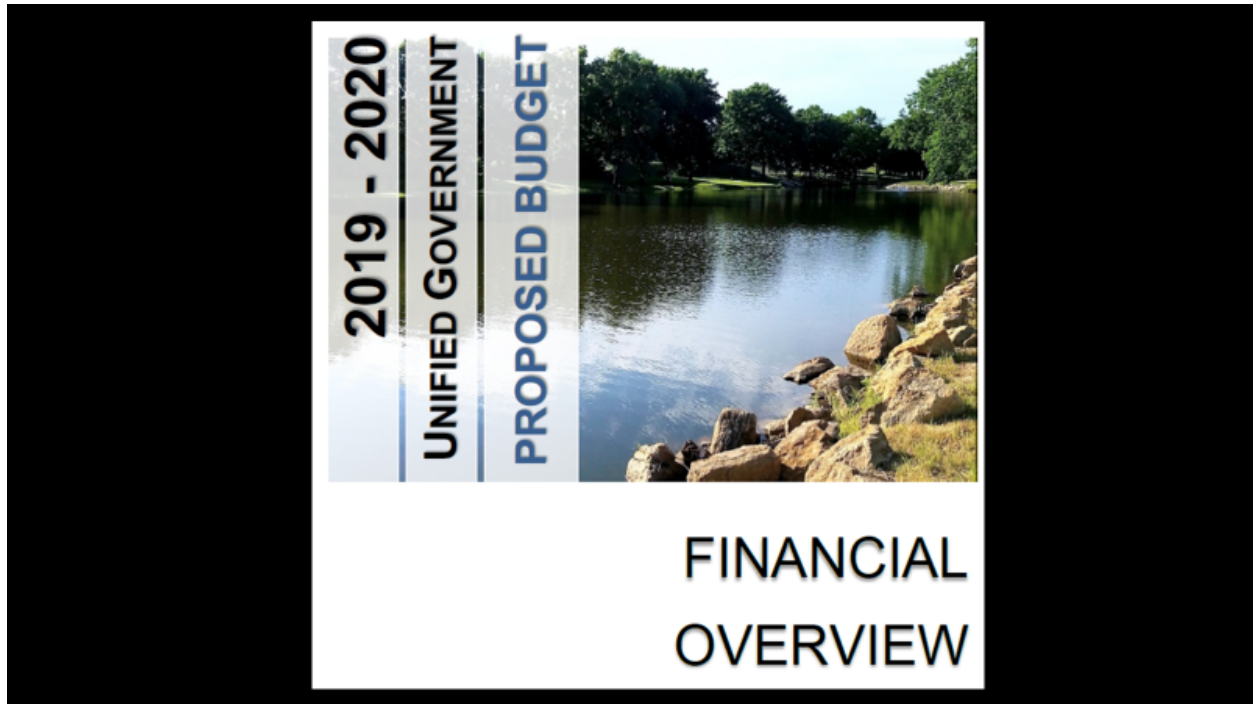
Then there is a hierarchy for internal departments.



The next section we have the Community Profile. This is a really neat section also for someone that wants to learn the history of the Unified Government and different things about the Unified Government as far as the makeup of ethnicities.



We have the Budget Overview which basically breaks down and provides information on the budget process, the budget calendar and it also provides a glossary of terms.



Then we have the Financial Overview. Here you can find a listing of the Notice of Budget Hearing that went out.

Unified Government of Wyandotte County/Kansas City, Kansas 2019 Amended – 2020 Budget					
Expenditure by Fund & Mill Levies					
	2019 AMENDED BUDGET	CERTIFIED MILL LEVY, 2019 BUDGET	2020 PROPOSED BUDGET	PROPOSED MILL LEVY, 2020 BUDGET	CHANGE IN MILL LEVY RATE FROM
Tax Levy Funds					
General Fund – City	180,737,432	21.242	183,524,635	21.242	0.000
Bond and Interest – City	36,481,536	16.896	34,820,180	16.896	0.000
General Fund – County	84,873,887	31.187	85,882,496	31.187	0.000
General Fund – Consolidated Parks	6,027,666	1.391	6,274,145	1.391	0.000
Bond and Interest – County	5,370,945	2.202	5,308,829	2.202	0.000
Aging	1,918,474	1.027	1,987,849	1.027	0.000
Developmental Disabilities	593,504	0.346	645,586	0.206	-0.140
Elections	1,483,721	0.875	1,552,266	0.875	0.000
Health	3,572,111	1.559	3,534,786	1.699	0.140
Mental Health	690,000	0.425	684,000	0.425	0.000
Total UG Tax Levy Funds	282,388,256	77.149	285,141,778	77.149	0.000
Other Funds					
Alcohol	573,475		1,259,743		
County Clerk Technology	120,000		60,000		
Court Trustee	611,245		585,422		
Dedicated Sales Tax	11,067,650		10,852,488		
Emergency Medical Services	11,608,632		12,506,726		
Environmental Trust	1,180,000		1,180,000		
Jail Commissary	60,000		100,000		
Parks and Recreation	595,349		668,566		
Public Levee	387,440		388,040		
Register of Deeds Technology	130,170		130,170		
Sewer System	50,823,302		60,321,384		
Special Assets	850,000		850,000		
Stadium	663,600		643,600		
Stormwater	5,098,563		4,566,566		
Street and Highway	7,629,631		7,891,569		
Sunflower Hills Golf Course	670,129		685,000		
Travel and Tourism	5,625,220		5,773,178		
County Treasurer Technology	48,000		48,000		
Wyandotte Co. 911	927,500		897,500		
Total Other Funds	99,424,896		109,720,152		
TOTAL UG OPERATING BUDGET	381,813,152		394,861,930		
County Library Fund*	3,206,354	0.000	3,365,622	0.000	0.000
Total All Funds	385,018,506		398,227,552		

*The County Library mill levy is set by the County Library Board and not the Unified Board of Commissioners.

Also, a summary of all the expenditures by fund and their mill levies and there's also revenues by fund.

Unified Government of Wyandotte County/Kansas City Kansas
2019 Amended - 2020 Budget



Fund: 110 - City - General Fund

The City General Fund is the principal operating account of Kansas City, KS. Revenue is received from taxes, fees, intergovernmental revenue, charges for services, and other sources. The General Fund is used to support general operations including Police, Fire, Municipal Court, Public Works, general services functions, and administrative programs. General Fund revenues are also used to finance the purchase of capital equipment and cash-funded capital projects.

The revenue increase in 2017 is partially due to the City's share of a sales tax revenue resulting from the early payoff of STAR Bonds that financed the Village West Shopping Area.

Note: The increase in debt service in the 2018 amended and 2019 budgets is attributed to budgeting reserve annual appropriation STAR Bond, Speedway Bond, and Transportation Development District debt payments should their pledged revenues fall short. This debt expense is offset by a corresponding revenue increase. This appropriation is required by outstanding bond covenants.

Account Type Description	2017 Actual	2018 Actual	2019 Original	2019 Amended	2020 Budget
Revenues					
41 - Tax Revenue	\$121,077,180	\$120,886,005	\$136,577,961	\$134,768,192	\$138,524,500
42 - Permits And Licenses	\$1,236,270	\$1,288,200	\$1,204,960	\$1,200,200	\$1,389,800
43 - Intergovernmental Revenues	\$709,228	\$940,238	\$704,000	\$713,000	\$723,000
44 - Charges for Services	\$10,507,575	\$10,828,204	\$10,828,100	\$11,365,500	\$11,876,200
45 - Fines/Forklifts/Fees	\$3,734,998	\$3,886,253	\$3,412,300	\$3,427,700	\$3,155,700
46 - Interest Income	\$209,321	\$975,020	\$190,000	\$900,000	\$900,000
47 - Miscellaneous Revenue	\$2,278,285	\$1,549,511	\$1,787,100	\$1,811,379	\$1,855,131
48 - Reimbursements	\$1,700,000	\$1,737,843	\$1,716,300	\$1,819,000	\$1,856,000
49 - Other Financing Sources	\$2,738,104	\$2,295,675	\$2,336,000	\$2,336,000	\$2,336,000
Total Revenues	\$144,191,967	\$143,764,269	\$158,894,921	\$158,096,971	\$160,619,391
Expenses					
51 - Personnel Costs	\$102,496,597	\$107,186,029	\$111,540,871	\$111,087,401	\$113,947,787
52 - Contractual Services	\$19,337,746	\$20,297,514	\$22,785,113	\$23,242,135	\$23,589,240
53 - Commodities	\$4,003,094	\$4,263,875	\$5,576,834	\$5,508,194	\$5,345,299
54 - Capital Outlay	\$4,315,912	\$4,280,797	\$4,133,477	\$4,135,052	\$4,878,571
55 - Grants, Claims, Shared Revenue	\$4,853,026	\$4,613,058	\$5,132,494	\$5,062,494	\$4,794,664
56 - Debt Service	\$641,913	\$640,880	\$10,524,254	\$10,524,294	\$10,735,855
57 - Nonexpense Items	\$1,788,119	\$2,787,800	\$797,963	\$822,983	\$882,883
58 - Reserves	0	0	\$350,000	\$325,000	\$350,000
Total Expenses	\$137,538,317	\$144,136,053	\$166,849,856	\$168,737,432	\$163,524,635
Net Change in Fund Balance	\$6,653,650	\$(365,784)	\$(1,962,935)	\$(2,640,461)	\$(2,905,243)
Cash Basis Ending Fund Balance	\$26,655,386	\$26,289,602	\$18,376,116	\$17,643,141	\$14,737,897
CAFR Ending Fund Balance	\$29,383,429	\$31,628,954	\$28,098,150	\$28,982,533	\$26,877,289

Also, in this section we have the Fund Statements. Right here we have the City General Fund, but all our 29 funds, there's a page for those. You can see, there's historical information for them for the 2017 Budget, 2018 Budget, and then also the budgets that we're recommending for the 2019 Amended and the 2020 Budget.

Unified Government of Wyandotte County/Kansas City, Kansas
2019 Amended - 2020 Budget



Department Expenditure Summary
Dedicated Sales Tax

Police Department - Expenditure Summary

	2019 Approved		2019 Amended		2020 Proposed	
	Expenditures	% of Budget	Expenditures	% of Budget	Expenditures	% of Budget
Personnel	\$ 1,616,785	15%	\$ 1,934,301	17%	\$ 1,966,039	18%
Operating	\$ 1,279,924	12%	\$ 841,061	8%	\$ 849,980	8%
Capital	\$ 983,000	9%	\$ 919,125	8%	\$ 785,268	7%
Total	\$ 3,879,709	35%	\$ 3,694,487	33%	\$ 3,601,287	33%

Fire Department - Expenditure Summary

	2019 Approved		2019 Amended		2020 Proposed	
	Expenditures	% of Budget	Expenditures	% of Budget	Expenditures	% of Budget
Personnel	\$ 2,429,092	22%	\$ 2,611,348	24%	\$ 2,680,645	25%
Operating	\$ 743,913	7%	\$ 132,416	1%	\$ 155,556	1%
Capital	\$ 749,000	7%	\$ 897,000	8%	\$ 765,000	7%
Total	\$ 3,922,005	35%	\$ 3,640,764	33%	\$ 3,601,201	33%

Infrastructure - Expenditure Summary

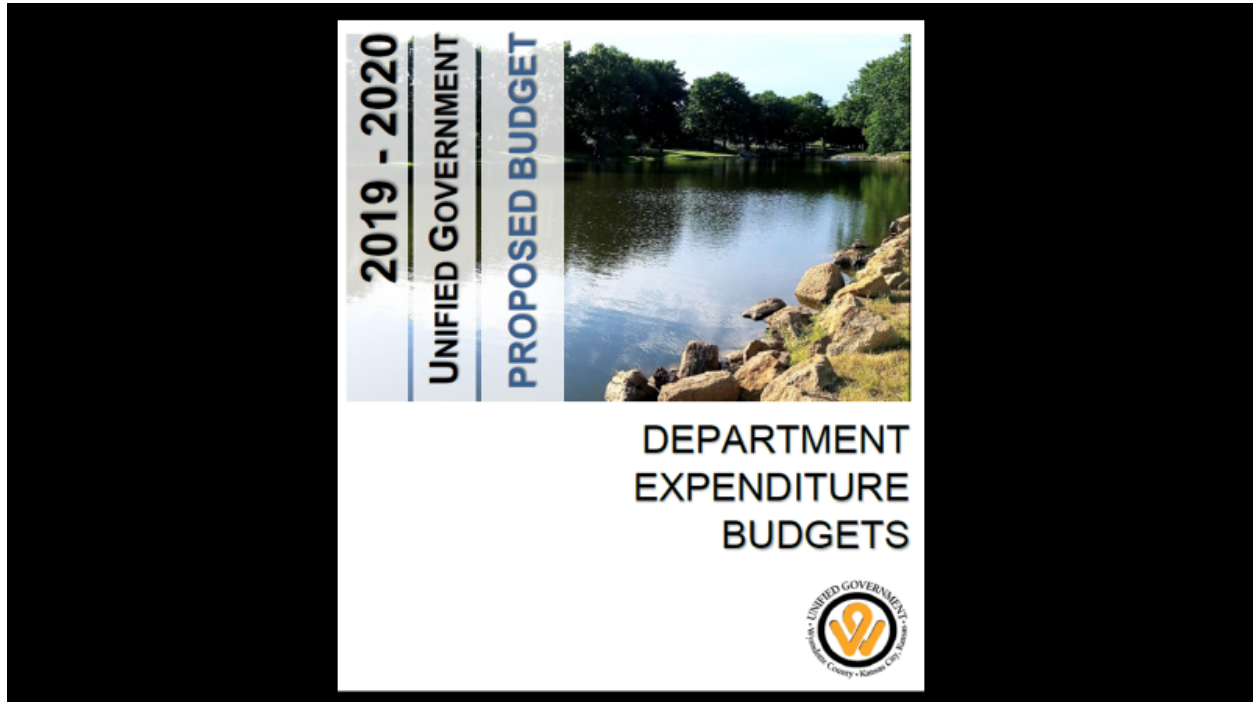
	2019 Approved		2019 Amended		2020 Proposed	
	Expenditures	% of Budget	Expenditures	% of Budget	Expenditures	% of Budget
Operating	\$ 100,000	1%	\$ 200,000	2%	\$ 200,000	2%
Capital	\$ 2,630,000	24%	\$ 2,950,000	27%	\$ 3,450,000	32%
Other	\$ 570,000	5%	\$ 582,400	5%	\$ -	0%
Total	\$ 3,300,000	30%	\$ 3,732,400	34%	\$ 3,650,000	34%

Dedicated Sales Tax - Dpt Exp Totals

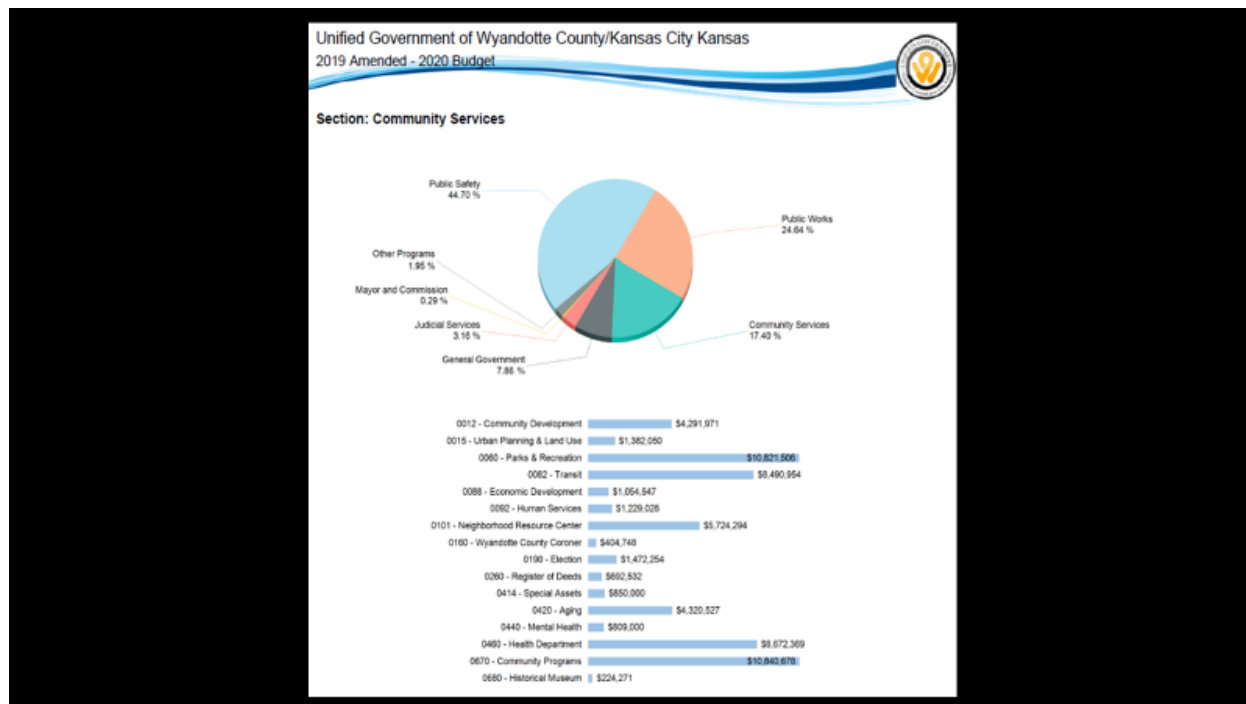
	2019 Approved	2019 Amended	2020 Proposed
	Expenditures	Expenditures	Expenditures
Totals	\$ 11,101,714	\$ 11,067,651	\$ 10,852,488

July 11, 2019

In the Financial Summary Section, you will find a breakout of the Dedicated Sales Tax. One of the things we do here is kind of the three main funding areas. The Police Department, the Fire Department, and Infrastructure. We also show what the 2019 approved budget was and what we're recommending for the 2019 Amended and the 2020 Proposed and also the percentage of each of these sections like how much of the budget they received in their particular department or section.



Then we move on to the Department Expenditure Budgets.



Here is where we breakdown all the departments. The example I'm going to use is Community Services. At the start of Community Services section, you get a display of all the departments that are here, an illustration of the pie chart on the percentage of what it comes out to be. You can see Community Service right here and how it compares to all the other categories of the budget. In the department breakout we have like the Public Safety section, Public Works section, Community Services section, General Government, Judicial Services, so there are departments within all these and there is a section for each of those in the book. Here for this particular section of Community Services you can see the total of each budget.

UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
2019 Amendment - 2020 Budget



DEPARTMENT: PARKS AND RECREATION

Department Overview:

The Parks and Recreation Department manages a 2,600 acre park system with the goal set to meet the majority of the leisure needs of our community. The Department is divided into three divisions: Recreation Management, Park Maintenance and Golf Course Management. The Recreation Management Division is responsible for all recreation programming that includes youth and adult sports, recreation programs, and seasonal special events. These programs are conducted at the Department's seven community centers, numerous athletic fields, swimming pool and parks. The Golf Course management division oversees the management of an eighteen-hole championship course with a full-service club house and a six-hole junior golf course. The Park Maintenance division oversees the daily maintenance, repair and development of 3 regional parks, 4 community parks, 47 neighborhood parks, 7 recreation/community center buildings, 3 community center buildings, 3 spray parks and one pool.

Important Issues:

- Continue our ongoing strategy to address our aging park system and equipment replacement while operating within the budget guidelines.
- Implement a revised CMIP to address the growing needs for repair of essential components of the Department's parks, buildings and other facilities.
- Continue addressing the major repair and replacement needs such as roofs and HVAC systems for the buildings, shelters and restrooms.
- Staffing levels throughout the department are inadequate
- Fulfilling the suggestions of the adopted 2017 Parks and Recreation Master Plan

Highlights:

- Continuing to strengthen the mowing program to better meet the needs of the community
- Received private donation through (Carmax Foundation) to replace Bill Clem Park Playground through a community build project.
- Received \$50,000 grant through Royal's Charities for City Park Field #3
- Working with Baseball Tomorrow Fund to secure additional funding for City Park Field #3
- Securing remaining funding for the National Fitness Court campaign for Huron Park
- Reintroduced department "Program Guide" as a marketing/informational publication from the department to the community.
- Funding to add a second quick response abatement team.

New Initiatives:

- Minor renovations taking place to Davis Hall
- Improving community centers to become code compliant with requirements to obtain State Licensing approval for programs.
- Phase II of waterline at Wyandotte County Lake taking place 2019.
- Integrating new recreation management software system for department to achieve goal of providing online registration for the community
- Conduct an evaluation of the current Sunflower Hill Clubhouse and recommend changes or a new facility along with a feasibility analysis.
- Resurface the parking lot at Providence Amphitheatre.
- Continue to improve and add to the communities' trail network to encourage our residents and visitors to be active and exercise.

Also, providing the information with the departments you kind of get an overview of what the department does, some important things that they have going on and then some of the highlights of what they accomplished in the past year or accomplishing right now and what are some of the new initiatives they look forward to accomplishing in the future.

Department: 0060 - Parks & Recreation

Department Expenditure Summary				
	2018 Actual	2019 Original	2019 Amended	2020 Budget
51 - Personnel Costs	\$5,060,494	\$5,585,048	\$5,737,536	\$6,130,841
52 - Contractual Services	\$1,955,819	\$2,279,800	\$2,291,525	\$2,333,496
53 - Commodities	\$727,130	\$680,435	\$692,135	\$711,835
54 - Capital Outlay	\$679,573	\$1,598,000	\$2,095,000	\$2,732,800
55 - Grants, Claims, Shared Revenue	\$1,944	\$9,200	\$9,200	\$9,200
57 - Nonexpense Items	\$175,000	\$1,110	\$1,110	\$1,110
59 - Reserves	0	\$95,000	\$95,000	\$95,000
Total	\$8,599,961	\$10,249,093	\$10,821,506	\$12,004,052
Full Time Equivalent Positions				
	2018 Actual	2019 Original	2019 Amended	2020 Budget
001 - Park Administration	10.00	10.00	13.00	16.00
002 - Park Rangers	1.00	1.00	1.00	1.00
003 - Parks	47.00	47.00	44.50	44.50
004 - Recreation	26.00	26.00	26.00	26.00
007 - Sunflower Hills Golf Course	4.00	4.00	4.00	4.00
Total	88.00	88.00	88.00	92.00
Expenditure By Fund				
	2018 Actual	2019 Original	2019 Amended	2020 Budget
110 - City - General Fund	\$821,800	\$933,837	\$973,394	\$1,944,308
113 - Consolidated Parks-General	\$6,211,537	\$6,754,217	\$7,097,353	\$6,451,484
160 - County - General	\$68,919	\$195,488	\$218,829	\$300,271
212 - Dedicated Sales Tax	\$100,000	\$100,000	\$100,000	\$100,000
221 - Special Parks and Recreation	\$822,126	\$545,129	\$622,276	\$702,276
223 - Tourism & Convention	0	\$100,000	\$200,000	\$1,130,000
225 - Community Development	0	\$780,000	\$780,000	\$700,000
298 - Other Special Grants	\$106,352	\$120,000	\$120,000	0
560 - Sewer System	0	\$31,800	\$31,800	\$31,800
562 - Public Levee	0	\$10,000	\$10,000	\$10,000
565 - Sunflower Hills Golf	\$708,138	\$679,028	\$687,755	\$684,134
912 - County Capital Project	\$61,000	0	0	0
Total	\$8,599,961	\$10,249,093	\$10,821,506	\$12,004,052
Expenditure By Division				
	2018 Actual	2019 Original	2019 Amended	2020 Budget
001 - Park Administration	\$1,444,961	\$1,961,570	\$2,213,933	\$2,782,088
002 - Park Rangers	0	\$78,774	\$79,321	\$81,215
003 - Parks	\$5,361,684	\$5,794,654	\$6,048,672	\$6,404,559
004 - Recreation	\$1,055,188	\$1,795,068	\$1,811,826	\$1,872,076
007 - Sunflower Hills Golf Course	\$708,138	\$679,028	\$687,755	\$684,134
Total	\$8,599,961	\$10,249,093	\$10,821,506	\$12,004,052

July 11, 2019

There is also the Financial page for the department. One of the things it does here and is a very neat page if you're into numbers, basically we breakdown the categories of all expenditures. You see we have the Personnel costs, Contractual Services, Commodities, Capital Outlay, and a host of other categories that kind of shows you historically what they've spent in the prior year and what we're recommending for the budget in the 2019 Amended and 2020 Budget. You can also see the divisions here and the amount of employees in each division and the change over the years. Also, we talk about the different funds that the Unified Government has. It's a breakout of all the funds that fund this particular department of Parks & Rec. Above, up here, we have the fulltime equivalents by division. Down here at the bottom is a breakout of the divisions by dollar amount.



Now I'm going to turn it over to Michael Peterson and Matt Zayas to talk about the Capital Maintenance Program. This is a section that they really improved during the budget season. They started work on it in November 2018 and put a lot of work on it. It wasn't just them, but it was like the whole Finance Department that came together and worked through it.

Michael Peterson, Assistant Budget Manager, said the Capital Maintenance Improvement Program section is the section that is the most changed from prior year's budget documents. Basically, what we did was we utilized best practices from the GFOA, Government Finance Officer Association. We went and looked at what some of word—or highlighted budget documents were that they had and then we incorporated some of those changes into our document.

2019-2024 Capital Maintenance Improvement Program (CMIP)

Utilized best practices from Government Finance Officer Association (GFOA) award winning capital documents

Capital document section updated to include summary descriptions, tables and charts, debt authorizations and project detail reports

We updated the Capital document section to include summaries as well as summary tables, charts. We also added in authorizations that normally show up in the fall as well as project detail reports highlighting the 2020 Capital projects.

Capital Document Section Layout

6. Capital Maintenance & Improvement Program (CMIP) 2020-2024 Five Year Plan	
Executive Summary	413
Capital Equipment.....	419
Capital Equipment Schedule.....	427
Capital Projects	441
Cash Projects	445
Cash Projects Schedule.....	453
Debt Projects	461
Debt Projects Schedule.....	471
Debt Authorizations	477
2020 Project Descriptions	513
Unfunded Projects.....	599

Just a short overview of kind of the changes that we made. In prior years the Capital Projects section was first. There were two different Capital sections, Capital Projects and Capital Equipment. We consolidated that into one Capital Maintenance & Improvement Program section starting with an Executive Summary followed by the Capital Equipment, Capital Projects split into Cash Projects and Debt Projects. Then following, the Debt Authorizations, 2020 Project highlights

and then Unfunded Projects. Matt is going to go over kind of what's in each section in a little more detail.

EXECUTIVE SUMMARY

CMIP Process & Policy

Capital Maintenance Improvement Program Process and Policy Summary

The Capital Maintenance Improvement Program (CMIP) is a 5-year planning tool intended to assist management in financial forecasting that allows for prioritization, financing, coordination, and technical design of all capital assets. Each year the document is updated and presented to Commission for approval. Changes may include the addition of new projects or equipment, as well as the reprioritization or removal of other capital. More detailed information on the Capital Maintenance and Improvement Program may be found in the Appendices Section, Financial Policies, *Capital Asset and Equipment Investment and Management Policy*.

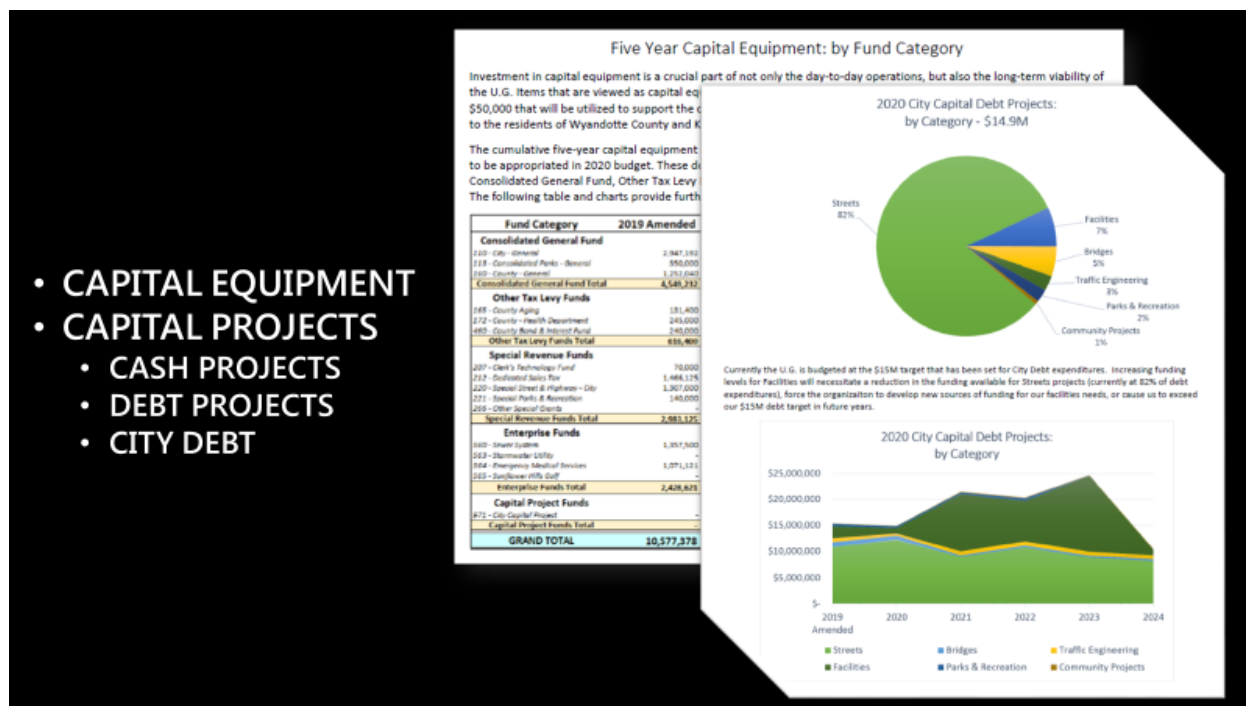
CMIP Program Overview & Highlights

2020 Capital Maintenance Improvement Program Overview

The Unified Government of Wyandotte County / KCK 2020 Budget has allocated \$122.1M across the organization for our 2020 Capital Maintenance Improvement Program. Of this amount \$34.6M is contained within our certified funds with the remaining \$87.5M originating from our Debt and Grant budgets. The \$34.6M constitutes 8.73% of the Unified Government total certified budget, which breaks down to the following percentages for each of our funding sources' 2020 expenditure budgets:

Funding Source	% Capital	% Other Expenditures
Consolidated General	3.05%	96.95%
Other Tax Levy	0.66%	99.34%
Special Revenue	29.51%	70.49%
Proprietary (Enterprise)	23.13%	76.87%
Fiduciary (Trust/Agency)	8.85%	91.15%

Matt Zayas, Management Analyst, said our Executive Summary consists of our CMIP process and the policy associated with that and then we also touch in some of the 2020 financials. We say here's what we're going to spend Capital Assets in 2020 and finally, we produced a little bit of highlights for what we see as the major projects and capital assets that will be improving in 2020.



Then some of the work we did, as Michael said, we summarized our CMIP by Capital Equipment, Capital Projects, and then the three different types of funding that goes towards Capital projects.

In order to expand upon just the schedule, we had before, we used a variance of tables and charts to make it more readable, help the resident really understand what's going on in his or her Capital Improvement projects.

To do that we had some charts, as you see in the background, and kind of organized the fund category, the functional area and also the Capital type. To add a little bit more visuals to that we made a lot of different pie charts, stack charts and they illustrate here's where we're going to focus our funding in 2020, the pie charts do. The stack charts go into more detail of here's what it's going to look like over five years.

CMIP Schedules

UNIFIED GOVERNMENT															
2020 - 2024 Proposed Capital Maintenance Improvement Program (CMIP)															
Capital Cash Project Summary 6/27/19															
Fund/Department	New	Annual	Dept	Priority	Ranking	MSF	CMIP	2019 Original	2019 Amended	2020	2021	2022	2023	2024	FY19-24
110 - City - General Fund															
Fire Department															
			02	1	4	00	\$015 - Annual FS Interior Renovation	-	-	75,000	-	-	-	-	75,000
							\$094 - Future Fire Station Land Acquisition	100,000	-	-	-	145,000	-	145,000	290,000
Fire Department Total								100,000	-	75,000	-	145,000	-	145,000	365,000
Neighborhood Resource Center															
			02	2	14	00	\$195 - Customer Service Area Safety Improvement	-	12,000	-	-	-	-	-	12,000
Neighborhood Resource Center Total								-	12,000	-	-	-	-	-	12,000
Police Department															
			02	2	13	00	\$419 - Police Station Area Maint Prog	50,000	50,000	50,000	50,000	50,000	50,000	50,000	300,000
							\$420 - Pol Stn Major Facility Improvements	50,000	50,000	50,000	50,000	50,000	50,000	50,000	300,000
							\$438 - Pol Headlamps Flooring Replacement	-	-	17,000	17,000	17,000	17,000	17,000	85,000
							\$437 - Police HVAC Upgrades	26,000	26,000	26,000	26,000	26,000	26,000	26,000	156,000
							\$443 - Police HQ Gutter Replacement	25,000	25,000	25,000	-	-	-	-	90,000
			02	2	11	00	AUTO - 2136 - PDHQ Window Replacement	-	-	-	75,000	75,000	75,000	75,000	225,000
			02	2	13	00	AUTO - 2145 - PDHQ Brick Replacement	-	-	-	25,000	25,000	25,000	25,000	100,000
Police Department Total								151,000	151,000	168,000	168,000	243,000	243,000	243,000	1,216,000
Public Works															
							\$051 - PW Asset Mgmt Sys Integrations	50,000	50,000	50,000	50,000	50,000	-	-	200,000
							\$061 - Village Wdr Infrastructure Improvements	-	-	70,000	70,000	70,000	70,000	-	280,000
							\$060 - Concept Studies & Roadways	100,000	100,000	150,000	150,000	200,000	200,000	200,000	1,000,000
							\$069 - Bridge and RCB Inspections	300,000	300,000	176,000	176,000	176,000	176,000	176,000	1,180,000
			02	3	21	00	\$846 - Landscaping	-	50,000	-	50,000	50,000	50,000	50,000	250,000
			02	3	0	00	\$847 - Hardscaping	-	50,000	50,000	50,000	50,000	50,000	50,000	300,000
							\$139 - Capital Project Reserves	80,000	80,000	80,000	80,000	80,000	80,000	80,000	480,000
							\$202 - Facilities Improvements - City	215,000	10,000	110,000	-	-	-	-	345,000
			02	1	10	00	\$513 - Fac/Parking Annual Maint/Rep	200,000	200,000	200,000	200,000	200,000	200,000	200,000	1,200,000
Public Works Total								945,000	840,000	906,000	826,000	876,000	826,000	756,000	5,610,000
Urban Planning & Land Use															
			02	1	26	00	\$848 - Bike share grant matching funds	-	34,860	-	-	-	-	-	34,860
							\$251 - Central Ave Area Plan	150,000	150,000	-	-	-	-	-	300,000
Urban Planning & Land Use Total								150,000	184,860	-	-	-	-	-	334,860
110 - City - General Fund Total								1,346,000	1,187,860	1,149,000	994,000	1,264,000	1,069,000	1,144,000	6,807,860

Mr. Peterson said in each section you will also see the schedule that has always been incorporated in the budget documents, each schedule. The Equipment section has the equipment schedule, Cash Projects has the cash schedule and the Debt Projects has the debt schedule organized by funding source and department and project.

Debt Project Authorizations

Unified Government of Wyandotte County/Kansas City, 2019 Amended - 2020 Budget			
Debt Project Authorizations			
131st St and Leavenworth Rd Intersection Reconstruction		CMIP #: 1615	
Statutory Authority:	Charter Ordinance CO-03-09		
Prior Authorization Approved:	R-52-18		
Prior Authorization Amount	\$1,100,000		
Approved*:			
New Authorization Amount*:	N/A		
*plus capitalized interest on any temporary financing and costs of issuance			
Project Description:			
Project to reconstruct the existing rural four-legged intersection, with north and south stop patterns, to a rural section with a roundabout style intersection. Improvements would include two 12 ft lanes with 2-3 ft shoulders, a 5 ft sidewalk on one side and a 10 ft shared use trail on the other, and "v-ditches" for storm water drainage. The roundabout itself would be constructed out of concrete with mountable curb and gutter to accommodate larger vehicles.			
51st N of Cleveland RCB Replacement		CMIP #: 5045	
Statutory Authority:	Charter Ordinance CO-03-09		
Prior Authorization Approved:	R-80-16		
Prior Authorization Amount	\$700,000		
Approved*:			
New Authorization Amount*:	N/A		
*plus capitalized interest on any temporary financing and costs of issuance			
Project Description:			
Replacement of a reinforced concrete box located approximately 150 feet north of the intersection of Cleveland Avenue and N. 51st Street.			

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One of the big changes we made was we moved to the Debt Project Authorizations from the fall into the budget document so that we can approve the debt authorizations along with the budgets for the Debt projects. That's a section you will see after the Debt Project schedule.

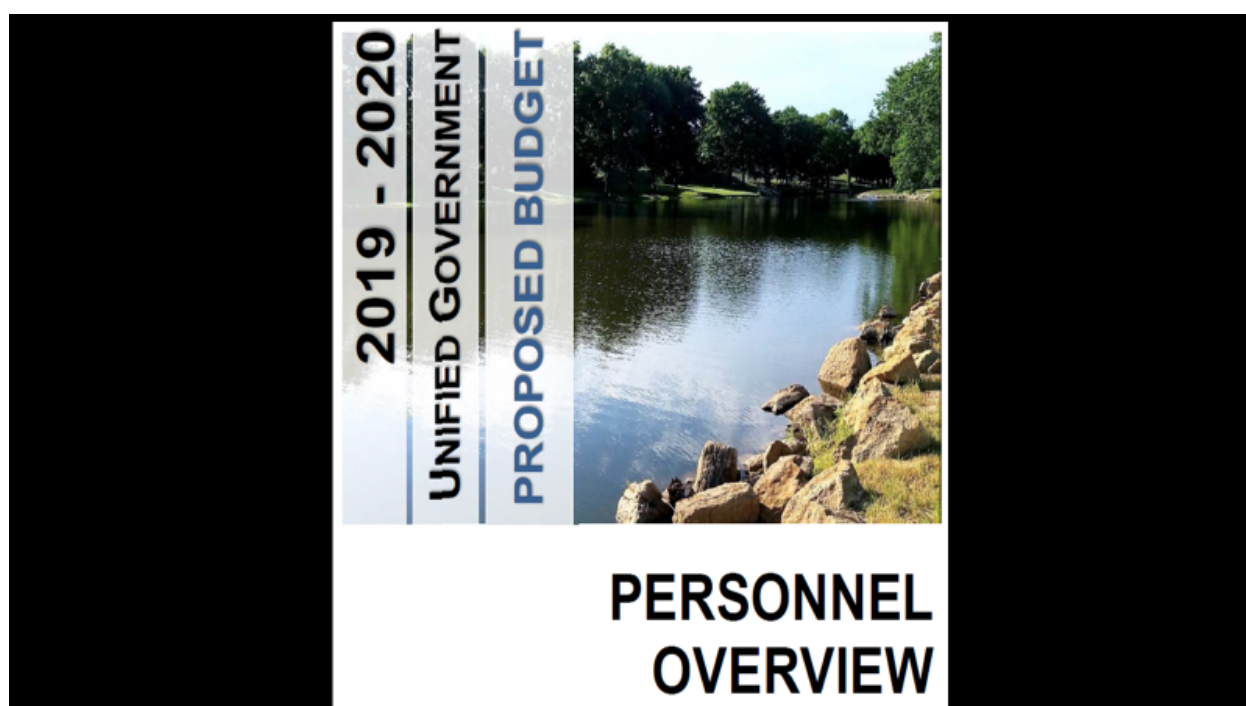
Project Detail Reports

Project Title (Project #): Interstate 70 and Turner Diag. Interchange Reconstruction (1620)									
Priority Based Budgeting Results: Increase Safety and Perception of Safety, Increase Economic Prosperity for All Citizens, Increase Community Cohesion									
Department: 0040 - Public Works					Scheduled Completion Date: Dec 31, 2023				
Description and Scope of Work: The project will reconfigure and construct the interchange of I-70 and Turner Diagonal to a Diverging Diamond Interchange (DDI). This configuration would eliminate several of the extra ramps needed and would make this interchange more efficient for traffic flow and future development. The project also includes pedestrian accommodations, signals installation, and storm drainage concerns. Justification: This project is located on a highly traveled and desirable corridor of I-70. Changing the ease of accesses would greatly increase the development possibilities along this section of Turner Diagonal. 									
Funding Sources	2019 Original	2019 Amended	2020	2021	2022	2023	2024	FY19-24	Future
990 - Internal Improvement	10,000,000	-	3,750,000	3,750,000	-	-	-	7,500,000	-
999 - Outside Funding Source	24,000,000	24,000,000	-	-	-	-	-	24,000,000	-
Funding Sources Total	34,000,000	24,000,000	3,750,000	3,750,000	-	-	-	31,500,000	-
Project Budget Impact	2019 Original	2019 Amended	2020	2021	2022	2023	2024	FY19-24	
Additional Positions (FTEs)	-	-	-	-	-	-	-	-	-
Total Project Capital Cost	10,000,000	24,000,000	3,750,000	3,750,000	-	-	-	31,500,000	
Total Facility & Department Operating	-	-	-	-	-	-	-	-	
New Revenue Sources	-	-	-	-	-	-	-	-	
Net Project Impact	10,000,000	24,000,000	3,750,000	3,750,000	-	-	-	31,500,000	
Operating Impact:									

Another very significant change, we added some Project Detail Reports. There's about 80 of these projects that were highlighted. Each project you can see a description and the scope of work as provided by the department that's over the project as well as the justification for why the project exists and then the funding sources that are going into the project as well as an overview of the projects budget impact. That wraps up the Capital section. I guess behind the Project Detail Reports there is the Unfunded Projects list.



The Grant Inventory comes next in the budget document. Within the Grant Inventory we breakout the grants that are currently awarded by whether they're federal grants, state grants, private grants or a combination. We break them out by department and we also break them out individually and have a description for each grant. There's about \$17.5M that we have in grants for this budget.



Personnel Overview, we added a few charts to just show the breakdown of where the positions are allocated by funding source as well as by functional area.

Fund	2019 Original	2019 Amended	2020 Budget
Consolidated General			
110 - City - General Fund	1090.14	1087.32	1084.32
113 - Consolidated Parks-General	73.25	73.25	70.25
160 - County - General	801.63	619.20	625.20
Consolidated General Total	1765.02	1779.77	1789.77
Other Tax Levy			
162 - County - Elections	19.25	19.25	19.25
165 - County - Aging	21.92	22.27	22.27
171 - County-Developmental Disability	2.45	2.45	2.45
172 - County - Health Department	38.55	38.35	38.35
Other Tax Levy Total	82.17	82.32	82.32
Special Revenue			
212 - Dedicated Sales Tax	50.25	50.25	50.25
220 - Special Street & Highway-City	72.50	73.50	73.50
221 - Special Parks and Recreation	3.00	3.00	3.00
222 - Special Alcohol	5.30	5.50	5.50
223 - Tourism & Convention	0.00	1.00	1.00
Special Revenue Total	131.05	133.25	133.25
Proprietary (Enterprise)			
560 - Sewer System	127.77	127.47	127.47
563 - Stormwater Utility	6.00	6.00	6.00
564 - Emergency Medical Services	66.00	65.00	65.00
565 - Sunflower Hills Golf	4.00	4.00	4.00
570 - Court Trustee	9.00	9.00	9.00
Proprietary (Enterprise) Total	212.77	211.47	211.47
Certified Funds Total	2191.00	2206.80	2216.80
Grant			
225 - Community Development	9.80	10.30	10.30
233 - Justice Assistance Grant	1.00	0.00	0.00
234 - Lead Hazard Cntl/Healthy Homes	2.20	2.20	2.20
240 - Adult CCA	26.45	27.05	27.05
241 - Juvenile CCA	31.00	29.20	29.20
242 - JJ KKKK Reimburse Grants	1.50	0.50	0.50
244 - JJ Reinvestment Grant	0.00	3.00	3.00
262 - Department of Aging Grant Fund	13.30	12.95	12.95
263 - Health Department Grant Fund	48.70	49.15	49.15
266 - Other Special Grants	8.15	15.90	15.90
267 - Spc Develop Disabilities Grant	4.50	4.55	4.55
290 - HOME Program	0.00	0.50	0.50
Grant Total	146.60	155.30	155.30
Grand Total	2337.60	2362.10	2372.10

We also have tables showing where the positions are allocated by fulltime equivalency by fund

Department	Position Class	2019 Original	2019 Amended	2020 Budget
Aging	ADMIN SUPPORT SPECIALIST	1.00	1.00	1.00
	DIRECTOR	1.00	1.00	1.00
	FISCAL OFFICER	1.00	1.00	1.00
	FISCAL SUPPORT SPECIALIST	1.00	1.00	1.00
	PROFESSIONAL PROGRAM ASSISTANT	1.00	1.00	1.00
	PROGRAM AIDE	1.00	1.00	1.00
	PROGRAM COORDINATOR	2.00	2.00	2.00
	PROGRAM SPECIALIST	7.00	7.00	7.00
Aging Total		15.00	15.00	15.00
Appraiser	ADMIN COORDINATOR	3.00	4.00	4.00
	ADMIN SUPPORT ASSISTANT	3.00	3.00	3.00
	ADMIN SUPPORT SPECIALIST	2.50	2.50	2.50
	APPRAISER	9.00	9.00	9.00
	APPRAISER SUPERVISOR	1.00	1.00	1.00
	DIRECTOR	1.00	1.00	1.00
	FISCAL OFFICER	1.00	0.00	0.00
	INFORMATION SYSTEMS ANALYST	1.00	1.00	1.00
	MANAGEMENT ANALYST	0.00	1.00	1.00
	MANAGER	1.00	1.00	1.00
	PROFESSIONAL ASSISTANT	1.00	1.00	1.00
	PROFESSIONAL PROGRAM ASSISTANT	1.00	1.00	1.00
	PROGRAM COORDINATOR	1.00	0.00	0.00
	PROGRAM SUPERVISOR	2.00	2.00	2.00
	REAL ESTATE APPRAISER	5.00	5.00	5.00
Appraiser Total		32.50	32.50	32.50
Commissioners	COMMISSIONER	3.00	3.00	3.00
	PROFESSIONAL ASSISTANT	2.00	2.00	2.00
Commissioners Total		5.00	5.00	5.00
Community Corrections	ADMIN SUPPORT ASSISTANT	0.50	0.00	0.00
	ADMIN SUPPORT SPECIALIST	3.00	3.00	3.00
	ADMIN SUPPORT SUPERVISOR	1.00	1.00	1.00
	DIRECTOR	1.00	1.00	1.00
	INTEN SUPERVISION SUPERVISOR	8.00	7.00	7.00
	INTENSIVE SUPERVISION OFFICER	35.00	34.00	34.00
	INTENSIVE SUPR ADMINISTRATOR	3.00	3.00	3.00
	PRI TRIAL COORDINATOR	2.00	2.00	2.00
	PROFESSIONAL PROGRAM ASSISTANT	5.00	5.00	5.00
	PROGRAM AIDE	2.00	2.50	2.50

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as well as by department and classification.

Unified Government of Wyandotte County/Kansas City, Kansas 2019 Amended – 2020 Budget			
Employer Paid Benefit Assumptions			
Employer Paid Benefits	2019 Original	2019 Amended	2020 Budget
Health Insurance (Traditional Plan)			
Single Coverage	\$8,018	\$8,169	\$8,823
Family Coverage	\$18,990	\$19,462	\$21,019
Health Insurance (Health Savings Account)			
Single Coverage	\$7,214	\$7,352	\$7,940
Family Coverage	\$16,835	\$17,265	\$18,646
Dental Insurance			
Single Coverage	\$382	\$364	\$393
Family Coverage	\$899	\$856	\$924
Vision Insurance			
Single Coverage	\$47	\$52	\$56
Family Coverage	\$108	\$112	\$121
Standard Life Insurance			
Single Coverage	\$32	\$28	\$28
Family Coverage	\$32	\$28	\$28
Health Insurance Waiver			
	\$1,800	\$1,800	\$1,800
KPERS Civilian Rates	9.89%	9.89%	9.61%
KPERS Fire & Police Rates	22.13%	22.13%	21.93%
KPERS Sheriff	22.13%	22.13%	21.93%
KPERS Retired From Different Employer	8.89%	8.89%	8.89%
FICA (Social Security)	6.20%	6.20%	6.20%
FICA (Medicare)	1.45%	1.45%	1.45%
Unemployment	0.10%	0.10%	0.10%

At the end of the Personnel Summary section you will see the Employer Paid Benefit Assumptions and this will show the amounts that we used in our '19 predictions last year as well as the current amounts that are being budgeted for employee benefits and the amounts that we are projecting for 2020.



Lastly in the budget document you will see the Financial Policies. This section contains the 18 financial policies along with adoption dates and the resolution numbers to go along with each policy.

Mr. Bach said with that, do we have any questions or do you have any closing statements on that Reggie? Any questions over the budget document and how it was put together, format, or anything you're missing.

Commissioner Kane asked would you go back to the Hutton Road & Leavenworth Road. Wasn't there something about a roundabout out there? The second line with a roundabout style intersection. I thought we realized since we were putting a fire station there, we weren't even thinking about a roundabout. **Commissioner Bynum** said 131st. **Commissioner Kane** said okay, I'm sorry. I don't like a roundabout at 131st either. I don't like roundabouts period so I don't care where you think you should put one, I could tell you where you could put one, but I think it's a bad idea to set that up especially because you're talking by a school which would be a lot more traffic.

Mayor Alvey said I will speak to that point. My daughters attended St. James Academy. There are several roundabouts. In fact, there's a roundabout right in front of a combined Police & Fire Station on Prairie Star Road and there is a roundabout right as you enter into the school. What was interesting is it seemed to handle the traffic better, but then again, I'm no expert on that. **Commissioner Kane** said I will bet you money that Leavenworth Road is a hell of a lot busier than the road you're talking about. **Mayor Alvey** said I don't know. It could be. **Commissioner Kane** said it's a highway. We use it all the time and you're talking about—they run all the way from Johnson County all the way back to St. James and I agree, slow moving places like that is fine. This is not slow moving. **Mayor Alvey** said I don't know what the comparison would be. **Commissioner Kane** said this is an overabundance of traffic. I would think before you do something like that you would want a traffic study and then see what it compares like somewhere else. **Mayor Alvey** said agreed.

Kathleen VonAchen, Chief Financial Officer, said I just wanted to make a few closing statements regarding the budget document. I would like to thank County Administrator, Doug

Bach, and the others senior managers for their support of the Finance Department to replace our budget software and to go out and do that training and all of you for your support because that all made utilizing the software to the fullest extent so that we could produce this budget document and produce the Capital section which is almost an inch thick and has a great deal of information for our residents.

Commissioner Philbrook said thanks a lot. This document is heads above some of our older documents. These are much easier to read, much easier to understand and actually when I read it I can figure out what question I have because there are relationships in here.

Mr. Bach said I really do appreciate the way the Budget staff advanced what we did in projects this year. I mean that is one thing I think that as the commissioner was able to pull that out, you know, on the point about roundabout like it or not, it put the detail in there so you understood what we're thinking and let you start thinking about that and offer those comments on, so hopefully, we're not surprising you with something later. That is part of the training they've done too.

I will also note, the message in the front as Reggie pointed out, that's the message Kathleen weighs in real heavy in the way that's put together. If someone's out there that's wanting to look at our budget and doesn't want to cruse through 800 pages of document, that's a 15 page summary that talks about major changes from year to year. That's some of the stuff we try to emphasize in that letter and really there are only a few pages that get to that, but it kind of provides a narrative to the presentation if your flipping through the PowerPoint section that can allow somebody to really know—because a lot of times the budget we bring from year to year is mostly the same. It's a lot of information from year to year and we've done some incremental changes to it, that notes more the substantial changes coming in so you can look at those 15 pages and get a feel for it without—then maybe flip to the sections that are of interest.

Mayor, that's all we have on the Overview unless you have other questions.

Mayor Alvey said I would just add one comment. You know towards the end of your message, the County Administrator's message, there's a discussion of unmet needs which I think is crucial to highlight. It's at the end of the message but I think it's really important to us. As we move into our Strategic Planning this fall we need to really look at our long-term fiscal situation and what

we need to do. The only suggestion I would make is that we articulate really what the challenges, we say what the challenges are, but we really identify what the tradeoffs are. Should we chose, for instance, to reduce our debt level by paying things more with cash and then what does that do, really what the repercussions of our—what the decisions to be made are and what the alternative costs are to each of those decisions. For the public who might really latch on to this, they could see really what the situation is and what the varying options are.

Commissioner McKiernan said actually, I think Commissioner Bynum just answered my question. I believe what I was going to ask about is the very next slide that you have and you have not yet covered it.

Mr. Bach said if there are no other questions, I will turn it back over to Reggie and his staff to go over changes. We're not reviewing everything. We are just pointing out items for when you in May and how that left and we left that time and we had to do some things to balance the budget. As I said, and you'll see on this first page, some of them are just the way we are expressing in the document, some are changing by fund or they've moved somewhere and then some are new that have been added. Most of them fall under certain categories or some when we went back to the departments and said you need to reduce your Commodities & Services, and that's just a small area of their budget, but they opted to make that reduction in their Capital versus in Commodities & Services.

2020-2024 CMIP CHANGES FROM MAY SPECIAL SESSION

Debt Financed Projects

	CMIP - Debt	Page #	2019 Original	2019 Amended	2020	2021	2022	2023	2024	FY19-24
Streets										
		2								
May Preview	2169 - Bridge #223 (36th and Ohio Ave.) Replacement		-	-	-	700,000	-	-	-	700,000
Proposed										
Grants										
		6								
May Preview	AUTO - 2286 - Argentine Levee		-	2,000,000	2,000,000	-	-	-	-	4,000,000
Proposed										
		6								
May Preview	AUTO - 2287 - Armourdale Central Industrial District		-	2,000,000	2,000,000	-	-	-	-	4,000,000
Proposed										
May Preview	NA									
Proposed	5057 - Kansas Levee Betterment	476		4,000,000	4,000,000	-	-	-	-	8,000,000

Mr. Lindsey said what we're doing is presenting here what we first presented back on May 6 in the Capital. Basically, what we're going to start with is the Debt Financed Projects. What we have here is the main preview on one line and then the proposed on the second line. We also have the same way it's set-up in the Capital document each year and then here we have highlighted in blue what the change was and also with this being Debt, like the type of debt it impacts as far as if it's Streets or Grants.

This first particular project we have Bridge Repairs at 36th & Ohio where we're recommending cutting \$700K from this bridge repair, but what we're doing is we're moving this over to Annual Bridge Projects. We're really not recommending to cut it, we just moved the funding elsewhere.

Grants, basically we have two projects here that are under Grants, the Argentine Levee and the Armourdale Central Industrial District. Both were at \$2M each and what we're doing here is we combined them to equal \$4M in the Kansas Levee Betterment. What we did was in the proposed document we made that change, but these here in the May preview, we added \$2M in each of those so what we did was consolidated both of these in the proposed document.

2020-2024 CMIP CHANGES FROM MAY SPECIAL SESSION

Cash Financed Projects

	CMIP	Page #	2019 Original	2019 Amended	2020	2021	2022	2023	2024	FY19-24
110 – City General Fund										
Fire Department										
May Preview	AUTO - 2216 - Fire Station 20 Repair/Remodel	1	-	100,000	-	-	-	-	-	100,000
Proposed	8050 - Fire Station 20 Repair/Remodel (Fund 971)	459	-	50,000	-	-	-	-	-	50,000
Parks & Recreation										
May Preview	1070 - Trail Network Dev Prog	1	-	-	100,000	100,000	100,000	100,000	-	400,000
Proposed	1070 - Trail Network Dev Prog (Fund 223)	457	-	100,000	100,000	100,000	100,000	100,000	100,000	600,000
Public Works										
May Preview	AUTO - 2240 - Heritage Park Trail Lighting	1	-	60,000	-	-	-	-	-	60,000
Proposed	4029 - Heritage Park Trail Lighting (Fund 113)	455	-	60,000	-	-	-	-	-	60,000
Public Works										
May Preview	1055 - PW Asset Mgmt Sys Integrations	1	50,000	50,000	150,000	150,000	150,000	-	-	500,000
Proposed	1055 - PW Asset Mgmt Sys Integrations	454	50,000	50,000	50,000	50,000	50,000	-	-	200,000
May Preview	8202 - Facilities Improvements - City	1	215,000	215,000	130,000	-	-	-	-	345,000
Proposed	8202 - Facilities Improvements - City	454	215,000	10,000	130,000	-	-	-	-	140,000
Public Works										
May Preview	AUTO - 2164 - Landscaping	2	-	50,000	50,000	50,000	50,000	50,000	50,000	300,000
Proposed	7846 - Landscaping	454	-	50,000	50,000	50,000	50,000	50,000	50,000	250,000
Proposed	7846 - Landscaping (Fund 971)	455	-	-	50,000	-	-	-	-	50,000

The second slide here, these are Cash Financed Projects that were moving off from the Debt Projects. Again, what we have here is broken out by funds so we have the City General Fund here and we have it broken out by departments. Again, we have the May preview, what was presented on May 6th and then what's actually in the proposed document and also, we have the page numbers that were impacted.

Basically, what we did here was departments in the City General Fund they were asked to cut 10% from their Contractual Services budget and also their Commodities budget. The Fire Department decided to cut \$50K from their Fire Station Repair/Remodel. It was \$100K when it came on May 6th and now it's \$50K.

In Parks & Recreation Department, basically what we have here is we added \$100K in 2019 and funding also shifted across the years between two different funds, the City General Fund and the Tourism Fund.

Here we have the Heritage Park Trail Lighting and what went on here is just a funding shift between different funds where it moved from the City General Fund to the Parks & Rec Fund.

In Public Works one of the things that happened here—they are in the City General Fund also so we asked them to make cuts based on their Contractual Services and their Commodities in the amount of 10%. What they decided to do was cut \$100K from 2020 to 2022 and then in this next project, Facilities Improvements, they decided to cut \$195K from 2019 Amended Budget.

They also decided to shift some funding out of the City General Fund into the Capital Projects Fund.

2020-2024 CMIP CHANGES FROM MAY SPECIAL SESSION

Cash Financed Projects

	CMIP	Page #	2019 Original	2019 Amended	2020	2021	2022	2023	2024	FY19-24
<i>113 – Consolidated Parks-General</i>										
Parks & Recreation										
May Preview NA										
Proposed	4022 - Wyco Lake Marina Docks	455	-	-	60,000	-	-	-	-	60,000
<i>172 - County Health Department</i>										
Health										
May Preview	8718 - Health Dept Facility Improvements	3	-	-	50,000	50,000	50,000	50,000	50,000	300,000
Proposed	NA									
<i>221 – Special Parks & Recreation</i>										
Parks & Recreation										
May Preview NA										
Proposed	4022 - Wyco Lake Marina Docks	457	-	-	65,000	-	-	-	-	65,000

The next fund we're going to talk about is the Consolidated Parks Fund. Basically, here what we're doing, this is a new project. It was not in the May preview and we're getting eight new docks. Two of those are for public use—six of those are for public use and two of those are for the Sheriff and the Parks & Recreation use. That's funded from the Parks & Rec Fund and then also the Special Parks & Rec Fund.

Also, in the May preview we brought forward the Parking Lot Resurface at the Amphitheater and we decided to move funding for it to the Tourism Fund and also fund it in one year.

Also, during the May preview the Health Department had \$50K in Health Department Facility Improvements; however, we needed to balance this fund because of the new electronic medical software they are getting that costs \$245K, so we cut this \$50K out but over in the Debt section there is like \$3M in the budget for boiler replacement, also roof replacement and elevator replacement.

2020-2024 CMIP CHANGES FROM MAY SPECIAL SESSION

Cash Financed Projects

	CMIP	Page #	2019 Original	2019 Amended	2020	2021	2022	2023	2024	FY19-24
560 - Sewer System										
Public Works										
May Preview	6302 - Annual Treatment Plant Repairs	6	3,020,000	3,020,000	3,171,000	333,000	3,500,000	3,670,000	3,850,000	17,544,000
Proposed	6302 - Annual Treatment Plant Repairs	458	3,020,000	3,020,000	3,171,000	3,300,000	3,500,000	3,670,000	3,850,000	20,511,000
563 - Stormwater Utility										
Public Works										
May Preview	AUTO - 2272 - Annual Hillside Deterioration Program	7			200,000	100,000	100,000	100,000	100,000	600,000
Proposed	5306 - Annual Hillside Deterioration Program	458				100,000	100,000	100,000	100,000	400,000
May Preview	5082 - Cash Resv Debt Mgmt Major Cap	6	2,580,000	250,000	250,000	250,000	250,000	250,000	250,000	1,500,000
Proposed	5082 - Cash Resv Debt Mgmt Major Cap	458	2,580,000	250,000		250,000	250,000	250,000	250,000	1,250,000
May Preview	5303 - Storm Sewer Repairs/Relacement	6	1,000,000	1,000,000	1,000,000	1,500,000	2,000,000	2,500,000	3,000,000	11,000,000
Proposed	5303 - Storm Sewer Repairs/Relacement	458	1,000,000	1,000,000	950,000	1,500,000	2,000,000	2,500,000	3,000,000	10,950,000
May Preview	5313 - Stormwater Prelim Eng Studies	6	100,000	100,000	100,000	100,000	100,000	100,000	100,000	600,000
Proposed	5313 - Stormwater Prelim Eng Studies	458	100,000	100,000		100,000	100,000	100,000	100,000	500,000

In fund 560 up under Public Works we had a tech change which is this blue column here. When we originally bought it in May it was \$333K and that should have been \$3,300,000. The Stormwater Utility we basically had to go in and balance this fund in 2020, so all of the cuts we took care of was basically to get this fund balanced across these four different projects.

2020-2024 CMIP CHANGES FROM MAY SPECIAL SESSION

Adjustments to Proposed

	CMIP	Page #	2019 Original	2019 Amended	2020	2021	2022	2023	2024	FY19-24
565 - Sunflower Hills Golf										
Parks & Recreation										
May Preview	8941 - Course Improvements	7	20,000	20,000	20,000	20,000	20,000	20,000	20,000	120,000
Proposed	8941 - Course Improvements	458	20,000	-	-	20,000	20,000	20,000	20,000	80,000

Lastly, we have Sunflower Hills. We also had to get this fund balanced so we did cut some course improvements from their budget in their fund but we do have some funding in the Tourism Fund in the amount of \$150K for bunker replacement and tee replacement.

That completes all the adjustments that we made to the Capital section.

Commissioner Walters said looking on page 442 of the Capital Maintenance Improvement Program Projects Summary, there are some really big numbers on this page so I'm just wondering, I'm seeing a 2019 Amended Budget, a grand total of \$167M. Where could I go within this budget to get some breakdown like Internal Improvement \$98M. Where would I go to get a breakdown of detail of what that is? Are you seeing that number? About halfway down the page 2019 Amended, Capital Project Funds, Internal Improvement \$98M. **Mayor Alvey** said number 990. **Commissioner Walters** said 990, for example, or all the way down at the bottom 0040 Public Works \$160M. Where would I get the detail on those numbers? **Mr. Lindsey** said it would be in the Debt section. It starts like on page 471, page 466. You can see the \$97M that you were talking about. It totals up down there.

Mr. Bach said, Commissioner, what you see there on page 466 that then takes that one bulk item, breaks it down into categories; Street, Bridges, Traffic, Engineering, Facilities, Parks, Rec, Community Facilities and such on down the page so you can see how much is in each area. Then on the corresponding pages, unless I'm incorrect guys, then you can go through it and that's where your line detail of each one. So, when you see Streets \$10.8M, you come back over here under the next section under the Debt Financed and you'll find—that's where I find Streets and then you find that and that would add up to that corresponding numbers. You will see each one broke out individually. **Mayor Alvey** asked are you talking about page 472 and did you move from 472. **Mr. Bach** said I moved from 466 which does it by category that adds back up to that \$97M and then if you move to page—then there is just some more explanation slides in-between and then you get to page 472 and on for these next several pages to go through Debt and Cash, right? **Mr. Peterson** said that's correct.

Commissioner Walters said this page 442 includes all of the General Fund, Enterprise Funds, everything, is that correct? **Mr. Lindsey** said yes. **Commissioner Walters** said I heard a yes, right? **Mr. Bach** said yes. **Commissioner Walters** said it's a staggering number in the 2019

and 2020 and then it goes down dramatically in '21, '22, and '23. I'm assuming, just from my quick review, a lot of that is the Sewer System Treatment Plant.

Debbie Jonscher, Deputy Chief Financial Officer, said the 990 are all the Debt Funded projects so that would include all of them including the Sewer. It would be included in that total.

Mayor Alvey said I think on page 474 and 475, is that what you found? **Commissioner Walters** said I'm just reacting to—would we all agree these are big numbers? **Mayor Alvey** said yep, government expensive. **Commissioner Walters** said I guess if there is any more enlightening information we could get on that, it might be helpful.

Commissioner Bynum asked are we saying that on this line that you're looking at, 999 for \$47.3M, I'm sorry, it's clear at the Capital Project Funds. You were talking about how it's very large and then it starts—**Commissioner Walters** said I'm on page 442 which is the Summary page. **Commissioner Bynum** said yes, and then Ms. Jonscher had mentioned that, if I understood correctly, the 990s are the Debt Financed. Just for example, on that Capital Project Funds total \$145M. When you get out here to 2024 it's \$19M, you were commenting on how dramatic that is and I think that's what were—**Mayor Alvey** said but that's the revenue category, right? This table above is revenues fund sources? **Mr. Lindsey** asked what page. **Mayor Alvey** said page 442. **Commissioner Bynum** said yes, fund category, we're just going back to that page 442. **Mr. Bach** said no, that's expense. **Mayor Alvey** said those are expenses, but it's where it's coming out of so under Special Revenue Funds, Dedicated Sales Tax \$3.3M is being expended at the top? **Mr. Lindsey** said on page 467 there's an illustration that shows how it drops off over the years and it shows that it's Sewer System. If you go to 467 in the bottom chart there.

Mayor Alvey said to be clear, the numbers drop-off from 145,792 to 90 to 48 because we have not yet allocated funds or decided those projects yet. This is just what we already have in place and have committed to—the projects we have already committed to, that portion will decline over time, but there will be other projects coming forward. Is that correct? **Ms. Jonscher** said that's correct. I think this is the current amount that we have for the outstanding projects that are ongoing so this wouldn't include—this has a similar look to the Debt graft you're going to see later on in the presentation but this didn't include any future debt.

Commissioner McKiernan asked could I request that we get updated copies of the actual CMIP Detail that starts in the original budget on 472, both the Debt and the Cash, get updated copies of those. You've provided us with what the changes are but now some of those changes affect some of the totals so as I try to match totals, and actually they don't even match, and I just noticed that so thank you for pointing out that collapsed page there. Could I get an update that just shows 472 through—well that's just Debt and then the same thing for the Cash? It's a reprint of our original detail sheets. **Ms. Jonscher** asked are you talking about for the changes they just went through. **Commissioner McKiernan** said what I would like to see is the original sheets that incorporate those changes. I'm assuming in addition to putting them in that PowerPoint there in the spreadsheet. **Ms. Jonscher** said those changes are in the current CMIP document in your budget book. That was the change from the spreadsheet that we provided at the May CMIP session. Whatever change from that meeting to what is in your book, those were the changes that Reggie just talked about and those changes are already incorporated in your CMIP document. **Commissioner McKiernan** said of 6-27-19. **Ms. Jonscher** said that's correct. The original would have been what we handed you in May which I think was also put out on the website.

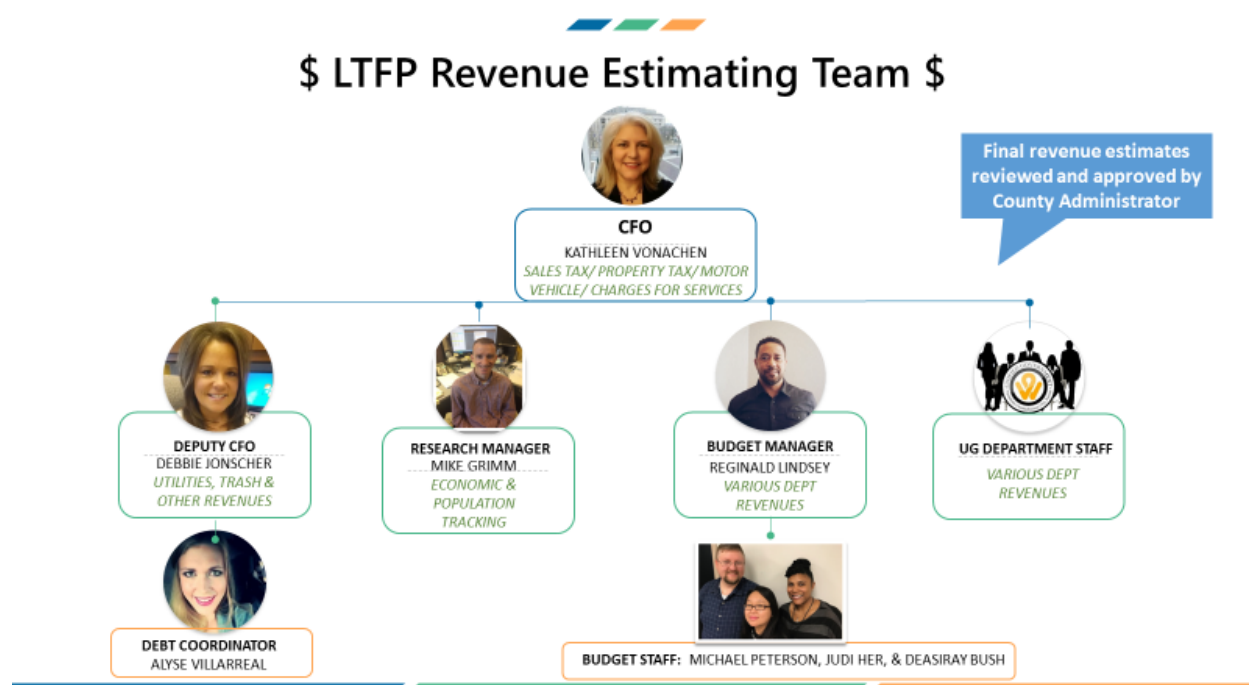
Commissioner Burroughs asked does this budget the way I'm looking at it, I'm looking at I guess it would be page 474 where it has the 2020 through 2024, \$70M proposed, that contributes to the \$165M I believe that has come up in a question. Does this budget include the new stormwater fee to pay for these? **Ms. Jonscher** said no, it does not. **Commissioner Burroughs** said it does not, okay. **Mr. Bach** said that has not been advanced yet so we're not able to start incorporating those projects in with the exception of the two, the Turkey Creek and then the Argentine Betterment Projects that we had to move forward with earlier this year. They are in the budget and we still need to identify how we're going to fund those in the future. Right now, they will just fall into our General Fund Debt. **Commissioner Burroughs** asked is that the \$10M Wingwall Repair? **Mr. Bach** said yes, and then the \$10M Betterment on the Pump Stations.

Commissioner McKiernan said if I look on page 468 and I look at the first shaded line it says Streets total and it's 12.2, yes, it's \$12M, \$12.2M, correct, for 2020? Yes, I'm looking at the 2020 Budget. Page 468, Streets total for 2020, 12.2. Then if I go down to page 472—thank you for following along while I looked at the correct column in page 472 and not the incorrect column in

472, so you should not trust me with anymore numbers in this whatsoever. I see the match. **Mr. Bach** said thank you for clarifying for all of us. It does kind of get you when '19 is in there twice. It always kind of toys with the eye a little bit.

Ms. VonAchen said I could probably speak for Reggie reminding you that we're open to any suggestions on how we can improve how you read it.

Mayor Alvey said I think now we move to Revenue Review.



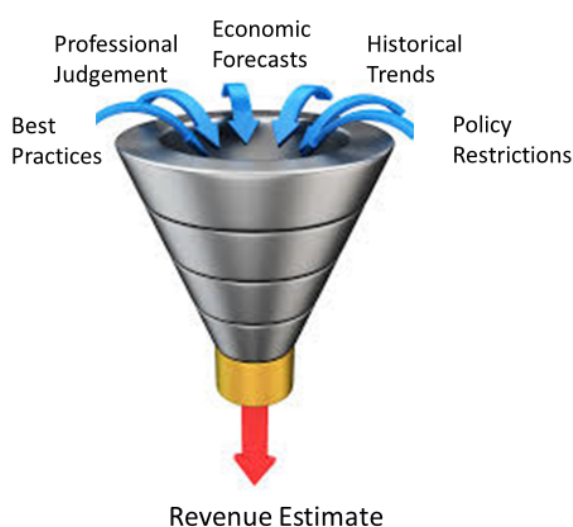
Ms. VonAchen said I have a terrific team of revenue estimating folks who help me put together the estimates and the assumptions and analysis behind our prediction of how the revenues are going to be coming in. First off, of course, Debbie Jonscher, the Deputy CFO, oversees utilities, trash and other revenues. I don't know if you're aware, but there's about 4,000 revenue accounts and we have to go through and look at each and every one. Some of them are pretty small though honestly.

Secondly, we have our Research Manager, Mike Grimm. You've seen him before. He provides a lot of economic background and population tracking and has been instrumental in collecting a lot of data in a whole slew of areas.

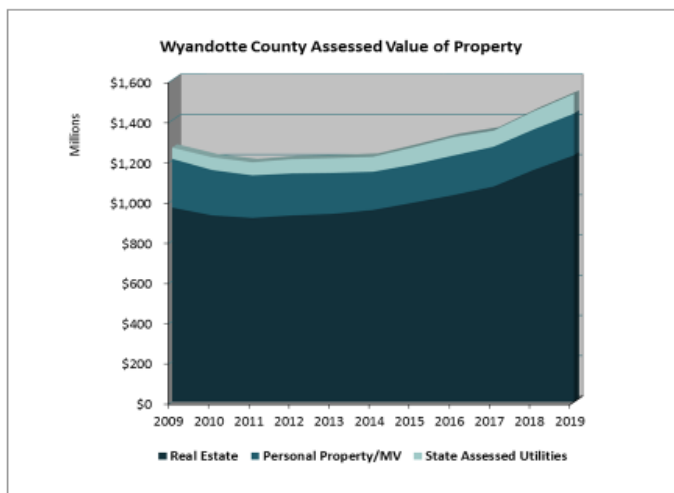
Of course, we've got Reginald Lindsey, our Budget Manager, who assists with various department revenues. Of course, all the UG Departments themselves that provide us information on their own revenues. You know, Municipal Court, for example or the NRC.

You've all met Alyse Villarreal, our Debt Coordinator, and she's a Management Analyst extraordinaire and has really helped us.

Finally, we have Michael Peterson, Judi Her and Deasiray Bush who are our Budget Analysts and are very, very helpful with everything we have to do.



The revenues are estimated typically before the budget process. It begins sometimes—it's while it's going on as well and then at that point the County Administrator also gets to review and weigh-in and ask questions, so it's a collaborative approach. The approach requires all of us to set our best practices of professional judgement. Some of the economic forecast we go to various conferences and do some reading on various economic trends, historical trends as well as policy restrictions. There's a lot of statutes that dictate how much we can collect.



Two largest tax revenue sources that support police, fire, streets, and many other governmental services are property taxes and sales taxes.

Property tax revenue is based on the assessed value of the projected market price of residences and businesses.

Data represented by tax year; For example, 2019 assessed valuation for 2020 budgeted revenue. County assessed valuation increased 0.6% in 2014, 3.9% in 2015, 4% in 2016, 2.4% in 2017, 7.2% in 2018, and an estimated 6% in 2019. Data includes motor vehicle valuations. Refer to page 178 of the UG Comprehensive Annual Financial Statements.

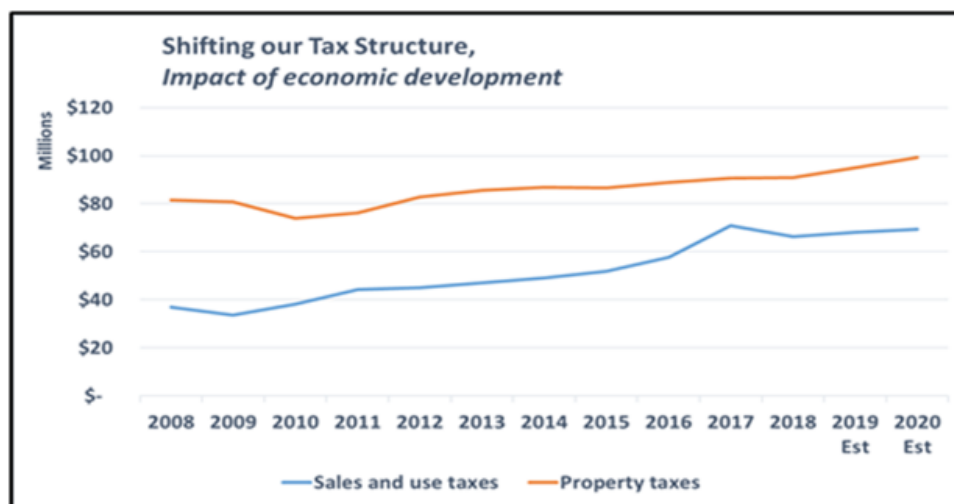
First off, I'm starting out with a chart that was requested by Commissioner Burroughs several days ago. As you know, the General Fund comprises of roughly \$200+ million of our total budget of roughly \$390M. It's a significant portion of our operations and the two largest tax sources that support of our operations, that being supportive of Police, Streets, Fire and many other governmental services that we provide to our residents come from property taxes and from sales taxes. We spoke about property tax at our meeting on Monday, but today I'm going to provide you this one little graph on property tax and then we're going to focus on sales tax later on.

Property tax is based on the assessed value of the projected market price of your residences or business. This is a graph, a 10-year graph, of the total since 2009. This very dark area is real estate. The blue area is personal property and motor vehicle and the last part is what they call state assessed utilities, so corporations that provide utilities to our residents; those are assessed by the state, but they're part of our assessed value.

As you can see, beginning with when we had the recession it kind of dipped more so and there's typically a lag with property taxes, property tax values, because it takes a while for the assessor to go in. When there is a housing bust, you really don't see the value of your home dropping until after several years have passed. That's why you see this dip happening in 2011 and 2012, but we have recovered and, in fact, the data shows—and this is provided on a tax year basis, so this 2019 is the tax or the mill rate that you all preliminary set a maximum mill rate on Monday

and it's in effect for 2020 Budget. For the 1999 assessed value for the 2020 Budget is how that works.

The County assessed value—this is the entire county, not Kansas City, Kansas. Kansas City, Kansas assessed value is less than this one somewhat, a little, a couple--\$200M or \$300M. Our assessed value is up here in the, I hate to guess, maybe \$1.5M range up there. It increases in 2019 by 6%. It started out in '14 with 0.6, so very slow growth during that recession and then it jumped very steadily 3.9% in '15, 4% in '16, 2.4% in '17 and then it jumped up to 7.2% in 2018 the year we're in right now. Next year we're anticipating 6%. It does include Motor Vehicle valuation and if you want more information on this, you can go to the Accounting Divisions website where you will find a Comprehensive Annual Financial Report and go to page 168.



UG-wide Data. Property tax mill rate were reduced by 2 mills in 2017, 2018 and 2019, for a total of 6 mills. Property tax revenue increase projected in 2019 and 2020 due to increased assessed valuation and improved delinquency rate. Sales tax revenue increased in 2017 due to Village West STAR bond payoff, although has declined beginning in 2018.

The next graph I wanted to show you is one that we presented during our budget presentation or perhaps it's in the budget message. I don't remember which. It kind of shows a history of those two key revenue sources. Now, this is the entire Unified Government, so we collect property tax for not just the General Fund, but also a number of other tax levy funds dedicated for certain services.

We also collect sales tax for other functions such as Dedicated Sales Tax and for EMS for example. All of those are reflected here and, as you can see, over time this increase in the

revenue part that is generated from our property tax mill rate has been steadily very flat. Why is that? The reason is that there has been a 2-mill reduction that began in '17 and a second 2-mill reduction in '18 and a third 2-mill reduction in '19 and that kept this flat. If you read through our CAFR, you'll notice there are notes about how there's very minimal increases in the collection of property tax during those years. Now it's increasing because we're proposing in this budget to maintain the mill rate at the current low level that it's at, but there is that 6% assessed value growth rate that we are anticipating—or actually that the County Appraiser is going to certify.

Some of that mill reaction, I don't have to tell all of you, was conducted or approved in anticipation of the STAR bond payoff and that's what this bump here is. As we have all talked about before, sales tax is a very volatile revenue source and so as a result, sometimes it goes up and sometimes it goes down and you have to be prepared for that and that's why we have Reserves or Fund Balance.

What happened in '18 was it dropped and we're going to talk about maybe some causes for that. Originally, we were projecting this line to continue right through here, but unfortunately, it's down below. We've lost about \$3M in revenue that we were anticipating in '18, another \$4M in '19 and another \$4M in '20 and that requires that we need to assess our priorities and streamline our practices.

SALES TAX REVENUE

- 2018 Retail sales rose the beginning of 2018; then began dramatically dropping in June 2018

- Drop was seen nationwide and here regionally

- Finance receives data two months after the actual retail activity

- Early 2019 not showing improvement

- **Budgeted estimate for 2019 and 2020 is a conservative 2.5 % increase over the low 2018 sales tax revenue receipts level**

REASONS FOR DISSAPPOINTING 2018-2019 SALES TAX PERFORMANCE



Declining sales tax revenue echo cautionary signals from previous economic downturn



Greater reliance on sales revenue

Shifted \$6 M annually from property taxes to sales tax when STAR bonds paid off
Comprises of 23% in 2018 General Fund Revenues, compared to 21% in 2016



Sensitive to collection methods

Scope of tax base (i.e., don't tax services or groceries)
Online sales / e-commerce increasing share of market; tax collection is challenged



Sensitive to economic conditions

2018 stock market volatility
Economic uncertainty related to Fed interest rate hikes, trade disputes, Federal govt shutdown, slow new automobile sales

The reasons for the disappointing performance, it's tough to know. You know the sales tax revenue drop kind of echo's what happened during the recession and it can happen very quickly. Because of that you need to—we need to be careful not to rely too much on sales tax and to be ready for it if it happens.

By the way, I made a note here that sales tax comprised of 23% in 2018 of the General Fund revenues compared to 21% in 2016 before the STAR bond payoff. So, not a dramatic difference, but it does signal a little bit of a shift. It also has some challenges, sales tax, because of several reasons. The scope of the tax base—in some state's services and groceries are taxed and in others it's not. It just depends—it's performance greatly depends on the scope of the tax.

Additionally, online sales have really impacted the revenue performance for sales tax. People are trying to get much more convenient to shop online and some of those online retailers don't remit sales tax to the respective states. Lastly, it's very sensitive to economic conditions. We've been talking to a lot of Finance Director's across the state and we're all just puzzled by what's going on here. All we can really come up with at this moment is that it's a product of market volatility that consumer confidence may be down and there's a lot of economic uncertainty related back during 2018 related to the drop in—or the reduction in—no, the increase in interest rates, trade disputes, a number of other things.

Overall, just to recap, the '18 sales tax rose at the beginning of 2018, the first six months, and then it dropped beginning in July. The drop was seen nationwide as well as regionally. Finance, ourselves, we don't actually collect or know the performance of sales tax until two months after the transaction has occurred because the retailer has a month to report and remit his payment to the state and then the state has a month to give it to us. So, we kind of are behind the curve sometimes in knowing this.

We were hoping in 2019 that things would turn up, but they're not really turning up, but we're going to get through this and so as a result we've reduced our sales tax estimate to 2.5% for both 2019 and 2020.

I'm going to show you some examples. This data that I'm about to show you is what they call Year over Year. It's a percentage—what's the percentage change of the amount that I collected today compared—for this month compared to the month from the year before, year over year. Naturally, if it's above zero, then you collected more sales tax this year than you did last year within that same month.

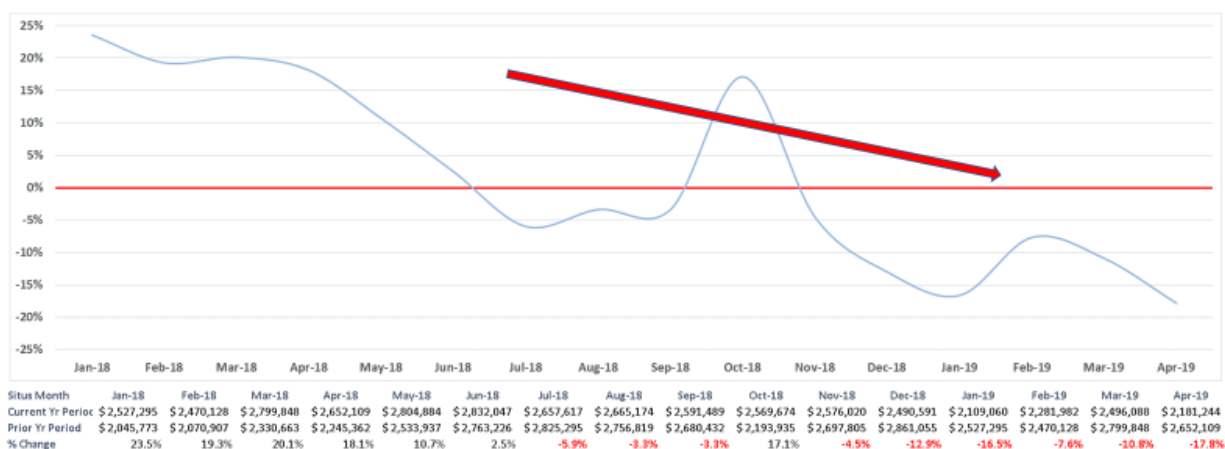
United States Retail Report



Source: US Census Bureau; <https://tradingeconomics.com/united-states/retail-sales-annual>

You can follow the trend because then you can see how much it's growing up or down compared with the prior period. This is a report from the US Census and it discusses retail activity across the entire United States and you can see that beginning in August it dropped. Now, they're not in the negative category. Here's the zero right here, but you can see that trend line going down.

City of Kansas City, Kansas 1.65% Sales Tax*

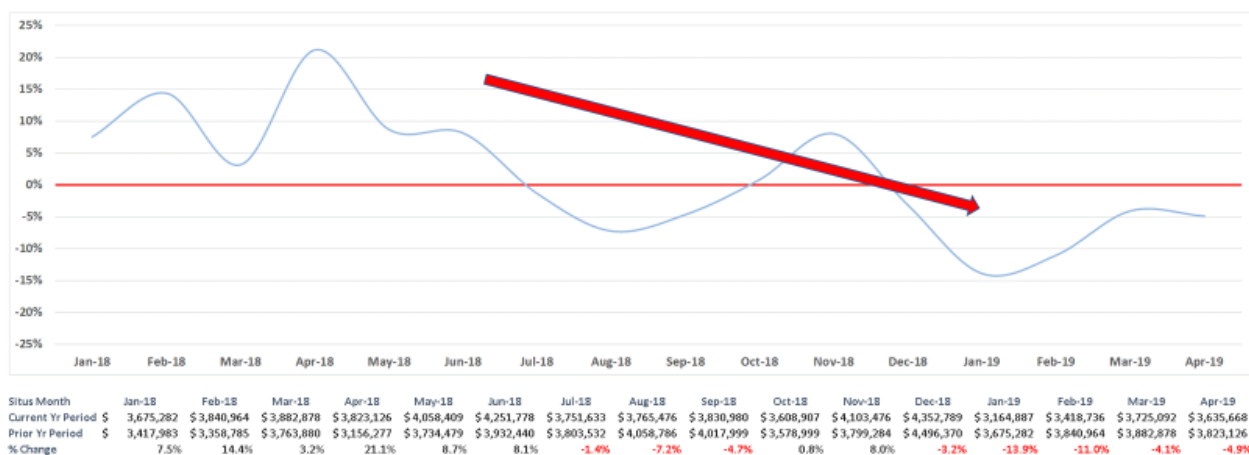


*STAR sales tax SOCCER revenue base not included

July 11, 2019

This retail report doesn't have any numbers on it, it's just percentages. The next few ones do have actual dollars so that you can compare and understand it better. What we're looking at now is the City of Kansas City, Kansas 1.65% sales tax, percentage sales tax. That's the sales tax for the 1% City and then the quarter cent EMS and then the 3/8th for the Dedicated Sales Tax. Since January 2018 we had very strong performance with a 25% increase over the prior year in the beginning of the year. This is significant and then it drops to below the zero. There was some sort of blip here in October. Oftentimes retailers file late and so then their payments get all bundled up so this sort of blip happens, but it's continuing. We were very happy when it started to look like there was an upturn in February, but now it's dropped back down again.

City of Overland Park, KS 1.125% Sales Tax



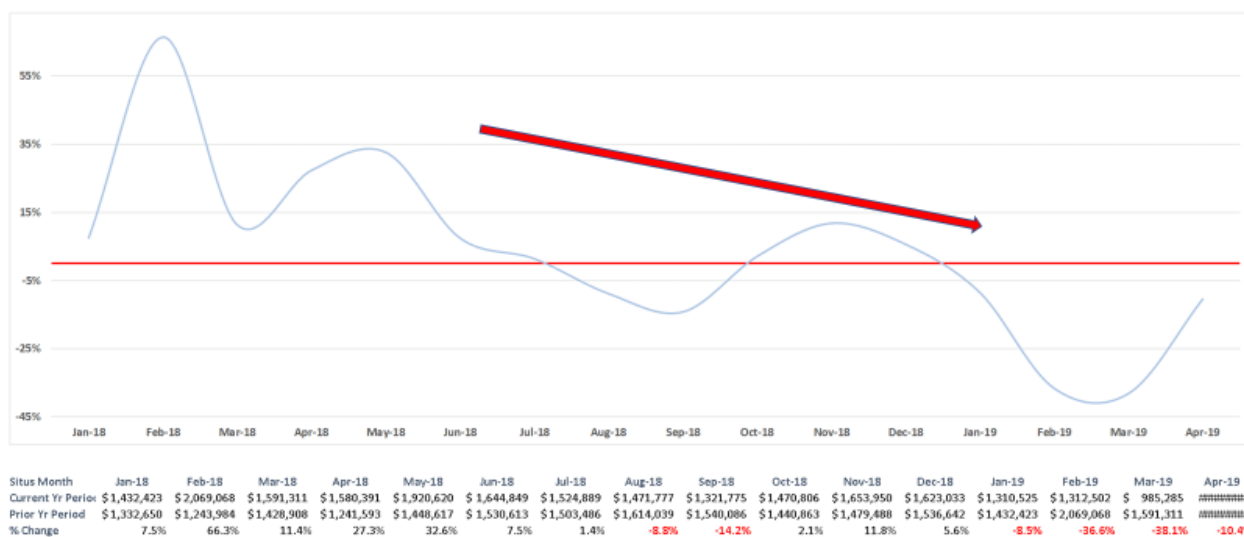
Here's Overland Park. Very similar slope. They're also in the negative although it's looking a little better for them at the end in April. This data is based on the month in which we estimate the transaction occurred. If you're looking at December, it's Christmas.

Commissioner Bynum said if you would go back one slide to the KCK. The blue line is a percentage change. **Ms. VonAchen** said yes. **Commissioner Bynum** said at the very bottom are actual numbers? **Ms. VonAchen** said that's right. The bottom percentages are the same as the blue line. **Commissioner Bynum** said I mean at the very bottom of your slide—**Ms. VonAchen**

said that's correct—**Commissioner Bynum** said those are actual collection numbers, right? **Ms. VonAchen** said yes. They are numbers that the state gave us. **Commissioner Bynum** said oh, I see. I was not reading it correctly. So, for example, right where you are, July of '18 the prior was \$2.8M and then July of '18 was \$2.6. **Ms. VonAchen** said yes. (Talking was inaudible) **Ms. VonAchen** asked got it. **Commissioner Bynum** said yes. **Ms. VonAchen** said thank you for asking that. I just whizzed by, you know, figured you all are on the same page.

Ms. VonAchen said so, Overland Park. Any more questions on that? **Commissioner Johnson** said it looks like we're trending the same way that it's going nationally, but two slides ago suggested nationally we hadn't reached that threshold as of yet or is that not true? Nationally they have not crossed the zero. **Ms. VonAchen** said right. **Commissioner Johnson** said so what makes Kansas, I suppose, so much different than—is there anything that would suggest what would make us different or lower than the average? **Ms. VonAchen** said I don't know the answer to that, but I do have a slide from Kansas City, MO coming up. **Melissa Sieben, Assistant County Administrator**, said I would also suggest what we tax so every state varies in what it collects sales tax on, so it could be what we're collecting sales tax on has a higher elasticity so people have the ability to not purchase those items where other parts may not be that way. That's just a thought.

City of Lenexa, KS 1.5% Sales Tax



July 11, 2019

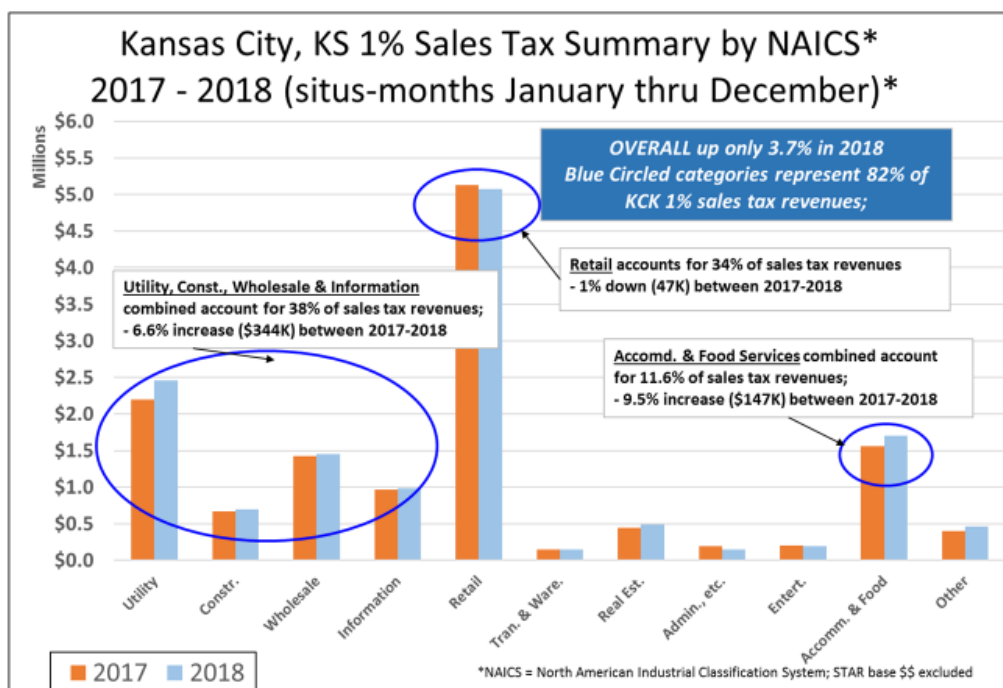
Ms. VonAchen said Lenexa collects roughly \$2-\$1.5M per month and they're also—they had a significant increase in the early part of 2018. This was likely due to some variability because the vendors tend to hold off on remitting and so there are some lumps in the data, but it's going down. Things are looking a little better for them in April, but it's hard to know if it's a trend.

City of Kansas City, MO 2.875% Sales Tax*



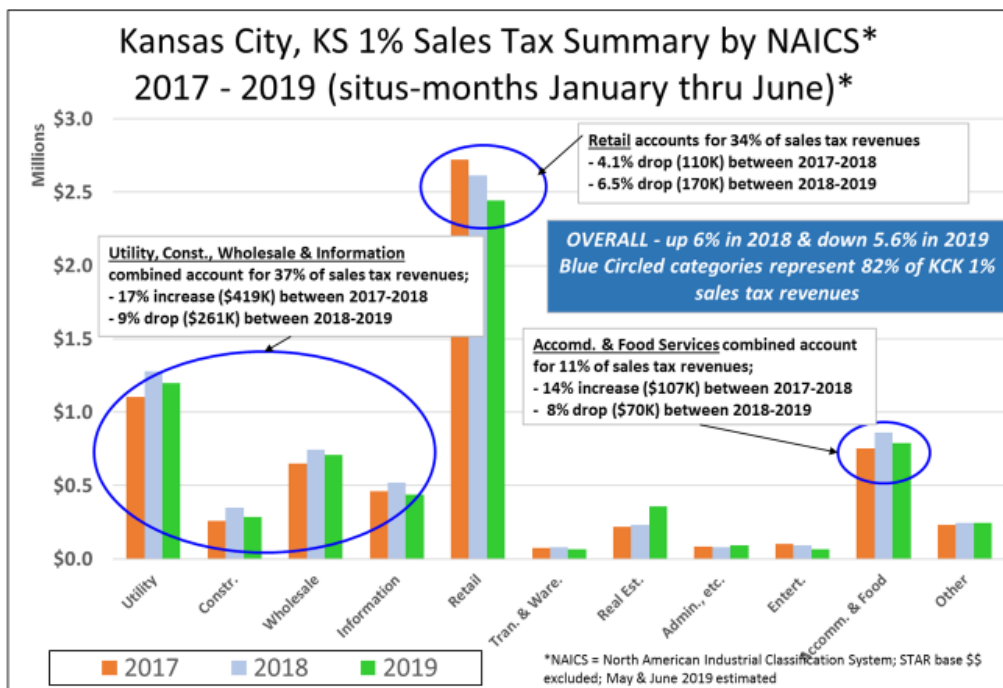
*Excludes the 1/8th sales tax dedicated for economic development projects passed by voters in April 2017.

Here's Kansas City, MO. This does not include their recently adopted ½ cent sales tax dedicated for economic development projects that was approved by their voters recently and that's because—well, the data just wasn't—I think it came in in the middle of the period so they decided to take it out. This is just that portion and so it's hovering above the zero line. It's a lot flatter than the others in '18 and then it drops down as well. I asked her what this was about and she basically, like I said, we were all at the mercy of—in her case the Missouri Department of Revenue, so whatever they give us, we collect it and deposit it.



Here's a really interesting chart. I have two of them. This is basically a comparison of 2018 with 2017 looking at the collection from the perspective of the business classification of the business that remitted the funds. The biggest kind of category, I lumped them into three categories, is retail, accommodations and food service, and utility, construction, wholesale and information. These kind of three represent 82% of the total collections during this period, during 2018 actually. The reason I'm showing you this is because you would think well, geez it's not so bad. You know, in 2018 we had overall that it increased 3.7% so that seems pretty good. The problem was at the beginning we collected, I don't know, I could look back, but you know 10-12% and then at the end when it's heading into 2019 it drops below into the negative category. That's why you have to kind of look at it on a month to month basis and I have a great staff that does that. Alyse, Debbie and Mike Grimm, we all look at sales tax all the time.

Here you will notice that retail sales is down 1%. That doesn't seem very much, but you will see later on. Accommodations increased a little bit, 9.5% and then wholesale, utility, etc. increased 6.6.



The next slide I'm going to show you is January through June. This is the January through June for 2017, for 2018, and for 2019. I picked this because it is the most pertinent to us right now because right now we're in January through June. I estimated some June so it's not 100%, but it's pretty close. You will see though how the activity for this 6-month period, for the past few years, you're seeing a reduction. It's not as rosy as you had—than the other overall chart shows. A 4.1% drop in '18, 16.5% drop in '19 and that's from retail activity which is 34% of our total sales tax for this 6-month period in 2019.

In '18 overall there is a 6% increase yet we're down 5.6% in '19 and, so anyway, just some more information you can review. If you have any questions on it, I'm happy to talk with you about it. We're trying to get answers for why is it going down. I'm not sure we're ever going to really know exactly why, but what's most important for us as managers of the organization, is that we stay vigilant and make plans. That's why we do this is to look for every opportunity to make the modifications so that we're continuing to provide excellent service to our residents.

CONSOLIDATED GENERAL FUND		FY 2018		FY 2019		
		May YTD	% of		May YTD	% of
<i>numbers in 000's</i>	Budget	Actual	budget	Budget	Actual	budget
Revenues	\$ 206,909	\$ 87,669	42.4%	\$ 216,507	\$ 93,223	43.1%
Expenditures	\$ 208,468	\$ 82,428	39.5%	\$ 219,475	\$ 85,385	38.9%
Net Alloc & Transfers	\$ 1,325	\$ 331	25.0%	\$ 185	\$ 46	25.0%
Net Change	\$ (234)	\$ 5,572		\$ (2,783)	\$ 7,884	
Balance, Start of Year	\$ 19,046	\$ 19,046		\$ 25,785	\$ 25,785	
Balance Year-to -Date	\$ 18,812	\$ 24,617		\$ 23,002	\$ 33,669	

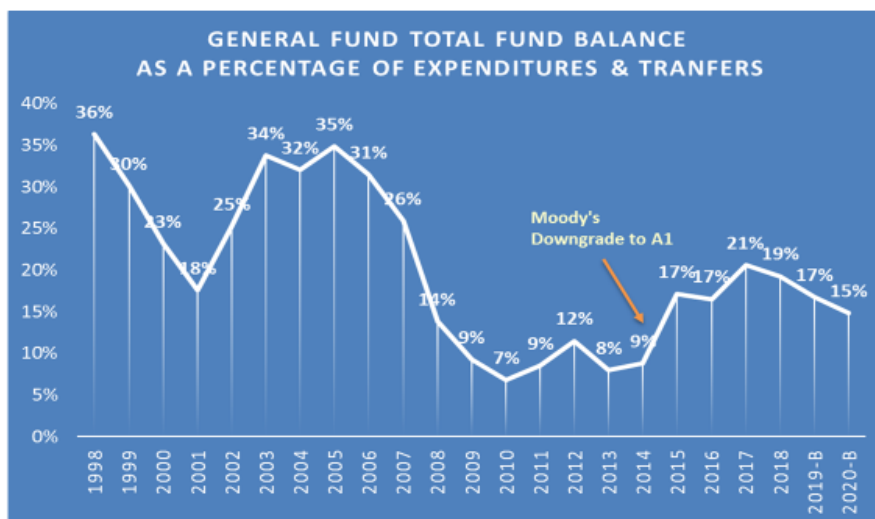
CONSOLIDATED GENERAL FUND OVERVIEW

We're going to go over this real quickly. One of the commissioners requested it. It's how are we doing through the month of May. This is for the Consolidated General Fund. As you can see, this is a comparison of budget to actual for 2019 and then the same period in 2018. As you can see, well, if you divide 5 into 12, you get 42% so basically 42% if you were spending and collecting money at the same rate throughout the entire year, you would be at 42%. It's a little deceiving because you see this 43% paying the revenues, not doing so bad, but the issue is that we actually collect one-half of all property taxes in the first months of the fiscal year. There's a lot of property tax in there that's kind of helping with the soft sales tax performance. Our expenditures are only at 39% so they are down. Our fund balance is staying strong.

GENERAL FUND BUDGET - COMBINED			
	FY 2019 ORIGINAL BUDGET	FY 2019 AMENDED BUDGET	FY 2020 PROPOSED BUDGET
Revenues	226,387,853	226,723,539	230,867,328
Transfers-In	2,256,000	2,256,000	2,256,000
Subtotal: Sources	228,643,853	228,979,539	233,123,328
Expenditures	229,361,744	230,373,965	234,411,275
Transfers-Out	2,065,000	1,965,000	2,270,000
Subtotal: Uses	231,426,744	232,338,965	236,681,275
Net Change in Fund Balance	(2,782,891)	(3,359,426)	(3,557,947)
Cash Basis Ending Fund Balance	\$ 23,369,753	\$ 22,793,218	\$ 19,235,271
CAFR Ending Fund Balance	\$ 37,033,491	\$ 36,629,458	\$ 33,071,510
17% Target Reserve →	17%	17%	15%

Combined General Fund – Amended 2019 and Proposed 2020 Budgets
Planned use of fund balance of \$3.36 M in 2019 and \$3.56 M in 2020

I want to focus now on the future, on the proposed budget that Doug Bach presented to all of you. In the budget document, the budget message, there's a couple of tables that looks like this one and it's for the City and for the County. This table is the City, County and the Parks all combined. What it's telling us is that there is a very rationale plan to use the fund balance of \$3.36M in 2019 and then \$3.56M in 2020. We're going to talk about that. Now, what's the impact of that?



Combined General Fund – Fund Balance History and Budgeted Estimate

You've all seen this graph before. All I did was update it for these last two rolls. I've got 2019 Budget which is for the Consolidated Budget at 17% which is the target. We set a target of two months of Operating Expenditures and Transfers and 2 into 12 basically is actually 16.7%, but we round-up to 17%. Unfortunately, we are dipping into fund balance in 2020 because of the \$3M delta between revenues and expenditures in 2020. The reason for having reserve is to assist us and give us time to respond to economic downturns.

• UG GENERAL FUND RESERVE POLICY

ADOPTED JUNE 2018

General Fund Reserve

Operating Reserve:	2-months of on-going operating expenditures, or 17%
Economic Uncertainty / Emergency Reserve:	1-month of on-going expenditures, or 8%
Total Fund Balance Reserves:	3-months of on-going expenditures, or 25%

Compliance

- Measurement at December 31st as part of annual financial audit
- If target level of reserves are not being met **or likely to not be met at some point within a five-year time horizon**, then during the annual budget process, fund balance levels will be provided to the Mayor and Board of Commissioners
- **Should the projected year-end fund balance be below the operating reserve, a plan to replenish the reserve would be established to achieve reserve levels over a five year period**

The rating agencies understand that and our policy actually accommodates for us—has accommodations for that, but it does have a clause right here right here as a reminder, which we all adopted this policy, should the projected year-end fund balance be below the operating reserve, then a plan to replenish the reserve would be established to achieve reserve levels back to where they were over a future five-year period. Now, who puts that plan together? Well, I suppose I come up with some ideas, you come up with some ideas, we all reach a consensus and work towards that common goal.

Difference between budget and actuals over the past 10 years



Average over past 10 years:

Actual Revenues are higher by \$666,000 than estimates; Actual Expenditures were \$3.7 M lower than budget. Change to Fund Balance on average over the past 10 years is a net positive \$4.37 million.

There are a number of ways that you can get your fund balance back to the acceptable level or the target. One way is to simply not use any kind of unspent budgeted money at the end of the fiscal year. Oftentimes, sometimes, in fact over the last 10 years, five times have the revenue estimates exceeded the budgeted—or the revenue actuals exceeded the estimates. So, 5 out of 10 times we collected more than we anticipated, but over the last 10 years all 10 times we budgeted more than we spent. What we've got here, and I've done the math for you, is the average over this 10 years is that \$666K in additional revenue we did anticipate and on the expenditure side the average over the 10 years was \$3.7M in budgeted money that was not spent. Of course, the net between these two, positive, positive, you add the two together you get \$4.37M and that money just goes to fund balance just like your checking account. If you had plans to go to dinner, and then your plans fell through, the \$20 you were going to spend on dinner just stays in your checking account and that's what this is. Naturally, this is a common occurrence that happens in financial management and something to consider.

Achieve target reserve within 5 years

Financial sustainability

- Strategically allocate resources by focusing on the UGs highest priorities and core services (Priority Based Budgeting)
 - Identify near-term and longer-term objectives
 - *Example of near-term objective:* eliminate the negative net margin by 2021
 - *Example of longer-term objective:* streamline business process or identify operational areas to reduce costs
- Agree to let any unspent budget at the end of year go towards building back the fund balance
- Examine how our services can pay for themselves to diminish the burden on taxpayers
- Identify programs that have a return on investment while also enhancing the quality of life for residents

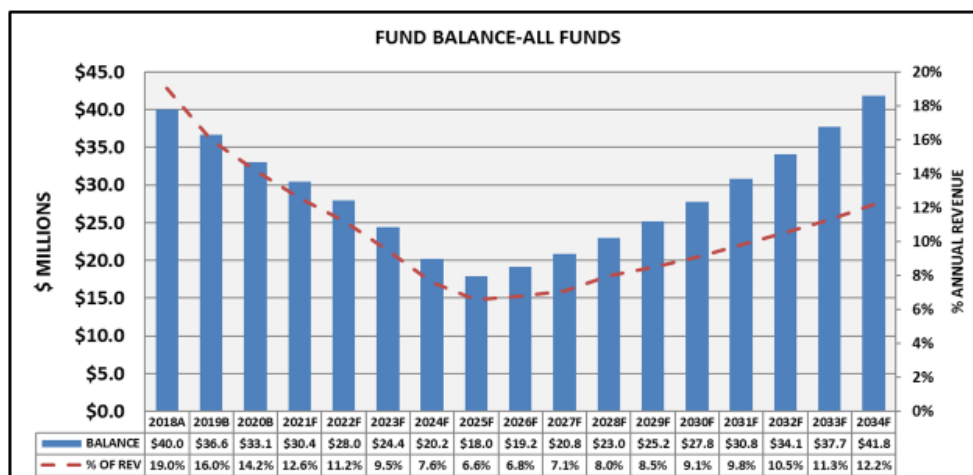
How can we achieve the target reserve within the five years? We could strategically allocate resources by focusing on the UG's highest priorities and core services which Reggie and Michael made a presentation on February 14th on Priority Based Budgeting and we're very much looking forward to working with all of you on developing those strategies and determining where we want to focus on and what priorities we need to look at.

One beginning step, which we look forward to entertaining it in the fall, is identifying any near-term and longer-term objectives. For example, a near-term objective would be to, and this is Finance speak for a balanced budget, eliminate the negative net margin by 2029. Net margin is revenues minus expenditures. We want revenues and expenditures to equal each other, so we need to work towards that goal.

Another example, long-term objective, is to streamline our business process and identify operational areas to reduce costs. We can also, perhaps, agree to let any unspent budget at the end of the year go towards building back the fund balance. We can examine how our services can pay for themselves and diminish the burden on taxpayers who are having to pay higher taxes for services they're not getting. We can identify programs that have a return on investment and grow the tax base while also enhancing the quality of life for our residents.

Long Term Financial Forecast

Combined General Fund



This is a scary graph. I updated the Long Term Financial Plan. As you know, last year, fall, I did a long term financial plan. It's on the Finance Departments website and just to revisit, during that long term financial—it wasn't a plan, it's a forecast. I forecasted that over the coming 5 or 6 years we were going to end up about \$3M per year short if we didn't take any actions. Frankly, we're kind of still there.

This is what is happening to our fund balance. I just updated the long range plan and, of course, later this fall I can provide you with much more detail on the assumptions. Because of various positive things that happen around 2026, we actually turnaround a little bit.

Mayor Alvey asked at what point would that affect our bond rating. Would it be at 2023? At what point does it dip below a certain level that would give alarm? I see there, for instance, Moody's downgraded to A1 and when we hit nine but that was a 2 or 3 year term—**Ms. VonAchen** said yes, they have a specific watch for a number of years and then we they saw this happen, that's when they downgraded us because the audit came out and they were like—**Mayor Alvey** said they're looking at a trend but not necessarily year to year, but it could be year to year if it was significant enough. **Ms. VonAchen** said yes. If this dropped within a year or two down to 5%, you would be in big trouble, but they are very careful about downgrading. They put you on a watch for a number of years. The thing is, 10% and above is a minimum for them.

Commissioner Burroughs said if you can go back to that slide again that we were just looking at. I noticed a 10% growth between 14—at 2014, 2013 and 2014, there was a 1% uptick for reserves. From 2014 to 2015 we had an 8%, so within that one year, two year period, what did we forego to either cut expenses or was there an increase in retail sales and property valuations? **Ms. VonAchen** said I think at that time we sold the Cerner property. There was like a \$9M bump and those funds along with other factors I'm sure were not spent. **Commissioner Burroughs** said that's a tremendous jump in addition to cutting the mills. I'm just kind of curious as to what we didn't advance, if we put a stop on projects to stop our spending, or we seen a tremendous increase in valuation and an uptick in retail sales. **Ms. VonAchen** said the Cerner happened in 2015. The mill reduction didn't start happening until '17, '18, and '19.

Mr. Bach said I think we had some pretty—I mean we didn't come out and spend a lot in cash. Probably back then I would look at that and see. It wasn't doing our fleet a lot of good, but we were holding back a little bit trying to leave more money at the end of the year and I think those were some of our heftier years where we came in and did not spend as much of our budget, held back on filling employee positions a little, so we kind of went pretty lean for a little bit to try to get some quick build back in there. I just know that because that's the year you all hired me, so we were pulling back pretty hard right then in order to make some of those changes. I think a lot of that was we left money, I should say left money on the table, we didn't spend all of our budget. We really held back to try to get through those years. **Ms. VonAchen** said this is based on the valuation year so the .6% in 2014 that was for the '15 budget and then 3.9% in assessed valuation increase for the '16 budget, it started to pick up around here.

Commissioner Burroughs said the reason why I wanted to bring that to you, to the attention of the commissioners this evening, is that here we are dropping down from the 21% or 20%, we're dropping down to 17 and we're going to use our ending balance to balance our budget. If we can jump 8%, 7, 8, 10%, in a 16-month period, the same can be done today through priority based budgeting.

I would like to see, Mr. Administrator, a pilot program with one of our departments that we can utilize to start doing the performance based budgeting, I'm sorry, priority based budgeting so that when we are educating ourselves this last six months of the cycle, so that next year when the full budget comes forward we are better prepared to do that. I'm not advocating personnel cuts, I'm not advocating benefit cuts, I'm advocating that we have a chance to start looking on a

pilot program, a department or an agency, to determine how we can start this priority based budgeting a little early to see if we can't eliminate some of the ending balance. I don't want to call it taking but utilizing the ending balance to balance our budget this year. We don't have to take any action, but I think it's an exercise that we as commissioners should be doing so that we just don't ask staff to come back with this priority based budgeting and then we not have knowledge about how they achieved their numbers without being involved.

Mr. Bach said, Commissioner, I hope I'm going to meet that directive and push it a little bit. It's our plan that we finish going through all of our evaluations of staff or departments in the month of August and in September that we bring all of our departments to you so we're not on just one pilot, that we're able to show you where all those areas are from a ranking from a priority based budget perspective and then get your directive back as to what areas we think we can—where we should spend less. I'm going to offer that and it will be kind of a two-phase approach where we would do that probably in September with the first one, get your direction, take that back and then come back in November and show you okay, this is where we make those reductions in to the coming year to make it happen. That way you will see it and then we build that in as we move forward into the 2020 year and that year for the budget.

Commissioner Walters said you talked about the sales tax and just let me understand. You are projecting a 2.5% increase in sales tax revenue in 2019 and 2020, right? **Ms. VonAchen** said over the very low collection level of 2018. **Commissioner Walters** said okay, so 2.5% increase in 2019 and 2.5% in 2020 and as I understand our budget is increasing about 2.5% so that sounds good, right? **Ms. VonAchen** said yes.

Commissioner Walters said on revenue, as I look at these charts the biggest source of revenue we have in the General Fund is franchise tax, but it was not part of your presentation here today. How is that franchise tax doing and revenue projections regarding that? **Ms. VonAchen** said franchise tax is a big one for sure. **Commissioner Walters** said yes, it's 30% of City funds according to this pie chart. **Ms. VonAchen** said I always look at the comprehensive, Consolidated General Fund, but I just didn't focus on franchise tax this year. **Commissioner Walters** said it is the biggest—**Ms. VonAchen** said it's not very volatile so—**Commissioner Walters** said it's the biggest portion of the City General Fund revenue, so I'm assuming it's increasing pretty substantially. **Ms. VonAchen** said actually in 2020 I only have it increasing about 1.5%.

Commissioner Walters said it would be good to get that historic information like you have for the sales tax and the property tax.

I just want a point of clarification on one item. You were talking about the surplus and what we did to have a surplus go to the bottom line and restore fund balances and things like that. That's not really our policy any longer, right? Our policy that you presented to us, that if we have surplus, there are four actions the Commission can take one of which is to keep it in the fund balance or cut taxes or pay down debt or spend it for—**Ms. VonAchen** said or spend it on long term liability like the \$180M in pension liability we have. **Commissioner Walters** said I just want to remind that your policy that you presented last year gives the Commission those four options. It doesn't automatically go to fund balance. **Ms. VonAchen** said that would be a prudent thing to do if—it's certainly an option. It's more prudent to that if you're already above the target reserve, not below it. **Commissioner Walters** said well, I know the Commission will be prudent in all ways.

Mayor Alvey said, Commissioner, I will just say to the franchise tax, the largest portion of that is the BPU PILOT. Last year, of course, it was a very hot year and there was a rate increase and they're anticipating a 4% rate increase on the water, but not on the electrical side, so that's why it is volatile that way. We saw a bump in revenues from the BPU this year that based upon what we've seen—I'm sorry, last year, what we're seeing this year the weather has been much more moderate. It's a very volatile—**Commissioner Walters** said it would just be good to have that information. **Mayor Alvey** said yes it would.

Commissioner Johnson said I was looking at actually page 57, slide 57 here, where you looked at the long term financial forecast and I was also looking at the slide that Commissioner McKiernan had with regard to our target reserves within the 5-year period of time. That certainly does not allow us to do that. **Ms. VonAchen** said to do what? **Commissioner Johnson** said to reach our goal of having a target reserve—**Ms. VonAchen** said no, because the target reserve is 17% so you see that's 16, 14, 12, 11—**Commissioner Johnson** said in particularly those years that are lower than 10%, what would be the potential affect on our bond rating then as compared to now? What I'm trying to see or suggest or ask is would be in jeopardy of even seeing a deeper cut in terms of our bond rating if, in fact, this plays out the way you have it? **Ms. VonAchen** said I would say

yes, absolutely, we would get downgraded if we got to this level for sure. The impact of that would be that we would just add 50 basis points to the interest costs which works out to about, I think, I made the calculation several million dollars over the life of a \$20M bond issue. There is a monetary cost to it. It doesn't preclude you from accessing the market. Investors just expect a higher yield from you. **Commissioner Johnson** said that's why I continue—I think what you're saying is just as things look as they are such as now, here is where we want to go. I do think that we need to be thinking on a 3 to 5 year basis in terms of the decisions we make now. **Ms. VonAchen** said yes, we just need to think—you know, look long term.

Commissioner Burroughs said so that goes back to my comment. Why would we continue to deficit spend by a projected budget that we know is going to be \$3M short every year for the next 2 or 3 years and then utilize our reserves to pay them. I think that warrants additional savings somewhere and to see an increase in valuation, to see an increase in reserves to the extent that we saw in a short amount of time, the economy is still hot enough right now that we can find ways to meet our financial challenges. But, when you have an uptick of 6.5-7% in property valuation and you have growth and interest rates to monies that we have, our assets, we have a tremendous pot of money there and we're still deficit spending. We're not cutting the mills at this time. We're just talking about holding the mills steady, so there's another \$2M to the budget and we're still \$3M short. I guess I'm having a little bit of trouble getting my head around how we are short money when we had all this new money come in and I do know we had the \$10M spending for the Turkey Creek Expansion and a few of those things. Those are real critical issues, but why are we going to continue to deficit spend going into 3 and 4 years and put our credit rating at risk? **Ms. VonAchen** said I want to clarify. This graph assumes that nothing is going to be done, but we are in fact absolutely committed to repairing this situation and prudently managing the finances of the organization. I'm very excited to hear that you're interested in becoming more involved in the priority based budgeting effort which we all have been discussing and are going to be working on in August. The day after you pass the budget we're all going to be switching to the priority based budgeting.

Mayor Alvey said I think another point needs to be made, and I know you made this early on, Kathy Briney made the point that even though we might have seen an uptake in the assessed

valuation, does not translate an equal amount of revenues because of delinquent properties, abatements, and so forth. It didn't generate the revenues that you would think the increase in valuation plus the property tax only, what is it 32% of the revenues, it's limited what it can do.

What is more concerning to me actually is the decline in sales tax and that's going to require a long-term shift, I think.

Commissioner Bynum said the sales tax issue, is some of that late '18 drop was around the volatility of the stock market and you had indicated that it's sensitive to economic conditions and yet most of us have seen our retirement portfolios mostly recover from that activity late '18 and yet the sales tax activity doesn't seem to be corresponding. **Ms. VonAchen** said all I know is that if you're a businessowner and there's trade disputes happening on products that you plan to sell abroad and then you're probably less likely to make an investment in your industry. By not making that investment, then you don't create more jobs which then people don't have money to spend doing retail. I don't know. In general, it's stymie perhaps, but I am not an economist. I am a government finance policy person. We would like to bring in an economist. I know several of you have visited or gone to several seminars recently from a regional economist and he mentioned that he expects sales tax to continue to underperform in the next few months.

Mayor Alvey asked is this the last slide, Kathleen, on the long-range financial forecast. **Ms. VonAchen** said yes. Next is Debbie. **Mayor Alvey** said we're going to be digging into this much more deeply during our fall Strategic Planning. Thank you for this information, if you want to summarize.

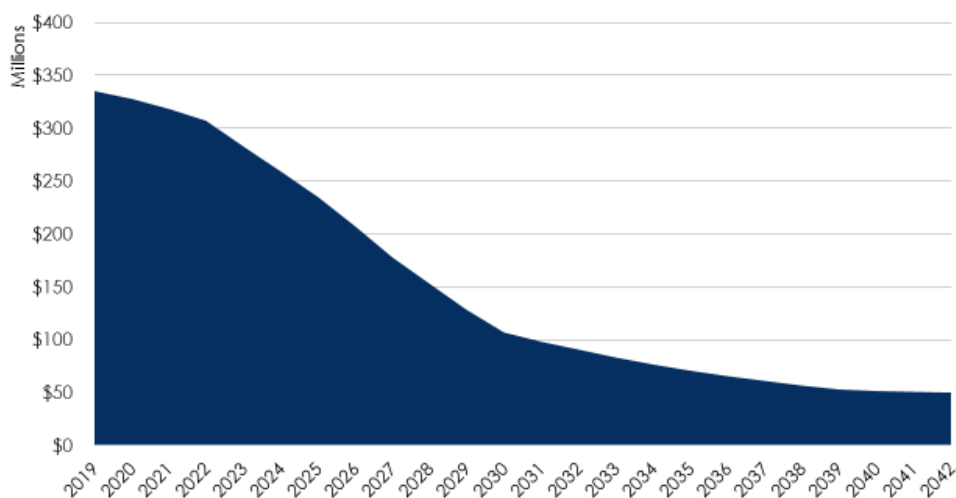
KEY TAKE AWAYS

IMPACTS TO AMENDED 2019 AND PROPOSED 2020 EXPENDITURE BUDGETS

- Dramatic drop in sales tax in the last half of 2018 reduced the level from which the 2019 and 2020 was expected to grow
- Data shows retail and other sales declined across the entire nation beginning in July 2018 thru April 2019, including here regionally (refer to other entities for example)
- 2019 Amended sales tax estimate was been reduced from a 6% growth rate over the 2018 Amended Budget to a more conservative 2.5% over the lower 2018 actuals; 2020 also estimated at 2.5% growth rate over 2019 Amended budget
- Reduction of the sales tax estimate coupled with increasing salary and benefit costs are the reasons for the request for departments to reduce their 2020 budget requests

Ms. VonAchen said this is just to recap what I was talking about and, frankly, I think you all are clear and understand, but if you have any other further questions, that would be good.

OUTSTANDING INDEBTEDNESS

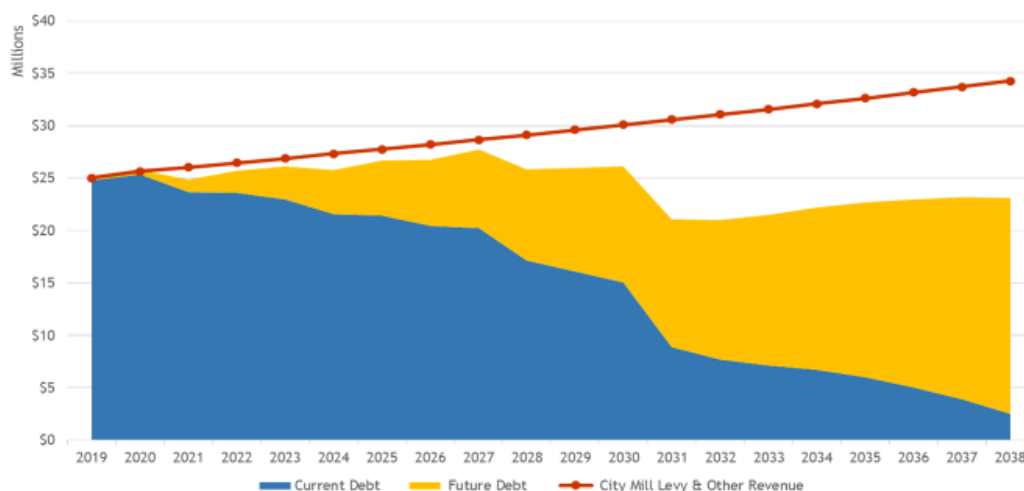


Debbie Jonscher, Deputy Chief Financial Officer, said we just have a couple of slides on Debt. Some of these you saw in the CMIP presentation that we did back in May. I just wanted to start

out here. This is our outstanding indebtedness for the City Bond and Interest Fund. This total is the amount of bonds that are outstanding which is going to be a little bit different. The next couple of graphs I'm going to show you are the debt service payments annually. This is the total outstanding debt for the City Bond and Interest Fund. I just wanted to show here that this does not include any future projected bonds that we would issue. This is only what's outstanding right now and this shows the trend of how if we didn't issue anymore debt how our debt would pay off.

You can see that it starts going down within a couple of years with the majority of it paying off in 2030 and that's due to the bond issues that we did in 2010. We had a series of bond issues that were part of the stimulus packages that were offered where we bonded a lot of projects in advance of completing them and so those were bonded and that's why there's this large amount that's then pays off right here.

CITY DEBT WITH REVENUE LINE (CURRENT CMIP)



2020 (\$15M), 2021 (\$22.1M), 2022 (\$20.3M), 2023 (\$24.7M)

61

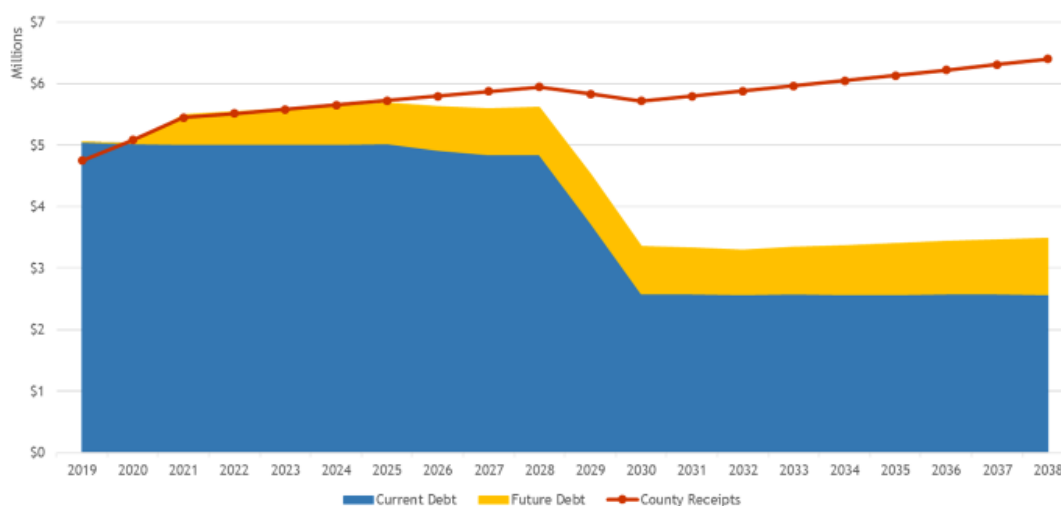
The next two are graphs that you saw in the CMIP. These are the City Debt, these are the Annual Debt Service Payments.

This is the City Bond and Interest Bond Fund. The blue section represents the debt that's currently outstanding and the yellow represents the debt, the future debt projections based on what we currently have in the CMIP. Down here I did list the amounts. 2021 is actually 21.4, the change that they had that they noted, \$700K, I forgot to subtract that off. This is how the CMIP is

currently built and then we're projecting \$15M after that. The red line is the revenue projection which we just built in a very conservative increase for property tax revenues. I think it was about 2%. You can see that there is still—for 2020 we're riding right along the line if we need projections and then there is still a little bit of a gap here. This assumes that we need those projections. If the revenue comes in higher, if our property valuations increase more, we might see a bigger gap here but if there are less than our projections, then we could see this line come down.

Commissioner Walters asked does this graph include the temp note financed projects that will become debt at some point. **Ms. Jonscher** said yes. They are included in the future projections here. **Commissioner Walters** said the yellow is those numbers at the bottom plus the current temp notes. **Ms. Jonscher** said right, yes. These would be current projections plus we currently about \$45M in temp notes out issued this year, so those are included. We estimate about a third of those would be bonded every year so that plus the additional amounts here are included in this projection.

COUNTY DEBT WITH REVENUE LINE



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This next one is the County Debt Service which the same assumptions here, we've included a modest increase in the revenue and the blue is the current debt that we have already obligated and

then the yellow are the additional Public Building Commission projects that are included in the budget. I think there are about three of them that are included there.

I also did want to note that this revenue estimate includes the transfer that we built in for the Juvenile Center. The idea was that savings when we move the juveniles out of the adult jail, we would have savings that would then go to pay for the debt service and we built in—it's \$1M for '19 and '20 I think and then I think it's \$1.5M or building up to \$1.5M in the outer years. So, if we don't achieve that savings to be able to make that transfer, we might see a little dip in the revenue here also.

DEBT REDUCTION OPTIONS

1. Reduce number of capital projects
2. Use fund balance to pay off temp note projects
 - Risk of potential downgrade by rating agency (50 bps increase on interest rate)
 - Interest costs could be substantial over 20-year life
 - Diminish reserves for future emergencies
 - One-time unexpected costs could further reduce FB
 - Operational disruption
3. Reduce operating costs and redirect savings to cash finance projects (PBB)
4. Enhance revenue sources

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I just want to talk about some of the debt reduction options. Some of those have already come up in the conversation. One would be to reduce the number of Capital projects that we're debt financing. Use fund balance to pay off temporary note projects. We can't use fund balance to pay off the bonds that are already issued, but we could pay off the ones that are not permanently financed yet. We've already talked about some of these risks, the potential downgrade by using the fund balance and dropping below our policy percentage of 17%. Diminish the reserves for future emergencies which could be one-time costs and also operational disruption.

We could also look at reducing the operating costs and redirect savings to finance projects through the PBB process or look at enhancing our current revenue sources.

Mayor Alvey said I want to thank you for adding this slide because it simply states for us and for the public that there are no easy answers and there are always trade-offs and so we can make a decision to do debt reduction. What does that mean for us, what are the trade-off, what do we forego, what do we avoid. We would not get done some of the Capital projects that need to get done. We could enhance revenue sources by increasing taxes or generating economic growth which would generate even more revenues, but there is no simple way. This is it and these are the trade-offs that we have to let sit with us and make our decisions based upon these exigencies. **Mr. Bach** said that concludes our Debt presentation unless you have any other questions on it.



FUTURE WORKSHOP DATES & TOPICS

- ⇒ July 15, 2019 @5PM
 - ⇒ Police Body Camera Project
 - ⇒ Investment in Building Security
 - ⇒ Water Pollution Control Funds/Projects
- ⇒ July 18, 2019 @5PM
- ⇒ July 25, 2019
 - ⇒ 5PM – Final Budget Public Hearing
 - ⇒ Budget Workshop (If Needed)
 - ⇒ 7PM – Budget Adoption

Mr. Bach said what we're looking at for Monday is a presentation on our Police Body Camera Project which is funded and moving forward in this years' budget. We had a few questions asked about that as we went through some sessions with the commissioners and wanted to come back and have more diligent discussion. Same thing with out Investment in Building Security and then we are going to take a little bit deeper dive into what we're doing with Water Pollution Control and maybe that helps a little bit in looking at some of the questions asked earlier, but as we are significantly investing in this area to meet our EPA consent decree or pending consent decree that we're working on we thought it was worth the time because there is so much money being invested in this area.

Mayor Alvey said please take note that we will meet on Monday for those topics. If we move through all those topics on the 15th, we would not be meeting on the 18th.

MAYOR ALVEY ADJOURNED

THE MEETING AT 6:45 p.m.

dt

Bridgette D. Cobbins
Unified Government Clerk

July 11, 2019



Suite 323
Kansas City, Kansas 66101-3070

Unified 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: July 11, 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.

mbb

Attachment

1. BPU REPORT:

2018 Comprehensive Annual Financial Report for the Board of Public Utilities of KCK.

Action: Received and filed.

2. PUBLIC NOTICE

All City Tow, 1015 S. Bethany, held a public auto auction on June 13, 2019, at 10:00 a.m.

Action: Received and filed.

3. COMMUNICATIONS:

Pam Kahao, Accounting Manager, regarding warrant cancellations:

<u>Warrant #</u>	<u>Reissue?</u>	<u>Date Issued</u>	<u>AMOUNT</u>	<u>FUND / ACD</u>	<u>Vendor Name</u>	<u>Reason for void</u>
857052	Yes	4/18/2019	\$ 445.14	791 98150015571	Hallauer, Matthew E & Beurskens, Shannon M	Stale dated
854269	Yes	3/8/2019	\$ 18.50	999/1010	Cook, Jordann	Stale dated
858185	Yes	5/13/2019	\$ 31.76	790 2113	Rosario, Alysha Denise	Lost warrant

Action: Received and filed.

4. PERSONNEL ACTION COMMUNICATION, DATED JULY 9, 2019:

Section I - Appointments

Name	Department/Division	Eff. Date	Job Title
Arianna Beard-Harris	Parks/Rec	6/26/19	Rec Leader
Gregory Collins II	Fire/Comm	7/11/19	Fire Comm Dispatcher
Olivia M Jones	Fire/Comm	7/11/19	Fire Comm Dispatcher
Jeffrey S Miles	PW/Street	7/11/19	Operations Superintendent
Sarah R Morris	Health	7/11/19	Dietitian
Angel G Nunnally	Aging	7/11/19	Fiscal Supt Specialist

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Kent E Anderson	Police	7/11/19	Major	Deputy Chief
Jason M Hawkins	PW/Fleet	6/27/19	Fleet Service Worker	Fleet Maint Tech I
Kelly L Herron	Police	7/11/19	Captain	Major
Tania L Rios	Health	6/27/19	Admin Supt Asst	Admin Supt Specialist
George E Sims Jr	Police	7/11/19	Captain	Major

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Kristen A Czugala	Police	7/19/19	Prog Supervisor
Dennis L Dotson	Parking Control	6/27/19	School Crossing Guard
John W Hooser	Del Real Estate	6/28/19	Real Estate Abstractor
Mohamed A Islaweyn	Police	6/28/19	Sr Patrolman
Carlos A Mena	Police	6/30/19	Sr Patrolman
Dalya Salameh	PW/Engineering	6/27/19	Eng/Project Mgr I
Anthony Sanchez	Police	6/28/19	Master Detective
Christal E Watson	Mayor's Office	7/1/19	Exe Coord to the Mayor
Wayne Wilson Jr	NRC/Codes	7/12/19	Prog Coordinator

Section IV - Leave of Absence

Name	Department/Division	Lv. Beg	Lv. Ends	Leave/Pay
Justin M Folsom	Health	6/26/19	7/25/19	unpaid

Section VII - Reclassifications

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
John E Pack	PW/Engineering	6/27/19	Prog Coordinator	Prog Supervisor
Natalie Xiong	Fire	5/30/19	Admin Coordinator	Program Supervisor
Vacant	Urban Planning	7/5/19	Planner	Lead Planner

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Jennifer Allen-Caudle	Health Dept	ACD code change effective 7/1/19
Julie Campuzano	Health Dept	ACD code change effective 7/1/19
Jose Capalla	Health Dept	ACD code change effective 7/1/19
Vanessa Carrillo	Health Dept	ACD code change effective 7/1/19
Betty Criss	Health Dept	ACD code change effective 7/1/19
Cristi DeSimone	Health Dept	ACD code change effective 7/1/19
Anjelicka Dorsey	Health Dept	ACD code change effective 7/1/19
Janell Friesen	Health Dept	ACD code change effective 7/1/19
Bianca Garcia	Health Dept	ACD code change effective 7/1/19
Angela Germany-Armendariz	Health Dept	ACD code change effective 7/1/19
Thomas Grote	Police	ACD code change effective 6/20/19
Janice Harmon	Health Dept	ACD code change effective 7/1/19
Nicholas R Higbee	PW/WPC	Certification pay 6/7/19
Olliea Jarrett	Health Dept	ACD code change effective 7/1/19
Julie Jun	Health Dept	ACD code change effective 7/1/19
Veronica Kariuki	Health Dept	ACD code change effective 7/1/19
Margaret K Lansdown	Police	Out of grade pay effective 6/18/19
Lori Lanter	Health Dept	ACD code change effective 7/1/19
Travis Lanter	Health Dept	ACD code change effective 7/1/19
Marilyn Maier	Health Dept	ACD code change effective 7/1/19
Andrea Manlove	Health Dept	ACD code change effective 7/1/19
Wesley McKain	Health Dept	ACD code change effective 7/1/19
Andrea Mora	Health Dept	ACD code change effective 7/1/19

Esperanza Moreno	Health Dept	ACD code change effective 7/1/19
Margarita Reyes	Health Dept	ACD code change to effective 7/1/19
Maria Salas	Health Dept	ACD code change effective 7/1/19
Angelina Sanchez-Vinson	Health Dept	ACD code change effective 7/1/19
Barbara Sheppard	Health Dept	ACD code change effective 7/1/19
Michelle Smith	Health Dept	ACD code change effective 7/1/19
Charlotte Square	Health Dept	ACD code change effective 7/1/19
Ron Starbuck	Health Dept	ACD code change effective 7/1/19
Juliann VanLiew	Health Dept	ACD code change effective 7/1/19
Cleburne Webb	Health Dept	ACD code change effective 7/1/19
Angela Williams	Health Dept	ACD code change effective 7/1/19

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

5. PERSONNEL ACTION COMMUNICATION, DATED JULY 11, 2019:

Section I - Appointment

Name	Department/Division	Eff. Date	Job Title
Brady A Stroble	PW/WPC	7/11/19	Construction Worker I

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Margaret K Lansdwon	Police	6/27/19	Office Assistant III	Office Assistant III
Ashley A Lause	Health/WIC	07/11/19	Dietitian Supervisor	Manager

Section IV - Leave of Absence

Name	Department/Division	Lv. Beg	Lv. Ends	Leave/Pay
Daniel R Everhart	Sheriff/Detention	7/11/19	8/10/19	Unpaid military

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Bryonne L. Cummings	Legislative Auditors	7/11/19	Auditor
Colin D. Duffy	Legislative Auditors	7/11/19	Auditor

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Tina A George	Municipal Court	Out of class pay effective 7/2/19
Mike N. Her	Fire	Second Amendment for PAC 6/20/19 to reflect correct comp time payout hrs

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

6. CLAIMS FOR DAMAGES:

Mike Draper, 1616 S. Scott Ave., Independence MO, alleging damage to tire and alignment due to hitting a pot hole.

Quiana Rieves, 5909 E. 100th St, KCMO, through Leah Mason, Attorney, Edelman & Thompson, LLC, 3100 Broadway, Suite 1400, KCMO, alleging personal injury from falling on black ice at Sumner High School.

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

7. MOTION TO SET LAND SALE ASIDE:

Unified Government vs Solomon C. Dukes II, Case No. 2018PT000003 COA18C.

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

8. TRAVEL REQUESTS:

Chris Bussell, William Carver, Chad Casper, Matt Cross, Chris James, Robert Peck, Phil Schwery and Andrew Wilcox, Police Department/Traffic Support Unit, travel to St. Louis, MO, June 30 – July 1, 2019, to serve as Officer Michael Langsdorf's funeral escort, Training & Travel.

Taylor Phiakeo, EPD I, travel to St. Louis, MO, June 30 – July 1, 2019, to attend Officer Langsdorf's funeral and memorial, Training & Travel.

Lee Ann Shelton, Dallas Thompson and Dennis Vallejo, Police, travel to St. Louis, MO, June 30 – July 1, 2019, to serve as Honor Guard for a fallen officer's funeral, Training & Travel.

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

9. CERTIFICATES OF INSURANCE:

Kansas City Taxi, LLC (2)
Norred & Associates, Inc.

Action: Referred to License.

10. BUSINESS BONDS:

Electrical Contractor's Bonds
Creative Associates, Inc.
McSherry Enterprises
RLI Insurance Company

HVAC Bond:
Cool Heat KC, LLC

Action: Referred to License.

11. CONTINUATION CERTIFICATES:

Electrical Contractor's Bond
J. Warren Company, Inc.

Plumber's Bond
Allen's Mechanical, LLC

Action: Referred to License.

12. CANCELLATION NOTICES:

Electrical Contractor's Bond
MBS Electrical Service, LLC

HVAC Bond
Richard Ortiz DBA Richard Services Heating & Cooling

Miscellaneous Bond
AV Heating and Cooling, LLC

Action: Referred to License.



Suite 323
Kansas City, Kansas 66101-3070

Unified 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: July 18, 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. REPORT:

Self-Supporting Municipal District/Downtown Improvement District (SSMID) financial report for the month of June 2019.

Action: Received and filed.

2. COMMUNICATIONS:

Bridgette Cobbins, UG Clerk, listing bids received on July 17, 2019, for Project #B29506 – Harley Davidson Motorcycles for KCKPD and #B29592 – Piper Creek Service Area Regional Sewer Improvements – Contract 2 Pump Station.

Action: Received and filed. Copies previously forwarded to County Administrator, Emma Scovil, Legislative Auditor, Public Works and Police Department.

3. COMMUNICATIONS:

Pam Kahao, Accounting Manager, regarding warrant cancellations:

<u>Warrant #</u>	<u>Reissue?</u>	<u>Date Issued</u>	<u>Amount</u>	<u>Fund / ACD</u>	<u>Vendor Name</u>	<u>Reason</u>
855710	Yes	3/29/2019	\$4.34	790/2111	Mabon, Mozella	Stale dated
859195	Yes	5/24/2019	\$300.00	113 2200	Cherokee Nation	Wrong vendor

Action: Received and filed.

4. PERSONNEL ACTION COMMUNICATION, DATED JULY 16, 2019:

Section II-Transfers

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Jason D Allen	Police	7/18/19	Police Sergeant	Captain
Bojan Lugonja	Procurement	7/11/19	Parts Clerk	Buyer
Johnnie L. Brown	Parking Control	7/11/19	School Crossing Guard	School Crossing Guard
Nichole M Marlowe	Parks/Rec	7/11/19	Admin Supt Specialist	Admin Supt Supervisor
Joshua R Messick	Police	7/18/19	Patrol Officer	Police Sergeant
Heron Santana	Police	7/18/19	Detective	Captain

Section III - Separations

Name	Department/Division	Eff. Date	Job Title
Cora E Burgoyne	Health	7/25/19	Intern Admin Supt
Janice Harmon	Health	7/19/19	Specialist
Jennifer L Johnson	Fire	7/17/19	Battalion Chief
Anatoliy C Murray	PW/Fleet	7/7/19	Fleet Maint Tech I Security Officer,
Michelle M Still	Sheriff/Security	7/1/19	Armed

Section IV - Leaves of Absence

Name	Department/Division	Lv. Beg	Lv. Ends	Leave/Pay
Brenda J Botello	Del Real Estate	7/10/19	7/12/19	unpaid
Jessica A Rubio	Finance/Treasury	7/8/19	8/16/19	unpaid

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
David W Hartman	Museum	6/27/19	Museum Curator
Daniel A Hinkle	Fire	7/16/19	Master Fire Captain
John S Sadrakula	Fire	7/16/19	Master Fire Captain
David R Wilson	Fire	7/16/19	Master Fire Captain

Section VII - Reclassifications

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Byron A Toy	Urban Planning	6/27/19	Planner	Lead Planner
Vacant	Sheriff/Detention	7/11/19	Deputy	Correctional Specialist
Vacant	Sheriff/Detention	7/11/19	Deputy	Correctional Specialist
Vacant	Sheriff/Detention	7/11/19	Deputy	Correctional Specialist
Vacant	Sheriff/Detention	7/11/19	Deputy	Correctional Specialist
Vacant	Sheriff/Detention	7/11/19	Deputy	Correctional Specialist
Vacant	Sheriff/Detention	7/11/19	Deputy	Correctional Specialist
Vacant	Sheriff/Detention	7/11/19	Deputy	Correctional Specialist
Vacant	Sheriff/Detention	7/11/19	Deputy	Correctional Specialist
Vacant	Sheriff/Detention	7/11/19	Deputy	Correctional Specialist
Vacant	Sheriff/Detention	7/11/19	Deputy	Correctional Specialist
Vacant	Sheriff/Detention	7/11/19	Deputy	Correctional Specialist

Section VIII - Other Requests

Name	Department/Division	Action Requested and Explanation
Somhack Davenport	Comm Corr	ACD code change effective 6/27/19
Crystal Doran	Health	ACD code change effective 7/1/19
Elizabeth Escamilla-Macias	Comm Corr	ACD code change effective 6/27/19
Luis E. Godoy-Garcia	Transit	ACD code change effective 7/11/19
Stephanie Hanson	Comm Corr	ACD code change effective 6/27/19
Steve J Hawkins	Transit	ACD code change effective 7/11/19
Olivia Lorange	Comm Corr	ACD code change effective 6/27/19
Kathryn McCullough	Comm Corr	ACD code change effective 6/27/19
Lori M Peaches	Transit	ACD code change effective 7/11/19
Mary Pollock	Comm Corr	ACD code change effective 6/27/19
Cory M Schmidt	Transit	ACD code change effective 7/11/19
Matthew R Vogrin	Sheriff	Amend PAC 7/2/19 to reflect change effective 6/1/19
Rosemarie Washington	Comm Corr	ACD code change effective 6/27/19
Shannon Whitmarsh	Comm Corr	ACD code change effective 6/27/19

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

5. PERSONNEL ACTION COMMUNICATION, DATED JULY 18, 2019:

Section V - Increases per Memorandum of Understanding

Name	Department/Division	Eff. Date	Job Title
Danica A Baird	Sheriff/Detention	8/16/19	Deputy
Bonnie J Bloesser	Human Resources	6/13/19	Mgt Analyst
Shakeva M Christian	Human Resources	6/13/19	Manager
Andrew J Collins	Sheriff/Detention	8/16/19	Deputy
Deborah J Headrick	Payroll	6/13/19	Prof Fiscal Asst
Sonny J Johnson	Sheriff/Detention	8/7/19	Deputy
Lorenzo M Lasley	Sheriff/Detention	8/16/19	Deputy
Emma C Lee	Human Resources	6/13/19	HR Analyst
Jennifer R Phillips	Human Resources	6/13/19	HR Analyst
Jessica Renee Ramirez	Human Resources	6/13/19	Director
Shawna E Riley	Human Resources	6/13/19	HR Analyst
Courtney R Sachen	Human Resources	6/13/19	HR Analyst
Micah J Scheuerman	Payroll	6/13/19	Prof Fiscal Asst
Janelle E Smith	Payroll	6/13/19	Prof Fiscal Asst
Tanya L Smith	Payroll	6/13/19	Prof Fiscal Asst
Leslee N Whitaker	Sheriff/Juv	8/8/19	Juv Care Worker

Section VII - Reclassifications

Name	Department/Division	Eff. Date	Former Job Title	New Job Title
Michelle Eskina	Human Resources	6/13/19	HR Analyst	Mgt Analyst
Marion D Wimberly III	Human Resources	6/13/19	HR Analyst	Mgt Analyst

Section VIII - Other Request

Name	Department/Division	Action Requested and Explanation
Margaret K Lansdown	Police	Amend PAC 7/11/19 to reflect ACD code change effective 6/27/19

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

6. CLAIMS FOR DAMAGES:

Holiday Inn Express, 3932 Rainbow Blvd., KCK, alleging property damages on December 3, 2018, due to the Kansas City, Kansas Police breaking the hallway door and the adjoining room door.

Bill Rodgers, 3018 N. 57th St., KCK, alleging he had to have his drain routed out multiple times due to damages to the main line.

Bill Rodgers, 3018 N. 57th St., KCK, alleging property damage at 3018 & 3020 N. 57th St. due to new curbs.

Laura A. Steele, 1415 Ruby Ave., KCK, alleging damages to the property at 1894 Glendale due to Code Enforcement locking them out of the property and boarding the house during the foreclosure procedure.

Action: Referred to Legal. Copies previously forwarded to Legal.

7. TRAVEL REQUESTS:

Kathy Briney, Appraiser's Office, travel to Wichita, KS, August 25 – 30, 2019, to attend IAAO Course 332, Employee Training & Travel.

Kathy Briney, Appraiser's Office, travel to Wichita, KS, November 12 – 14, 2019, to attend the Kansas Association of Counties Annual Conference, Employee Training & Travel.

Jeff Fisher, Public Works, travel to Washington, DC, August 20 – 21, 2019, to meet with the EPA Staff, Employee Training & Travel.

Yvette Miller, Community Development, travel to Washington, DC, July 21 – 25, 2019, to attend the 2019 National Conference on Ending Homelessness and Capitol Hill Day, CDBG/ESG 100% Grant Funded.

Njeri Mwangi, DA's Office, travel to Atlanta, GA, July 17 – 19, 2019, to attend the National Black Prosecutors Association – Domestic Violence/Sexual Assault Forum, VAWA Grant Fund.

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

8. CERTIFICATE OF INSURANCE:

Garda World Security Corporation/Garda USA Inc.

Action: Referred to License.

9. BUSINESS BOND:

Plumber's Bond:

Blake Spradling DBA Spradling Plumbing

Action: Referred to License.

10. CANCELLATION NOTICE:

Plumber's Bond:

Eric Tyler Williams

Action: Referred to License.

11. RESCIND CANCELLATION NOTICE:

Miscellaneous Bond:
AV Heating and Cooling, LLC

Action: Referred to License.

12. REINSTATEMENT NOTICE:

Miscellaneous Bond:
Show Me Tree Service/Jason Sawyer

Action: Referred to License.

13. APPLICATIONS FOR LIQUOR TEMPORARY LICENSE:

Liz Kurlbaum for Farm to Table Dinner event on July 30, August 1 and August 3, 2019, 6330 Donahoo Rd.

Joseph Kelly/JGK Entertainment for a concert on June 1 and July 19, 2019, 600 N. 7th St.

Action: Referred to License.

14. APPLICATION FOR PRIVATE CLUB CLASS A:

Louis Torrez DBA Quindaro Post #199 American Legion, 7942 Leavenworth Rd.

Action: Referred to License.

15. APPLICATION FOR PRIVATE CLUB CLASS B:

Charles Martynowicz DB/with Strawberry South Club, 48 S. 7th St.

Action: Referred to License.

16. APPLICATION FOR MASSAGE THERAPY LICENSE:

Alyssa Papageorgiou DB/with Chateau Avalon, 701 Village West Pkwy.

Action: Referred to License.

17. APPLICATIONS FOR PRIVATE SECURITY BUSINESS:

Lawrence Pike/Celtic Hills Security Services DBA Celtic Hills Security Services, 8320 N. Oak Tfwy., KCMO

Simmons Security & Protection Services DBA Simmons Security & Protection Services, 428 N. 5th St. #1

Action: Referred to License.



Staff Request for Commission Action

Tracking No. 19851

Full Commission Meeting Date: 7/25/19

Committee: Economic Development & Finance

Date of Standing Committee Action: 7/8/19

(If none, please explain):

Publication Required: No

<u>Date:</u> 7/12/2019	<u>Contact Name:</u> Katherine Carttar	<u>Contact Phone:</u> x5176	<u>Contact Email:</u> kcarttar@wycokck.org	<u>Department/Division:</u> Economic Development
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Item Description:

SMALL BUSINESS LIAISON WILL PRESENT AN UPDATE ON THE SMALL BUSINESS PROGRAMING AND RESOLUTION TO AMEND THE SMALL BUSINESS GRANT

Action Requested:

REQUEST AN APPROVAL TO BE FORWARDED TO FULL COMMISSION

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Resolution adopting Amendment to UG Small Business Pilot Program, UG Small Business Grant (Clean), UG Small Business Incentive Changes

RESOLUTION NO. _____

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (“Unified Government”) is committed to fostering an environment where small businesses can grow and prosper; and

WHEREAS, the Economic Development Department has created the UG Small Business Incentive Pilot Program Plan to provide grants to small businesses; and

WHEREAS, the governing body of the Unified Government conducted a public hearing on October 1, 2015 and adopted the Plan; and

WHEREAS, the UG Small Business Incentive Pilot Program Plan was adopted by Resolution R-62-15; and

WHEREAS, the governing body desires to amend the UG Small Business Incentive Pilot Program Plan.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS:**

1. The Unified Government Board of Commissioners hereby approves the amended UG Small Business Grant Program, in substantially the form attached hereto as Exhibit 1.

2. The Mayor/CEO, County Administrator, and the Unified Government’s other officers, agents, and employees are hereby authorized and directed to take such further action, and to execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of the Resolution.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT THIS _____ DAY OF JULY, 2019.**

Unified Government Clerk



UG Small Business Grant

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Preface

In recent years, there have been significant changes in Kansas City, Kansas, including public infrastructure improvements, a new transit hub, and new businesses. In order to encourage continued growth, the Unified Government of Wyandotte County/Kansas City, Kansas (“UG”) Economic Development Department is implementing the UG Small Business Match Grant. The program will be administered through the Small Business Liaison.

SECTION 1 –Goal

To administer the UG Small Business Grant to qualified applicants that own an existing small business - twenty-five (25) or fewer employees, that are primed for expansion and moving to the next level in business and job growth.

SECTION 2 –Target Area

The Small Business Grant will target traditional commercial corridors and areas such as the downtown corridor and older urban areas of Kansas City, Kansas.

SECTION 3 –Strategy

The strategy is to promote small business activity for the target areas through a one-time **reimbursable** grant to applicants.

The UG will provide grants of \$1,000 to \$10,000 to applicants in need of one or more of the grant types. The award amount will be based on need and the qualified matching investment.

Types of grants for qualified applicants that own an existing small business that are primed for expansion and moving to the next level in business and job growth:

Cost related to an expansion, purchase or lease

- a) Renovation costs (sheetrock, flooring, painting, etc.)
- b) Façade and minor roof repairs (painting, sealing, etc.)
- c) Inventory costs (other than office supplies, etc.)
- d) Equipment cost (miscellaneous equipment, etc.)
- e) Marketing (webpage, signage, etc.)

Grant applications that will be denied:

- 1. Home based businesses
- 2. Liquor stores, Payday loans, Hookah and Vape shops.
- 3. Bars and establishments that sell alcohol with less than 50% in food sales (sites with state and federal license for production and distribution may apply)
- 4. Seed capital
- 5. New businesses operating less than one year

UG Goals:

- 1. Helps stimulate growth and new investment
- 2. Helps with small business/neighborhood vitality

3. Urban innovation
4. Coordination with other public and private groups
5. Business in an older urban area of Kansas City, KS

The UG will make every effort to market the program online, brochures, and through selected partnering organizations.

SECTION 4 –Program Funding

The amount allocated annually will be divided equally between grant cycles.

SECTION 5 –Application Procedures

1. Obtain an application from the UG Economic Development Department web page at wycokck.org. See EXHIBIT A.
2. Submit a completed application (Cycle 1 deadline April 1st, Cycle 2 deadline August 1st) and the following supporting documentation to the UG Economic Development Department located at 701 North 7th Street, Suite 421, Kansas City, Kansas 66101:
 - a) Business Plan with a minimum 3 yrs. of financial projections
 - b) A detailed one page business summary of how the grant is to fill a gap in financing
 - c) A signed copy of the lease agreement or real estate contract (*if applicable*)
 - d) Previous year business taxes
 - e) Occupational tax certificate
 - f) If registered with the Secretary of State's office, a copy of the certificate
 - g) Documentation of the requested items with pricing
3. Applications will be reviewed for compliance no more than three weeks after an application deadline.
4. Applicant will be scheduled for an interview to discuss the request. If the applicant is requested to turn in more documentation, the applicant will have no more than two weeks to submit the documentation or the application will be denied.
5. The UG reserves the right to request additional information, make additional stipulations, and/or deny the application.

SECTION 6 – Application Deadline

The Economic Development Department will review applications twice a year.

- Cycle 1 deadline- April 1st
- Cycle 2 deadline- August 1st

Applications will be reviewed based on their alignment with the previous listed UG Goals. Small Business Liaison will present all qualified applications to the Program Advisory Committee. The Committee will make recommendation to the County Administrator for approval or denial. Once approved, applicants have 18 months to utilize grant funds.

SECTION 7 – Program Advisory Committee

The UG Small Business Grant will have a UG advisory board consisting of members from the UG. The board will be chaired by the Small Business Liaison and include a representative from Planning and Zoning, and the Neighborhood Resource Center.

SECTION 8 – Marketing

The Grant will be marketed through the Small Business Liaison and Economic Development staff through the Unified Government website, social media and community engagement events.

SECTION 8 –Reporting

Small Business Liaison will report semi-annually to the Economic Development & Financing Standing Committee on the Small Business Grant's activity.

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EXHIBIT A

Small Business Grant Application

Date _____, 20__

Company Name _____ Phone _____

Business Address _____

Name _____ Phone _____

Mailing Address _____

Email _____

Business Inception Date: _____

Type of Business: A. _____ Retail B. _____ Office C. _____ Manufacturing
D. _____ Other

If other, please describe: _____

Requested Grant Amount: _____

Grant Type: _____

Applicant:

By signing below, the applicant agrees to adhere to all procedures in the Small Business Grant Plan:

Submitted by: _____, 20__
(Print name) (Signature) (Date)

DO NOT WRITE BELOW THIS LINE - FOR OFFICE USE ONLY

Date application came into this office: _____, 20__

Application completed in full and all documentation is attached: Yes ____ No ____



UG Small Business ~~Incentive Pilot~~ ~~Program Plan~~ Grant

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Section 5 – Pilot Program Application Procedure	5
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Exhibit B – Point Matrix	
Exhibit C – Approval Process	

Preface

In recent years, there have been significant changes in Kansas City, Kansas, including public infrastructure improvements, a new transit hub, and new businesses. In order to encourage continued growth, the Unified Government of Wyandotte County/Kansas City, Kansas (“UG”) Economic Development Department is implementing the UG Small Business ~~Incentive Pilot Program (“Pilot Program”)~~ Match Grant. ~~The Pilot Program targets areas with businesses located in certain corridors, such as the downtown corridor and older urban areas of Kansas City, Kansas. The Program will be administered through the Small Business Liaison.~~

SECTION 1 – ~~Pilot Program~~ Goal

To administer the UG ~~small~~ Small business ~~Business grant~~ Grant to qualified applicants that own an existing small business - ~~one hundred (100)~~ twenty-five (25) or fewer employees, that are primed for expansion and moving to the next level in business and job growth.

SECTION 2 – Pilot Program Target Area

The ~~Pilot Program~~ Small Business Grant will target traditional commercial corridors and areas such as the downtown corridor and older urban areas of Kansas City, Kansas.

SECTION 3 – ~~Pilot Program~~ Strategy

The ~~Pilot Program~~ strategy is to promote small business activity for the target areas through a one-time reimbursable grant to applicants.

The UG will provide grants of ~~\$2,500 to \$10,000~~ \$1,000 to \$10,000 to applicants in need of one or more of the grant types. The award amount will be based on need and the qualified matching investment.

Types of grants for qualified applicants that own an existing small business that are primed for expansion and moving to the next level in business and job growth:

~~1. Commercial lease rate subsidy (up to 6 months and not to exceed \$10,000)~~

- ~~a) Store front repairs are strategically tied to the placement of an existing business primed to expand to the next level in business and job growth.~~
- ~~b) Move to certain corridors within our community (UG discretion)~~

~~2.~~ Cost related to an expansion, purchase or lease

- a) Renovation costs (sheetrock, flooring, painting, etc.)
- b) Façade and minor roof repairs (painting, sealing, etc.)
- c) Inventory costs (other than office supplies, etc.)
- d) Equipment cost (miscellaneous equipment, etc.)
- e) Marketing (webpage, signage, etc.)

Grant applications that will be denied:

- 1. Home based businesses
- 2. Liquor stores, Pay-day loans, Hookah and Vap shops.
- 3. Bars and establishments that sell alcohol with less than 50% in food sales (sites with state and federal license for production and distribution may apply)
- 4. Seed capital
- 5. New businesses operating less than one year

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~~6. No job creation~~

UG Goals:

1. Helps stimulate growth and new investment
2. Helps with small business/neighborhood vitality
- ~~3. An economic gardening strategy~~
4. Urban innovation
5. Coordination with other public and private groups
6. Business in an older urban area of Kansas City, KS

The UG will make every effort to market the program online, brochures, and through selected partnering organizations.

SECTION 4 – ~~Pilot Program Funding Source~~

~~The initial funding source for the Pilot Program was the 2015 Amended and 2016 Proposed Budgets. Subsequently, a percentage of the UG Industrial Revenue Bond (“IRB”) issuance fees will fund the Pilot Program. The chart below provides an example of how IRB issuance fees could replenish Pilot Program funds. The UG retains the right to request more funding from time to time.~~

IRB Issuance Fees	UG Maintains	Program Funding	
1st	\$25,000.00	\$0.00	
2nd	\$12,500.00	\$12,500.00	} capped at \$50,000
3rd	\$12,500.00	\$12,500.00	
4th	\$25,000.00	\$25,000.00	
	\$25,000.00	\$0.00	

~~The amount allocated annually will be divided equally between grant cycles.~~

SECTION 5 – ~~Pilot Program~~ Application Procedure

1. Obtain an application from the UG Economic Development Department web page at wycokck.org. See EXHIBIT A.
2. Submit a completed application (~~Cycle 1 deadline April 1st, Cycle 2 deadline August 1st~~) and the following supporting documentation to the UG Economic Development Department located at 701 North 7th Street, Suite 421, Kansas City, Kansas 66101:
 - a) Business Plan with a minimum 3 yrs. of financial projections
 - b) A detailed one page business summary of how the grant is to fill a gap in financing
 - c) A signed copy of the lease agreement or real estate contract (*if applicable*)
 - d) Previous year business taxes
 - e) Occupational tax certificate

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- f) If registered with the Secretary of State's office, a copy of the certificate
 - g) Documentation of the requested items with pricing
3. Applications will be reviewed for compliance not more than three weeks after an application is received.
 4. Applicant will be scheduled for an interview to discuss the request. If the applicant is requested to turn in more documentation, the applicant will have no more than two weeks to submit the documentation or the application will be denied.
 5. The UG reserves the right to request additional information, make additional stipulations, and/or deny the application.

SECTION 6 – ~~Pilot Program Grant Approval and Award~~Application Deadline

The Economic Development Department will review applications twice a year.

- Cycle 1 deadline- April 1st
- Cycle 2 deadline- August 1st

Applications will be reviewed based on their alignment with the previous listed UG Goals. Small Business Liaison will present all qualified applications to the Program Advisory Committee. The Committee will make recommendation to the County Administrator for approval or denial.

~~The Economic Development Department will review and score applications based on a matrix system EXHIBIT B and the interview questions for compliance to see if the application qualifies for a grant. The review and approval or denial process will proceed utilizing the internal controls depicted on EXHIBIT C.~~

SECTION 7 – ~~Pilot Program Oversight/Advisory Board~~Program Advisory Committee

~~The Pilot Program will have an UG advisory board initially consisting of members from the UG. As the Pilot Program matures, the advisory board will include members from selected partnering organizations.~~The UG Small Business Grant will have a UG advisory board consisting of members from the UG and partnering organizations. The board will be chaired by the Small Business Liaison and include a representative from Planning and Zoning, Neighborhood Resource Center, Wyandotte Economic Development Council and KCK Chamber.

SECTION 8 – Marketing

The Grant will be marketed through the Small Business Liaison and Economic Development staff through the Unified Government website, social media and community engagement events.

SECTION 8 – Pilot Program Reporting

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~~Economic Development staff~~Small Business Liaison will report semi-annually to the Economic Development & Financing Standing Committee on the ~~Pilot~~Small Business Grant's~~Program's~~ activity.

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EXHIBIT A

Small Business Grant Application

Date _____, 20__

Name _____ Phone _____

Company Name _____ Phone _____

Mailing Address _____

Business Address _____

Name _____ Phone _____

Mailing Address _____

Email _____

Business Inception Date: _____

Type of Business: A. _____ Retail B. _____ Office C. _____ Manufacturing
D. _____ Other

If other, please describe: _____

Requested Grant Amount: A. _____ \$2,500 B. _____ \$5,000 C. _____ \$10,000

Grant Type: _____

Applicant:

By signing below, the applicant agrees to adhere to all procedures in the Revised 1/1/17 UG
Small Business Grant Incentive Pilot Program Plan:

Submitted by: _____, 20__
(Print name) (Signature) (Date)

DO NOT WRITE BELOW THIS LINE - FOR OFFICE USE ONLY

Date application came into this office: _____, 20__

Application completed in full and all documentation is attached: Yes ____ No ____

Staff initials ____



EXHIBIT B

Point Matrix

Score Range and Potential Grant Eligibility: Maximum points allowed are 30. The grant amount awarded is directly tied to the business need.

- _____
1-10 points = \$2,500
- _____
11-20 points = \$5,000
- _____
21-30 points = \$10,000

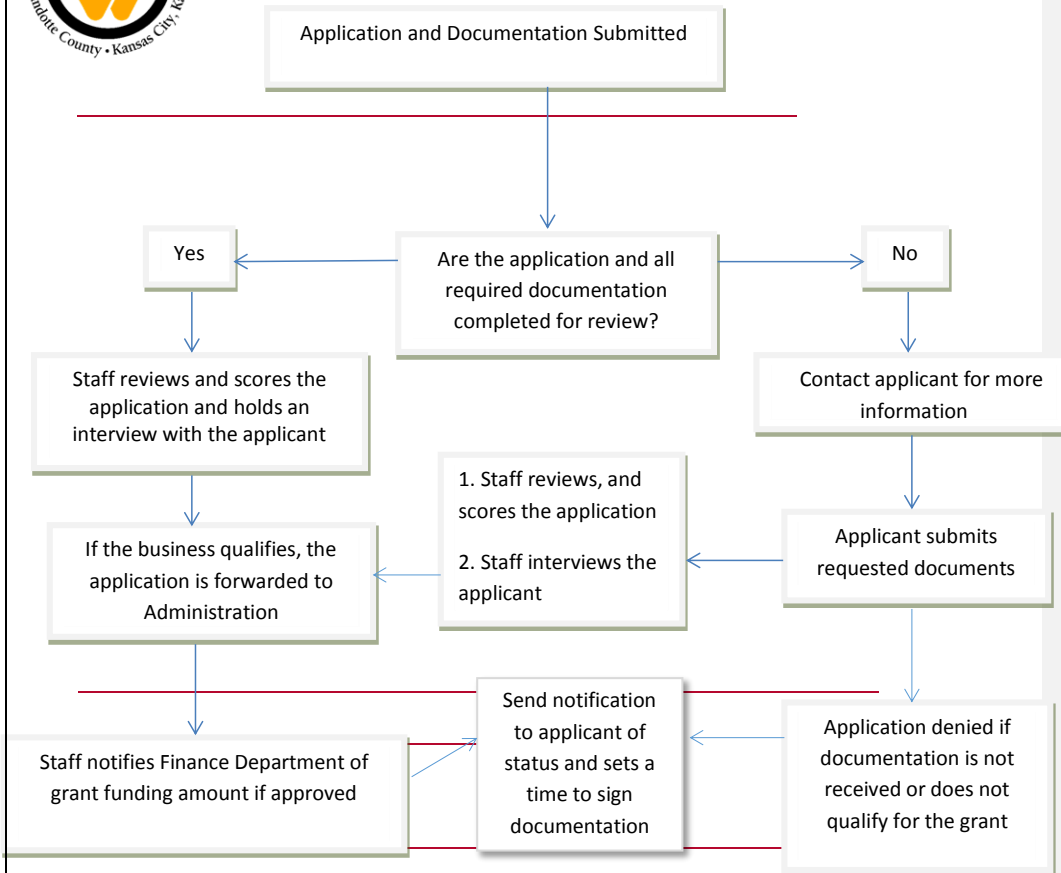
Applicant _____ Kansas City, KS		
1. Documentation		
a. Completed Application	Required	
b. Supporting documentation with the application	Required	
2. Business	Max Pts.	Application
a. Existing business in Wyandotte County	5	0
b. Existing business moving to Wyandotte County	4	0
3. Purchase/Lease Rate Subsidy/Lease		
a. Purchase of building	5	0
b. Commercial lease rate subsidy	4	0
c. Commercial lease	3	0

3. Façade and Minor Roof Repair / Renovation		
a. Façade and minor roof repair due to an expansion, —purchase of a structure or lease	3	0
b. Interior renovation due to an expansion, purchase —of a structure or lease	3	0
4. Inventory/Equipment/Marketing		
a. Inventory	2	0
b. Equipment	2	0
c. Marketing	2	0
5. Investment		
a. Investment amount \$0—\$10,000	1	0
b. Investment amount \$10,001—\$50,000	3	0
c. Investment amount \$50,001 and up	4	0
6. Employees		
a. Number of employees the first year—one point per —employee up to 2 employees	1—2	0
b. Current Wyandotte County employee residency	2	0
Comment:		—points



EXHIBIT C

Process





Staff Request for Commission Action

Tracking No. 19883

Full Commission Meeting Date: 7/25/19

Committee:

Date of Standing Committee Action:

(If none, please explain): Special Sessions: June 27; July 8, 11, 15 & 18 Budget Workshops

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
7/19/2019	Kathleen VonAchen, Reginald Lindsey	x5186, x5292	kvonachen@wycokck.org, rlindsey@wycokck.org	Finance

Item Description:

Request adoption of the following resolutions and ordinances regarding the Wyandotte County Library, the Self-Supported Municipal Improvement District, the Sewer Service Charge, Solid Waste Fee, the KCBPU PILOT, the 2019-2020 Annual Action Plan and the Citizen Participation Plan, 2019 Amended Budget, the 2020 Proposed Budget.

1. RESOLUTION

A resolution expressing the property taxation policy of the Unified Government with respect to financing of the 2020 annual budget for the Wyandotte County Library; approving and adopting the 2020 budget of the Wyandotte County Library; levying a tax for the Library to fund the budget set by the Wyandotte County Library Board within the Wyandotte County Library District (Piper, Edwardsville, and Turner); and appropriating the funds on behalf of the Wyandotte County Library.

2. ORDINANCE

An ordinance expressing the property taxation policy of the Unified Government with respect to financing of the 2020 annual budget for the Self-Supported Municipal Improvement District (SSMID) and approving, adopting, and appropriating the budget of the SSMID and levying a tax for the year beginning January 1, 2020.

3. RESOLUTION

A resolution approving and authorizing submission of the 2019-2020 Annual Action Plan which includes the Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Solutions Grant Program along with Certifications for Entitlement Grantees by the City of Kansas City, Kansas to the U.S. Department of Housing and Urban Development and to implement the 2019-2020 Annual Action Plan upon approval.

d. VARIOUS RESOLUTIONS AND ORDINANCES SETTING UNIFIED GOVERNMENT FEES FOR SEWER SERVICE, SOLID WASTE, SETTING THE KCBPU PILOT, AND ADOPTING THE 2019 AMENDED BUDGET AND 2020 BUDGET

- 1) An ordinance adopting a regulation establishing the rate for sewer service charges effective January 1, 2020.
- 2) An ordinance setting the solid waste fee for single family residences and residential units in buildings not containing more than four dwelling units.
- 3) A resolution setting the percentage of gross revenues to be set over by the Board of Public Utilities to the Unified Government for 2020 (the PILOT).
- 4) A resolution and an ordinance approving, adopting, and appropriating the budget of the Unified Government of Wyandotte County/Kansas City, Kansas, for the amended 2019 budget and the 2020 budget for the year beginning January 1, 2020, as submitted by the County Administrator and amended by Attachment A.

Action Requested:

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

list of budget actions agenda. 2020.2, budget. County Library Fund Reso - 2020, Library Board 2020 resolutions, budget.SSMID Annual Budget.ordinance. 2020.final, 2020 Mill Levy Recommendation Letter - file stamped - 5-8-19, 2020 Proposed Budget Transmittal Letter Packet - file stamped - 5-8-19, RESOLUTION FOR CON PLAN 2019-2020, Sewer Service Charge Ordinance 2020, WPC Rates 2020 (002), Sewer Abatement Fees, solid waste.ord.2020, budget.pilot.reso.2020, final.budget.reso.ord.2020 final

BUDGET ACTIONS

July 25, 2019

Adoption of the following resolutions and ordinances regarding the Wyandotte County Library, the Self-Supported Municipal Improvement District, the Sewer Service Charge, Solid Waste Fee, the KCBPU PILOT, the 2019-2020 Annual Action Plan and the Citizen Participation Plan, 2019 Amended Budget, the 2020 Proposed Budget.

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3. RESOLUTION

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4. VARIOUS RESOLUTIONS AND ORDINANCES SETTING UNIFIED GOVERNMENT FEES FOR SEWER SERVICE, SOLID WASTE, SETTING THE KCBPU PILOT, AND ADOPTING THE 2019 AMENDED BUDGET AND 2020 BUDGET

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- c) A resolution setting the percentage of gross revenues to be set over by the Board of Public Utilities to the Unified Government for 2020 (the PILOT).
- d) A resolution and an ordinance approving, adopting, and appropriating the budget of the Unified Government of Wyandotte County/Kansas City, Kansas, for the amended 2019 budget and the 2020 budget for the year beginning January 1, 2020, as submitted by the County Administrator and amended by Attachment A.

(Published _____)

RESOLUTION NO. _____

**A RESOLUTION EXPRESSING THE PROPERTY TAXATION POLICY OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS
CITY, KANSAS, WITH RESPECT TO FINANCING THE 2020
ANNUAL BUDGET FOR THE WYANDOTTE COUNTY LIBRARY
AND APPROVING, ADOPTING, AND APPROPRIATING THE
BUDGET OF THE WYANDOTTE COUNTY LIBRARY BOARD AND
LEVYING A TAX FOR THE YEAR BEGINNING JANUARY 1, 2020.**

WHEREAS, pursuant to K.S.A 12-1220, the board of county commissioners of a county which has established a county library with a county library board is authorized to annually levy a tax for the maintenance of the county library in such sum as the county library board shall determine; and

WHEREAS, the Board of Directors of the Wyandotte County Library, by resolution adopted on April 9, 2019, (a copy of which is attached as Exhibit A) pursuant to its statutory authority, set the budget for the Wyandotte County Library District for the year 2020 in the amount of \$3,365,622.00 with an added reserve of \$295,733.00; and

WHEREAS, the Unified Government Board of Commissioners is authorized to annually levy a tax in such sum as the County Library Board shall determine; and

WHEREAS, K.S.A. 79-2925b provides that where any appropriation or budget of a municipality which is funded by revenue produced from property taxes and which provides for funding with such revenue in an amount exceeding that of the preceding year, such increase must be approved by a majority vote of the governing body and notice of such vote must be published in the official county newspaper; and

WHEREAS, the Unified Government Commission has fully complied with all of the requirements of Kansas state statutes with respect to reviewing this budget and holding a public hearing thereon,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS
OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY,
KANSAS:**

Section 1. The Unified Government Board of Commissioners notified the public on July 11, 2019, in the official county newspaper of the proposed ad valorem tax levies for the 2020 budget and provided notification of a public hearing on the proposed use of the moneys collected in the Wyandotte County Library District for July 25, 2019 at 5:00 p.m., in the Commission Chambers at the Municipal Office Building.

Section 2. After careful public deliberations, the Wyandotte County Library Board determined that in order to maintain the public services which are essential for the County Library in 2020, the Unified Government Commission hereby accepts the determination of the Library Board, which has the authority to set the amount of the tax levy.

Section 3. The governing body certifies that the amounts to be raised by ad valorem property tax levies are within the statutory limitations.

Section 4. The 2020 Annual Budget for the Wyandotte County Library District is hereby approved and adopted, and a tax for the Wyandotte County Library is hereby levied within the Wyandotte County Library District for the amount stated in such 2020 Annual Budget and the funds in the amount of \$3,365,622.00 are hereby appropriated on behalf of the Wyandotte County Library.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS 25th DAY OF July, 2019.**

Attest:

David Alvey, Mayor/CEO

Unified Government Clerk

Approved as to form:

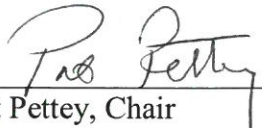
Unified Government Counsel

WYANDOTTE COUNTY LIBRARY BOARD

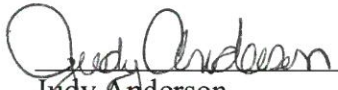
Tax Levy Resolution for the Year 2020

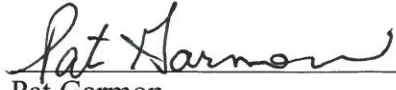
Be it resolved that on this 9th day of April, 2019, the Board of Directors of the Wyandotte County Library, pursuant to its statutory authority, hereby sets the budget for ^{\$}3,365,622 with an added reserve of ^{\$}295,733 toward an ending fund balance of ^{\$}9102,787 for the Wyandotte County Library District for the year 2020.

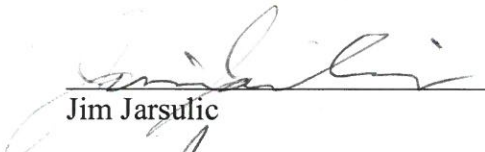
Adopted by the Board of Directors of the Wyandotte County Library on this 9th day of April, 2019.


Pat Pettey, Chair

Chuck Sites, Vice-Chair


Judy Anderson


Pat Garmon


Jim Jarsulic

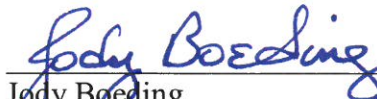
Micki Hill


Angela Lawson

John McTaggart

Alvin Sykes


Korri Hall-Thompson


Jody Boeding

WYANDOTTE COUNTY LIBRARY BOARD

Tax Levy Resolution for the Year 2020

Be it resolved that on this 9th day of April, 2019, the Board of Directors of the Wyandotte County Library, pursuant to its statutory authority, hereby allocates budget disbursements for the year 2020 as: \$ 2,439,661 to the Kansas City, Kansas, Public Library for its operation; \$ 212,146 to the Bonner Springs City Library for its operation; and \$ 418,082 for the operation of the Turner Community Library; with the stipulation that the funding for the salaries and benefits of the Schlagle Library employees up to \$ 78,120 be paid from the Kansas City, Kansas, Public Library's allocation.

Adopted by the Board of Directors of the Wyandotte County Library on this 9th day of

April, 2019.

Pat Pettey
Pat Pettey, Chair

Chuck Sites
Chuck Sites, Vice-Chair

Judy Anderson
Judy Anderson

Pat Garmon
Pat Garmon

Jim Jarsulic
Jim Jarsulic

Micki Hill
Micki Hill

Angela Lawson
Angela Lawson

John McTaggart
John McTaggart

Alvin Sykes
Alvin Sykes

Korri Hall-Thompson
Korri Hall-Thompson

Jody Boeding
Jody Boeding

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE EXPRESSING THE PROPERTY TAXATION POLICY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS WITH RESPECT TO FINANCING THE 2020 ANNUAL BUDGET FOR THE SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT AND APPROVING, ADOPTING AND APPROPRIATING THE BUDGET OF THE SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT AND LEVYING A TAX FOR THE YEAR BEGINNING JANUARY 1, 2020.

WHEREAS, on July 28, 2016, pursuant to Ordinance 0-52-16 the Downtown Kansas City, Kansas Self-Supported Municipal Improvement District (the “District”) was established; and

WHEREAS, Ordinance 0-52-16 also established a maximum mill levy rate of 13.301 mills for the District; and

WHEREAS, Ordinance 0-52-16 also established an Advisory Board for the District; and

WHEREAS, pursuant to K.S.A. 12-17,102(b), the annual levy of taxes within the District shall not be made until the Advisory Board for the District has provided their recommendation to the governing body; and

WHEREAS, April 30, 2019, the Advisory Board for the District met in open session to discuss their recommendation for the mill levy rate within the District for the year 2020, and the Advisory Board voted to recommend that the mill levy within the District be set at an amount not to exceed 12.5 mills for the year 2020; and

WHEREAS, the Advisory Board provided this recommendation to the Unified Government Board of Commissioners by filing their recommendation with the Unified Government Clerk’s Office on May 8, 2019, a copy of which is attached to this Ordinance as Exhibit A; and

WHEREAS, the Unified Government Board of Commissioners sits as the governing body of the District, and, pursuant to K.S.A. 12-17,102(b), the governing body of the District may levy taxes annually within the District to carry out the purposes of the District, if approved by ordinance; and

WHEREAS, the Unified Government Commission has fully complied with all of the requirements of the Unified Government resolutions and Kansas state statutes with respect to reviewing this budget and holding a public hearing thereon,

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

Section 1. The Unified Government Board of Commissioners notified the public on July 11, 2019, in the official county newspaper of the proposed ad valorem tax levies for the 2019 budget for the Downtown Kansas City, Kansas Self-Supported Municipal Improvement District and that all persons were invited and encouraged to attend a public hearing conducted by the Board of Commissioners July 25, 2019 at 5 :00 p.m., in the Commission Chambers at the Municipal Office Building, for the purpose of considering such 2020 budget.

Section 2. After careful public deliberations, the Unified Government Commission has determined that in order to maintain the public services, contracts and improvements which are essential for the Self-Supported Municipal Improvement District in 2020, the Unified Government Commission hereby accepts the determination of the Advisory Board for the District that, in order to carry out the purposes of the District, it will be necessary to levy a rate of 12.5 mills within the District to fund the budget proposed by the Advisory Board.

Section 3. The 2020 Annual Budget for the Downtown Kansas City, Kansas Self-Supported Municipal Improvement District (Exhibit B) is hereby approved and adopted, and a tax for the District is hereby levied in the amount of 11.023 mills within the limits of the District, and the funds from such levy are hereby appropriated on behalf of the District.

Section 4. The governing body certifies that the amounts to be raised by ad valorem property tax levies are within the statutory limitations.

Section 5. This Ordinance shall take effect and be in full force upon its approval, passage, and publication in the official Unified Government newspaper.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS 25th OF JULY 2019.**

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

DOWNTOWN
IMPROVEMENT DISTRICT
OF
KANSAS CITY, KANSAS



*The Self-Supporting Municipal
Improvement District
(SSMID)
was formed in 2008.
Advisory Board members
are appointed by the
Unified Government
Board of Commissioners.*

ADVISORY BOARD

Carla Baker
Mike Benitez
Roderick Bettis
Albert DeLeon
George Gates
Robert Hughes
Gregg Ottinger
Stacy Purvis
Jerrell Royal
Tim Ryan*

**Current Advisory
Board Chair*

May 3, 2019

Unified Government of Wyandotte County and Kansas City, Kansas
Board of Commissioners
701 N. 7th St.
Kansas City, KS 66101

Dear Mayor and Commissioners:

The Advisory Board of the Downtown Kansas City, Kansas Self-Supporting Municipal Improvement District (the "District") met on April 30, 2019 to discuss the 2020 budget and 2020 mill levy rate for the District.

After careful consideration and discussion, the Advisory Board voted to recommend a rate of **no greater than 12.5 mills** for the District in 2020.

Sincerely,

Tim Ryan,
SSMID Advisory Board Chair

**WEEKLY BUSINESS
MATERIAL**
MAY 09 2019

FILED *ms*

MAY 08 2019

UNIFIED GOVERNMENT CLERK

DOWNTOWN
IMPROVEMENT DISTRICT
OF
KANSAS CITY, KANSAS



*The Self-Supporting Municipal
Improvement District
(SSMID)
was formed in 2008.
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Jerrold Royal
Tim Ryan*

**Current Advisory
Board Chair*

May 3, 2019

Mayor David Alvey
Board of Commissioners
Unified Government of Wyandotte County and Kansas City, Kansas
701 N. 7th Street
Kansas City, KS 66101

Dear Mayor and Commissioners:

Please find attached the recommended 2020 budget for the Downtown Improvement District/Self-Supporting Municipal Improvement District (SSMID). The Advisory Board met on April 30, 2019 to consider program options and expenditures that will meet the stated needs of the District in a fiscally responsible manner, and maintaining a mill levy that is as low as possible for property owners.

We would like to highlight a few items in the budget, to emphasize their importance to the Advisory Board. We appreciate the support of the Board of Commissioners in increasing their direct support of the SSMID in the 2019 budget. The \$25,000 increase this year has enabled us to maintain and improve our basic programming, and to support new initiatives that the Downtown community has identified as priorities. In order to maintain this progress, the Advisory Board is recommending that the overall UG budget include a small (2%) increase in its support, to keep up with projected inflation moving into 2020. We are also progressing with the implementation of the Pocket Park project that was included in the 2019 budget, and have scheduled an engagement study undertaken with our partners at the Downtown Shareholders of Kansas City, Kansas, Inc. for this spring, to closely refine the plans for the project as it moves forward.

Not included in this budget, however, is an increase in service levels that we anticipate needing as Downtown developments proceed. We are excited for the opportunities that the University of Kansas Health System-Strawberry Hill campus and the Merc bring to the community; at the same time we are certain that the demand for our "Clean and Safe" programming will increase. We know, through preliminary discussions, that both will have access to their own on-site security programs, and we will continue to work closely with them on how their operations will bring changes to ours.

Again, thank you for your support. With it, we will be able to continue improving Downtown, knowing that a vibrant, safe, and attractive Downtown is the anchor of the entire community. As always, should you have any questions regarding this recommended budget, please do not hesitate to contact me, any member of the Advisory Board, or our management agent at the Downtown Shareholders. We look forward to meeting with you later this summer as the budget process continues.

Sincerely,

Tim Ryan, Chairman

FILED *JS*
MAY 08 2019
UNIFIED GOVERNMENT CLERK

WEEKLY BUSINESS
MATERIAL
MAY 09 2019

2020 Recommended Budget Proposal
Kansas City, Kansas Downtown Improvement District/
Self-Supporting Municipal Improvement District

General Comments

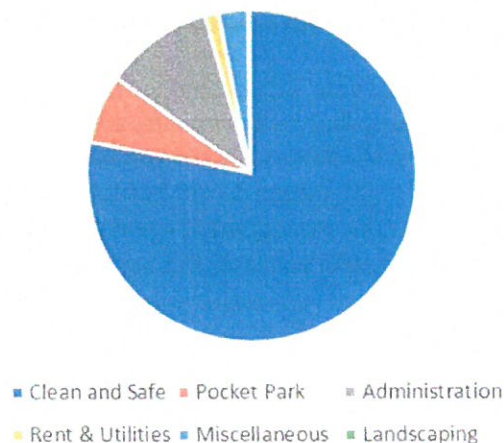
This budget recommendation reflects the Advisory Board's request for additional direct funding (from \$125,000 to \$127,500) from the Unified Government. When the SSMID was first established in 2008, the Unified Government had pledged \$150,000 annually in support of the District's activities to improve Downtown image and safety, in recognition of its exempt status and the fact that it is the single largest property owner in the District. During times of financial pressure in the intervening years, that commitment has been scaled back, resulting in service cutbacks. With an improving economy, the Advisory Board requested, and the Unified Government Board of Commissioners approved, an increase of \$25,000 direct funding for the 2019 Program Year. The 2020 budget includes a marginal (2%/\$2,500) increase in the Unified Government's direct support, to reflect inflationary trends in 2020.

Budget Overview

This budget reflects the focus of the SSMID on its signature "Clean and Safe" programming, accounting for 78% of SSMID expenditures.

Approximately 11% of budgeted expenditures go to administrative services, through the contract that the Unified Government has with the non-profit Downtown Shareholders of Kansas City, Kansas, Inc. organization to provide management and fiscal administration for SSMID operations. Rent and utilities account for approximately 1.5% of SSMID expenses, and about 3% is reserved for 'other' expenses, such as equipment maintenance and replacement expenses, costs associated with the annual outside audit, etc. The remaining 7% of the budget supports the Pocket Park initiative.

2020 SSMID Recommended Budget

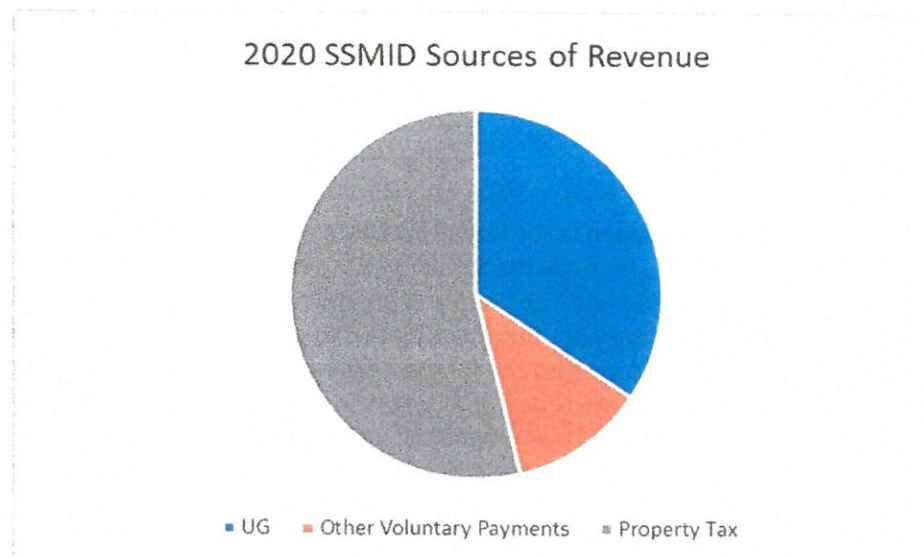


Revenue Overview

The SSMID has two main sources of revenue to support its operations: the Property Tax Assessment (as established by the Unified Government Board of Commissioners), and Voluntary Payments made by entities exempt from the property tax.

In 2020, the SSMID anticipates that three tax-exempt agencies will make voluntary payments to the SSMID operating fund: The Unified Government, the Board of Public Utilities, and the University of Kansas Health System. The Unified Government accounts for approximately 34% of the budget, the Property Tax assessments 54%, and the other Voluntary Payments provide 12% of operating funds.

Prior to 2015, the GSA also provided a Voluntary Payment (as an exempt Federal Property); however, this program was ended nationally for all districts of this type in that budget year.



Programs

Clean and Safe:

The main focus of the SSMID is the provision of the "Clean and Safe" program that was the organizing principle of the original SSMID as approved in 2009. In this focus area, the SSMID Advisory Board selects contractors to provide Security and Cleaning Ambassadors within the boundaries of the District. Security Ambassadors, while not considered security 'guards', provide general assistance to the public and local governmental agencies, assist local businesses in maintaining a safe and pleasant environment for workers and customers, and observe and report on various issues (i.e. Code Enforcement, traffic, vagrancy, etc.) to the proper authorities. Cleaning Ambassadors provide general outdoor cleaning services in public areas in the District. The SSMID also provides a light landscaping program that works in conjunction with the Unified Government Public Works Department on planting and maintaining a healthy and attractive planting program.

Pocket Park:

In 2020, the Advisory Board is looking to build upon new programming begun in 2019. Working within the UG's SOAR framework, and based on Downtown community input (from business and property owners, employees, and visitors), the SSMID Advisory Board has begun a Pocket Park development plan, designed to convert underutilized, abandoned, and distressed lots in the Downtown area into a series of small 'greenspaces' radiating out from Huron Park, the main Downtown park. We plan to build on the cultural diversity of Downtown, with a focus on visual and other arts, in these spaces. We have identified the first location for the project, at the southwest corner of 7th and Minnesota Avenue, and are continuing to work with UG staff to identify future locations and to avoid duplication of UG programs and services. We are confident that this initiative is a good fit with new Downtown amenities.

For 2020, this budget remains the same as in 2019. It budgets \$25,000 in program spending (slightly less than 7% of the recommended budget). Of that, \$5,000 is budgeted for durable equipment, such as tables, benches, and shade structures, \$5,000 for art/artist services, and \$15,000 for other professional services that may be required to complete the project (site improvement and installation expenses, utilization planning, etc.).

Looking to the Future

As new construction and businesses open in the Downtown area, we are working with the two largest projects to come to the Downtown area since the SSMID was established: The University of Kansas Health System-Strawberry Hill Campus and The Merc grocery store. As the KU Campus has transitioned the property from 'non-exempt' to 'exempt', they have agreed to continue supporting the SSMID through a voluntary payment, and we are grateful for their commitment to Downtown. Additionally, as The Merc is finalizing their plans for construction and operation, we anticipate that they will be contributing to the SSMID through either lease payments (including property taxes) or a voluntary payment. However, the impact of both these operations will likely have a multiplying effect on the SSMID's Clean and Safe programming that will necessitate an increase in service hours and/or personnel in future years. The Advisory Board will continue to work with these operations and our service provider to ensure that the progress that the SSMID has made over the last ten years in community improvement will continue into the future.

Conclusion

The SSMID Advisory Board is proud to be an integral part of the Downtown community, and have worked hard to ensure that the funds entrusted to our care by property owners and the Unified Government reflect the needs and priorities of property and business owners, employees, and visitors in a fiscally responsible way. This budget recommendation, prepared for the Board of Commissioners, meets those goals for 2020.

Unified Government of Wyandotte County and Kansas City, Kansas
Downtown Improvement District/Self-Supporting Municipal Improvement District
Recommended 2019 Amended and 2020 Proposed Budget

SSMID Revenue	2019 Approved	2019 Amended	2020 Proposed
3410 Tax Assessment Funds	204,525	204,525	199,570
3420 Other Exempt Share	26,000	26,000	26,000
3430 UG Share	125,000	125,000	127,500
3440 GSA Share			
3460 BPU Share	17,500	17,500	17,500
3475 Grants			
3480 Interest			
SSMID Non-tax Revenue	168,500	168,500	171,000
TOTAL SSMID Revenue	373,025	373,025	370,570

SSMID Expenses	2019 Approved	2019 Amended	2020 Proposed
5415 Safety Services	184,500	181,900	186,345
5416 Trash Services	102,500	101,500	103,525
5417 SSMID Management Fees to DTS-KCK	36,000	39,600	39,600
5420 Audit Expense	3,000	3,000	3,000
5430 Expendable Supplies	500	500	500
5435 Printing & Reproduction	400	400	400
5440 Landscaping	500	500	500
5450 Storage, Rent, and Utilities	4,800	4,800	4,800
5455 Building Maintenance & Repairs	-	-	-
5460 Equipment Maintenance and Repairs	1,000	1,000	1,000
5465 Cell Phones	900	900	900
5470 Durable Equipment -Non Capitalized	2,000	2,000	2,000
Pocket Park Project Expenses			-
Durable Equipment	11,000	11,000	5,000
Professional Services-Artists	9,000	9,000	5,000
Professional Services-General	5,000	5,000	15,000
Operating Reserve	3,000	3,000	3,000
TOTAL SSMID Program Expenses	364,100	364,100	370,570

RESOLUTION NO. _____

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

That the Mayor/Chief Executive Officer of the Unified Government of Wyandotte County/Kansas City, Kansas is hereby authorized and directed to execute in the name of the Unified Government, and the Unified Government Clerk is hereby authorized and directed to attest the signature of said Mayor/Chief Executive Officer and to attach the seal of the Unified Government thereto as the voluntary act of the Unified Government to the 2019-2020 Annual Action Plan which includes the Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Solutions Grant Program along with Certifications for Entitlement Grantees by the City of Kansas City, Kansas to the U.S. Department of Housing and Urban Development and to implement the 2019-2020 Annual Action Plan upon approval.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS THIS 25th DAY OF JULY
2019.

Mayor/CEO

David Alvey

Attest:

Unified Government Clerk

Approved as to Form:

Unified Government Counsel

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE RELATING TO SEWER SERVICE CHARGES, APPROVING THE REGULATION ESTABLISHING THE RATE, EFFECTIVE JANUARY 1, 2020, AS AUTHORIZED BY SECTION 30-96 OF THE CODE OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS, AND REPEALING ANY PREVIOUSLY ADOPTED REGULATIONS ESTABLISHING SUCH RATES.

WHEREAS, the governing body of the Unified Government of Wyandotte County/Kansas City, Kansas has determined as part of the projected annual budget that sewer service charges are required to be increased by five percent effective January 1, 2020; and

WHEREAS, Section 30-96 of the Code of the Unified Government of Wyandotte County/ Kansas City, Kansas provides that the Board of Commissioners shall establish by regulation the rates for sewer charges necessary to ensure that the system generates adequate annual revenues to pay the annual costs of operation and maintenance, to satisfy costs associated with any obligations, and to provide for costs associated with the Unified Government capital improvement plan and the expenses of the annual operation of the Water Pollution Control Division for providing services; and

WHEREAS, in the attached memorandum (Exhibit A) the County Administrator has recommended to the Board of Commissioners the rates for sewer charges he deems necessary under Section 30-96 of the Unified Government Code , as reflected in the attached Regulation (Exhibit B); and

WHEREAS, the governing body desires to establish the rates for sewer service charges by adopting the attached Regulation; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That it hereby adopts the attached Regulation increasing sewer service charges by five percent effective January 1, 2020 and directs that this Resolution and the attached Regulation be published in the official newspaper of the Unified Government.

Section 2. That any resolutions, ordinances, and regulations previously adopted pursuant to Section 30-96 establishing sewer service charges be and the same are hereby repealed effective January 1, 2020.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the official Unified Government newspaper.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS 25TH DAY OF JULY 2019.**

Attest:

David Alvey, Mayor/CEO

Unified Government Clerk

Approved as to form:

Unified Government Counsel

REGULATION ESTABLISHING RATES
FOR SEWER SERVICE CHARGES

**Adopted Pursuant to Section 30-96 of the Code of the
Unified Government of Wyandotte County/Kansas City, Kansas
July 25, 2019**

Effective January 1, 2020

Water Pollution Abatement Rate Structure

The rate structure is as follows:

	Current	5% Increase
Monthly Base Charge	\$19.33	\$20.30
Unit Charges (per 100 cubic feet)		
Class IA	\$4.37	\$4.59
Class IB	\$4.37	\$4.59
Class II	\$5.89	\$6.18
(Restaurant (Food Establishment))		
Surcharges for Excess Loadings (Per Pound)		
TSS above 250mg/I	\$0.3420	\$0.3591
COD above 375 mg/I	\$0.2566	\$0.2694
O&G above 30mg/I	\$0.1206	\$0.1266
LPS Class 080A Monthly Base Charge	\$32.36	\$33.98



County Administrator's Office
Douglas G. Bach, County Administrator

701 North Seventh Street, Ste. 945
Kansas City, Kansas 66101
(913) 573-5030 • FAX (913) 573-5540

MEMORANDUM

TO: David Alvey, Mayor/CEO
Board of Commissioners

FROM: Douglas G. Bach, County Administrator *ou*

DATE: July 19, 2019

RE: Regulations for Rate Adjustment for the Sewer System Abatement Fees

The Unified Government recently completed a review of the annual budget for the Water Pollution Control Division (WPCD). Additionally, the WPCD is currently working on a long term control plan (IOCP) for Federal mandates related to the Sewer System. As a result of the budget review, and in preparation for the IOCP, it has been determined that a rate increase is required. It is recommended that the following regulations adjusting rates be adopted.

The rate structure is as follows:

	Current	5% Increase
Monthly Base Charge	\$19.33	\$20.30
Unit Charges (per 100 cubic feet)		
Class IA	\$4.37	\$4.59
Class IB	\$4.37	\$4.59
Class II	\$5.89	\$6.18
(Restaurant (Food Establishment))		
Surcharges for Excess Loadings (Per Pound)		
TSS above 250mg/l	\$0.3420	\$0.3591
COD above 375 mg/l	\$0.2566	\$0.2694
O&G above 30mg/l	\$0.1206	\$0.1266
LPS Class 080A Monthly Base Charge	\$32.36	\$33.98

Cc: Jeff Fisher, Public Works Director
Kurt Winters, Director/Water Pollution Control Division

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE

**RELATING TO THE MONTHLY FEE ON RESIDENTIAL
UNITS IN THE CITY OF KANSAS CITY, KANSAS, TO
FUND THE UNIFIED GOVERNMENT'S SOLID WASTE
SERVICES, AMENDING SECTION 31-17(b) OF THE
UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS CODE AND
REPEALING ORIGINAL SECTION 31-17(b).**

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

Section 1. That Section 31-17(b) of the Unified Government of Wyandotte
County/Kansas City, Kansas Code be and the same is hereby amended to read as follows:

Sec. 31-17. Service Fee.

(b) *Levy and payment of fee and effective date.*

- 1) Effective January 1, 2015, a monthly solid waste fee in the amount of \$15.40 is hereby levied on all single family residences and all residential units in buildings containing not more than four dwelling units in the City.
- 2) Effective January 1, 2020, a monthly solid waste fee in the amount of \$15.65 is hereby levied on all single family residences and all residential units in buildings containing not more than four dwelling units in the City
- 3) The fee shall be billed and collected through the administrative departments of the Board of Public Utilities of the Unified Government and the Board of Public Utilities may discontinue water services to premises for which the fee has not been paid.
- 4) The solid waste fee shall be a debt due to the Unified Government. If the debt is not paid on the due date, it shall be deemed delinquent and may be recovered by initiating the necessary civil action in the name of the Unified Government against the property owner or the occupant of the premises.

Section 2. That said original Section 31-17(b) of the Unified Government of Wyandotte
County/Kansas City, Kansas Code be and the same is hereby repealed.

Section 3. This Ordinance shall become effective after its passage, approval, and publication in the official Unified Government newspaper.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS 25th DAY OF JULY 2019.**

**_____
David Alvey, Mayor/CEO**

Attest:

**_____
Unified Government Clerk**

Approved as to form:

**_____
Unified Government Counsel**

Published _____

RESOLUTION NO. _____

**A RESOLUTION SETTING THE PERCENTAGE OF GROSS REVENUES TO BE
SET OVER BY THE BOARD OF PUBLIC UTILITIES TO THE
UNIFIED GOVERNMENT FOR THE YEAR 2020.**

WHEREAS, Unified Government Charter Ordinance No. CO-3-02 requires the annual setting over of funds by the BPU to be used for governmental functions, known as a payment in lieu of taxes or “the PILOT”; and

WHEREAS, Section 17 of said Charter Ordinance states that the percentage of gross operating revenues to be set over to funds to be used for governmental purposes shall be determined by resolution, by the Unified Government of Wyandotte County/Kansas City, Kansas (“Unified Government”) in an amount not less than 5 percent nor more than 15 percent of its gross revenues for a fiscal year; and

WHEREAS, the Board of Commissioners believes it is necessary to set the PILOT at 11.9% for the 2020 fiscal year,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS:**

1. That the transfer payment based on a percentage of gross revenues to be set over by the Board of Public Utilities to the Unified Government to be used for governmental purposes shall be 11.9 percent for the fiscal year 2020.

2. The Unified Government Clerk is hereby authorized and directed to give written notice to the Board of Public Utilities of this resolution on or before the 31st day of August, 2019.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED
GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS 25TH DAY OF JULY 2019.**

Unified Government Clerk

Approved as to Form:

Unified Government Counsel

(Published _____)

RESOLUTION NO. _____

ORDINANCE NO. _____

A RESOLUTION

And AN ORDINANCE

APPROVING, ADOPTING AND APPROPRIATING THE OPERATING AND CAPITAL MAINTENANCE IMPROVEMENT PROJECT BUDGETS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/ KANSAS CITY, KANSAS, AS SUBMITTED AND AMENDED BY ATTACHMENT A, FOR THE FISCAL YEARS BEGINNING JANUARY 1, 2019 AND THE FISCAL YEAR BEGINNING JANUARY 1, 2020; APPROVING THE FIVE YEAR CAPITAL MAINTENANCE IMPROVEMENT PROGRAM FOR FISCAL YEARS 2019 THROUGH 2024.

WHEREAS, Section 3.06 of Resolution R-1-97 of the Unified Government of Wyandotte County/Kansas City, Kansas (the “Unified Government”) requires the Unified Government Commission to adopt an annual budget for both Wyandotte County and the City of Kansas City, Kansas, and such budgets shall constitute the appropriation for purposes stated of the sums therein set forth as the appropriation and authorization of the amount to be raised by taxation for the purposes of Wyandotte County and of the City of Kansas City, Kansas; and

WHEREAS, the Unified Government Commission has fully complied with all of the requirements of said Unified Government resolution and Kansas state statutes with respect to reviewing these budgets and holding a public hearing thereon,

WHEREAS, the 2019-2024 Capital Maintenance Improvement Program (CMIP) has been prepared by staff for the purpose of planning for and prioritizing public improvement projects over the next five years; and

WHEREAS, the document entitled “2019-2024 Proposed Budget,” dated June 27, 2019 contains the CMIP, and all associated project budgets and is attached herein and incorporated by reference; and

WHEREAS, Charter Ordinance No. CO-03-09 was previously approved by the Unified Government, acting as a city of the first class and pursuant to Article 12, Section 5 of the Constitution of the State of Kansas, and such Charter Ordinance authorizes the governing body of the Unified Government to make the following improvements and to issue its general obligation bonds and/or temporary notes to finance the costs of such improvements:

Bridge, viaduct, street, sidewalk or pedestrian way improvements, airport, public building or structure, parking improvement, or other public utility or works, including any appurtenances related thereto and the land necessary therefor, for lands for public parks and recreation facilities, including golf courses, stadiums and community centers, and developing and making improvements to the same, within or without the city, for the establishment, development and construction of crematories, desiccating or reduction works, including any appurtenances related thereto and the land necessary therefor, within or without the city, or for the improvement, repair or extension of any waterworks, sanitary sewer facilities, sewage treatment or disposal plant, sewerage system storm water improvement, electric light plant, crematory, desiccating or reduction works or other public utility plant or works owned by the city, and for the purpose of rebuilding, adding to or extending the same or acquiring land necessary therefor from time to time, as the necessities of the city may require, or for the acquisition of equipment, vehicles and other personal property to be used in relation to any of the improvements authorized herein; and

WHEREAS, the Unified Government under the authority of K.S.A. 12-1757 *et seq.*, as amended by Charter Ordinance No. CO-1-98 and Charter Resolution No. CR-1-98 of the County (jointly the “PBC Act”), has previously created the Public Building Commission of the Unified Government of Wyandotte County/Kansas City, Kansas, a municipal corporation of the State of Kansas (the “PBC”); and

WHEREAS, the PBC has the power and authority under the PBC Act to pay all or a portion of the costs of:

acquiring real estate for purposes of constructing, reconstructing, equipping and furnishing, or purchase or otherwise acquire, a building or buildings or other facilities of a revenue producing character, including a building or buildings or facilities maintained and operated for (i) Unified Government offices or such other purposes as are commonly carried on in connection with such facilities and general Unified Government buildings, (ii) for public, municipal, community or recreational purposes of the Unified Government, (iii) for educational, recreational or administrative purposes for school districts, (iv) housing and accommodation of city offices or city businesses or such other purposes as are commonly carried on in connection with such facilities and general city buildings and (v) for housing, accommodations and parking facilities for offices of state and federal agencies (collectively, “PBC Facilities”), to lease such facilities to the Unified Government, and to issue leasehold revenue bonds to provide funds for the purpose of paying all or a portion of the costs of such PBC Facilities; and

WHEREAS, the Unified Government may request that the PBC provide financing for certain PBC Facilities to be used by the Unified Government; and

WHEREAS, the Unified Government is authorized under K.S.A. 10-1101 *et seq.* to enter into lease agreements and lease-purchase agreements for the purpose of financing the acquisition of certain equipment; and

WHEREAS, pursuant to K.S.A. 17-4754 the Unified Government has previously exercised its authority to issue and sell its general obligation bonds for the purpose of aiding in the planning, undertaking or carrying out of an urban renewal project; and

WHEREAS, the Unified Government has previously exercised its authority pursuant to Article 12, Section 5 of the Constitution of the State of Kansas (the “Home Rule Amendment”) and has authorized the installation of certain fiber optic cable and acquisition of certain software technology for public safety and other public purposes, and the issuance of general obligation bonds or notes to finance the costs thereof; and

WHEREAS, the Unified Government is authorized under K.S.A. 10-1201 *et seq.* to issue utility revenue bonds to repair, alter, extend, reconstruct, enlarge or improve the Sanitary Sewer System (the “System”) owned and operated by the Unified Government; and

WHEREAS, the Unified Government now seeks to: (1) approve the 2019-2024 CMIP and the Amended 2019 and Proposed 2020 specific capital project budgets as further described herein; (2) authorize certain improvements and the issuance of general obligation bonds or notes to finance the costs of such improvements; (3) request that the PBC provide financing for certain PBC Facilities to be used by the Unified Government; (4) authorize certain sanitary sewer system improvements and the issuance of sewer system revenue bonds to finance the costs of such improvements; and (5) authorize the acquisition and installation of certain equipment and entering into a lease purchase agreement on a year-to-year basis with an option to purchase the lessor’s interest in the equipment for the purpose of financing such equipment, all as set forth in the 2019-2024 CMIP and in the Amended 2019 and Proposed 2020 capital project budgets.

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED BY THE GOVERNING BODY OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. The 2019 Amended Budget and the 2020 Annual Budget of the Unified Government of Wyandotte County/Kansas City, Kansas, for Wyandotte County and for the City of Kansas City, Kansas, as submitted by the County Administrator and amended by the Unified Government Commission as set out in **Attachment A**, are hereby approved and adopted for which the obligations may be made on behalf of the Unified Government of Wyandotte County/Kansas City, Kansas, and funds are hereby appropriated in support of such budget.

Section 2. The governing body certifies that the amounts to be raised by ad valorem property tax levies are within the statutory limitations.

Section 3. The governing body approves and adopts the 2019-2024 Capital Maintenance Improvement Program contained in the Proposed Budget pages 411-604

Section 4. The governing body also approves and adopts the Amended 2019 and 2020 Capital Budget contained in the Proposed Budget pages 411-604.

Section 5. The governing body of the Unified Government hereby authorizes and orders the construction of the improvements and acquisition of equipment acquisitions as set forth in the 2019-2024 Capital Maintenance Improvement Program and the Amended 2019 and 2020 Capital Budget. The governing body hereby authorizes financing of such improvements and equipment as further set forth below:

- (a) **G.O. Bonded Projects.** Pursuant to the Home Rule Amendment, K.S.A. 17-4754 and Charter Ordinance CO-03-09, the governing body of the Unified Government hereby authorizes the issuance of general obligation bonds and/or general obligation temporary notes to fund the projects identified as such on pages 411-604 in the 2019-2024 CMIP. Such general obligation bonds and/or general obligation temporary notes may be issued in the maximum principal amounts set forth the 2019-2024 Capital Maintenance Improvement Program and the Amended 2019 and 2020 Capital Budget. The Unified Government expects to make expenditures prior to the issuance of such general obligation bonds and/or general obligation temporary notes, and any such tax-exempt general obligation bonds and/or general obligation temporary notes issued under the authority of this Resolution may be used to reimburse expenditures made on or after the date that is 60 days before the date of passage of this Resolution pursuant to U.S. Treasury Regulation §1.150-2.
- (b) **Enterprise Funded Projects; Utility Revenue Bonds.** With regard to the projects identified as such on pages 411-604 of the 2019-2024 CMIP documents, the Commission finds that the improvements to its sanitary wastewater and/or storm water system are necessary and serve the public interest. Accordingly, the Commission authorizes such projects, and approves all project and equipment acquisitions budgets, including amended budgets, for 2019 and 2020. No project budget shall be exceeded in excess of the budget identified in the CMIP document without Commission approval.

As previously authorized pursuant to Resolution R-52-18, the Unified Government may issue utility revenue bonds to fund improvements to the System. Such utility revenue bonds may be issued to fund the Kaw Point Bio-Solids Digestion project in the maximum principal amount not to exceed \$70,500,000 plus the cost of any required reserves, costs of issuance and related expenses. The Unified Government expects to make expenditures prior to the issuance of such utility revenue bonds, and any such tax-exempt utility revenue bonds issued under the authority of this Resolution may be used to reimburse expenditures made on or after the date that is 60 days before the date of passage of this Resolution pursuant to U.S. Treasury Regulation §1.150-2. The Unified

Government has previously published its notice of intent to undertake such project and to issue utility revenue bonds therefor.

- (c) **Cash-Funded Projects.** With regard to the projects identified as such on pages 411-604 of the 2019-2024 CMIP document, the Commission finds that the public improvements and equipment acquisitions are necessary and serve the public interest. Accordingly, the Commission authorizes such projects and approves all project budgets, including amended budgets, for 2019 and 2020. No project or equipment acquisition budget shall be exceeded in excess of the budget identified in the CMIP document without Commission approval.
- (d) **Lease Purchase Financing.** Pursuant to K.S.A. 10-1101 *et seq.*, the governing body of the Unified Government hereby authorizes the use of one or more lease purchase agreements to finance the acquisition and installation of certain equipment, in the maximum amounts, all as set forth in the 2019-2024 Capital Maintenance Improvement Program and the Amended 2019 and 2020 Capital Budget. The Unified Government expects to make expenditures prior to the execution of such lease purchase agreement(s), and the proceeds of any such tax-exempt lease purchase agreement issued under the authority of this Resolution may be used to reimburse expenditures made on or after the date that is 60 days before the date of passage of this Resolution pursuant to U.S. Treasury Regulation §1.150-2.
- (e) **Request for PBC Financing.** Pursuant to the PBC Act, the Unified Government hereby requests that the PBC provide financing for certain PBC Facilities described in pages 411-604 of the 2019-2024 CMIP document.

Section 6. The Mayor/CEO, Unified Government Clerk, County Administrator, Unified Government Chief Financial Officer and Unified Government Chief Counsel and other appropriate officers and agents of the Unified Government are hereby authorized and directed to take such action, expend such funds and execute such documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution and Ordinance.

Section 7. This Resolution and Ordinance, as the expression of the governing body's official intent regarding the matters described herein, will be available for public inspection in the Unified Government Clerk's office at One McDowell Plaza during regular business hours of the Unified Government.

Section 8. This Resolution and Ordinance shall take effect and be in full force upon its approval, passage, and publication (or publication of a summary thereof) in the official Unified Government newspaper.

**ADOPTED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS 25th DAY OF JULY, 2019.**

David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

Approved as to form:

Unified Government Counsel

ATTACHMENT A

Attachment A to be added July 25, 2019.



Staff Request for Commission Action

Tracking No. 19853

Full Commission Meeting Date: 7/25/19

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 7/8/19

(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
7/18/2019	Chris Slaughter	x8977	CSlaughter@wycokck.org	Land Bank

Item Description:

The Land Bank Manager respectfully requests that the Neighborhood & Community Development Committee review the proposed item and forward it to the Land Bank Board of Trustees for final consideration.

Item - Transfers from Land Bank (22)

Action Requested:

The Land Bank Manager respectfully request that the Neighborhood & Community Development Committee approve the above request and forward it to the Land Bank Board of Trustees for final approval.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Transfer to LB

TRANSFERS FROM LAND BANK

Recipient	Property Address	Parcel	Comments	Standing Committee Recommendation
Community Housing of Wyandotte County	52 N 12th St	298002	CHWC will be developing Panoramic Park at 12th and Riverview that will provide a wide variety of housing types that will benefit a wide variety of all income levels.	APPROVED
Community Housing of Wyandotte County	56 N 12TH ST	298003		APPROVED
Community Housing of Wyandotte County	58 N 12TH ST	298004		APPROVED
Community Housing of Wyandotte County	60 N 12TH ST	298005		APPROVED
Community Housing of Wyandotte County	64 N 12TH ST	298006		APPROVED
Community Housing of Wyandotte County	68 N 12TH ST	298007		APPROVED
Community Housing of Wyandotte County	72 N 12TH ST	298008		APPROVED
Community Housing of Wyandotte County	76 N 12TH ST	298009		APPROVED
Community Housing of Wyandotte County	80 N 12TH ST	298010		APPROVED
Community Housing of Wyandotte County	84 N 12TH ST	298011		APPROVED
Community Housing of Wyandotte County	88 N 12TH ST	298012		APPROVED
Community Housing of Wyandotte County	90 N 12TH ST	298013		APPROVED
Community Housing of Wyandotte County	1139 RIVERVIEW AVE	298014		APPROVED
Community Housing of Wyandotte County	1134 RIVERVIEW AVE	298015		APPROVED
Community Housing of Wyandotte County	1130 RIVERVIEW AVE	298016		APPROVED
Community Housing of Wyandotte County	1126 RIVERVIEW AVE	298017		APPROVED
Community Housing of Wyandotte County	1122 RIVERVIEW AVE	298018		APPROVED
Community Housing of Wyandotte County	1118 RIVERVIEW AVE	298019		APPROVED
Community Housing of Wyandotte County	1114 RIVERVIEW AVE	298020		APPROVED
Community Housing of Wyandotte County	1110 RIVERVIEW AVE	298021		APPROVED
Community Housing of Wyandotte County	1106 RIVERVIEW AVE	298022		APPROVED
Community Housing of Wyandotte County	1102 RIVERVIEW AVE	298023		APPROVED



2 South 14th Street
Kansas City, KS 66102
Office: 913.342.7580 Fax: 913.342.7581
www.chwckck.org

May 21, 2019

Dear Mr. Slaughter,

Below is a project description to attach to CHWC's request for the landbank lots around 12th and Riverview:

CHWC will be developing Panoramic Park, a new community at 12th and Riverview that looks over green parkland featuring Kansas City skyline views. This development will be the first to take advantage of zoning regulations that only exist in Kansas City KS's narrow lot guidelines. These guidelines will allow us to provide a wide variety of housing types that will benefit a wide variety of income levels. CHWC's project manager has visited surrounding neighborhood associations, all who have shown support for this development.

This development is also an opportunity to repeat the success CHWC has had at Waterway Park. Waterway's key success factor is that the homes were built around a community amenity, the park. This park boasts a walking trail, soccer fields, playground, workout equipment and a strong sense of ownership by surrounding households. What was literally a hole in the ground is now a key draw for families of all types.

Along with building new housing, CHWC will reinvent the property it currently owns at 12th and Riverview into a park with lighting, trails and maturing trees. This property, donated to CHWC by Sisters Of Charity, has several feet of demolition debris from Bethany Hospital buried across the entire site. These subterranean conditions have proven too costly for any development that is within CHWC's scale. CHWC will be working the next few years to identify a larger development partner and project that can absorb the half million dollars of site work required. Developed or not, the land CHWC currently owns will be transformed into an amenity for the surrounding new housing and broader community. Two of the lots CHWC is requesting have building limitations due to retaining walls, and may be converted to a greenspace or other community amenity.

Mixed Income Rental Housing
(8 out of the 22 lots)

CHWC will pursue a range of potential funding sources that may include state, federal, and FHLB in addition to private bank finance to build eight mixed-income triplexes (or 24 rental



units). These triplexes will be a mix of 3 bedroom, 2 bedroom and studio apartments. The non-studio units will have 2 full baths. Some units are reserved for veterans and people with disabilities. Four units will be market rate, and the remaining 20 units will have rents to match

affordability standards for 80%,60%,50%, and 30% AMI. Current market studies have shown that KCK's greatest need is for apartments affordable to those within the 60-50% AMI range. Applications for funding sources are due at various times throughout this year, and construction will be able to begin June 2020.

Numbers:

2 bed, 2 bath Units: 6

3 Bed, 2 Bath Units: 10

Studios: 8

Unit Quantity by Income Range:

Market Rate: 4

80%: 8

50%: 9

30%: 3

Single Family Houses + Accessory Unit (12 of the 22 lots)

CHWC believes there are niche markets that can be met because of KCK's current zoning regulations. With senior living options being so expensive, scarce, and distant, CHWC wants to build single family homes with accessory dwelling units for aging parents. This provides a family with their own space yet preserves a sense of the aging parents' independence. Entrepreneurial millennials also want their homes to do more for them, and it's not uncommon for a young couple to seek out properties where they can both live and have a rental unit that pays their monthly mortgage. Homes will feature 3 bedrooms, 2.5 bathrooms with the accessory unit having a kitchenette, ADA bathroom, and large living room/bedroom.

A single family home with an accessory unit can provide housing for a wide variety of people. This also helps increase density, an important factor that improves the sustainability of a city's



Rebuilding our Neighborhoods

infrastructure and transportation systems. These homes will be funded by typical bank loans, and CHWC will begin presales as soon as possible.

We believe that this mix of single family homes, triplex apartments, and park will create a stable and diverse neighborhood and provide a sought after and unique lifestyle within KCK. CHWC

will uphold its high standards for both new construction and property management, and will help establish a Panoramic Park resident association.

Thank you,

Megan Painter
CHWC Project Manager





Staff Request for Commission Action

Tracking No. 19854

Full Commission Meeting Date: 7/25/19

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 7/8/19

(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
7/18/2019	Chris Slaughter	x8977	CSlaughter@wycokck.org	Land Bank

Item Description:

The Land Bank Manager respectfully request that the Neighborhood & Community Development Committee review the proposed item and forward it to the Land Bank Board of Trustees for final consideration.

Item - Donations To Land Bank (12)

Action Requested:

The Land Bank Manager respectfully request that the Neighborhood & Community Development Committee approve the above item and forward them to the Land Bank Board of Trustees for final approval.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Donations

DONATIONS TO LAND BANK

Donor	Parcel #	Requested Donation Address	Property Type	Comments	STANDING COMMITTEE RECOMMENDATION
TURNER WOODS, LLC	925502	6800 Speaker Rd	VACANT LOT	Owner acquired property along with larger parcel which was later sold. They no longer own any adjacent parcels and the proposed development is not feasible due to existing roadway and parcel's narrow shape. The UG has ROW to the East of this propert from Speaker Road from South 65th St to South 72nd St.	APPROVED
CHWC	119004	736 SPLITLOG AVE	VACANT LOT	Owner states that because of grading and possible burried foundations, the extra expenses will make Single Family builds difficult to complete.	APPROVED
CHWC	092839	846 OHIO AVE	VACANT LOT		APPROVED
CHWC	081041	1305 ANN AVE	VACANT LOT		APPROVED
CHWC	081042	1307 ANN AVE	VACANT LOT		APPROVED
CHWC	081403	1309 H ANN AVE	VACANT LOT		APPROVED
CHWC	081044	1311 ANN AVE	VACANT LOT		APPROVED
CHWC	081045	1315 ANN AVE	VACANT LOT		APPROVED
CHWC	081046	1319 ANN AVE	VACANT LOT		APPROVED
CHWC	081048	1325 ANN AVE	VACANT LOT		APPROVED
CHARLES CUNNINGHAM	111923	638 Winona Ave	STRUCTURE	Owner states that he is not able to manage and maintain property.	APPROVED
SHER SHAH	133341	4011 H SPRINGFIELD ST	VACANT LOT	Owner purchased from a Tax Sale without realizing the property was not the house located adjacent to the property.	APPROVED



WYANDOTTE COUNTY LAND BANK

Property Donation Application



Please use the following application to notify the Wyandotte County Land Bank (WCLB) of your interest in donating any property that you currently own in Wyandotte County. This form may **only** be completed by the owner of the property or by a person with authorization to act on behalf of the owner by virtue of a power of attorney. Please fill out one form per property address. The WCLB will **NOT** accept your property as a donation unless certain conditions are met.

NOTE: The WCLB will research this property to determine if it meets the donation criteria. The WCLB Board of Trustees must approve the donation. The WCLB will keep you informed of its progress and final decision.

If the WCLB accepts your donation offer, you will be contacted to begin the donation procedure. This form is a statement of interest only and does not commit the WCLB to accept your property as a donation or for value.

****Application will not be processed if not completed in its entirety****

CONTACT INFORMATION

Owners Name: Turner Woods, LLC; c/o NorthPoint Development
Mailing address: 4825 NW 41st Street, Suite 500
City: Riverside State: MO Zip: 64150
Daytime Phone #: 816.460.1821 (Attn. Scott Seitter) Alternate Phone #: _____
Email address: sseitter@levycraig.com

DONATED PROPERTY INFORMATION

Property address: 6800 Speaker Road, Kansas City, KS 66111 Parcel ID#: 925502

Structure or vacant lot: Vacant Lot

Why are you requesting to donate your property? This parcel is part of Speaker Road. We acquired it along with a larger parcel of land which we later sold. We no longer own any land adjacent to the parcel and development is not feasible due to the existing roadway and the parcel's narrow shape. The County owns Parcel 892262 immediately to the east. Acquiring this parcel would complete the County's rights-of-way along Speaker Road from S. 65th to S. 72nd Street. Please see the attached exhibits.

The information provided in this application is true to the best of my knowledge. I understand that this application does not commit the WCLB to accepting my property.

Turner Woods, LLC,
By: NorthPoint Development, LLC
Its: Manager

By: Nathaniel Hagedorn,
Its: Manager

Date: 4/9/19

Please return to:
Wyandotte County Land Bank
701 N 7th St, Suite 421
Kansas City, KS 66101



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****Application will not be processed if not completed in its entirety****

CONTACT INFORMATION

Owners Name: CHWC Inc
 Mailing address: 2 S 14th Street
 City: Kansas City State: KS Zip: 66102
 Daytime Phone #: 913 205 6463 Alternate Phone #: 913 342 7580
 Email address: mpainter@chwc.kck.org

DONATED PROPERTY INFORMATION

Property address: 736 Spliting Ave Parcel ID#: 119004
 Structure or vacant lot: Vacant
 Why are you requesting to donate your property? _____

Lot is left over from old development - we will not
build here in the foreseeable future.

The information provided in this application is true to the best of my knowledge. I understand that this application does not commit the WCLB to accepting my property.

Signature of Applicant: _____ Date: 5/7/19

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CONTACT INFORMATION

Owners Name: CHWC Inc
 Mailing address: 2 S 14th Street
 City: Kansas City State: KS Zip: 66102
 Daytime Phone #: 913 205 6463 Alternate Phone #: 913 342 7580
 Email address: mpainter@chwckck.org

DONATED PROPERTY INFORMATION

Property address: 846 Ohio Parcel ID#: 092839
 Structure or vacant lot: Vacant

Why are you requesting to donate your property? Topography or lot size make this lot unbuildable

The information provided in this application is true to the best of my knowledge. I understand that this application does not commit the WCLB to accepting my property.

Signature of Applicant: [Signature] Date: 5/7/19

Please return to:
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CONTACT INFORMATION

Owners Name: CHWC Inc
Mailing address: 2 S 14th Street
City: Kansas City State: KS Zip: 66102
Daytime Phone #: 913 205 6463 Alternate Phone #: 913 342 7580
Email address: mpainter@chwckck.org

DONATED PROPERTY INFORMATION

Property address: 1305 Ann Ave Parcel ID#: 081041
Structure or vacant lot: Vacant

Why are you requesting to donate your property? Topography or lot size make this lot unbuildable

The information provided in this application is true to the best of my knowledge. I understand that this application does not commit the WCLB to accepting my property.

Signature of Applicant: [Signature] Date: 5/7/19

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CONTACT INFORMATION

Owners Name: CHWC Inc
 Mailing address: 2 S 14th Street
 City: Kansas City State: KS Zip: 66102
 Daytime Phone #: 913 205 6463 Alternate Phone #: 913 342 7580
 Email address: mpainter@chwckck.org

DONATED PROPERTY INFORMATION

Property address: 1307 Ann Ave Parcel ID#: 081042
 Structure or vacant lot: Vacant

Why are you requesting to donate your property? Topography or lot size make this lot unbuildable

The information provided in this application is true to the best of my knowledge. I understand that this application does not commit the WCLB to accepting my property.

Signature of Applicant: [Signature] Date: 5/7/19

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 Kansas City, KS 66101





WYANDOTTE COUNTY LAND BANK

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CONTACT INFORMATION

Owners Name: CHWC Inc
Mailing address: 2 S 14th Street
City: Kansas City State: KS Zip: 66102
Daytime Phone #: 913 205 6463 Alternate Phone #: 913 342 7580
Email address: mpainter@chwc-kck.org

DONATED PROPERTY INFORMATION

Property address: 1309 H Ann Ave Parcel ID#: 081043
Structure or vacant lot: Vacant

Why are you requesting to donate your property? Topography or lot size make this lot unbuildable

The information provided in this application is true to the best of my knowledge. I understand that this application does not commit the WCLB to accepting my property.

Signature of Applicant: [Signature] Date: 5/7/19

Please return to:
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701 N 7th St, Suite 421
Kansas City, KS 66101





WYANDOTTE COUNTY LAND BANK

Property Donation Application



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CONTACT INFORMATION

Owners Name: CHWC Inc
Mailing address: 2 S 14th Street
City: Kansas City State: KS Zip: 66102
Daytime Phone #: 913 205 6463 Alternate Phone #: 913 342 7580
Email address: mpainter@chwc.kck.org

DONATED PROPERTY INFORMATION

Property address: 1311 Ann Ave Parcel ID#: 081044
Structure or vacant lot: Vacant

Why are you requesting to donate your property? Topography or lot size make this lot unbuildable

The information provided in this application is true to the best of my knowledge. I understand that this application does not commit the WCLB to accepting my property.

Signature of Applicant: [Signature] Date: 5/7/19

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WYANDOTTE COUNTY LAND BANK

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CONTACT INFORMATION

Owners Name: CHWC Inc
 Mailing address: 2 S 14th Street
 City: Kansas City State: KS Zip: 66102
 Daytime Phone #: 913 205 6463 Alternate Phone #: 913 342 7580
 Email address: mpainter@chwc.kck.org

DONATED PROPERTY INFORMATION

Property address: 1315 Ann Ave Parcel ID#: 081045
 Structure or vacant lot: Vacant

Why are you requesting to donate your property? Topography or lot size make this lot unbuildable

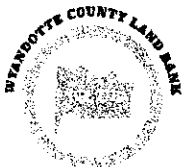
The information provided in this application is true to the best of my knowledge. I understand that this application does not commit the WCLB to accepting my property.

Signature of Applicant: [Signature] Date: 5/7/19

Please return to:
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 701 N 7th St, Suite 421
 Kansas City, KS 66101



#7



WYANDOTTE COUNTY LAND BANK Property Donation Application



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CONTACT INFORMATION

Owners Name: CHWC Inc
Mailing address: 2 S 14th Street
City: Kansas City State: KS Zip: 66102
Daytime Phone #: 913 205 6463 Alternate Phone #: 913 342 7580
Email address: mpainter@chwckck.org

DONATED PROPERTY INFORMATION

Property address: 1319 Ann Ave Parcel ID#: 081046

Structure or vacant lot: Vacant

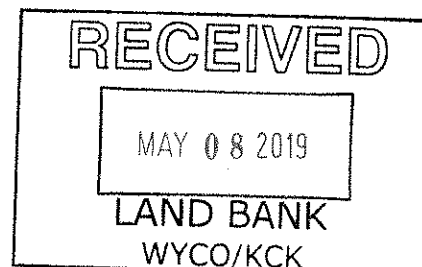
Why are you requesting to donate your property? _____

Topography or lot size make this lot unbuildable

The information provided in this application is true to the best of my knowledge. I understand that this application does not commit the WCLB to accepting my property.

Signature of Applicant: _____ Date: 5/7/19

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CONTACT INFORMATION

Owners Name: CHWC Inc
 Mailing address: 2 S 14th Street
 City: Kansas City State: KS Zip: 66102
 Daytime Phone #: 913 205 6463 Alternate Phone #: 913 342 7580
 Email address: mpainter@chwckk.org

DONATED PROPERTY INFORMATION

Property address: 1325 Ann Ave Parcel ID#: 081048
 Structure or vacant lot: Vacant
 Why are you requesting to donate your property? Topography or lot size make this lot unbuildable

The information provided in this application is true to the best of my knowledge. I understand that this application does not commit the WCLB to accepting my property.

Signature of Applicant: [Signature] Date: 5/7/19

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 Kansas City, KS 66101





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CONTACT INFORMATION

Owners Name: Charles Cunningham
Mailing address: P.O. Box 65
City: Mission State: KS Zip: 66201
Daytime Phone #: 913-206-2230 Alternate Phone #: _____
Email address: niccoli@yahoo.com

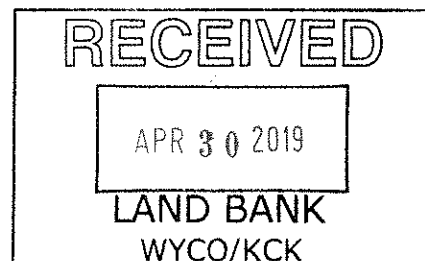
DONATED PROPERTY INFORMATION

Property address: 638 Winona Ave. HG, KS 66101 Parcel ID#: 111923
Structure or vacant lot: Structure
Why are you requesting to donate your property? Not able to manage and maintain property

The information provided in this application is true to the best of my knowledge. I understand that this application does not commit the WCLB to accepting my property.

Signature of Applicant: Charles Cunningham Date: 4/23/19

Please return to:
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701 N 7th St, Suite 421
Kansas City, KS 66101





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CONTACT INFORMATION

Owners Name: Sher Shah

Mailing address: 14414 W 86th Ter

City: Lenexa State: KS Zip: 66215

Daytime Phone #: 913-486-1537 Alternate Phone #: 816-328-1394

Email address: Sher0209@yahoo.com

DONATED PROPERTY INFORMATION

Property address: 4011 N Springfield St Parcel ID#: _____

Structure or vacant lot: _____

Why are you requesting to donate your property? I don't have anything to

use for and I can't get to that property.

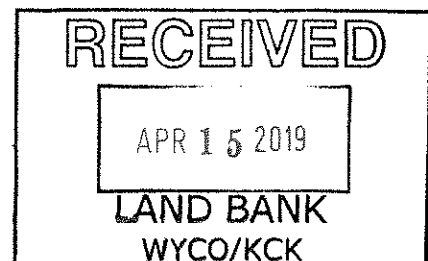
Because I have to call this person which the same

people using the lot in part of the garage

The information provided in this application is true to the best of my knowledge. I understand that this application does not commit the WCLB to accepting my property.

Signature of Applicant: Sher Shah Date: 04/15/19

Please return to:
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701 N 7th St, Suite 421
Kansas City, KS 66101



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